Jewish Laws of Purity in a Comparative Perspective: A Comparison between the Mishnah and the Dead Sea Scrolls

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1. Introduction to the Research

1.1. By Way of Introduction

> "Rav Yehuda says that Rav says: When Moses ascended on High, he found the Holy One, Blessed be He, sitting and tying crowns on the letters of Torah. Moses said before God: Master of the Universe, who is preventing You from giving Torah without these additions? God said to him: There is a man who is destined to be born after several generations, and Akiva ben Yosef is his name; he is destined to derive from each and every thorn of these crowns mounds upon mounds of halakhot. It is for his sake that the crowns must be added to the letters of Torah.
> Moses said before God: Master of the Universe, show him to me. God said to him: Return behind you. Moses went and sat at the end of the eighth row in Rabbi Akiva's study hall and did not understand what they were saying. Moses' strength waned, as he thought his Torah knowledge was deficient. When Rabbi Akiva arrived at the discussion of one matter, his students said to him: My teacher, from where do you derive this? Rabbi Akiva said to them: It is a halakha transmitted to Moses from Sinai. When Moses heard this, his mind was put at ease, as this too was part of Torah that he was to receive".
>
> [תלמוד בבלי: מנחות כט ב]

The excerpt above is from מסכת מנחות, the second tractate of קדשים in משנה, containing Rabbinic oral traditions, known as the תורה שבעל־פה. This landmark corpus contains the oral traditions of a specific group called the Pharisees, seen as precursors to Rabbinic Judaism (Neusner 1973, 250). Rabbinic Judaism dedicates a duality to Torah by arguing that there are two Torahs: the Written Torah and the Oral Torah (Helmer and Landmesser 2004, 108-127). As it will become apparent during our research, this distinction is imperative in understanding conflicts among Jewish sectarian groups, as they seek legitimacy and authority for their doctrines. What is interesting is thus the fact that the Mishnah reflects the diverse landscape of Jewish belief during the Second Temple era. In other words, during this period, Judaism was not only fragmented into three main branches – Pharisees, Sadducees and Essenes – but the essence of the dogmas and doctrines were also not commonly agreed upon, nor were they canonized as we know them today (Lim 2013, 17-53), resulting in conflicts between the groups concerned. This can partially be explained by the fact that the idea of a fixed set of writings called the Bible did not exist prior the end of the Second Temple era (Collins and Harlow 2012, 152-153).
The existence of different sects and their diverging approaches to the doctrines and dogmas of the faith had also not escaped the attention of the Jewish historian Titus Flavius Josephus, who reports that there were three sects or schools of thought among the Jews at that time. He lists them as the Pharisees, Sadducees, and Essenes (Collins and Harlow 2012, 80). Josephus reports that Pharisees were skilled in interpreting the Law of Moses. He adds that they transmitted certain regulations from earlier generations, which were not found in the Laws of Moses. This tradition, known as the Oral Torah, allowed them to interpret ancient law for contemporary situations. Josephus highlights this Pharisaic trait during disputes between Pharisees and Sadducees in the time of John Hyrcanus. Sadducees insisted that only regulations written in Scripture were valid, disregarding those passed down orally (Collins and Harlow 2012, 80-81). Hence, the writings of Josephus convey the impression that there were internal conflicts between the sects in Judea, which were not only theological but also socio-political (Cataldo 2018, 27).

The quote from מסכת מנחות illustrates the versatility of Torah through a narrative about Moses' encounter with God and Rabbi Akiva. However, this flexibility led to conflict rather than mutual acceptance (Jokiranta 2008, 118). In other words, although Scripture was on nearly everyone's mind and served as the motto of different Jewish communities and sects during the Second Temple times (Collins and Harlow 2012, 152) (even though no codified codex for the books was accepted yet (Watts 2020, 248)), the interpretation of the books was still a source of conflict among these groups. Hence, the politics of the scriptural interpretation played an unprecedented role during the Second Temple era. The scope of biblical interpretation was vast, allowing nearly every new practice and law to be linked to a Torah verse with the right method. While leaders of Rabbinic Judaism recognized the utility of biblical interpretation, they also saw its potential dangers. Unrestricted interpretation could lead to chaos, not just in simple exegesis but also in the techniques used. For instance, Hillel's promotion of the seven מידות aimed to establish biblical interpretation as the source of הלכה while excluding methods favored by scholars of other groups (Guttmann 1950, 458). It is against this background that we must comprehend the presence and diversity of various sects, each with its interpretation of Scripture.

Hence, the Second Temple Judaism was heterogenous and embedded in an ongoing canonical process. The fluctuation of this process is evident from the fact that the popularity of a given text could result in its religious authority. Therefore, the canonical history of the Hebrew Bible was dominated by the principle of *vox populi vox dei* (Helmer and Landmesser 2004, 62). The disagreement among the groups was, however, not mere intellectual discontent, but rather a dangerous game that one sometimes had to pay for with one's life. For instance, John Hyrcanus is said to have executed numerous Pharisees due to their opposition to his priestly duties, sparking a conflict over scriptural interpretation. Pharisees, supported by the people, wrested interpretive authority from the priestly caste, influencing temple practices by the first century C.E. Another group, the Qumran community, sought to establish an identity independent of the Second Temple rites. Likely stemming from a priestly faction dissatisfied with liturgical practices during Hasmonaean rule, this group maintained a focus on temple rituals and laws in their writings. The Qumran community developed unique forms of commentary and liturgy to validate their religious choices, emphasizing ritual purity, which enabled them to live apart from Second Temple rites (Morrow 2020), as we will discuss in our analysis below.

Tensions arising from the interpretation of Scripture are evident not only among the main branches but also among minor sects, such as the religious community founded by Jesus of Nazareth, which later evolved into Christianity (Schröter 2013, 249). Many instances in the New Testament show that Jesus' theological disagreement with the main branches was about the essence of the laws. More concretely, in the case of purity laws, Jesus considered purity laws to be rather moral laws, for it was sin that made people impure and not the violation of the religious rules as such (Aune and Young 2007, 146). In other words, in several passages in the New Testament, Jesus criticizes Pharisees for adhering strictly to the letter of the law, while neglecting its spirit (see Matt. 23:23-24; Mk. 7:6-8; Lk. 11:42). Another example concerns Essenes, who were excluded from some parts of the Temple site due to their idiosyncratic purity laws (Stern 2011, 27, 32). Hence, we can infer that the concept of purity tended to be one of the contentious themes among the different sects, as we will thoroughly analyze in our research.

Other sects were not as successful as the group of followers of Jesus and eventually went extinct. One such group that has garnered significant attention since the discovery of the Dead Sea Scrolls is the Qumran community. Some scholars have identified the sect responsible for the Dead Sea Scrolls as a

small group of Essenes (Flusser 2007, 1), but others reject this hypothesis due to, among others, the lack of convincing or sometimes contradicting evidence (Roth 1959, 417-422). In the 1950s, scholars developed the Qumran-Essene hypothesis based on texts like the 'Rule of the Community', which became the dominant paradigm in scrolls scholarship. However, there are now various modifications to this paradigm, acknowledging that not all texts can be attributed to one sectarian group, suggesting that many may have originated elsewhere before reaching Qumran. Some archaeologists even challenge Qumran's status as a religious center, proposing that all scrolls were brought from elsewhere (Collins and Harlow 2012, 205). This complexity underscores thus the dynamic nature of early Judaism in general and the Qumran community in particular.

At any rate, based on archaeological findings, it can be determined that the scrolls reveal a community that physically separated itself from other Jews and abstained from worship at the Temple in Jerusalem. In the wilderness of Judea, they adhered to a way of life they believed was revealed in Scripture, anticipating a final war between the sons of light and darkness, wherein the former would achieve victory and usher in a new age (Collins and Harlow 2012, 84). This raises the question: if this antagonism underpinned the approach of this community, then what was the impact of this attitude on their comprehension of the Jewish Laws? In other words, to what extent did the Qumran community differ in their apprehension of the Laws as compared to the mainstream group, i.e. Pharisees, whose writings have shaped Rabbinic Judaism? To answer this question effectively, we need to narrow down its scope to a specific legal topic, which we will investigate through a case study. As stated before, Pharisees are considered to be the halakhic and theological predecessors of the rabbis (Schiffman 2011, 598), due to which we will use the two notions of 'Pharisees' and 'Rabbinic Judaism' interchangeably. To come to terms with the question mentioned before, after delineating its scope, a comparative analysis needs to be conducted between the relevant parts of the corpus, known as the Dead Sea Scrolls, and the Jewish Laws, as we can find them in the primary Rabbinic source, the Mishnah. The question posed above, and the comparative method of analysis proposed in this regard beg for more clarity. Therefore, the question concerned as well as the method used for answering it have to be elucidated. These aspects will be elaborated in the following two sections.

1.2. Research question

In the previous section, the question was raised as to what the impact of antagonism among the Jewish sectarian groups is on the interpretation of the Jewish Laws. In delineating the scope of our research, we argue that we have chosen the laws of purity as our case study. Therefore, our research question must also be narrowed down to this chosen theme, which is disagreed upon by the two chosen sectarian groups, the Qumran community, and the Pharisees. In so doing, our central research question reads as follows:

To what extent does the Qumran community differ in its comprehension of the laws of purity as compared to the Rabbinic interpretation of the same laws that stem from Scripture?

To address this question effectively, we must deconstruct it and analyze it step by step. Initially, we will delve into each sectarian group and its religious texts, providing a comprehensive understanding within the wider context. The sub-question raised to this end is: what does each sectarian group and its produced corpus entail? This means that in Chapter 2, Paragraph 2.1., the Dead Sea Scrolls and the

Qumran community are discussed, followed by Paragraph 2.2., which contains an elaboration of the Mishnah, as the main source of Rabbinic Judaism during the period concerned. Against this background, in Chapter 3, the primary sources of both sectarian groups will be analyzed and compared within their biblical context to the extent that they concern ritual purification laws. In the final part of this research, Chapter 4, an overall conclusion will be drawn based on our previous findings, whereby these inferences will also be subjected to analytical discussions and contemplation.

1.3. Methodology

Regarding the way the present research is conducted, it is important to distinguish between the deployed sources and the methods used for studying and analyzing them. In this context, the following remarks need to be taken into consideration. Firstly, the sources in this field must be carefully filtered to include only those relevant to our research. When referring to biblical sources as the primary sources, we specifically mean the Five Books of Moses, also known as 'Torah'. This choice is based on the fact that during the Second Temple period, this corpus was the main commonly accepted codex among the different sects (VanderKam 2012, 54). Accordingly, the adjective 'biblical' used in this research has to be comprehended in this narrow sense, referring only to the Five Books of Moses, interchangeably referred to as Scripture and Torah. The second category of sources used in this research is the Rabbinic sources, especially the Mishnah, which will be explained later.

Regarding the relevance of the latter category of sources, it is thus important to emphasize that only the Mishnah will be utilized in this inquiry. The Mishnah represents the compilation of oral traditions by rabbis during a period marked by the emergence of sectarian groups, which arose due to divergent and antagonistic interpretations of these traditions. Rabbinic sources from later centuries are excluded from our research, as it cannot be assumed that the sectarian groups from the Second Temple period were aware of these later sources, or the evolving views contained within them. This choice can be comprehended against the background that the compilation of Rabbinic sources is divided and segmented over different strata. In this context, the Mishnah, which mirrors the teachings of the early rabbis known as תנאים, was produced during a period that was roughly contemporaneous with the Qumran community (often associated with the Dead Sea Scrolls), albeit that their active periods do not entirely overlap (Avery-Peck and Neusner 2002, 131). Accordingly, another category of sources utilized are the Dead Sea Scrolls, attributed to the sectarian group believed to have lived in and around the Qumran area.

Secondly, the method for scrutinizing our sources is textual and contextual comparative analysis. This involves a multi-step process: first, each text and religious rule related to purification found in the Dead Sea Scrolls is studied textually. Next, this study is contextualized with biblical laws and, subsequently, compared with Mishnaic legal texts. The sequence of these steps is flexible, as the characteristics of each source vary and are not always chronologically arranged. Therefore, each rule under scrutiny will require a tailored order of approach in our comparative analysis, based on selected case studies. This method will enable us to comprehend the religious rules not only in their textual form but also within their contextual meaning. Each rule under scrutiny must be comprehended in relation to its biblical context, as all the sectarian groups share Torah as their common foundation. It is thus important to emphasize that the scope of this method is confined to textual and contextual evaluations. This means that this research will not address the archaeological and linguistic characteristics of these texts.

2. Jewish Laws in Sectarian Context

2.1. Dead Sea Scrolls & Qumran Community

What has come to be known as the Dead Sea Scrolls comprises approximately 930 (complete and partial) scrolls. These scrolls are dated using paleography and radiocarbon dating (AMS-C14). They offer a continuous collection of monotheistic Jewish texts spanning from about 350 B.C. to 50 A.D., with approximately two-thirds of them having a biblical nature (Gunneweg 2010, 5). The first seven scrolls were discovered between 1946 and 1947 inside what would later be called Cave 1. These scrolls include one complete copy and one partial copy of the Book of Isaiah, the Commentary on Habakkuk, the War Scroll, the Community Rule, the Thanksgiving Hymns, and the Genesis Apocryphon (Magness 2002, 26). The discovery of these texts prompted additional archaeological excavations. The initial excavation uncovered pots, oil lamps, coins, and graves. Based on these findings, the excavators determined that the site and the artifacts must be dated between the first century B.C. and the first century C.E. (Magness 2002, 28).

In 1951, additional manuscripts were discovered near Qumran. Subsequent excavations at Qumran led to the discovery of new scrolls in Cave 2. This discovery heightened researchers' interest, leading to further excavations that uncovered Cave 3 in 1952, containing the Copper Scroll and several other scrolls. Around the same time, Cave 4 was also discovered, holding about 500 scrolls, though they were in poor condition. By 1956, several more caves were discovered, containing approximately 900 scrolls and fragments. In February 2017, Cave 12 was discovered, containing artifacts and text fragments. In March 2021, dozens of fragments of biblical texts from the books of Nahum and Zachariah were found in a previously excavated cave known as the Cave of Horror, believed to be from between 132 and 136 C.E. The scrolls discovered so far are written in Hebrew, Aramaic, and Greek (Collins 2014, 1-3). The Qumran caves, where these scrolls are found, are scattered over a vast area, but such differentiation is not pertinent to our textual inquiry of them.

The discoveries mentioned earlier led to many speculations about the compilers. Some scholars considered the community of Qumran to be Essenes (McDonald 2009, 50). However, the term is not used in the Dead Sea Scrolls themselves (Magness 2002, 39). It is worthwhile that even scholars who acknowledge Qumran as a sectarian settlement do not universally agree on identifying this group with the Essenes mentioned in ancient sources. Those who dispute this identification argue that Josephus oversimplifies Judean society by describing only three groups: Sadducees, Pharisees, and Essenes (Magness 2002, 42). Therefore, the question about the origin of this community is still an unresolved puzzle for the scholars of the Dead Sea Scrolls (Angel 2010, 2-11). More pertinent for us is that Judean society in the late Second Temple period was undoubtedly much more complex than the picture Josephus presents. Consequently, some argue that the Qumran community does not necessarily represent Essenes but rather a distinct Jewish group with similar beliefs and practices not documented in our sources (Magness 2002, 43). This requires us to take a closer look at this group.

The Qumran community rejected the class of priests that exercised control over the Temple in Jerusalem. They considered these priests to be 'wicked'. As an alternative, they had their own hierarchical order, with the 'Teacher of Righteousness' at its head. Due to the positive connotation of the word צדוקים and the relatively frequent agreement with Halakhic positions ascribed to Zadokite positions in Rabbinic literature, scholars believe that this community was founded by Zadokites who had separated themselves from the Jerusalem establishment (Angel 2010, 11). More specifically, the sect, led by the priests identified as the sons of Zadok, emerged with a strong priestly focus. In the second quarter of the 2nd century B.C., the Zadokites lost their exclusive control over the high

priesthood in the Jerusalem Temple. Subsequently, with the rise of the Hasmonean dynasty following the Maccabean Revolt, the Hasmonean kings assumed the role of high priests. These developments not only led to the sect's formation but also prompted its members to take the most radical step possible: rejecting the cult practiced in the Jerusalem Temple (Magness 2002, 36-37). The way they lived in their community was thus hierarchical and ordered. They shared both responsibilities and possessions. The members of this group called themselves the Sons of Light and considered others the Sons of Darkness (Goff 2007, 155-157). This community was characterized by ascetic practices and strict adherence to purity laws (Newton 2005, 12). Prior to embarking on a deeper analysis of the purity laws, a foundational theme within Judaism and a significant point of contention among various groups, it is crucial to address the ongoing conflict between the Qumran community and the faction with which they frequently clashed.

To this end, it is imperative to note that James C. VanderKam suggests that the hostility depicted in the Dead Sea Scrolls targets Pharisees, even though they are not explicitly mentioned in these scrolls. Therefore, the Dead Sea Scrolls do allude to Pharisees and their leader using various derogatory terms, reflecting some of Pharisees' characteristics known from other sources (Neusner and Chilton 2007, 236). For uncovering this conflict, it is crucial to delve into their disputes, focusing on the pivotal theme of purity, which fueled the differences and clashes between these two factions. Such an in-depth examination allows us to grasp the Qumran community's interpretations of biblical laws and enriches our understanding of Rabbinic Judaism. It is noteworthy that late Second Temple Judea exhibited remarkable literary output, adding complexity to the historical context (Horsley 2022, 126). This requires us to clarify the significance of Rabbinic Judaism within this framework using their own sources, which have significantly contributed to this literary output. Therefore, the exploration of this aspect of Judaism and the body of work it generated will be addressed in the subsequent paragraph.

2.2. Mishnah & Rabbinic Judaism

The concept of 'Rabbinic Judaism' encapsulates the overall development of Judaism since the Second Temple period (Horsley 2022, 116). However, we should remember that the formation of this branch of Judaism has had a more complicated history compared to other branches. A detailed elaboration of this history falls outside the scope of this research. For now, we note that the works produced and compiled by this branch during this period are numerous. To distinguish it from other branches, it is useful to use the concept of 'Rabbinic Judaism', though its complexity requires prior clarification. Therefore, we need to elaborate on this branch of Judaism and the works it produced, as far as it is relevant to the present research. To do so, we must go back to the Second Temple period, during which religious factionalism was prominent. During this period, denominational laws distinguished between the 'revealed law' (the Written Torah) and the 'hidden law', derived through sectarian exegeses. Both the sectarian system and the Pharisaic (Rabbinic) dual Torah approach supplement the fundamental Written Torah, addressing the challenge of applying it to the life of the community in slightly different ways (Schiffman 2011, 602-603).

In tracing the origins of Rabbinic Judaism, Josephus' writings indicate that the Pharisees were one of the primary branches of Judaism during the Second Temple period. Known as פרושים in Hebrew, meaning 'to separate', this group primarily comprised the middle and lower classes of Judean society during the 1st century B.C. and the 1st century C.E. The Pharisees resisted the adoption of Greek and Roman customs (Hellenization) among Jews and were meticulous in their adherence to Jewish law.

They supplemented the Written Torah with the Oral Torah, which consisted of interpretations of the Written Torah passed down orally from one generation of teachers to the next. In contrast, the Sadducees rejected much of the authority of the Oral Torah. Following the destruction of the Second Temple in 70 C.E., the Rabbinic class emerged from Pharisaism (Magness 2002, 42). Consequently, scholars consider Pharisees to be the predecessors of post-destruction rabbis (Marx and Levine 2019, 474).

Though the precise inception of the Rabbinic movement remains elusive (Katz 2006, 207), historical evidence indicates that following the quelling of the Jewish revolt against Rome (A.D. 66-70), Emperor Vespasian granted permission to the Pharisaic leader Yohanan ben Zakkai to establish a Rabbinical school at Jamnia. Consequently, Pharisaic doctrines laid the groundwork for Rabbinic Judaism (Hahn 2009, 703). Without delving into the unresolved academic debates regarding the precise moment of emergence of this branch, we can suffice with the previously mentioned approximation of its beginning. This provides insight into the period during which it existed alongside other sectarian groups, whether peacefully or not. Rabbinic Judaism emerges as the predominant form of Judaism subsequent to the destruction of the Temple of Jerusalem in 70 C.E. Rooted in the endeavors of Pharisaic rabbis, it draws extensively from the legal and interpretative literature of the Talmud. This iteration of Judaism serves as the cornerstone for worship and ethical conduct, shaping the global practices of Jewish communities to date (Rabbinic Judaism n.d.). This study focuses specifically on the nascent stage of Rabbinic Judaism, identified as the period of תנאים, during which the rabbis whose teachings are preserved in the Mishnah flourished (Ben-Sasson 1976, 342).

The Mishnah, considered the foundational text of Rabbinic Judaism, is the oldest authoritative post-biblical compilation embodying the codification of oral traditions, commonly referred to as the Oral Torah, by the rabbis known as תנאים. Within contemporary Judaism, the Mishnah holds a position of authority secondary only to the Scriptures, serving as the primary standalone document of Jewish tradition (Neusner, The Four Stages of Rabbinic Judaism 1999, 79). Structured into six principal divisions, each addressing diverse aspects of societal organization and regulation, the Mishnah further delineates topics within these divisions. Tractates are meticulously crafted to expound upon the propositions and themes of the sages. In the forthcoming comparative research, we aim to utilize this corpus to scrutinize the purity laws delineated in both Torah and the Dead Sea Scrolls.

3. Jewish Laws in a Comparative Perspective

The Dead Sea Scrolls contain religious laws covering various themes, but discussing and comparing all of them with biblical and Rabbinic laws is beyond the scope of this research. Due to our research's limited scope, we have chosen to focus on the laws related to ritual purification, a foundational aspect shared by all groups within this religion, which sometimes led to sectarian divisions. Purification through water is a fundamental pillar of Judaism, mentioned in Torah without extensive elucidation. Given its significance across Jewish sects, purification serves thus as an ideal topic for comparative analysis, which we will conduct in this chapter. This textual analysis will be contextualized within a broader perspective. Ritual purification through water stands as a fundamental tenet of Judaism, albeit mentioned in the Torah without extensive elucidation. Given its significance across Jewish sects, purification presents itself thus as an apt subject for comparative analysis, which we will undertake in this chapter, situated within a broader scholarly framework.

Both the Pharisaic and Qumran groups shared the belief in the divine inspiration of the Written Torah (Schiffman 2011, 603). Hence, the differences between sects occurred at the interpretative level. The laws distinguishing a sect as sectarian were those interpreted and observed differently from other groups or the broader society, or exclusively adhered to by the group. Purity laws, prominently featured in the Pharisaic corpus, fall within the latter category. Pharisaic commitment was often demonstrated through adherence to ritual purity laws outside the Temple, a practice not universally observed (Neusner and Chilton 2007, 315). Albeit that these purity laws held significance not only for the Pharisees but also for other sectarian groups, with each ascribing its own unique meaning and value to them. Below, we will delve in detail into the essence of purity laws for each sect and their deviation from biblical ordinances.

3.1. Ritual Purity as the Religious Essence of Purity

As previously observed, ritual purity has long stood as a fundamental tenet within Jewish faith and the rituals of the Jerusalem Temple (Marx and Levine 2019, 474), representing a cornerstone of religious practice. Commandments within the Torah mandate the cleansing of impurities among the Israelites (Lev. 1:9, 15:2; Deut. 23:11). This foundational principle has historically engendered controversy and discord among various Jewish sects, underscoring the importance of studying these purity laws to comprehend the doctrinal debates and inter-group strife. Purity laws not only fueled theological discussions among sects but also offer valuable insights into the inception and early evolution of Talmudic Judaism (Neusner 2007), thereby warranting meticulous examination in comparative studies. The significance of purity laws in fueling sectarian conflicts is palpable, as evidenced in Christianity, where baptism assumes both ritual and spiritual significance. Morton Smith highlights the pivotal role of divergent interpretations of purity laws and associated issues of table fellowship in Christianity's divergence from Judaism and its subsequent fragmentation (Smith 1996, 173). Thus, the exploration of purity laws not only provides insights into Jewish sects' theological underpinnings but also offers broader implications for understanding religious dynamics beyond Judaism.

The Qumran community and the Pharisaic tradition of חבורה share a consistent interpretation of purity rules and engage in table fellowship, with communal meals serving as a central act of communion (Smith 1960, 347-360). Purity laws and rituals have played a pivotal role not only in delineating Christianity from Judaism but also in the formation of various sectarian groups. The significance of these laws for the Qumran community is discernible from their writings and archaeological findings, such as the discovery of Jewish ritual baths (מקוה) at Qumran. During the Second Temple period, these sectarian purity laws served as distinguishing markers between those who rejected the prevailing priesthood and its practices and those who adhered to them, thus leading to the formation of distinct sectarian groups. The broader landscape of Judaic sectarianism during this period is characterized by the centrality of ideas related to purity (Neusner 2006, 27-28). Therefore, as mentioned earlier, a comprehensive examination of purity laws is imperative for elucidating the underlying conflicts among these groups.

Purity laws and rituals primarily center on purification through water, evident from early Christianity's emphasis on baptism (Blidstein 2017, 107-134) and the controversies between Jesus, his followers, and the Pharisees documented in the New Testament (Yinger 2022, 112-123). However, the significance of purification for Rabbinic Judaism compared to the Qumran community has not received adequate attention, adding to the novelty of our research, which thoroughly examines this comparison. For

instance, Pharisees believed purity laws should be observed outside the Temple, while other Jews interpreted Leviticus literally, applying these laws only within the Temple. Such differing interpretations were central to sectarian controversies, with deviation indicating sectarian affiliation (Neusner 2018, 83).
This prompts an inquiry into the extent of divergence between the Qumran community and the Pharisaic interpretation of the Jewish laws found in the Mishnah. To conduct this comparison, an understanding of the biblical laws underpinning purity rituals, with differing interpretations among sectarian groups, is crucial. Initially, Torah verses crucial to Jewish purification will be provided, followed by an analysis and contrast of interpretations between Rabbinic Judaism and the Qumran community. It is important to clarify that our focus on ritual purity laws primarily concerns purification through water, excluding moral purity and other purity concepts. This is due to the limited scope of our research and the scarcity of sources from the Qumran area compared to the extensive Rabbinic sources on this topic.

3.2. Ritual Purity & Torah

When discussing טהרה and טומאה in Torah, it is important to recognize this as a broad topic that extends beyond general purification and specifically purification by water. As mentioned earlier, it is imperative to delineate the scope of the notion that we endeavor to deploy in this context. In Judaism, purity and impurity are not synonyms of cleanness and uncleanness in terms of hygiene; rather, these notions are comprehended in their religious sense, oftentimes justified as חקים. In this context, we can make a distinction between ritual purity, which concerns the physical purity (טהרה) of the person concerned, and moral purity as being equalized with sanctity (קדשה). The state of ritual (im-)purity and the laws applicable to it are mostly found in the Book of Leviticus, whereas the state of moral (im-)purity is sporadically mentioned throughout Torah and is oftentimes related to different forms of sin, such as adultery and murder, that make the perpetrator unholy (Rogan 2023, 16-30). The former form of impurity can be nullified through ritual activities such as washing, waiting for a period of time and in certain cases applying the law of the red heifer (Sprinkle 2000, 637-657). Hence, ritual impurity can be described with three main features: firstly, the sources of ritual impurity are typically natural and often unavoidable. Secondly, contracting these impurities is not considered sinful. Thirdly, these impurities transmit a temporary contamination (Klawans 2000, 23). Moral impurity, on the other hand, arises from committing acts deemed so grievous that they are explicitly described in biblical sources as defiling (Klawans 2000, 26).
It is noteworthy that the array of purity concepts within the text does not singularly address specific transgressions of purity laws but rather underscores the broader notion of 'purity' as a comprehensive paradigm (Frevel and Nihan 2013, 482). Therefore, for illustrative purposes, it is sufficient to provide examples within these categories. For instance, direct or indirect contact with a corpse (Num. 19:11, 19:16, 14, 22; Lev. 5:13) or touching a carcass (Lev. 11:29-30), or an object that has come into contact with it (Lev. 11:32-33), can render an individual (ritually) impure. Similarly, contact with a woman after childbirth or menstruation, or a man after unnatural genital emission, results in impurity (Lev. 12:2-5, 15). Skin diseases also fall within this category (Lev. 13, 14). Another category pertains to dietary regulations, which can be further divided into two subcategories: firstly, consuming the meat of an animal that has died naturally or has been killed by other animals leads to impurity (Lev. 17:15); secondly, there are enumerated lists of animals whose characteristics determine their purity or impurity

and hence their suitability for consumption (Lev. 11; Deut. 14). In contrast, moral impurity, which is considered a sin, cannot be nullified or atoned for through ritual means alone, but may require punishment or repentance. Additionally, during the existence of the Temple, laws governing sacrificial offerings were applicable (Meshel, et al. 2008, 77-83), along with regulations specific to the conduct of the priesthood, ensuring their ritual purity (Lipka and Wells 2020, 180-193). Notable transgressions include idolatry (Lev. 19:31, 20:1-3), murder (Num. 35:33-34), and sexual sins (Lev. 18-24-30), as well as proscriptions against prohibited sexual relations (Lev. 15, 18; Deut. 24).

In summary, there are five significant distinctions between moral and ritual defilement. Firstly, while ritual impurity is generally not deemed sinful, moral impurity stems directly from grave sin. Secondly, ritual impurity often spreads through contact, unlike moral impurity, which lacks this contagious nature. Thirdly, ritual impurity is transient, whereas moral impurity can have enduring or permanent consequences for both the sinner and the land of Israel. Fourthly, while ritual impurity can be cleansed through purification rituals, moral impurity is typically addressed through punishment, atonement, or prevention. Lastly, there are also terminological differences in the biblical texts, with terms like 'תועבה' and 'תנף' specifically associated with moral impurity, unlike 'טמא', which encompasses both moral and ritual impurity (Klawans 2000, 26). Although all the sects had a moral and spiritual justification as the legitimizing basis of their doctrines and dogmas, the centrality of purification was the actual act and execution of the ritual itself, which was conducted by means of water. Therefore, considering the available sources and the limited scope of this research, in what follows, our focus will be solely on purification through water for which Scripture forms the foundational basis.

The biblical verse demonstrating ritual purification is found in Leviticus 14:8, outlining the process performed with a מקוה, as further detailed in Leviticus 11:36. The purifying power of water is also evident in Numbers 31:22-23, which states that a spring or cistern where water is gathered must remain pure, but anyone touching a carcass in it becomes impure. This verse, however, does not provide explicit instructions for conducting ritual washing, leaving the method of purification with water unspecified in Torah. The only thing we can find in Scripture about how purification with water has to be executed is that it has to be done by pouring water over one's body in specific circumstances, such as defilement by a corpse (Num. 19:17), bodily discharge (Lev. 15:11), and in the case of leprosy (Lev. 14:5, 50). The fact that the manner in which ritual purification had to be executed is not specified in Torah already paved the way for controversy and antagonism, which we will further analyze below. The only thing we can find in Scripture concerns exemplary instances where purification by means of water are discussed. For instance, in Exodus 30:19, God commands Aaron and his sons to wash their feet and hands with water. However, it remains unclear how this washing was performed – whether ritually or casually – and whether it involved full-body immersion or only the specific limbs mentioned in the text. Therefore, Torah consistently uses the word רחץ for both regular body washings and ritual purifications. These practices were obligatory for all individuals, not limited to the priestly caste. Furthermore, while the root רחץ is used for purifying impurity with water, it does not specifically indicate whether these washings included sprinkling, pouring, or immersion (Huffmire 2022, 52). Based on our examination of the aforementioned biblical verses and preceding observations, we can infer that although Scripture mandates ritual purification through water, it does not specify the method of its ritual execution. This ambiguity likely facilitated diverse sectarian interpretations and practices, which warrant further investigation, as we will undertake below.

3.3. Ritual Purity in a Comparative Perspective

3.3.1. Preliminary observations

With our previous findings in mind, we can now commence comparing the sectarian interpretations of purity laws based on the information that we can find in their own primary sources, discussed before. In other words, this paragraph will scrutinize and address the central research question: "to what extent does the Qumran community differ in its comprehension of the laws of purity as compared to the Rabbinic interpretation of the same laws that stem from Scripture?" This question will be explored by juxtaposing the available sources from both sects within the context of biblical texts and their inherent ambiguities, which historically sparked antagonism and sectarian conflict. Regarding this ambiguity, we need to keep in mind that "the Oral Torah is autonomous and distinct from the Written Torah in respect to two dimensions of the tripartite realm of purity: (1) sources of uncleanness (including modes of transfer of uncleanness), (2) objects of uncleanness (including food and drink), and (3) means for the removal of uncleanness. The Oral Torah is entirely dependent for its principles upon the written one in regard to sources of uncleanness. The Oral Torah – משנה סדר טהרות – does not contain a single new source of major uncleanness" (Neusner 1977, 209). In this specific context, the Oral Torah delves into topics on which the Written Torah remains silent, although this relationship remains nuanced and ambiguous. Equally perplexing is the Oral Torah's minimal discussion of matters explicitly addressed by the Written Torah. This underscores that Rabbinic Judaism, like other groups, interprets biblical verses according to its own understanding, as evidenced in our comparative study between the Mishnah and the Dead Sea Scrolls. Recalling from our previous discussion, purity and impurity are multifaceted concepts. However, due to the limited scope of available sources from Qumran, our comparative research on these concepts will focus primarily on discoveries made at Qumran.

What is known is that the observance of ritual purity served not only as a distinctive feature among minority groups but also as a central marker for early Rabbinic self-definition (Marx and Levine 2019, 474). According to Yonatan Adler, "the traditional Rabbinic approach views immersion as a practice mandated by Torah itself. One early Rabbinic source exegetically derives this interpretation from the adjacent phrases found in Lev. 22:6–7" (Adler n.d.). The primary source of the Rabbinic literature in this regard is the Mishnah. This corpus is the prime codification of the Oral Torah, as we have discussed earlier. More concretely, the purification of one's body through immersion in מקוה is specified in the Rabbinic source, משנה מקואות. This tractate is part of טהרות of the Mishnah and is believed to have been composed during the Talmudic epoch, around 190 and 230 C.E. The first chapter of this tractate distinguishes among six degrees of מקואות, ranking one as superior to the others. The remainder of the chapter elaborates on these degrees, presenting varying opinions among the rabbis on the matter. Each degree is expounded upon through different scenarios, illustrating how water, individuals, or objects can become pure or impure. מסכת מקואות also includes laws regarding the upkeep and construction of ritual baths. What is, however, striking is that neither the Babylonian nor the Jerusalem Talmud contains any גמרא on this tractate. Therefore, The Mishnah's Division of Purities simplifies the system into three main parts: sources of uncleanness, susceptible objects and substances, and purification methods. It explains what renders an object unclean and how it can be purified, covering interactions involving people, food, and liquids. Dry objects or food are not susceptible to uncleanness, whereas liquids activate the system. Uncleanness is removed through immersion in water, while liquids deactivate the system. Natural water concludes the process by

removing uncleanness, while water deliberately affected by humans initiates susceptibility to uncleanness. Personified uncleanness is signaled by bodily fluids, such as menstruation or זב. Corpse uncleanness is likened to a viscous gas that flows like liquid. Utensils become unclean when they can contain liquid (Neusner 1999, 89-90). This concise elucidation of this Rabbinic source unveils the meticulousness of the rabbinically structured and thoughtful writings on the topic of (im-)purity, which we will contrast and compare with what is found in the Dead Sea Scrolls.

It is noteworthy that immersion in water for the purpose of purification held significant importance for the Qumran community as well. This is evidenced not only by textual references in the scrolls that bear witness to the relevance of מקואות for this community but also by archaeological findings of ritual baths in the Qumran area, underscoring the community's emphasis on purification through water. Excavations at Khirbet Qumran have unearthed numerous stepped pools identified as מקואות, or ritual baths, where community members regularly immersed themselves in the purifying waters flowing through these pools (Huffmire 2022, 53). The practice of full body immersion in a ritual bath for purification, common among all sects, dates back to the Second Temple era and is known as טבילה, derived from the root טבל. Rabbinical literature adopts this term to denote full immersion, whereas the Torah itself uses it in the context of partial body immersion or immersion of objects (Lev. 4:6, 17; 9:9; 14:6, 16, and 51). Below, we will explore how Rabbinic Judaism and the Qumran community interpreted this biblical concept. In doing so, it is important to differentiate between the formal conditions of the ritual site and the conditions under which purification rituals are performed.

The first relevant document regarding the formal conditions is the Damascus Document, which in its section known as The Statutes, represents a sectarian reinterpretation of the biblical commandments (Vermes 2011, 128). It stipulates: "no man shall bathe in dirty water or in an amount too shallow to cover a man. He shall not purify himself with water contained in a vessel. And as for the water of every rock-pool too shallow to cover a man, if an unclean man touches it he renders its water as unclean as water contained in a vessel" (Vermes 2011, 141). Hence, the Damascus Document mandates that the minimal amount of clean water required for valid purification is the amount necessary to cover a man, without specifying a precise measurement. In contrast, the Mishnah sets a minimum requirement of forty סאה of water, a measurement derived by the rabbis from Genesis 18:6. Additionally, the Mishnah delineates six degrees of purity of מקואות, each superior to the next. Addressing the latter part of the Damascus Document citation, the Mishnah provides comparable rulings on the circumstances under which a person or object can become pure through water, regardless of whether it is less than forty סאה (משנה מקואות 1). However, unlike the meticulousness of the Mishnah concerning the measurement of מקואות, the Qumran texts focus more on the practical purpose of immersion in water for purification, thereby leave out the obligation of careful measurement of the quantity of the water (Vermes 2011, 82). In this regard, the Mishnaic texts are more detailed regarding the procedural rules of the ritual, whereas the Scrolls primarily emphasize the importance of performing the ritual itself, regardless of specific details.

What is more, the Mishnah's detailed elaborations indicate a profound underlying concept: it views human beings as inherently ambivalent (see, e.g., פרקי אבות 4:1). In the Mishnaic system, individuals occupy a pivotal role between sources and location of uncleanness because they can serve as both. Menstruating or postpartum women, and those with skin ailments described in Leviticus Chapters 13 and 14 are prime examples. They can contaminate other objects and incur penalties due to their uncleanness. Clear sources of uncleanness, such as corpses and dead creatures, remain permanently

unclean and cannot be purified. Inanimate sources and objects consistently convey uncleanness and never change status. Human beings and liquids are thus unique in initiating and experiencing uncleanness processes. Consequently, various passages and fragments within the Dead Sea Scrolls indicate that the Qumran community practiced immersion in water for the purposes of purification *par excellence* and in a very practical sense (Magness 2002, 137).

Subsequently, we need to zoom in on the second part of ritual purity, the human condition, which each sect interpreted differently. As the examples mentioned earlier indicate, there are numerous instances that can result in purity and impurity in Judaism. Given the multitude of topics that can result in such conditions and Judaism's foundational concern with them, a discussion of all of these instances falls outside the scope and extent of this research. Therefore, for maintaining our focus, we will conduct a case study of one specific topic that can analogously represent the underlying principles of the other topics. In other words, by taking the theme of physical fluxes as our point of departing for our case study, we can inductively gain insight into the sects' approaches towards other topics. This examination will be the focus of the next section.

3.3.2. Purification: the Conditions

A relevant Dead Sea Scroll to begin with for studying the conditions related to purity is the Temple Scroll (Klawans 2000, 48). It is important to note from the outset that, as we shall see, some of the laws regarding ritual purity in the Temple Scroll align with those in Torah, while others diverge from them (Klawans 2000, 49). This pattern is also observed in the Mishnaic texts, indicating that both sects employed extensive methods of interpreting the biblical texts. The fact that both groups used Torah as their point of departure is evident from their application of the same or similar terminologies in the same or similar contexts (Lawrence 2020). Therefore, it is essential to examine the biblical verses that form the basis for both groups. The Temple Scroll provides regulations concerning ritual purity in various conditions as follows:

"7 וא[יש] כי יהיה לו מקרה לילה לוא יבוא אל 8 כל המקדש עד אשר [יש]לים
שלושת ימים וכבס בגדיו ורחץ 9 ביום הראישון וביום הש[ל]ישי יכבס בגדיו ורחץ
ובאה השמש אחר 10יבוא אל המקדש ולוא יבואו בנדת טמאתמה אל מקדשי וטמאו
11 *vacat* איש כיא ישכב עם אשתו שכבת זרע לוא יבוא אל כול עיר 12המקדש
אשר אשכין שמי בה שלושת ימים *vacat* כול איש עור 13 לוא יבואו לה כול
ימיהמה ולוא יטמאו את העיר אשר אני שוכן 14 בתוכה כי אני יהוה שוכן בתוך בני
ישראל לעולם ועד *vacat* 15 וכול איש אשר יטהר מזובו וספר לו שבעת ימים
לטהרתו ויכבס ביום 16 השביעי בגדיו ורחץ את כול בשרו במים חיים אחר יבוא אל
עיר 17 המקדש וכול טמא לנפש לוא יבואו לה עד אשר יטהרו *vacat* וכול צרוע
18 ונוגע לוא יבואו לה עד אשר יטהרו וכאשר יטהר והקריב את " (11QT Col. XLV)

"And the m[an] who has had a nocturnal emission shall not enter 8 the whole temple until three days have [pa]ssed. He shall wash his clothes and shall bathe 9 on the first day and on the th[i]rd day he shall wash his clothes/and bathe/; and after the sun has set 10 he shall enter the temple. But they shall not enter my temple with their soiled impurity and defile it. 11 *Blank.* And a man who lies with his wife and has an ejaculation, for three

> days shall not enter the while city of 12 the temple in which I shall cause my name to dwell. *Blank:* No blind person 13 shall enter it all their days, and they shall not defile the city in whose midst I dwell 14 because I, YHWH, dwell in the midst of the children of Israel for ever and always. *Blank:* 15 Every man who purifies himself from his discharge shall count for himself seven days for his purification. And he shall wash on the seventh day 16 his clothes and bathe his body completely in living water. Afterwards he shall enter the city of 17 the temple. And anyone who is impure through contact with a cor/p/se shall not enter it until they have purified themselves. *Blank:* And no leper 18 nor infected person shall enter it until they have purified themselves; and when he has purified himself then he shall offer the " (García Martínez and Tigchelaar 1998).

Skin disease regulations are also present in the Damascus Document from Cave 4. In this document, צרעת undergoes examination by a priest, who must adhere to specific inspection methods and timeframes as prescribed. Additionally, the laws concerning nocturnal emission and a woman's impurity caused by childbirth and menstruation are discussed in the latter document in a similar fashion as quoted above. These laws are also articulated in the Temple Scroll (Vermes 2011, 150, 191-220). All the instances outlined in the Scrolls, such as the one quoted above, align with the corresponding biblical verses and laws relevant to these circumstances, including the procedures for making sacrifices (Vermes 2011, 397-398). Also the purification process of a person who has come into contact with a corpse is comparable to the biblical method, namely, the sprinkling with water and washing one's clothes as well as taking a full bath (Vermes 2011, 108). In various locations in Torah (Num. 9, 5, 12, 19, 31; Lev. 12, 13, 14, 15) we can also find conditions that require exclusion from the camp, such as contact with a corpse, being a leper, nocturnal emission, menstruation, and a woman who gives birth to a child. As stated before, we will narrow down the scope of our research by focusing on two case studies, both concerning bodily secretions that can render the person concerned and the objects that come in contact with him impure.

I. Skin Diseases & Bodily Flux

In the case of skin diseases and physical limitations, the laws of purification include periods of separation, washing with water, and, in some instances, the use of the ashes of the red heifer as well as animal sacrifices. All the aspects and the laws described for these instances by Torah itself could not be deviated from by any group. The only aspects open to variation or deviation were the interpretations of the rules, which these groups often tried to adapt to their communal needs and circumstances (Vermes 2011, 69).

The first physical shortcoming concerns skin diseases (צרעת), oftentimes translated as leprosy, which involve the disfigurement of the skin (Lev. 13:2-46) and the risk of contaminating clothes and houses (Lev. 13:47-59, 14:34-53). Torah considers the leper to be both a sinner and impure, requiring him to dwell alone (see Num. 5:2-4, 12:10-12, 15 for sin, and Lev. 13:45-46 for impurity). The biblical laws on this disease are very detailed, and the process of examination and purification under the auspices of a priest is thorough (Lev. 13, 14). This suggests that the Torah leaves little room for divergent interpretations regarding this human condition. Nonetheless, we need to assess this through a comparison of Qumranic and Mishnaic writings.

From the Dead Sea Scrolls, we can discern that the Qumran community also considered leprosy to be both impure and a sin (see 4Q266 f6i:3, 5, 13; 4Q270 f2ii:12; 4Q272 f1i:13; f1ii:2; 4Q273 f4ii:9; 4Q365 f18:4; f19:2; f20:1; 4Q394 f8iv:14; 4Q396 f1_2iii:4, 8; 4Q397 f6_13:6, 8; 11Q19 45:17; 46:18; 48:15, 17; 49:4; 11Q20 12:10; 13:2). Similarly, the rabbis took a literal approach to this disease – due to the detailed nature of Torah on this topic – and considered it a sin and the leper a sinner (see, e.g., 5.7-9 משנה נגעים, 15b-16a משנה ערכין). The Mishnah refers to this physical shortcoming as נגע and elaborates its rules in the tractate מסכת טהרות. While the rabbis could not change the biblical rules, they extended them by describing the different types of נגע and their symptoms as well as the purification ritual for it. Yet, these elaborations cannot be said to fundamentally deviate from the biblical texts, as Torah itself describes forms and symptoms of this disease (Grzybowski and Nita 2016, 3-7). Regarding the impurity of זוב the rabbis compared it to menstruation or seminal emission and discussed how the person concerned had to observe the laws of purity (1:1 משנה זבים). Since the rabbis could not deviate from the biblical laws, their legal discourses focused on analogies regarding the persons or objects falling within the scope of these rules.

However, it should be noted that both the rabbis and the Qumran community applied analogies when Torah contained exhaustive rules. For example, reference can be made to the instance of an impure person contaminating another impure person in 4Q274, compared to 12.12-13 נגעים: ספרא תזריע, 16b ערכין, and 67a תלמוד בבלי: פסחים, where the same instance of cross-contamination is deployed by way of analogy. Another area of potential divergence between the sectarian groups was the role of the person who had to function as a priest. Torah requires the priest to examine the diseased person and declare him pure (Lev. 13:3). However, it does not specify the conditions under which a person can qualify as a priest (see, e.g., Lev. 21). This ambiguity led to differences between the sectarian groups. The Qumran community considered the 'overseer of the community' to be the qualified person to instruct a priest (Cairo Geniza text of Damascus Document 13.5-6), whereas the rabbis considered a sage to be the qualified person to instruct a priest (3:1, 4:7-10 משנה נגעים). This difference must be viewed within the context of the power struggle among these sects and their denial of each other's legitimacy.

Another difference in interpretation between these two groups concerns the exclusion of the impure person from the community. In the biblical text, it is stated that the diseased person had to dwell outside the camp. At that time, the Israelites did not have a Temple, means that during the Second Temple period, the sects concerned had to reinterpret the notion of 'camp' according to their own contexts. This reinterpretation applied not only to leprosy but to all conditions causing impurity. At this point in time, the Qumran community did not live in Jerusalem and did not have access to the Temple and its services, which they considered defiled and polluted. This viewpoint is evident from the Scroll Commentary on Habakkuk (IQpHab) and their aspiration to replace the Jerusalem Temple with their own community (Kimbrough 1969) (Price 2016, 19). They envisioned a new Jerusalem (Vermes 2011, 607-610) and a new temple (Gärtner 1965, 16-43). Additionally, they did not fully recognize the authority of the Jerusalem priests, some of whom they referred to as the 'wicked priest'. Instead, they followed their own leaders, headed by the Teacher of Righteousness (Stern 2011, 27-28). In contrast, 1:6-9 משנה כלים outlines a hierarchy of ten degrees of holiness, encompassing the city of the sanctuary and beyond, illustrating the sphere of influence and authority that the mainstream clergy sought to gain.

This delineation of jurisdiction in theological terms reflects the power struggle between these two groups regarding the holy sites and places over which they aimed to exercise sovereignty. With this in

mind, we can see that the Qumran community interpreted the biblical dwelling outside the camp in case of leprosy as meaning outside of all cities (11Q19 46.16-18; 48.14-17), whereas the rabbis interpreted it as only concerning the walled cities (משנה נגעים 1:7). From a theological perspective, walled cities were viewed by the rabbis as possessing a higher degree of sanctity. Practically, the distinction between walled and unwalled settlements helped rabbis establish distinct communal identities and practices, providing clarity in legal jurisdiction and enabling the application of specific laws according to the type of settlement. The handling of זב in the Dead Sea Scrolls illustrates the adoption of traditions from Torah with alterations. Like in Torah, the main focus is on the duration of impurity and methods of purification (Lawrence 2006, 86). The case of flux (Num. 5:2-3; Lev. 15:5-6, 25) exemplifies that, from a theological standpoint, both groups had a similar understanding of the laws. A comparison of texts shows that passages such as 4Q274 1 I 4-5; 4Q266 6 ii 2-4; 4Q267 9 ii 4 align with 2.4 and 5.6 משנה זבים, and 5.9 מצורע :ספרא זבים, in their religious interpretation. Since the two groups did not differ on the theological concepts, their differences arose at another level, specifically when assigning areas to the person concerned. This indicates a struggle over jurisdiction and sovereignty rather than theological interpretations.

Hence, we can infer that both groups had limited room for their own interpretations when the Torah itself contained detailed rules on specific topics. The only deviation in interpretation has been in applying these rules to the needs and circumstances of their respective communities. This flexibility allowed for adaptations to changing circumstances, affording some latitude (Brownlee 1951, 54-76). These opportunities were used to assert influence by imposing one's own dogmas and doctrines on followers. Regarding purification rituals involving water, there were no significant differences between the two groups. The potential issue arose with temple sacrifices after healing, due to control over and access to the Jerusalem Temple, as mentioned earlier.

II. Sexuality

The next condition relevant to our case study concerns seminal emission, which creates impurity and requires ritual purification. Unlike the previous topic, Torah is rather short and implicit about seminal emission, whether by sexual activity or nocturnal emission, as quoted from Leviticus 15 and discussed below.

טז ואיש, כי-תצא ממנו שכבת-זרע-ורחץ במים את-כל-בשרו, וטמא עד-הערב.
יז וכל-בגד וכל-עור, אשר-יהיה עליו שכבת-זרע—וכבס במים, טמא עד-הערב.
יח ואשה, אשר ישכב איש אתה שכבת-זרע—ורחצו במים, וטמאו עד-הערב.

A male who has not undergone the purification ritual is considered בעל קרי. According to Torah, a man who experiences an emission becomes ritually impure and remains so until the evening (Lev. 15:16). He must wash his body with (fresh) water to achieve purity (Lev. 15:13, 16). If the emission occurs during intercourse with a woman, she also becomes ritually impure until the evening and must wash herself with water, a ritual otherwise primarily prescribed for men in Torah (Lev. 15:18). Furthermore, after emission, not only must the body be washed, but also the garments (Lev. 15:17). The impurity associated with seminal emission is also deduced from a biblical verse instructing Jewish men not to approach a woman before the revelation at Sinai to avoid impurity (Exod. 19:15). Seminal emission results in impurity for both the individual and anyone or anything that comes into contact with him or with objects related to him (Lev. 15:5-10). Only once in Scripture is it specified that, in addition to purification through water, the individual had to leave the army camp (Deut. 23:10-11). In

general, however, bathing and washing the clothes are sufficient for purification; there is no further requirement for expulsion from the city according to Torah. With this biblical context in mind, we can analyze the interpretations of impurity and purification rituals for seminal emission in both Rabbinic and Qumran traditions, based on the available sources from these groups.

In contrast to the biblical requirement of mere ablutions for one's body and objects, the Qumran community mandated that a person emitting semen not only perform ablutions but also be secluded outside the Temple City for three days (11Q19 45:11-14). It is noteworthy that, since the Temple City was seen as analogous not only to the wilderness camp but especially to Mount Sinai, those entering it needed to maintain the same ritual purity as those approaching Mount Sinai to receive divine revelation (Exod. 19:15) (Fraade 2006). The Temple City (11QT 45:11-12) served as a model for an eschatological surrogate temple at Qumran (Frevel and Nihan 2013, 505), instead of the one in Jerusalem (McCready 1989), for the latter one was considered to have no legitimacy (Pula 2015). As Harrington describes it: "the sectarians of Qumran regarded themselves as living, not in the sacred status of the Temple of the present or of the future but in the pure status incumbent by the Torah, according to their interpretation, on ordinary Israelites. They believed that in the eschaton there would be a re-established Temple at Jerusalem with an accompanying cult, however, it was impossible to reconstruct a surrogate Temple at Qumran" (Harrington 1993). Hence, ablution was required on the first and third days (11Q19 45.7-10). And since this community did not recognize the *status quo* of the Temple in Jerusalem and the sanctity of this city and its temple – due to perceived corruption – they viewed themselves as a purified remnant of Israel, distinct from the broader Jewish population and its institutions, including the Jerusalem Temple (Flint and VanderKam 1999). This represents a political interpretation, if not application, of religious laws within their own communal context. Furthermore, the Dead Sea Scrolls specifically address semen, stating that anything or anyone touching it is impure and must undergo immersion in water, with their garments washed accordingly (4Q274 Fr. 2 i). This aligns with biblical laws, which command both body washing and garment cleansing (Lev. 15:6). Thus, we can assert that the sectarian additions to and interpretation of purity laws are of limited theological significance.

Additionally, the prayer required for the purification ritual is an innovation of the Qumran community (4Q512), similar to how the rabbis introduced additions not found in Torah itself. Comparing the Rabbinic interpretation of biblical purity laws concerning seminal emission, we see that the rabbis also operated within a similar framework, as discussed earlier, with their extensive and practical interpretation of these laws. This approach is evident in the comprehensive treatment of purity laws found throughout the Mishnah, particularly in relation to ritual bathing for seminal emission (see, for example, 8:2-3 משנה מקואות). For instance, in 3:5 משנה טהרות, it is stated that all cases of uncleanness are assessed based on their appearance at the time of discovery. This practical approach addresses impurity at its face value. The Mishnah uses the term 'impure' narrowly, primarily referencing the sources of ritual impurity outlined in the Priestly Code of the Pentateuch. These sources are detailed in Chapters 11–15 of Leviticus and Chapter 19 of Numbers (Balberg 2014, 20).

An example of the extension of biblical laws in a practical sense in case of seminal omission is the fact that "the Mishnah suggests practical guidelines for identifying traces of semen in one's urine based on the urine's color, consistency, and flow: white or cloudy urine is a sign of residues of semen, as well as urine that is not flowing out freely but intermittently" (Balberg 2014, 157). The only theological concurring nuance that we can discern from the sources of the two sects is that the Qumran considered carrying or touching an object that contains semen to result in defilement (4Q274 2 i 8),

whereas the Rabbinic sources consider the direct contact as the only source of defilement (משנה זבים 5:11 and תלמוד בבלי: נזיר 66a).

From the case studies conducted above, it is evident that the presence of interpretive space within biblical law does not necessarily result in sectarian groups developing entirely new theological concepts or religions. Instead, they uphold shared foundational doctrines and dogmas, interpreting and applying them within their respective communities. Differences arise, however, in how these groups interpret and apply scriptural rules to meet their communal needs, often influenced by socio-political tensions. The Qumran community, for instance, rigorously adhered to ritual purity standards more so than the Pharisaic rabbis in Jerusalem, motivated by their criticism of them (Charlesworth 2006, 141). Hence, this adherence may also have served a political purpose, namely, to assert their own legitimacy among their followers.

4. Concluding Remarks

Through our scrutiny and analysis of the case studies used to explore our research question, we can conclude that both the Pharisaic rabbis and the Qumran community departed from the same scriptural foundation. They often shared similar theological doctrines and interpretations derived from biblical sources. The conflict between these sectarian groups, as well as their hostilities towards other sects, appears to have been primarily socio-political rather than theological in nature. Their interpretative methods aimed to adapt biblical laws to their communal needs and thereby legitimize their sectarian existence. Hence, at the theological level, we have not identified significant divergences that would suggest Qumran formed a distinct religious movement separate from the Pharisaic tradition. However, this conclusion remains hypothetical. The fact that these groups had both cooperative and antagonistic interactions driven by their own communal interests and legitimacy does not necessarily imply purely political motivations. Although this hypothesis finds some support in the antagonistic language and hostilities evident in the Dead Sea Scrolls, it requires further confirmation from additional sources related to the sects involved. Therefore, we must continue our analytical and critical approach by delving deeper into the primary sources of these sects.

From the opening quote of this research we can discern that the rabbis were aware of the complexity of the meaning and the scope of the Jewish Laws, but through a narrative they tried to legitimize their own movement by relating and legitimizing themselves, through the person of Akiva, with Moses and God himself. Hence, "the story signals a Rabbinic awareness of the yawning gulf that separated the rabbis' world from Torah of Moses and the world of biblical Israel. That this discontinuity is a cause of some anxiety is reflected in the sense of alienation and depression experienced by Moses, relieved only when R. Akiva comes upon a law he is unable to derive by means of his complex exegesis of Scripture. The law must be accepted, independent of scriptural authority, as a law stretching back to Moses at Sinai, a fact that comforts Moses" (Greenpahn 2018, 212). This story shows thus that the rabbis were aware of their difficulty to legitimize their authority, which is at many more occasions acknowledged by them (תלמוד בבלי: מנחות כט ב). Therefore, they endeavored to compensate this legitimacy deficit through such stories as well as through concepts such as שלשלת הקבלה encompassing the chain of tradition (ספר נזיקין: פרקי אבות 1:1).

Each group required thus political and social legitimation and justification towards its own members. The actual implementation of laws further confirms this point, especially how purification practices

were enacted within each group. In this context, Rabbinic literature provides valuable parallels to sectarian organization, particularly regarding the process of joining the sect and the strong connection between purity laws and sectarian membership (Schiffman 2011, 600). In Rabbinic Judaism, immersion (טבילה) is an essential part of the conversion process for new converts to Judaism, highlighting its significance beyond mere ritual purity (9a:4 כריתות :ספר קודשים). Similarly, the Qumran community maintained stringent rules regarding membership and expulsion, as evidenced by their sectarian scrolls (CD XV, 1QS 1:1-15; 1QS 5-6) (Collins 2016, 158). Scholars have conducted comparative research regarding the membership of both antagonizing groups (Neusner 2003, 24), which in the case of the Qumran community is denoted יחד and in the case of Pharisees חבורה. Accordingly, they have concluded that, among many other similarities in this context (Davies 2014, 139), the parallels between the regulations of the Pharisaic חבורה and those of Manual of Discipline/Community Rule are noteworthy. Both groups use terms like רבים for their members and טהורה/ות for ritually pure items and food restricted to members. Furthermore, both allow for expulsion of members due to misconduct (Fraade 2009, 439). The socio-political significance of these parallels is best comprehended through the concept of חבורה as a form of social Utopianism and יחד as an aspiration towards revolutionary Utopianism (Martinez 2012, 126).

Group membership and the effort to maintain cohesion within the community were crucial for both sects. This was particularly challenging for the Qumran community, which lacked the institutional control enjoyed by the rabbis. Strict rules were therefore essential to ensure unity and order. Prospective members underwent a rigorous initiation process lasting two to three years to foster group cohesion. Upon acceptance, they relinquished some personal belongings to the sect. Organized under a strict hierarchy led by priests, the sect included married members living in towns and villages across the land of Israel, as outlined in the Damascus Document, and others residing in desert isolation under more austere conditions (Magness 2002, 37). Based on their analyses of the Qumran writings, scholars, like Henning Graf Reventlow and Yair Hoffman, suggest that crises may have arisen within the Qumran community (Reventlow and Hoffman 2008, 91). These crises may have led to despair among members and disregard for the community's rules of conduct (1QS 8:16-27), resulting in some members leaving to join other groups (1QpHab 5:7-12; 1QpHab 7:9-14; CD 20:22-27).

Preventing the loss of members to other sectarian groups and maintaining their conviction in one's own doctrinal and dogmatic beliefs within the community's framework is a logical strategy in such circumstances. It is in this context that the application and implementation of rituals become meaningful. Therefore, the inclusion of a washing rite, akin to baptism, in an admission ceremony was not unique to the Qumran community among the Jews of that era (Knibb 1994, 92). However, it held significant importance not only for admission but also for daily religious practice, likely promoting group cohesion (Yamauchi and Wilson 2017, 153). In this way, they sought to instill in their members the belief that the assembly of the holy community represented a surrogate temple and priesthood, and thus membership was an entry into the sanctuary (Harrington 2019, 252). This reinforces our earlier findings derived from our case studies regarding the use of theological justifications for political purposes.

In conclusion, the preceding inquiry leads us to infer that the self-definition of sectarian communities primarily relied on ideological rather than theological foundations. Theological concepts served as instruments for both groups in establishing legitimacy and authority. Essentially, neither the Pharisaic rabbis nor the Qumran community significantly departed from biblical laws in their interpretations, nor did they differ markedly from each other in this respect. Consequently, our analysis of these

groups and their sources revealed minimal discrepancies in terms of doctrinal notions. Instead, closer examination reveals that their differences and ensuing antagonism largely stem from political and ideological power dynamics and struggles.

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