Svensk Exegetisk Årsbok 82



På uppdrag av Svenska Exegetiska Sällskapet utgiven av Göran Eidevall

Uppsala 2017

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Prenumerationspriser:

Sverige: SEK 200 (studenter SEK 100)

Övriga världen: SEK 300

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Omslagsbild: Del av 11Q19, "Tempelrullen", daterad till mellan första århundradet f.v.t och första århundradet v.t.

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Tryck: Bulls Graphics, Halmstad

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Textual Growth and the Activity of Scribes

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The line between "Bible" and "not Bible," once so firmly drawn in biblical scholarship, has become very blurry in recent years, almost to the point of disappearance. This drastic change in scholarly thinking has been caused by the discovery of ancient manuscripts of the books found in the Jewish canon of scripture in the Judean Desert caves in the second half of the twentieth century. While today communities of faith, Jewish and Christian alike, embrace canons of scripture that make a clear distinction between "biblical" and "non-biblical" literature, evidence from the Judean Desert scrolls shows no such distinction in the period of Second Temple Judaism, which ended with the destruction of the temple in Jerusalem in 70 CE.

When the Judean Desert Scrolls, especially the Qumran scrolls, were first discovered in the 1940s and 50s, the scholars responsible for their publication divided them, understandably, according to the categories extant at the time, that is, "biblical" and "non-biblical." The books that appeared in the canons of Judaism and Protestant Christianity were labelled "biblical," while those that did not were labelled "non-biblical." Further, only manuscripts that conformed to the received text of the Hebrew Bible, that is, the Masoretic Text (with some allowance for variation that agreed with other extant versions such as the Septuagint and

¹ The use of the adjective "Protestant" is deliberate; those books found in non-Protestant Christian canons were designated "non-biblical." For example, Tobit, part of the deuterocanonical literature in Roman Catholicism and part of the Eastern Orthodox canon, was assigned to the non-biblical category. This despite the fact that fully half of the members of the Cave 4 team were Roman Catholic!

the Samaritan Pentateuch), were considered "biblical." Other manuscripts, which were deemed to deviate too far from the received text, such as 4QReworked Pentateuch, were relegated to the "non-biblical" group.² It has become clear in recent decades, however, that that division is a false one for the Second Temple period, and that those categories should be discarded.

Jews in the last two centuries BCE and the first century CE, the late Second Temple period, had of course inherited from earlier centuries works that we might characterize as the "classical" literature of ancient Israel. Many of these works later became canonical in both Judaism and Christianity. However, what we observe from the Qumran manuscripts is that the texts of these books were not yet fixed or closed. Instead, texts were subject to greater or lesser degrees of scribal intervention. That is, the scribes, the professional text scholars of Second Temple Judaism who were responsible for passing down the classical literature of ancient Judaism, were not constrained by our notions of the importance of ex-

² The history of the 4QReworked Pentateuch manuscripts is illustrative in this regard. The 4QRP manuscripts were originally assigned to the lot of Frank Moore Cross; that is, they were considered biblical. Cross, however, decided that they strayed too far from the received text, and turned them over to John Strugnell, thus changing their designation to non-biblical. Strugnell referred to the manuscripts as containing a "wild Pentateuch," and named them "Pentateuchal Paraphrases." The editors of the manuscripts, Emanuel Tov and the present author, renamed the manuscripts "Reworked Pentateuch," moving them closer to biblical, but not yet placing them firmly in that category. Much discussion ensued over the next fifteen years about the proper categorization of these manuscripts, as "Bible" or "Rewritten Bible." A consensus has developed in recent years, supported by the editors, that they should be considered Pentateuch manuscripts with an expanded text. 4Q364 and 365 were probably complete manuscripts of the Pentateuch when whole; 4Q366 and 367 (as well as 4Q158) were "special use" manuscripts, i.e. small manuscripts created for study purposes. For a discussion of this history, see Weston W. Fields, The Dead Sea Scrolls, A Full History: Volume One, 1947-1960 (Leiden/Boston: Brill, 2009), 232-33. See also Emanuel Tov, "From 4QReworked Pentateuch to 4QPentateuch (?)," in Textual Criticism of the Hebrew Bible, Qumran, Septuagint: Collected Essays, Volume 3 (SVT 167; Leiden: Brill, 2015), 45-59, where he mentions the "identity crisis" of these manuscripts (46).

act copying without variation with which we approach the passing down of scripture. That sort of copying evidently did occur, but scribes also felt free to change the text in front of them by adding to, rearranging and occasionally omitting material from their received text for purposes of clarification and/or exegesis. This scribal pursuit is a form of "rewriting" of the biblical text.

This scribal activity in the transmission of texts was first noted by Shemaryahu Talmon in the 1950s. Talmon argued for what he called a "variegated transmission" of the scriptural text in the latter part of the Second Temple period. He put a great deal of emphasis on the role of the scribe, claiming that scribes enjoyed "a controlled freedom of textual variation." In other words, scribes were not merely copyists, but were "literary practitioners," playing active roles in all aspects of the transmission of the text of scripture. As we consider all the evidence of the Qumran Pentateuch scrolls, it is clear that Talmon was correct in his assessment that the activity of scribes was paramount in the transmission of the still-fluid scriptural text in the period under consideration.³

THE TEXT OF THE PENTATEUCH AT QUMRAN

The greater part of our evidence for this kind of scribal activity comes from the scrolls of the five books of the Pentateuch uncovered in the Qumran caves and the other Judean Desert sites. These scrolls have presented scholars with a wealth of new evidence concerning the textual history of those books. Over the sixty years since the discovery of Cave 4, textual critics have had to revise their thinking many times to integrate the new information conveyed by the manuscripts. I believe we are in the midst of another major revision in our thinking, in which the older model of linear growth, that is, where one form or "edition" of a

³ See Talmon's articles on the subject collected in Frank Moore Cross and Shemaryahu Talmon, eds., *Qumran and the History of the Biblical Text* (Cambridge: Harvard University, 1975); and Shemaryahu Talmon, *Text and Canon of the Hebrew Bible: Collected Studies* (Winona Lake: Eisenbrauns, 2010).

text succeeds another, is breaking down and being replaced by non-linear models of textual transmission. By "non-linear" I am referring to a scenario in which scribes, working in different places and at different times, passed down manuscripts with a variety of textual variants. The variants of a particular manuscript might be copied and passed down, or they might not. Our evidence suggests that most manuscripts have different proportions of shared and unique variants, pointing to the activity of individual scribes.

In this article, I will consider four examples of scribal intervention, each taken from a Qumran manuscript, into the text of a book of the Pentateuch. The first example, taken from Exodus, agrees with one of the textual traditions that later became the canonical text of a religious group, the Samaritan Pentateuch. The last three examples, from Numbers and Deuteronomy, were not passed on in any textual tradition, and thus were lost until their rediscovery in the Qumran manuscripts. The article will close with an attempt to locate geographically the communities of scribes responsible for passing down the classical texts of ancient Israel.

The five books of the Pentateuch reached their final shape sometime prior to the third century BCE. Our controls for that statement are the translation of the books of the Pentateuch into Greek in the mid-third century, and the paleographic dating of our oldest Pentateuch manuscript, 4QExod-Lev^f, also to the mid-third century.⁴ By my most recent count, there were ninety-seven Hebrew manuscripts of the Pentateuch found in the Qumran caves. The breakdown by book is as follows: twenty manuscripts of Genesis, eighteen of Exodus, seventeen of Leviticus, seven of Numbers, and thirty-five of Deuteronomy. This count includes five manuscripts that contained more than one book. In addition, I have included four manuscripts of the Reworked Pentateuch group, B through E, in this Pentateuch group, for a total of 101. Thus

⁴ Frank Moore Cross, *Qumran Cave 4, VII: Genesis to Numbers* (DJD 12; Oxford: Clarendon Press, 1994), 134.

we have a large amount of evidence for the transmission by scribal copying of the books of the Pentateuch in the last three centuries BCE and the first century CE.

Some manuscripts appear to indicate that their scribes attempted to copy their *Vorlagen* exactly, and to transmit the text without change, although of course this happened imperfectly and room must be allowed for minor variants, especially "mistakes of the eye," and orthographic variants. Manuscripts of this sort, which exhibit a short, unexpanded text, that is, a text which has not been deliberately revised, include 4QExod^c and 4QDeut^g. The manuscripts of Leviticus, a book of laws, also as a whole do not demonstrate many deliberate scribal revisions. 6

Many manuscripts, however, exhibit revisions from older readings (preserved in other witnesses to the text); many of these revisions are expansions of the text. Since scribes had, in Talmon's words, a "controlled degree of freedom" in their approach to the texts they were copying, these revisions exist along a spectrum, from relatively minor changes to full-scale, systematic revisions.

The Samaritan Pentateuch is of course a parade example of a text containing full-scale, systematic revisions. The Samaritan Pentateuch exhibits content editing and harmonization of large blocs of material, most prominently in the importation of elements from Deuteronomy 1–3 into the relevant sections of Exodus and Numbers, and the command/execution formula of the Plague Narratives in Exodus 7–11. The discovery of the Qumran scrolls made it clear, very early on, that this revisionist approach was not unique to the Samaritan Pentateuch and the

⁵ In the Pentateuch, the MT also preserves, in most of its readings, a short, unexpanded text. See, e.g., Frank Moore Cross, "The History of the Biblical Text in Light of the Discoveries in the Judaean Desert," *Qumran and the History of the Biblical Text*, ed. Frank Moore Cross and Shemaryahu Talmon (Cambridge, MA: Harvard University Press, 1975), 177–95, 185.

⁶ Sarianna Metso, "Evidence from the Qumran Scrolls for the Scribal Transmission of Leviticus," *Editing the Bible: Assessing the Task Past and Present*, ed. John S. Kloppenborg and Judith H. Newman (RBS 60; Atlanta: Society of Biblical Literature, 2012), 67–80, 76–78.

Samaritan community, but was found in manuscripts in the possession of the Judean community at Qumran.⁷ The first century BCE manuscript 4QpaleoExod^m, for example, contains every expansion found in SP Exodus that is not specifically Samaritan in origin.⁸ Our first example comes from that manuscript.

Exodus 18:25: Moses Judges the People

At Exod 18:25, both 4QpaleoExod^m and the Samaritan Pentateuch contain a long insertion taken from the parallel passage in Deuteronomy, 1:9b–18. The preceding verses in Exodus, 14–24, cover the advice to Moses from his father-in-law to appoint judges to adjudicate minor disputes among the people, but only briefly reports Moses putting the plan into action. The parallel passage in Deuteronomy presents that idea as coming from Moses himself, rather than his non-Israelite father-in-law, and has Moses put it into action. 4QpaleoExod^m harmonizes the two passages, producing an Exodus version that retains the advice of Moses' father-in-law but shows Moses putting the plan into action:⁹

¹⁴ ווירא חתן משה את כל אשר הוא עשה לעם ויאמר מה הדבר הזה אשר אתה אשה לעם מדוע אתה ישב לבדך וכל העם נצב עליך מן הבקר ועד הערב ¹⁵ ויאמר משה לחתנו כי יבוא אלי העם לדרש אלהים ¹⁶ כי יהיה להם דבר באו אלי ושפטתי בין איש ובין רעהו והודעתיו את חקי האלהים ואת תוריו ¹⁷ ויאמר חתן משה אליו לא טוב הדבר אשר אתה עשה ¹⁸ נבל תבל גם אתה גם העם הזה אשר עמך כי כבד ממך הדבר לא תוכל עשותו לבדך ¹⁹ עתה שמע בקולי אעיצך ויהי אלהים עמך הוי אתה לעם מול האלהים והבאת אתה את הדברים אל האלהים ²⁰ והזהרת אתם את החקים ואת התורה והודעת להם את הדרך אשר ילכו בה ואת המעשה אשר יעשון ¹² ואתה תחזה לך מכל העם אנשי חל יראי אלהים אנשי אמת שנאי בצע ושמת עליהם שרי אלפים ושרי מאות שרי

⁷ See, for example, Patrick W. Skehan, "Exodus in the Samaritan Recension from Qumran," *JBL* 74 (1955): 182–87.

⁸ Patrick W. Skehan, Eugene Ulrich, and Judith E. Sanderson, "4QpaleoExodus"," in *Qumran Cave 4, IV: Palaeo-Hebrew and Greek Biblical Manuscripts* (DJD 9; Oxford: Clarendon Press, 1992), 53–130, 54–56.

⁹ Words or partial words preserved by 4QpaleoExod^m are underlined. In the English translation, the harmonization taken from Deut 1:9b–15 is in italics.

חמשים ושרי עשרות ²² ו<u>שפטו</u> את <u>העם בכל עת והיה</u> כל הדבר הגדול יביאון אליך וכל הדבר הקטן ישפטו הם והקל מעליך ונשאו אתך ²² אם את <u>הדבר הזה תעשה</u> וצוך אלהים ויכלת עמד וגם כל <u>העם הזה אל מקומו יבוא בשלום</u> ²⁴ וישמע משה לקול <u>חתנו</u> ויעש כל <u>אשר אמר</u> ²⁵ ויאמר משה אל העם <u>לא אוכל</u> אנכי <u>לבדי</u> שאת <u>אתכם יהוה</u> אלהיכם <u>הדבה</u> אתכם והנכם <u>היום ככוכבי השמים לרב יהוה אלהי אבתיכם</u> יסף <u>עליכם כם אלף פעמים ויברך אתכם</u> כאשר <u>דבר לכם איכה אשא לבדי טרחכם משאכם וריבכם</u> הבו לכם <u>אנשים חכמים ונבונים</u> וידעים <u>לשבטיכם ואשימם בראשיכם</u> ויענו ויצאמרו טוב הדבר <u>אשר דברת</u> לעשות ויקח את ראשי שבטיהם אנשים חכמים וידעים ויותן <u>אתם</u> ראשים עליהם שרי אלפים ושרי מאות שרי <u>חמשים</u> ושרי עשרות ושוטרים ויתן <u>אתם</u> ראשים עליהם שרי אלפים ושרי מאות שרי <u>חמשים</u> ושרי עשרות ושוטרים לשבטיהם ויצו את שפטיהם לאמר שמעו ב<u>ין אחיכם</u> ושפטתם צדק בין <u>איש</u> ובין אחיו ובין גרו לא תכירו פנים במשפט כקטן כגדול תשמעון לא תגורו מפני איש כי המשפט לאלהים הוא והדבר אשר יקשה מכם תקריבון אלי ושמעתיו ויצו אתם את כל הדברים אשר יעשון

¹⁴ When Moses' father-in-law saw all that he was doing for the people, he said, "What is this that you are doing for the people? Why do you sit alone, and all the people stand around you from morning until evening?" ¹⁵ And Moses said to his father-in-law, "Because the people come to me to inquire of God; 16 when they have a dispute, they come to me and I decide between one person and another, and I make them know the statutes of God and his laws." ¹⁷ Moses' father-in-law said to him, "What you are doing is not good. 18 You and the people with you will certainly wear yourselves out, for the thing is too heavy for you. You are not able to do it alone. 19 Now obey my voice; I will give advice, and God be with you! You shall represent the people before God and bring their cases to God, ²⁰ and you shall warn them about the statutes and the laws, and make them know the way in which they must walk and what they must do. 21 Moreover, look for able men from all the people, men who fear God, who are trustworthy and hate a bribe, and place such men over the people as chiefs of thousands, of hundreds, of fifties, and of tens. ²² And let them judge the people at all times. Every great matter they shall bring to you, but any small matter they shall decide themselves. So it will be easier for you, and they will bear the burden with you. ²³ If you do this, God will direct you, you will be able to endure, and all this people also will go to their place in peace." 24 So Moses listened to the voice of his father-in-law and did all that he had said. 25 And Moses said to the people, "I am not able to bear you by myself. Yahweh your God has multiplied you, and behold, you are today as numerous as the stars of heaven. May Yahweh, the god of your fathers, make you a thousand times as many as you are and bless you, as he has promised you! How can I bear the weight and burden of you and your strife? Choose for your tribes wise, understanding and experienced men, and I will appoint them as your heads." And they answered and they said, "The thing that you have spoken is good for us to do." He took the heads of their tribes, wise and knowledgeable men and set them as heads over them, chiefs of thousands, of hundreds, of fifties,

and officers, throughout their tribes. And he charged the judges, saying, "Hear the cases between your brothers, and judge righteously between a man and his brother or the alien with him. Do not be partial in judgment. You shall hear the small and the great alike. You shall not be intimidated by anyone, for the judgment is God's. And the case that is too hard for you, you shall bring to me, and I will hear it." And he commanded them concerning all the things that they should do.

From the existence of 4QpaleoExod^m and other manuscripts that preserve readings also preserved in the Samaritan Pentateuch (e.g. 4QExod-Lev^f, 4QTestimonia), we have come to realize that the expansive, harmonistic text tradition found in the Samaritan Pentateuch was not unique to the Samaritan community, but was a text tradition extant in Palestine and used by both Jews and Samaritans in the Second Temple period.

However, the type of editorial changes found in these texts (usually referred to as pre-Samaritan) are inconsistent; that is, not every instance of differences within and among the books of the Pentateuch was smoothed over by the scribes. This gives rise to the possibility that these editorial changes were not made all at once by one scribe, but were made gradually over time by many scribes, each adding revisions that were then passed on (or not) in the tradition. Support for this scenario is offered by the story of the Daughters of Zelophehad, found in Numbers 27 and 36.

Numbers 27:1–11: The Daughters of Zelophehad

In Num 27:1–11, Zelophehad's daughters come before Moses to complain that, under the scheme of apportionment of the land laid out in Numbers 26, their father's family will be omitted, since he had no sons, but only daughters. Yahweh, through Moses, acknowledges the justice of their complaint, and makes provision for the inheritance of daughters when there are no sons.

¹⁰ See also Gary N. Knoppers, *Jews and Samaritans: The Origins and History of their Early Relations* (New York: Oxford University Press, 2013), 189.

However, in 36:1–12 the leaders of Manasseh, the tribe of Zelophehad, come to Moses with their own complaint: if the daughters of Zelophehad marry outside the tribe, their portion of the tribal inheritance will go to the husband's tribe. Moses resolves this difficulty by decreeing that the daughters must marry within their father's tribe, which they proceed to do. Finally, outside the Pentateuch, Josh 17:3–4 narrates that Zelophehad's daughters finally received their inheritance from Joshua and Eleazar the priest.

These two Numbers passages would seem ripe for scribal intervention in the form of editorial combination or harmonization as we find elsewhere in the Samaritan Pentateuch, but such a harmonization does not appear in the Samaritan Pentateuch or any other later version. However, it is found in two Qumran manuscripts, 4QNum^b and 4QReworked Pentateuch C (4Q365), albeit in different ways.

4QReworked Pentateuch C (4Q365), frg. 36, seems to combine the two passages in a simple juxtaposition, without any indication of a break between the two.¹¹

- [ותתם אליו ממשפחתו] אין אחים לאביו ונתתם את נחלתו לשארו הקרוב אליו ממשפחתו
 - וירש או[תה והיתה לבני ישראל לחוקת משפט כאשר צוה יהוה את] 2
- - [מושה ולפני הנשיאים ראשי האבות לבני] בני יהוספ לפני
 - [את ארץ בנחלה את אדוני צוה אדוני את אדוני את הארץ בנחלה] ישראל $^{36:2}$ ישראל
 - 6 בגורל ל[בני ישראל
- 1 ^{27:11} (And if) [his father] has [no brother, then you shall give his inheritance to the nearest kinsman of his clan,]
- 2 and he shall possess i[t. And it shall be for the Israelites a statute, an ordinance, according as Yahweh commanded]
- 3 Moses. ^{36:1} And[the heads of the fathers' houses of the descendants of Gilead, son of Machir, son of Manasseh, from the tribes]
- 4 of the descendants of Joseph drew nea[r] before [Moses and before the leaders, the heads of the fathers of the children]

¹¹ Emanuel Tov and Sidnie White, "4QReworked Pentateuch"," in *Qumran Cave 4*, *VIII: Parabiblical Texts, Part 1*, ed. Harold W. Attridge et al. (DJD 13; Oxford: Clarendon Press, 1994), 255–318, 310–11.

5 of Israel. ^{36:2} And they said, [Yahweh commanded my lord to give the land as an inheritance] by lot to [the children of Israel ...

Because the fragment lacks context, we cannot tell where in 4Q365 it would have appeared, in chapter 27 or in chapter 36, thus repeating or displacing one of the passages from its original place. We also cannot tell whether or not the intervening material between the two pericopes was omitted, although, in view of the fact that elsewhere 4Q365 preserves running text in the known biblical order, and its tendency is toward expansion rather than omission, this seems unlikely. However, it is clear that some sort of scribal intervention has occurred.¹²

4QNum^b gives us more information with which to work. First of all, since 4QNum^b is better preserved than 4Q365, more of the context of our passages is extant. Col. XXI, frgs. 42–47, contain Num 26:64–27:10. 27:1 follows directly after 26:64, and there is no indication of any interpolation from chapter 36. The situation is different, however, when we reach chapter 36. At the bottom of col. XXXI, lines 29–31, Num 36:1–2 appears, following directly (with a small *vacat*) the end of chapter 35. The next column, XXXII, preserves 36:4 (line 14) followed by a recapitulation of 36:1–2, finally picking up 36:5–7 at the bottom of the column. Nathan Jastram, the editor of the manuscript, estimates that there were approximately twelve lines of text between the bottom of col. XXXII and the extant portion of col. XXXII. ¹³ He very plausibly reconstructs the missing portion of col. XXXII thus:

Col. XXXI (36:1-2)

(טיוסף בני ווסף מנשה ממשפחות בני גלעד בן מכיר בני ווסף משפחות בני ווסף בני ווסף בני ווסף מנשה ממשפחות בני ווסף אל ווידברו לפני מושה ולפני אל אל אול הכוהן ולפני ה(נשיאים ראשי האבות לבני אל וויאמרו את אדוני צווה יהוה לתת את הארץ בנחלה בגורל לבנין 31

¹² See also Molly M. Zahn, *Rethinking Rewritten Scripture: Composition and Exegesis in the 4QReworked Pentateuch Manuscripts* (STDJ 95; Leiden: Brill, 2011), 117–20.

¹³ Nathan Jastram, "4QNum^b," in *Qumran Cave 4, VII: Genesis to Numbers*, ed. Eugene Ulrich, Frank Moore Cross et al. (DJD 12; Oxford: Clarendon Press, 1994), 205–68, 262.

Col. XXXII (36:2 cont'd; 27:1-11; 36:3-7)

- [ישראל ואדני צוה ביהוה לתת את נחלת צלפחר אחינו לבנתיו ^{2b} ביום ההואה]
- [עמדו בנות צלופחד לפניכה ולפני אלטזר הכוהז ולפני הנשיאים וכול העדה פתח]
- [אוהל מועד לאמור אבינו מת במדבר והואה לוא היה בתוך העדה הנועדים על יהוה] 3
 - [בעדת קורח כיא בחטאו מת אבינו ובנים לוא היה לו למה יגרע שם אבינו מתוך]
 - י ביינו ותקרב את משפטן לפני] 5 [משפחתו כיא אין לו בן תנו לנו אחוזה בתוך אחי אבינו ותקרב את משפטן לפני]
 - - [יהוה *vacat* וידבר יהוה אליכה לאמור כן בנות צלופחד דוברות נתון תתן]
- [להנה אחוזת נחלה בתוך אחי אביהן והעברתה את נחלת אביהן להנה ואל בני ישראל] 7
- [תדבר לאמור איש כיא ימות ובן אין לו ונתתם את נחלתו לבתו ואם אין לו בת ונתתם 8
- [את נחלתו אביו ואם אין אחים ונתתם את נחלתו לאחי אביו ואם אין אחים לאביו את נחלתו לאחיו ואת אין לו אחים את נחלתו לאחיו ואת אין לו אחים אחים את נחלתו לאחיו ואת אין לו אחים לאביו
- [ונתתם את נחלתו לשארו הקרוב אליו ממשפחתו ויירש אותו והיתה לבני ישראל לחוקת]
 - מבני] אחר מבני אחר אח היינה את מושה 3 vacat מושה את יהוה או משפט כאשר 3
 - [שבטי בני ישראל לנשים ונגרעה נחלתן מנחלת אבותינו ונוספה על נחלת המטי אשר] 12
 - [13] ונוספה נחלתן על] איה היובל לבני ישראל ונוספה נחלתן על]
- נחל [ת המטי אשר תהיינה להמה ומנחלת מטי אבותינו הלע נחלתן לא וידברו לפני מושה 14 ולפני המטי אשר תהיינה להמה ומנחלת מטי אבותינו המטי אשר היינה להמה ומנחלת המטי אשר היינה להמה ומנחלת המטי אשר היינה להמה ומנחלת המטיעה היינה להמה המטיעה היינה להמה המטיעה היינה להמה המטיעה המטיעה היינה המטיעה היינה להמה המטיעה היינה המטיעה המטיעה היינה המטיעה היינה המטיעה המטיעה היינה המטיעה ה
- [בון ואת אדוני את ויואמרו לבני שראל לבני ראשי האבות ראשי הנשיאים ולפני הנשיאים אלעזר ה
- ויצו מושה את בני ישראל על פין הארץ הארץ בנחלה לתת את בני ישראל על פין ואת כ[לב בן יפוניה צוה יהוה לתת את הארץ בנחלה לחור לאמור לאמור לאמור כן מטי בני יוסף דוברים לחה הדבר אשר צוה יהוה לאמור כל מטי בני יוסף דוברים לחה הדבר אשר צוה יהוה לאמור כל מטי בני יוסף דוברים לחה הדבר אשר צוה יהוה לבנות צלופחד לאמור לחור הדבר אשר צוה הדבר אשר צוה לחור לחור הדבר אשר צוה הדבר אשר ביום הדבר אום הדבר אום הדבר אשר ביום הדבר אום הדבר את הדבר את ביום
 - לטוב] 7 ולוא תסוב אד למשפחת מטי אביהן תהיינה לנשים ולוא תסוב 7 ולוא תסוב 7 ולוא תסוב 7 ולוא תסוב בני ישראל 7 ולוא תסוב נוחלה לבני ישראל ממטי אל מטי כיא איש בנחלת מטי אבותיו ידבקו בני ישראל 7

Col. XXXI (36:1-2)

- 29 ^{36:1} And the heads of the ancestral houses of the tribe of the children of Gilead the son of Machir, son of Manasseh, of the tribes of Joseph drew near,
- 30 and they spoke before Moses and before Eleazar the priest, and before the leaders of the ancestral houses of the children
- 31 of Israel. ² And they said, "Yahweh commanded my lord to give the land as an inheritance by lot to the children

Col. XXXII (36:2 cont'd; 27:1-11; 36:3-7)

- 1 of Israel; and my lord was commanded by Yahweh to give the inheritance of Zelophehad our brother to his daughters. ^{2b} On that day
- 2 the daughters of Zelophehad stood before you and before Eleazar the priest and before the leaders and all the congregation at the opening
- 3 of the tent of meeting, saying, "Our father died in the wilderness, but he was not part of the company who rebelled against Yahweh,
- 4 in the company of Korah, but in his own sin our father died; and he had no sons. Why should our father's name be removed from the midst

- 5 of his clan because he had no son? Give to us a possession in the midst of our father's kin." You brought their case before
- 6 Yahweh. *vacat* And Yahweh spoke to you, saying, "The daughters of Zelophehad have spoken rightly. You shall indeed give
- 7 to them a possession, an inheritance in the midst of their father's kin and pass their father's inheritance to them. And speak to the children of Israel,
- 8 Any man who dies and does not have a son, you will give his inheritance to his daughter. If he has no daughter, you will give
- 9 his inheritance to his brothers. If he has no brothers, you shall give his inheritance to his father's brothers. If his father had no brothers,
- 10 you shall give his inheritance to his nearest kin from his clan, and he shall possess it. This will be a statute of judgment for the children of Israel
- 11 according as Yahweh commanded Moses." *vacat* ³ But now, if they marry one from another
- 12 tribe in Israel, their inheritance will be removed from the inheritance of our fathers and be added to the inheritance of the tribe into which
- 13 they marry, and be removed from the lot of our inheritance. ^{4a} And when the jubilee comes for the children of Israel, their inheritance will be added to the inheritance
- 14 of the tribe into which they marry, and their inheritance will be removed from the inheritance of the tribe of our fathers. ^{4b} And they spoke before Moses and before
- 15 Eleazar the priest and before the leaders, the heads of the ancestral houses of the children of Israel, and they said, "Yahweh commanded my lord and Joshua son
- 16 of Nun and Caleb son of Jephunah to give the land as an inheritance."

 ⁵ And Moses commanded the children of Israel according to the word
- 17 of Yahweh, saying, "The tribes of the sons of Joseph are speaking rightly.
 ⁶ This is the word that Yahweh commands concerning the daughters of Zelophehad, saying, 'Let them
- 18 marry whoever seems good to them, only they must marry into a clan from their father's tribe, ⁷ so that no
- 19 inheritance from one tribe of the children of Israel will be added to another tribe, for every one of the children of Israel will continue to possess the inheritance of the tribe of their fathers." *vacat*

In this version of the story of Zelophehad's daughters, the original legal decision in chapter 27 is interpolated into the narrative of the second legal question, recapitualting already narrated material. This is a classic harmonization; its only unusual feature is its direction, inserting an interpolation forward from an earlier narrative, rather than backwards

from a later one.¹⁴ Most major interpolations from Numbers come from Deuteronomy; that is, they are inserted backwards from a later passage into the earlier narrative.

This passage in 4QNum^b contains one further variant, indicative of a scribal intervention. 36:1, both at its first appearance at the bottom of col. XXXII and its recapitulation in col. XXXII, line 15, adds "and before Eleazar the priest." This addition, which is not found in MT, SP or 4Q365, is shared with LXX, and anticipates the fact that it is Joshua and Eleazar who actually grant Zelophehad's daughters their inheritance in Josh 17:4. Since this addition is shared with LXX, it must have been made before the translation of Numbers into Greek in the third century BCE, thus adding another layer of scribal revision of the text of Numbers. The recapitulation of 36:2 also adds, uniquely, "Joshua son of Nun and Caleb son of Jephunah," which is at least a partial anticipation of Josh 17:4, in which Joshua acts. The time of this expansion is also unknown, although since it is not shared with LXX it may be later than the middle of the third century BCE.

These parallel but not identical revisions are found in two manuscripts that are dated paleographically to the latter part of the first century BCE. 4Q365 is copied in a late Hasmonean hand, that is, around 50 BCE. 4QNum^b was copied between approximately 30 BCE and 20 CE. This is noteworthy because these dates fall after the destruction of the Samaritan temple on Mt. Gerizim by John Hyrcanus at the end of the second century BCE. This event, which marked the definitive rupture between the Judeans and the Samaritans, was also, I would suggest, the triggering event for the selection of one exemplar of the books of the Pentateuch, with an expanded, harmonized text and in paleo-

¹⁴ Nathan Jastram, "The Text of 4QNum^b," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18-21 March, 1991*, ed. Julio Trebolle Barrera and Luis Vegas Montaner (Vol. 1; Leiden/Madrid: Brill/Editorial Complutense, 1992), 177–98, 196.

¹⁵ Jastram, "The Text of 4QNum^b," 191.

¹⁶ Jastram, "The Text of 4QNum^b," 211.

Hebrew script, as the canonical text of the Samaritan Yahwistic community. Other evidence supports this suggestion. Richard Purvis has argued that the paleo-Hebrew script of the Samaritan Pentateuch developed from a late Hasmonean paleo-Hebrew script, and that its orthography too is late Hasmonean. The Stefan Schorch has shown that a distinctive Samaritan reading tradition developed in the late second-early first centuries BCE. Thus, various pieces of evidence converge to indicate that the Samaritans chose their canonical text in the early first century BCE.

Further, once they had selected this particular text, they made certain sectarian changes that marked the text as *Samaritan* and not a general Palestinian text. Most prominently, they added the Mt. Gerizim commandment to the Decalogue following Exod 20:17 and Deut 5:18. This commandment is found only in the Samaritan Pentateuch, not in any Qumran manuscript. In constructing this commandment they used exactly the same scribal technique that made the earlier changes to the Pentateuch texts, as we saw in 4QpaleoExod^m and 4QNum^b. They combined various verses from different parts of the Pentateuch to create a new commandment, which they inserted into their text of the Pentateuch at Exod 20:14 and Deut 5:18:

והיה כי יביאך יהוה אלהיך אל ארץ הכנעני אשר אתה בא שמה לרשתה והקמת לך אבנים גדלות ושדת אתם בשיד וכתבת על האבנים את כל דברי התורה הזאת והיה בעברכם את הירדן תקימו את האבנים האלה אשר אנכי מצוה אתכם היום בהרגריזים ובנית שם מזבח ליהוה אלהיך מזבח אבנים לא תניף עליהם ברזל אבנים שלמות תבנה את מזבח יהוה אלהיך והעלית עליו עלות ליהוה אלהיך וזבחת שלמים ואכלת שם ושמחת לפני יהוה אלהיך ההר ההוא בעבר הירדן אחרי דרך מבוא השמש בארח הכנעני היושב בערבה מול הגלגל אצל אלון מורא מול שכם

¹⁷ James D. Purvis, *The Samaritan Pentateuch and the Origins of the Samaritan Sect* (HSM 2; Cambridge, MA: Harvard University Press, 1968). See also the discussion in Magnar Kartveit, *The Origins of the Samaritans* (Leiden: Brill, 2009), 288–90.

¹⁸ Stefan Schorch, "Die Bedeutung der samaritanischen mündlich Tradition für die Textgeschichte des Pentateuch (II)," *Mitteilungen und Beiträge der Forschungsstelle Judentum, Theologische Fakultät Leipzig* 12–13 (1997): 53–64, and "Die Bedeutung der samaritanischen mündlichen Tradition für dis Exegese des Pentateuch," *Wort und Dienst* 25 (1999): 77–91.

When Yahweh your God brings you into the land of the Canaanites that you are entering to possess, set up some large stones for yourself and cover them with plaster. Write on the stones all the words of this law. And when you cross the Jordan, set up these stones on Mt. Gerizim, as I command you today. Build there an altar to Yahweh your God, an altar of stones. Do not use any iron tool upon them. Build the altar of Yahweh your God with unhewn stones and offer burnt offerings on it to Yahweh your God. Sacrifice whole offerings and eat them there and rejoice in the presence of Yahweh your God. This mountain is across the Jordan, westwards towards the setting sun, in the territory of the Canaanites who dwell in the Arabah facing Gilgal, near the large tree of Moreh, facing Shechem. (Exod 20:14b)

The verses in question are Deut 11:2b, 27:2b–3a, 4a, 5–7, and 11:30 in that order, but with some variants. Thus, we can see that the Samaritan scribes (most likely located around Mt. Gerizim, where the Samaritan temple stood until its destruction by John Hyrcanus) were well-versed in the scribal technique demonstrated above, and did not hesitate to use it to revise what had then become their canonical text.

DEUTERONOMY 5:12–15: THE SABBATH COMMANDMENT

The fourth example of scribal rewriting I would like to use is found in 4QDeutⁿ, which contains a scribal intervention found in no other text tradition.¹⁹ 4QDeutⁿ is a "special use" manuscript; that is, it was never a complete scroll of the book of Deuteronomy, but was a small, "pocket-sized" manuscript which contains excerpted passages from Deuteronomy. It was most likely meant for study, or possibly liturgical use. The passages in question are Deut 8:1–5 and 5:1–6:1, where the manuscript breaks off, in that order.

In its version of the Sabbath commandment, 4QDeutⁿ uses the same technique of harmonization between parallel passages that we saw in

¹⁹ Sidnie White Crawford, "4QDeut"," in *Qumran Cave 4, IX: Deuteronomy, Joshua, Judges, Kings*, ed. Eugene Ulrich, Frank Morre Cross et al. (DJD 14; Oxford: Clarendon Press, 1995), 117–28.

4QpaleoExod^m. Its version of the fourth commandment reads as follows (Deut 5:12–15; cols. 3 9–4 7):

- Col. 3
- 9 שמור את יום השבת לקדשו כאשר צוך יהוה
- 10 אלוהיך ששת ימים תעבוד ועשית את כול מלאכתך
- 11 וביום השביעי שבת ליהוה אלוהיך לוא תעשה בו כל מלאכה
 - 12 אתה בנך בתך עבדך ואמתך שורך וחמורך
 - Col. 4
 - ואמתך עבדך ואמתך למען ינוח עבדך ואמתך 1
 - 2 כמוך וזכרתה כי עבד היית בארץ מצרים ויציאך
 - יהוה אלוהיך משם ביד חזקה ובזרוע נטויה 3
 - על כן צוך יהוה אלוהיך לשמור את יום השבת 4
 - 5 לקדשו כי ששת ימים עשה יהוה את השמים יאת הארץ
 - הוה ברך יהוה השביעי על כן ברך יהוה 6
 - 7 את יום השבת לקדשו

Col. 3

- 9 Observe the Sabbath day to sanctify it, according as Yahweh
- 10 your God has commanded you. Six days you shall labor and do all your work,
- 11 but the seventh day is a Sabbath to Yahweh your God. You shall not do in it any labor;
- 12 you, your son, your daughter, your male slave and your female slave, your ox or your ass

Col. 4

- 1 or your beast, the sojourner who is in your gates, in order that your male slave and your female slave may rest
- 2 like you. And remember that you were a slave in the land of Egypt, and
- 3 Yahweh your God brought you forth from there with a mighty hand and an outstretched arm;
- 4 therefore Yahweh your God commanded you to observe the Sabbath day
- 5 to sanctify it. For in six days Yahweh made the heavens and the earth,
- 6 the sea, and all which is in them, and he rested on the seventh day. Therefore Yahweh blessed
- 7 the Sabbath day to sanctify it.

The scribe of 4QDeutⁿ has taken material from the parallel Decalogue in Exod 20:1–17 and incorporated it into his version of the fourth commandment (the incorporated material is in italics). The governing text is clearly Deut 5:12–15; at the end of those verses the scribe inserts the word לקדשו ("to sanctify it"), and then continues with Exod 20:11, ending with using as a wiederaufnahme, signaling the end of the interpolation. Since this is a unique variant found in a "special use" manuscript, it is most likely the work of the scribe of 4QDeutⁿ himself, and may even have been done by one of the scribes who resided at Qumran.

Jewish and Samaritan Text Traditions

The evidence of the manuscripts 4QpaleoExod^m, 4QNum^b, 4Q365, 4QDeutⁿ and the Samaritan Pentateuch indicates that the scribal technique which felt free to rewrite its parent text for exegetical purposes was at home in both the Samaritan and Judean communities. That is, it was a scribal technique found in more than one location in Palestine in the latter half of the Second Temple period. One of these locations would most likely have been the Samaritan community around Mt. Gerizim, which must have included trained scribes in the large and thriving sanctuary located there. Another, I would suggest, is Qumran, where manuscripts were being both collected and produced. While we cannot be certain, given our available evidence, if 4QNum^b, 4Q365 or 4QDeutⁿ were produced at Qumran or brought in from elsewhere, we can be certain that the scribal manipulations of the story of the daughters of Zelophehad took place away from the Samaritan scribal center on Gerizim, since they do not appear in the Samaritan Pentateuch. Therefore, these changes occurred in a Judean milieu, and Qumran or its related communities is a likely location.

What of the manuscripts of the Pentateuch that do not display the scribal technique we have described, but passed on the short, unrevised forms of Exodus, Numbers and Deuteronomy? Since these manuscripts were also discovered in the Qumran caves, it is obvious that this text tra-

dition was equally at home in Judea, especially since exemplars of this technique were chosen as the canonical text of the Pentateuch within Judaism. But where was it at home, and when was it chosen?

The Pentateuch manuscripts from the other Judean Desert find sites are important in this regard. As has been observed many times, the manuscripts of scriptural texts from Masada, Nahal Hever and Wadi Murabba'at, all closely adhere in consonants to the MT text as found in Codex Leningradensis.²⁰ While most of these manuscripts date to the second century CE, by which time, according to scholarly consensus, a canonical text of the Pentateuch had been chosen by the Jewish community, the Masada manuscripts date before the fall of the Jerusalem Temple in 70 CE. These manuscripts were almost certainly brought from Jerusalem to Masada by the fleeing rebels. Their identity with the later rabbinic text indicates, as Emanuel Tov and others have suggested, that Pentateuch manuscripts associated with the Temple in Jerusalem at that time (second half of the first century CE) were of the short, unrevised form of the text.²¹ There can hardly be any doubt that scribes and a library were associated with the Jerusalem temple complex.²² Armin Lange has suggested that, beginning in the first century BCE, the authorities in Jerusalem decided to promulgate an "authorized version" of the Pentateuch, which included the short, unrevised forms of Exodus, Numbers, and Deuteronomy, while Tov has argued that the "master copy of the Torah" kept in the Temple court reflected the consonantal

²⁰ Frank Moore Cross, From Epic to Canon: History and Literature in Ancient Israel (Baltimore: Johns Hopkins University Press, 1998), 213; Ian Young, "The Stabilization of the Biblical Text in the Light of Qumran and Masada: A Challenge for Conventional Qumran Chronology?" DSD 9 (2002): 364–90; Emanuel Tov, Textual Criticism of the Hebrew Bible (3rd ed.; Minneapolis: Fortress Press, 2012), 29.

²¹ Emanuel Tov, "Scriptures: Texts," in *Encyclopedia of the Dead Sea Scrolls*, ed. Lawrence H. Schiffman and James C. VanderKam (Vol. 2; New York: Oxford University Press, 2000), accessed online.

²² Josephus, Ant. 5.51; 10.57–58; 12.138–144; J.W. 7.150, 162; Vita 75; C. Ap. 1.28–29; and 2 Macc 2:13–15.

MT.²³ Given the evidence from Masada, whose scrolls predate the destruction of the temple in 70 CE, it seems apparent that Tov is correct, and that the short, unrevised form of the Pentateuch was favored in the temple milieu; however, we do not know if the temple authorities attempted to "authorize" that form for general Jewish practice in any way.

Regardless of whether the short form of the Pentateuch text was authorized or simply favored, I would like to suggest that this choice was not arbitrary, but may have been made in reaction to the Samaritan choice of the revised form of the text, which, as we have seen, they revised still further to reflect Samaritan ideology. Prior to the late first century CE, both forms of the text were in circulation in Judea, and, at least at Qumran, the scribal technique that produced revised forms of the text was still active and accepted. However, after the destruction of the Gerizim sanctuary by Hyrcanus in the late second century BCE, a clear differentiation between Samaritans and Judeans became important for both communities. The Samaritans rejected the sanctity of the Jerusalem temple, and chose a form of the Pentateuch which they further revised to emphasize the chosen status of the Gerizim sanctuary. The Samaritan Tenth Commandment, given above, is the best example of the Samaritan editing.

The Judeans, most likely led by the priests and scribes of the Jerusalem temple, chose in response a different form of the Pentateuch, a short, unrevised form, which they then also edited in order to discredit the sanctity of Mt. Gerizim and to foreshadow the choice of Jerusalem as the elected sanctuary location. This editorial activity is evident at Deut 27:4, where MT and LXX read בהר עיבל, "on Mt. Ebal," while the SP reads בהגריזים, "on Mt. Gerizim." Until recently this variant was considered a polemical change on the part of the Samaritans,

²³ Armin Lange, "'They Confirmed the Reading' (y. Ta'an. 4:68a): The Textual Standardization of Jewish Scriptures in the Second Temple Period," in *From Qumran to Aleppo: A Discussion with Emanuel Tov about the Textual History of Jewish Scriptures in Honor of his 65th Birthday*, ed. Armin Lange et al. (FRLANT 230; Göttingen: Vandenhoeck & Ruprecht, 2009), 29–80; Tov, *Textual Criticism*, 30–31.

like the addition of the Samaritan Tenth Commandment, emphasizing the choice of Mt. Gerizim as the proper place for God's sanctuary. Recently, fresh considerations of the evidence have led to a reevaluation of the variant. In addition to the SP, two independent witnesses from the Greek tradition, a *Vetus Latina* manuscript (Codex Lugdunensis) and a Greek manuscript, Papyrus Giessen 19, preserve the Gerizim reading.²⁴ Thus it can be argued that the reading "Con Mt. Gerizim" is an ancient reading, one that in fact accords better with its context, in which blessings are to be pronounced on Mt. Gerizim and curses on Mt. Ebal (Deut 11:29 and 27:12–13).²⁵

Recently a small fragment of Deuteronomy, purporting to be from Qumran Cave 4, has been published by James H. Charlesworth. ²⁶ This fragment reads:

²⁴ The Giessen Papyri were first published by Paul Glaue and Alfred Rahlfs, "Fragmente einer griechischen Übersetzung des samaritanischen Pentateuchs," Nachrichten der Akademie der Wissenschaften in Göttingen (1911): 167-200. The fragments have since disappeared, so one must rely on the photographs and transcriptions supplied by Glaue and Rahlfs. The reading at 27:4 appears on col. 1, recto right, lines 3-4, εν αρ(?)γαρ[ι]ζιμ ("on Mt. Gerizim"). According to Tov, it cannot be determined from the photograph and transcription whether or not αρ(?)γαρ[ι]ζιμ was written as one word or two. Tov suggests that this could be "an ancient not yet sectarian reading" (Emanuel Tov, "Pap. Giessen 13, 19, 22, 26: A Revision of the Septuagint?" in The Greek and Hebrew Bible: Collected Essays on the Septuagint, ed. Emanuel Tov [SVT 72; Leiden: Brill, 1999], 457–75, 462, 472). Codex Lugdunenesis was first published by Ulysse Robert, Pentateuchi versio Latina antiquissima e Codice Lugdunensi: version Latine du Pentateuque antérieure a Saint Jérome. Publie d'après le manuscrit de Lyon. Avec des facsimilés, des observations paléographiques, philologiques et littéraires sur l'origine et la valuer de ce texte (Paris: Librairie de Fermin-Didot et Cie, Imprimeurs de l'Institut de France, 1881). The Latin reading is in "Monte Garizin."

²⁵ See Tov, *Textual Criticism*, 88 n. 140; Stefan Schorch, "The Samaritan Version of Deuteronomy and the Origin of Deuteronomy," in *Samaria, Samaritans*, ed. József Zsengellér (Studia Samaritana 6; Berlin: de Gruyter, 2011), 23–37, 26–28; Knoppers, *Jews and Samaritans*, 202.

²⁶ James H. Charlesworth, "What is a Variant? Announcing a New Dead Sea Scrolls Fragment of Deuteronomy," *Maarav* 16 (2009) 201–12, 273–74.

[2] היום בהרגרזים ושדת

2]today, on Mt. Gerizim, and you will plaster[

The authenticity of this fragment, which was sold by the Kando family to Azusa Pacific University in the early part of this century, has been called into question.²⁷ If this fragment is authentic, it would support the argument given above that the reading "Mt. Gerizim" is earlier, while MT-Deut's "Mount Ebal" is a late, polemical change. Regardless, on the basis of the Greek evidence it can be plausibly argued that the MT text of the Pentateuch also underwent alteration at the hands of the scribes for polemical, theological purposes.²⁸

The textual evidence from Qumran suggests that expanded versions of the Pentateuch did continue in circulation until the end of the Second Temple period, regardless of the preference of the Jerusalem temple authorities. However, the destruction caused by the Jewish Revolt against Rome in 66-73 CE, which also caused the destruction of Qumran in 68 CE, caused the disappearance of alternative text forms of the Pentateuch in the Jewish community, and the proto-rabbinic text, from which the MT descends, gained hegemony.

²⁷ See Armin Lange, *Handbuch der Textfunde vom Toten Meer, Band 1: Die Handschriften biblischer Bücher von Qumran und den anderen Fundorten* (Tübingen: Mohr Siebeck, 2009), 106, who argues on the basis of its paleography that the fragment is a forgery. See also Eibert Tigchelaar, "Post-2002 Dead Sea Scrolls Fishy Fragments—Or Forgeries? On Provenance and Authenticity: Some Cases" (unpublished paper; https://www.academia.edu/27658971/Post-2002_Dead_Sea_Scrolls_Fishy_Fragments_or_Forgeries), 4.

²⁸ For another example of scribal editing in the text of the MT, see Deut 32:8, for which the MT (and SP) reads למספר בני ישראל, "according to the number of the sons of Israel," against LXX, which reads ὕιων (or ἀγγέλων) θεοῦ ("the sons [or angels] of God"). The LXX reading is reflected in the Hebrew of 4QDeut!: בני אלוהים. It is likely that the MT/SP tradition has been edited to remove the suggestion of polytheism from the text. See Sidnie White Crawford (with Jan Joosten and Eugene Ulrich), "Sample Editions of the Oxford Hebrew Bible: Deuteronomy 32:1–9, 1 Kings 11:1–8, and Jeremiah 27:1–10," VT 58 (2008): 352–66.

Conclusions

In conclusion, I hope I have demonstrated that the activity of "rewriting" scripture was part of the ongoing process of the transmission of the classical texts of ancient Israel by the scribes of the Second Temple period. That scribal activity, which we can trace through all phases of the text of the Pentateuch, only came to an end in the aftermath of the Great Jewish Revolt, when the proto-rabbinic text became the accepted Hebrew text of the Torah for the Jewish community.