

The Dead Sea Scrolls and the Formation of the Canon

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It is now twelve months since Dr. J. Philip Hyatt, in his Presidential address to the Society of Biblical Literature and Exegesis reviewed the progress of the study of the Dead Sea materials.¹ He expressed one of his challenges in these words: "The whole question of canonicity, and the date of fixing the canon, will have to be restudied." The aim of this paper is to indicate, in a tentative way, some of the matters that might be involved in such a line of study. The time has scarcely come for aiming at final conclusions, and they will be avoided here. For one thing, the dust of misleading controversy has scarcely subsided, and further, all the relevant materials are not yet fully published. Textual criticism is an exacting discipline, and it will be some time before its results are certain. And even now the literature has become so extensive that only a specialist could hope to do it justice.²

The situation may be clarified and the difficulty of the task indicated by stating simply that the Qumran discoveries and related finds have not thrown any direct light on the history of the formation of the canon of the Old Testament. That is, there is no explicit discussion of the formal concept of canonicity, and certainly no lists of canonical books. The light that they throw is indirect, but none the less valuable and significant for that—the danger is that being less tangible, more elusive, it is more open to misconstruction and misinterpretation, as we shall see.

It has been fully recognized that these sources help to fill in the background of New Testament times, supplying needed information about pre-Christian and pre-rabbinic Judaism. As such their importance cannot be exaggerated. In relation to the canon they show us what scriptures existed, and in what tests, and, more appositely, how they were regarded and used by a community of Jewish sectaries of those days. Not much attention seems to have been paid to the problem of what (tacit) doctrine of scripture was held by the covenanters of Qumran. The importance of this for the study of New Testament backgrounds is obvious, yet most writers who have treated this subject have been content to list numerous parallels between the N. T. and the DSS, and to evaluate the evidence for a closer or remoter connection between them. While it is important that these small details be clarified early in our research, the broader and deeper theological issue of revelation and authority within the two movements needs to be examined. Gaster, for instance, does not include such a point in his list of similarities between the N. T. and the DSS.³ The same must be said of Murphy's recent and admirable review of "The New Testament in the light of the Scrolls and the Fragments".⁴

Once all these detailed similarities have been surveyed the way is cleared for the disclosure of a deeper and more significant contrast. It arises from the distinctive N. T. understanding of the divine Unity of God in three

¹ J. Philip Hyatt, "The Dead Sea Discoveries, Retrospect and Challenge," *JBL*, LXXVI, 1957, 1-12.

² The most recent and comprehensive bibliography is: C. Burchard, "Bibliographie zu den Handschriften vom toten Meer," *B.Z.f.A.W.* 76, Berlin, 1957.

³ Theodor H. Gaster, "The Dead Sea Scriptures in English Translation," New York, 1957, pp. 12-24.

⁴ Roland E. Murphy, "The Dead Sea Scrolls and the Bible," Westminster, Md., 1956, ch. 3.

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living persons. The Incarnation transformed the function of Scripture—its new rich purpose was to witness that Jesus was the Christ. The gift of the Spirit established the principle *sola scriptura*, since now the words of the books were perceived to be the direct speech of the living God. All this is absent from Qumran, and gives its writings a sterile quality over which we might write with fairness "The letter kills," leaving the rest of the motto for the N. T. At the same time, that barrenness was a witness that the time for Messiah had come (in a way the Covenanters would not have recognized), and their laudable devotion to their own scriptures had a pathos which showed that "that which decayeth and waxeth old is ready to vanish away" (Heb. viii 13).

All this is a little too theological for our immediate aim of investigation, but it needs to be said to avoid the danger of seeing too much in outward similarities, and to avoid surprise that two movements contiguous in space and time, and with so much in common, could yet be two totally distinct worlds. It was Christ who made the difference, and he transformed everything. There is nothing like him to be found at Qumran, not even as an extravagant hope. And for us he has transformed the doctrine of Scripture, even as his gift of his Spirit to the Church has transformed the role of Scripture in the world.

1. The Qumran covenanters were clearly a Bible-centered, Bible-revering, Bible-studying sect. There is nothing remarkable about this for Judaism. It is not surprising that there is no explicit discussion of the extent or nature of their sacred scriptures, since it was probably taken for granted. Sectaries tend to emphasize their peculiar beliefs to justify their separation, and the men of Qumran did that too; but scripture was common ground with other Jewish groups. But is there any indirect way of telling what their Bible was? They owned and used not only books of the (later) Palestinian Canon, but also many that later found their way into the so-called Alexandrian Canon, i.e., books recognized by the Roman Church as deuterocanonical, designated Apocrypha by the Reformed churches. In addition, they had works of the kind usually called pseudepigraphical, some known from elsewhere, some not otherwise attested. Besides these they had a literature of their own which was probably the product of the movement. This last group covers a remarkably wide range of literary *genres*—commentary, psalm, handbooks of discipline and of war (?). The movement clearly attached the greatest importance to the written word, and the archaeological recovery of their scriptorium in what was evidently the headquarters of this group, discloses the prominence of copying as an activity of the members.

In the light of this it is not surprising that reading, learning and copying (?) the holy writings are enumerated as among the aims of the movements or as some of the marks of the pious man. The *Manual of Discipline* lays down the rule:

"The General members of the community are to keep awake for a third of all the nights of the year reading book...(?) studying the Law and worshipping together."⁵

⁵ "Meaning 'a third of every night'.... the entire membership (in shifts) filling the whole night with exposition (or oral midrash)." William H. Brownlee, "The Dead Sea Manual of Discipline," B.A.S.O.R., sup. Stud. Nos. 10-12, New Haven, 1954, p. 24, n. 14.

This is not "searching the scriptures" in the New Testament sense, or even in the sense of Pss. 1 and 119. It was communal worship. We do not

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2 know how individual members studied the scriptures.⁶ There is no evidence that they enjoyed liberty of interpretation or that the sect prized mystical insight or used it as a key to the meaning of Scripture.⁷ This shows that they had no notion of the sufficiency of Scripture. To them study was the inculcation of the esoteric wisdom peculiar to the sect; they were instructed in the orthodox sectarian interpretations which, while they were imparted to lay initiants, could not be discussed in public.⁸

The Zadokite Fragment (Damascus Document), if we may use it, says nothing clear about the use of inspired writings, as an activity of the group to which it applies, and the Hymn of the Initiants (columns x and xi of the *Manual of Discipline*) does not mention it as a mark of the pious man. Of course there are many indications that the ideal of the community was to keep the covenant and to obey the Law, and so on.⁹ But always between the devotee and the Book comes the figure of the interpreting priest,¹⁰ and especially of the Teacher of Righteousness (or the one who teaches correctly). The role of the latter in particular showed that there was difficulty in the use of Scripture (especially the problem of the contemporary application of the Torah, common to all Judaism), and the silencing of the voice of living prophecy may account for the belief that in some sense the Teacher had appeared as a substitute for it, since it is claimed that he spoke "from the mouth of God".¹¹ In short, the group was characterized by adherence to those interpretations brought in by the Teacher, perhaps causing the foundation of the sect, and which became traditional after his death.¹²

Into this picture we may place the fact that members were instructed in a special book. For instance, the fragment that has been called "The Manual of Discipline for the Future Congregation of Israel" says that, "Every person is to be trained from childhood in the Book of Study, to be enlightened... in the various provisions of the Covenant and to be schooled in its various injunctions..."¹³ But the mysterious Book of Study or Instruction (if that is what is meant by $\text{\$PR HHGW}$) is unidentified. It is mentioned twice in the Zadokite Fragment.¹⁴

From this general survey of the use of books by the sect, Millar Burrows might seem to be sound in his conclusion that:

"The fondness of the covenanters for some of the apocryphal writings raises the question whether our sharp division between canonical and non-canonical books existed for them.

⁶ Note also the vague reference to study in 1QS ix. 12-25.

⁷ On this latter point compare Gaster, *op. cit.*, p. 7f.

⁸ 1QS viii, ix.

⁹ For such an affirmation see 1QH xv. 9ff.

¹⁰ A member had to swear "to abide with all his heart and soul by the commandments of the Law of Moses, as that Law is revealed to the sons of Zadok—that is, to the priests who still keep the Covenant and seek God's will." 1QS v. 7ff, cp. viii.1 (Gaster's Trs.).

¹¹ 1QpHab. i. 5.

¹² The weight of this point should not obscure the fact that the most moving, sincere and inward devotional use of Scripture by at least one member of the order (the Teacher himself?) is evidenced by the Hodayoth.

¹³ Gaster, *op. cit.*, p. 307.

¹⁴ DD. x. 6, xiii. 2.

This has a bearing on early Christianity, because books not contained in the canon of the Old Testament are cited in the New Testament. The covenanters seem to have

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had the same rather broad conception of Scripture as Jesus and the early Church".¹⁵

Our first and passing comment on this must be to object to the imputation to our Lord and to his followers of a "broad conception of Scripture". The New Testament itself does not support such a view. The importance of authoritative scripture is so great in the New Testament that it would be futile if its boundaries were not defined. The point has often been made that although there are many reminiscences of the Apocrypha in the New Testament, and even quotations, this is not surprising. They were part of the thought of the times, as also at Qumran. But in the New Testament the source is not acknowledged, and no non-canonical scripture is ever quoted as scripture. (The only possible exception is the non-apocryphal, i.e., not even deuterocanonical, Enoch quoted by Jude, but, except for a suggestion once made by Tertullian, and its popular use in some Eastern Churches, it has never been a serious candidate for canonicity.) There can, in fact, be no serious doubt that the books recognized by our Lord and his immediate followers were identical with the so-called Palestinian Canon of the rabbis and with the present Protestant Old Testament.¹⁶

There is no point in enumerating the evidence here, except in so far as it provides a valuable introduction to the same issue in the Dead Sea Scrolls. It is the way Jesus and his followers used and quoted scripture that shows what was their Bible. The Law certainly. The Law and the Prophets are mentioned together very often as if they composed the whole of Scripture. In one place only in the N.T. are the so-called three divisions referred to (Lk. 24:44), and even here it is not certain that "the psalms" meant the full set of Writings. Indeed, in the New Testament, there is no precise name for Holy Scripture. The terms "Law" (given even to a Psalm), "Prophets" (so that Moses and David are called "prophets") or both together, seem to refer at times to the whole body of Scripture, as well as being used more exactly, and the same formulae of quotation are used indiscriminately for passages from all parts of the Old Testament.

What makes this New Testament practice so interesting to us is its remarkable similarity to the references to Scripture in the writings of the Qumran Covenanters.¹⁷ The *Manual of Discipline* begins with the aims of the movement: "To live in the order of the Community; to seek God... to do what is good and upright in His sight, in accordance with what He has commanded through Moses and through His servants the prophets..." There are other places where the Torah and the Nebi'im are referred to thus in conjunction.

A remarkable instance, which suggests that for them these two terms defined the full scope of Scripture, is found in the Zadokite Fragment, in a comment on a text which is a variant of Amos 5:26.

¹⁵ Miller Burrows, "The Dead Sea Scrolls," New York, 1955, p. 341. J. Philip Hyatt, (*op. cit.*, n.1) suggests that Qumran enjoyed more liberty in this matter than did Jerusalem.

¹⁶ An examination of Roman Catholic apologetics reveals their need to introduce the authority of the Church or of the later Fathers for their larger canon, not established officially with them until the Council of Trent.

¹⁷ Not peculiar to these two movements, of course, but another feature shared by Christianity with all Judaism. What gives the Dead Sea Scrolls singular importance is their function as an independent pre-Christian witness to this attitude.

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"The expression 'Sikkuth your king' refers to the books of the Law (ŠPRY HTWRH) (VII:15)... and the expression 'Kiyun your image' refers to the books of the prophets (ŠPRY HNBY'YM) (VII:17)..."

Another, and even clearer example is found in the *Manual of Discipline*. In a comment on Is. 40:3 (a favourite text with the Covenanters) we have:

"That (means) studying the Torah which He commended through Moses so as to do according to all that was revealed time after time and according to that which the Prophets revealed through his holy spirit".¹⁸

This use of Law and Prophets is related exactly to the double interest of the Sect. They wanted to live after the will of God; this they found in the Torah. Thus the renewal of the Covenant, so prominent in their thought, meant "a covenanted obligation that in the varied activities of his life he will return to the Law of Moses with all his heart and soul".¹⁹ If one of the "men of perfect holiness" were to transgress a word of the Law of Moses in any way he was to be excommunicated irrevocably.²⁰

Their second interest was in the interpretation of the events of their time—and they found sources for this in the Prophets. They anticipated, in fact, an on-going role for Scripture in this respect, since the Commentary on Hab. 1:5 seems to anticipate that in the days of the final age God will appoint a priest to interpret "all the words of his servants the prophets by whom He has told of that impending disaster".²¹ It is remarkable how frequently the Prophets are quoted as Scripture, with formulae already familiar to us from the New Testament and from rabbinic writings.²²

But here, no more than in the New Testament, can we assume that "Prophets" means precisely the eight books of the later Jewish Canon. It is true that the interest of the group was focussed particularly on the great prophets, Isaiah being their favourite,²³ and in relation to these two major interests of the Covenanters, the non-prophetic writings of the Old Testament had less to offer directly, so that their smaller use is understandable. But we cannot conclude from this that for them the so-called

¹⁸ 1QS viii. 15f (Brownlee's Trs. *op. cit.* in ref. 5, p. 32.

¹⁹ DD. sv. 1ff. The point is made twice.

²⁰ 1QS viii. 20-24.

²¹ Gaster's Trs., *op. cit.* in ref. 3, p. 249.

²² The following formulae are used in the Damascus Document to refer to scripture: (i) with emphasis on what is written—HYH KTUB (i. 13); HU' KTUB (v. 1, 10); K'ŠR KTUB (vii. 19) or KI KN KTUB (ix. 18, cp. 1QS v. 15) with the abbreviation KK (vii. 6) (MS B), and the more emphatic W'IN KTUB KI 'IM (ix. 5, cp. the later Talmudic formula, more fully developed than this to bring out the contrast between what is and what is not written): (ii) with emphasis on what is or was spoken - 'SR 'MR (iv. 20, ix. 2, 9f, xvi. 6), or K'ŠR 'MR (vii. 8 (xix. 5), 14, 16 (viii. 3), xx(B). 16, xiii. 23; sometimes the biblical author is named, as in, WMŠH 'MR (v. 8, cp. vi. 7f), or more fully HU' HDBR 'ŠR 'MR YRMYHU (viii. 20). cp. viii. 9. Sometimes the name of the author is introduced more elaborately, as in K'ŠR DBR 'L BYD YŠ'YH HNBI' BN 'MOS L'MR (iv. 14f, cp. xix. 7). (iii) Reference to the spoken and the written word may be combined—BBO' HDBR 'ŠR KTUB BDBRY YŠ'YH BN 'MOS HNBI' 'ŠR 'MR (vii. 10f).

²³ Not only has this book yielded two major scrolls; the fragments of at least eight distinct copies have been found (most of them in Cave 4), besides scraps of comment on the book.

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writings were uncanonical, even in whatever sense they would have given to that term. We shall look at some more tangible evidence for this point in a moment, but before doing so we must observe in general that the non-biblical writings among the Dead Sea Scrolls abound with quotations from the length and breadth of Scripture.²⁴ In view of their abundant use of works later called "Writings", it is remarkable that they have no term to apply to this group, unless it be the term "prophets". This may be considered probable, and if it is true, it means that the later three-fold distinction did not exist for the Qumranites, and that the term "Prophets" meant all the Scripture except the Law.²⁵ This is very similar to the New Testament. We may note, too, that although Josephus mentions three groups, he places everything outside the Law in the era of prophecy.²⁶

The Writings were, in fact, freely used at Qumran, side by side with the Prophets (narrowly defined). Here it is important to notice how a single document can entirely tip the picture into a different perspective. If we had not found the *Military Manual*, we would not have appreciated the fact so clearly that a deep abyss separates Jesus from the Covenanters of Qumran; if we had not the Thanksgiving Psalms, we would not have realized the rich devotional inwardness of the sectaries (in the most remarkable contrast with the legalism of the Community Codes and the militarism of the War Code). As ever, it is in the devotional life that the Psalms come into their own, and the Psalms of the Covenanters are clearly the children (however ungainly) of the biblical Psalms. It is not only that they abound with quotations from and allusions to all parts of the Old Testament, and especially the Writings; the inferior, archaising style of the Hodayoth suggests further that the author was trying to imitate what had already become a hallowed model.

Fragments of commentaries on Psalms have also been found, showing that they were looked on as Scripture in some higher sense.

Besides these two general points there are two specific instances where words from the Ketubim are used in a special way. There is only one place in the Hodayoth where Scripture is quoted as such, and it is a Psalm, taken as the pledged Word of God.

"Through me thou hast kept thy pledge:
'False lips shall be stricken dumb'"²⁷

The Damascus Document forbids an impure person from serving, as messenger for any gift for the altar, on the basis of Proverbs 15:8²⁸ It is in keeping with the general picture that persons preoccupied with keeping the Law should quote the Proverbs just at the point where it deals with a cultic matter.

²⁴ In his index to scripture quotations in the Zadokite Fragment, Chaim Rabin ("The Zadokite Documents," Oxford, 1954) lists references to all the books of the Old Testament except Joshua, Ruth, Lamentations, Joel, Jonah, Obadiah. It is the "Prophets," not the "Writings," that are less fully represented.

²⁵ A difficulty in this conclusion is that it leaves the evidence of Ecclesiasticus even more isolated and seemingly anachronistic, since here a threefold division seems to be already recognized in the Second Century B.C. Is it possible that here, too, the "other writings" are extra-canonical?

²⁶ Josephus, *Contra Apion*, I: 28-42.

²⁷ vii. 6ff. The quotation is from Ps. 31:18.

²⁸ DD xi. 20. The formula used is KI KTUB. Cp. 1QS ix. 5.

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If we may conclude from this evidence that the scope of Scripture was for the Covenanters than the Law and the Prophets (in their later sense), the question remains as to where the line was drawn; and even if they made any distinction between canonical and non-canonical writings. To judge by frequency of quotation and allusion, many extra-canonical works competed well with biblical books in the regard of the writers, though not quoted as proof-texts with the usual formulae. The evidence is neither simple nor clear. The only definite, and quite unexpected assertion, is in the Zadokite Fragment, which ascribes to the "Book of the Divisions of the Times into their Jubilees and Weeks" (almost certainly the known book of Jubilees), a role in relation to the Law which elsewhere is played by the Prophets, since the Law and this book are mentioned side by side as exercising complementary functions,²⁹ the one for present conduct, the other for future events.

Before concluding this part of the discussion we might notice a point which may have some significance. The Dead Sea Scrolls and Fragments are on both leather and papyrus (leaving aside the unique copper scroll). It has been observed that books now recognized as canonical were written on leather, in orderly columns about twice as high as wide, and written in definite book hand and sometimes in palaeo Hebrew script. Other works are on papyrus; (but the fragments of Daniel are also on papyrus).

No trace of Esther has been found among the scrolls.

Another line of investigation will aim at discovering what the Covenanters thought of the text as such. A clearer notion of a canonical work, and its use as a court of appeal in argument, a guide to life, a source of proof-texts for dogma, brings naturally an increased concern for its literal form. There can be no final appeal to a text if there is no agreement as to what the text is. This enquiry in relation to the people of Qumran must wait until present studies have permitted us to rewrite the entire history of the transmission of the Hebrew Text. There are indications that the variations shown by the Dead Sea Scrolls point not to liberty or carelessness on their part, but to the existence of important text-types which they, for their part, copied with the utmost fidelity, striving to preserve the purity of the text even in minute particulars of pronunciation. The indications of a text of Isaiah with a Babylonian background, the enhancement of the value of many readings hitherto attested only in the versions, and especially the evidence that the Septuagint is a faithful translation of a Hebrew text with Egyptian elements, may enable us not only to push the history of textual transmission back by several centuries, but to infer also that scrupulous copying (and the notion of scripture which demand it) is much older than has been commonly believed.

Meanwhile, in summary, we may tentatively conclude that while the men of Qumran recognized the authority of all the main books of the Old Testament, we do not know what they thought of some of the smaller ones, nor how they compared in their estimation with the more popular extra-canonical books, some of which they valued highly. All must be placed in the light of the fact that what mattered to the Covenanters was not the Law and the Prophets as such, but their own esoteric interpretations of them; these were largely due to the Teacher

²⁹ The postulant pledges himself to return to the Law of Moses, KI BH HKL MDOQDQ ("therein is everything explicitly spelled out" (Gaster)—"for in it everything can be learnt" (Rabin) (DD. svi. 1f). The same word (MDOQDQ) is used to affirm the utility of Jubilees.

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of Righteousness, and the (Zadokite) priests, and were closely guarded secrets of the order. They may not have had a rigidly defined canon, but they certainly did not enjoy any liberty in the matter of belief.

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