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Gareth J. Wearne

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What Was the Book of Moses in 4QMMT?

GARETH J. WEARNE

Australian Catholic University
Strathfield, NSW 2135, Australia

Abstract: Discussions of 4QMMT have often focused on whether the epilogue refers to a tripartite canon comprising the Books of Moses, the prophets, and David. Recent scholarship has tended to doubt the possible reference to a Davidic corpus but has nonetheless persisted in the assumption that the Book of Moses (ספר מושה) refers to the canonical five-book Torah. In this article I reexamine the use of the term ספר מושה in 4QMMT and other Second Temple-period sources and argue that the expression had a narrower scope, specifically denoting the Book of Deuteronomy. By recognizing the restricted nature of the ספר מושה in MMT, we are better able to appreciate early Jewish conceptions of Scripture and the important place of Deuteronomy in the rhetoric of the epilogue.

Key Words: Book of Moses • Deuteronomy • Torah • Dead Sea Scrolls • 4QMMT • canon • Pentateuch

4QMMT (HEREAFTER MMT) has attracted considerable attention, due, in no small part, to its possible reference to a tripartite canon comprising the Books of Moses, the Prophets, and David (line C 10).¹ Already in the *editio princeps* Elisha Qimron and John Strugnell described MMT as possibly “the earliest tripartite

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¹ The line numbering follows the *editio princeps*: Elisha Qimron and John Strugnell, eds., *Qumran Cave 4.V: Miqṣat Maʿaśeh Ha-Torah* (DJD 10; Oxford: Clarendon, 1994)—hereafter DJD 10. The text is attested in six fragmentary manuscripts (4Q394, 4Q395, 4Q396, 4Q397, 4Q398, and 4Q399), which have been dated on paleographic grounds to the early to mid-Herodian period (i.e.,

[canon] list” and “a significant piece of evidence for the history of the tripartite division of the canon.”² More recently, the ostensible reference to (the book/s of) David has come under scrutiny. Eugene Ulrich, in particular, has drawn attention to the uncertain basis of the material reconstruction, noting difficulties associated with the transcription of several letters and the insecure placement of 4Q397 frag. 17.³ Consequently, it is now common to express the need for caution with regard to the possible naming of a Davidic corpus in MMT.⁴ Nevertheless, subsequent commentators have continued (often explicitly) in the assumption that the term ספר מושה (“The Book of Moses”)—which is used in conjunction with ספרי הנביאים (“the books of the prophets,” C 10 and C 17)—reflects the first section of a bipartite canon, and as such denotes the five books of the Torah.⁵ The purpose of this article is to reexamine the use of the term ספר מושה in MMT and to argue that it had a narrower scope, specifically denoting the Book of Deuteronomy.

The edited text of MMT has three principal sections: (A) a partial 364-day solar calendar that is attested in only one manuscript (4Q394) and was probably a secondary addition; (B) a central halakic section; and (C) a paraenetic epilogue, intended to persuade the reader(s) to adopt the halakah outlined in section B.⁶ Although the genre, function, and redaction of MMT have been matters of debate,

mid- to late first century B.C.E., or early first century C.E.). See the paleographical analysis by Ada Yardeni in DJD 10:3-6, 14, 16-18, 21-25, 29-34, 38-39.

² DJD 10:112 and 59, respectively.

³ Eugene Ulrich, “The Non-attestation of a Tripartite Canon in 4QMMT,” *CBQ* 65 (2003) 202-14.

⁴ See, e.g., Daniel R. Schwartz, “Special People or Special Books? On Qumran and New Testament Notions of Canon,” in *Text, Thought, and Practice in Qumran and Early Christianity: Proceedings of the Ninth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, Jointly Sponsored by the Hebrew University Center for the Study of Christianity, 11–13 January, 2004* (ed. Ruth A. Clements and Daniel R. Schwartz; STDJ 84; Leiden: Brill, 2009) 49-60, and the references cited therein. See also the more recent discussions in Timothy Lim, *The Formation of the Jewish Canon* (AYBRL; New Haven: Yale University Press, 2013) 127-28; and Hanne von Weissenberg, *4QMMT: Reevaluating the Text, the Function, and the Meaning of the Epilogue* (STDJ 82; Leiden: Brill, 2009) 204-6.

⁵ See, e.g., the otherwise cautious discussion in Michael Segal, “Biblical Interpretation – Yes and No,” in *What Is Bible?* (ed. Karin Finsterbusch and Armin Lange; CBET 67; Leuven: Peeters, 2012) 63-80, who remarks, “I do not distinguish here between ספר מושה and ספר התורה since both refer to the same authoritative composition” (68 n.15).

⁶ For convenience, the line numbering below follows that of the composite text in DJD 10:65. Note that the arrangement of the fragments that constitute the epilogue has been a matter of debate, and strong arguments have been advanced for the placement of 4Q398 frags. 11-13 (= lines C 18-24 of the composite text) before 4Q397 frags. 14-21 (= C 1-12) and 4Q398 frags. 14-17 i (= C 13-17). See von Weissenberg, *4QMMT*, 85-90; and also Émile Puech, “La *Lettre* essénienne MMT dans le manuscrit 4Q397 et les parallèles,” *RevQ* 27 (2015) 99-136. These arguments are important but have little relevance here.

it is sufficient to note here that, at least in its received form, the text had a hortatory function.⁷ In both the halakic section and the epilogue, the writers repeatedly adduce scriptural support as part of their rhetorical strategy (see further below), but it is only in the paraenetic epilogue that the references to the ספר מושה occur.⁸

I. The Prepositional Phrase בספר מושה in MMT

The prepositional phrase בספר מושה occurs four times (once restored) in the epilogue (section C):⁹

C 6: 4Q397 frags. 14-21, line 6

ואף] כתו[ב בספר מושה ולו]א תביא תועבה א[ל ביתכה
[moreover] it is writte[n] in the Book of Moses that “you should no[t] bring
an abomination in[to your house]”

C 10: 4Q397 frags. 14-21, line 10 (= 4Q398 14-17 i 2-3)¹⁰

כתב/שלה]נו אליכה שתבין בספר מושה] ו[בספר]י הנביאים ובדו[י]ך
we [have written/sent] to you so that you will contemplate the Book of
Moses [and] the book[s of the pr]ophets and Davi[d(?)]

C 17: 4Q397 frags. 14-21, line 15

כתוב בספר] מושה ובס[פרי הנביאי]ם שיבואו]ת של[ום]
[it is written in the Book of] Moses and in the bo[oks of the prophet]s that
there will come [blessing]s of pe[ace]

⁷ On the genre and function of MMT, see Gareth Wearne, “4QMMT: A Letter to (not from) the Yahad,” in *Law, Literature, and Society in Legal Texts from Qumran: Papers from the Ninth Meeting of the International Organization for Qumran Studies, Leuven 2016* (ed. Jutta Jokiranta and Molly Zahn; STDJ 128; Leiden: Brill, 2019) 99-126.

⁸ See the discussions in Moshe Bernstein, “The Employment and Interpretation of Scripture in 4QMMT: Preliminary Observations,” in *Reading 4QMMT: New Perspectives on Qumran Law and History* (ed. John Kampen and Moshe J. Bernstein; SBLSymS 2; Atlanta: Scholars Press, 1996) 29-51; George J. Brooke, “The Explicit Presentation of Scripture in 4QMMT,” in *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies, Cambridge, 1995: Published in Honour of Joseph M. Baumgarten* (ed. Moshe Bernstein, Florentino García Martínez, and John Kampen; STDJ 23; Leiden: Brill, 1997) 67-88.

⁹ The transcriptions follow the most recent edition in Elisha Qimron, *Megillot Midbar Yehudah: Ha-Hiburim ha-ʿIvriyim* (Jerusalem: Yad Yīshāq Ben-Zvi, 2010) 210-11; C 6 and C 10 follow 4Q397 14-21.

¹⁰ Underlined letters indicate places where 4Q398 has been used to supplement 4Q397.

C 20–21: 4Q398 frags. 11-13, line 4 (= 4Q397 22, line 3)

ואנחנו מכירים שבאוּוּ מקצת הברכות והקללות¹ שכתוב בספר משה
 we believe that some of the blessings and curses have come which were
 written about in the Bo[ok of Mo]ses

In addition, in C 11 (4Q397 14-21, 11 = 4Q398 14-17 i 3) the prepositional phrase בכתוב ("and it is written in the/a book") occurs without the qualifier משה ("of Moses") or something similar. The subsequent text is lost, making it impossible to determine the source of the citation; however, given the proximity to the intertextual references in C 10, it seems likely that a qualifier has elided. It follows that the implied referent should be inferable from the context. The editors placed 4Q397 frag. 17 (containing the letters בספר] between frags. 18 and 15, thereby permitting the restoration הניביאם בספר]י in C 10. If this restoration is correct, then it is notable that the singular ספר in C 11 apparently reflects a narrowing of focus from the preceding line. In other words, the focus shifts from study of "the Book of Moses and the books of the prophets" in C 10 to that which is written "in the book" (singular) in C 11. This supports the editors' inference that we have here an implicit reference to the "Book of Moses" (cf. the singular משה בספר in C 10).¹¹

None of the references to ספר משה is preserved in full, but in every case the restored reading seems likely. In C 6 the reference is entirely restored, but the proposal is well suited to the available space and provides a fitting introduction to the quotation from Deut 7:26 that follows. In C 10 the restored reading is a composite of 4Q397 18, 10 ([בספר מו]ן] and 4Q398 14 i 2 ([משה]). As Ulrich has observed, the difficulty with this restoration is that in 4Q397 18, 10 the space after *mem* seems more suited to a broad-headed letter such as *dalet* or *resh* (cf. the spacing of *vav* and *shin* in ושרק in the preceding line); however, in the corresponding section of 4Q398 14 i 2 the sequence *mem-vav-shin* seems probable.¹² In C 17, משה] seems certain but the noun ספר is entirely restored, and in C 21 both משה] and [ספר] are partially restored.

¹¹ In the translation in DJD 10, Qimron and Strugnell restore "of Moses" in brackets, but in their commentary on the phrase בכתוב בספר they simply write, "Does ספר refer to the five-book Torah, i.e., משה? We have been unable to suggest any restoration for the end of this line" (DJD 10:59). Note that for them the five-book Torah is a given.

¹² Ulrich, "Non-attestation of a Tripartite Canon," 209-10 nn. 27, 28; cf. the high-resolution photographs on the Leon Levy Dead Sea Scrolls Digital Library: <https://www.deadseascrolls.org.il/explore-the-archive/image/B-284130> and <https://www.deadseascrolls.org.il/explore-the-archive/image/B-284519>, respectively.

intertextual referent are different (Deut 7:26 and 12:31 vs. Deut 4:29-30; 30:1-2; and 31:29), indicating that the expression *ספר מושה* is not limited to the theme of the blessings and curses. Rather, the references to *ספר מושה* in the epilogue are associated with themes and language drawn from various parts of the book of Deuteronomy.

By contrast, in the halakic section (section B), the intertextual associations draw much more extensively on the Books of Leviticus and Numbers.¹⁶ In several instances explicit citations of the Torah are introduced by the overt citation marker *כתוב*, “it is written” (e.g., B 27-28; B 38; B 66-67; B 70; B 76; B 77-78). Notably, however, in these cases the prepositional phrase *בספר מושה* is never used.¹⁷ Instead, the intertextual referent must be inferred in each instance on the basis of the content that is repeated from the intertext. Evidently, then, the inclusion of the prepositional phrase was not obligatory when referring to written Mosaic Torah.

While the differentiation between the halakic section and the epilogue could be attributed to the redactional growth of the text, it admits the possibility that in MMT the expression *ספר מושה* denotes the Book of Deuteronomy specifically, rather than a five-book Torah more broadly.¹⁸ Indeed, even if the inclusion of the expression in the epilogue belongs to a secondary stage in the growth of the text, two observations remain salient: (a) wherever it occurs, the function of the prepositional phrase is to index the source of the intertextual references it introduces (viz., Deuteronomy); and (b) despite the prolonged transmission history of MMT, there is no evidence that the citation markers in the halakic section were expanded and qualified by the addition of a prepositional phrase.¹⁹

Of course, we must also reckon with the possibility that the distinction reflects generic differences between the halakic section and the paraenetic epilogue, especially since the simple *כתוב* formula (without a prepositional phrase) is attested in other halakic contexts (e.g., *כאשר כתוב*, “as it is written,” introducing a quotation of Isa 2:22 in 1QS 5.17; *כיא כן כתוב*, “for thus it is written,” introducing a quotation of Exod 23:7 in 1QS 5.15). But even so, the fact remains that in MMT the expression *בספר מושה* is used only to introduce citations from Deuteronomy.

¹⁶ Bernstein, “Employment and Interpretation of Scripture,” 29-51; Brooke, “Explicit Presentation of Scripture,” 67-88; von Weissenberg, “Deuteronomy at Qumran and in MMT,” 520-37.

¹⁷ There are only a handful of references to Deuteronomy in the halakic section, and, with the possible exception of the compound citation of Lev 19:19 and Deut 22:9, none of these is introduced by the overt citation marker. For the use of *כתוב* without the qualifier *בספר מושה* to introduce quotations from Deut 31:29 and 30:1-3 (C 12 and C 13, respectively), see below.

¹⁸ On the question of possible redactional growth, see the discussion in Wearne, “4QMMT: A Letter to (not from) the Yahad,” 104-9.

¹⁹ The textual transmission of MMT seems to have been relatively stable, but there is evidence for variability in both orthography and phrasing; see von Weissenberg, *4QMMT*, 71-85; eadem, “4QMMT—Some New Readings,” in *Northern Lights on the Dead Sea Scrolls: Proceedings of the Nordic Qumran Network 2003–2006* (ed. Anders Klostergaard Petersen et al.; STDJ 80; Leiden: Brill, 2009) 217-21.

Significantly, the inference that the expression ספר מושה specifically denotes the Book of Deuteronomy is also consistent with the internal evidence of the scriptural books themselves, at least in the canonical form in which they are known. Although Leviticus, Numbers, and parts of Exodus are presented as divine words uttered to Moses (Lev 1:1: ויקרא אל־משה וידבר יהוה אליו מאהל מועד: “The LORD called Moses and spoke to him from the tent of meeting”; Num 1:1: וידבר יהוה ייני, “The LORD spoke to Moses in the wilderness of Sinai”; Exod 20:22: ויאמר יהוה אל־משה כה תאמר אל־בני ישראל: “Then the LORD said to Moses, ‘thus you shall say to the children of Israel’”), Deuteronomy is unique in presenting itself as Moses’s own words: משה אל־כל־ישראל: “These are the words that Moses spoke to all Israel” (Deut 1:1). Moreover, Deuteronomy is distinctive as being the only book in the Torah that can be interpreted as self-referentially claiming (partial) Mosaic authorship (Deut 31:9). As such, the designation ספר מושה, meaning “The Book *by* Moses,” is uniquely well-suited to Deuteronomy.²⁰ On the other hand, Deuteronomy stands apart from the rest of the Torah also insofar as Moses is its central character, and it is in Deuteronomy that Moses speaks most words.²¹ Therefore, the title “The Book *about* Moses” is equally apposite as a reference to the book’s contents.

III. The Concept of a Five-Book Torah in the Second Temple Period

It is not until the first century C.E. that we find explicit references to a delineated corpus of five books attributed to Moses.²² The earliest unequivocal reference occurs in the writings of Philo of Alexandria. In his discussion of views about the creation and eternal existence of the world, Philo writes, μακροῖς δὲ χρόνοις πρότερον ὁ τῶν Ἰουδαίων νομοθέτης Μωσῆς γενητὸν καὶ ἄφθαρτον ἔφη τὸν κόσμον ἐν ἱεραῖς βίβλοις· εἰσὶ δὲ πέντε, ὧν τὴν πρώτην ἐπέγραψε Γένεσιν, “and long before (Hesiod), Moses, the lawgiver of the Jews, declared in the holy books that the world was created and is imperishable—these are five in number, the first of which he entitled ‘Genesis’” (*Eternity* §19).²³ The most explicit description of the five books of Moses, however, comes from Josephus (*Ap.* 1.8 §39), who

²⁰ In this sense, the title is analogous to conventional labels such as “The Book of Isaiah,” and so on, as a means of attributing contents to individual prophets. Alternatively, the title “The Book *about* Moses” is analogous to the Book of Jonah, which names the prophet as its protagonist.

²¹ I am indebted to an anonymous reviewer for this observation.

²² Pseudo-Aristeas refers only to τοῦ νόμου τῶν Ἰουδαίων βιβλία (“the books of the law of the Jews,” *Let. Arist.* §30), though the pairing of the plural books with the singular law is interesting and agrees with Philo’s and Josephus’s references to the “books” (plural) of Moses (see below). It is clear from *Let. Arist.* §§139 and 144 that the lawgiver (ὁ νομοθέτης) is to be understood as Moses.

²³ It is noteworthy that Philo’s reference to the title Γένεσιν (“The Beginning”) is paralleled by the title ברשית (“In the Beginning”) on the back of 4Q8^c (4QGen^b). See below.

famously described them in terms that evidently entailed something very like the canonical Torah: καὶ τούτων πέντε μὲν ἔστι τὰ Μωυσέως, ἃ τοὺς τε νόμους περιέχει καὶ τὴν ἀπ' ἀνθρωπογονίας παράδοσιν μέχρι τῆς αὐτοῦ τελευτῆς, “and of these (βιβλία/books), five belong to Moses; they comprise his laws and the tradition about the origin of humanity, until his death.”²⁴

Prior the first century C.E., the picture is much less clear. To be sure, there are references in the Hebrew Bible and sources from the Second Temple period to a written תורת משה (“Torah of Moses”), ספר תורת משה (“Book of the Torah of Moses”), and rarely ספר משה (e.g., 2 Chr 25:4; 35:12; Ezra 6:18; Neh 13:1; 1 Esdr 5:48); cf. ὁ νόμος Μωσῆ (“law of Moses,” Tob 6:13; 7:12; Bar 2:2, Sus 1:3; etc.), and ὁ βιβλος Μωσέως (“Book of Moses”) in the longer Greek text of Tobit (6:13; 7:11, 12).²⁵ Yet in most instances it is difficult, if not impossible, to establish whether the term entails a specific text, a textual corpus, or a more abstract concept of Mosaic law.²⁶ More importantly, as was argued by Hindy Najman with reference to Ezra-Nehemiah:

Even if there was a collection of writings known [in the Second Temple period] as the Torah of Moses, and even if the term “Torah of Moses” was often used to refer to this collection, it does not follow that the primary function of the term was to *name* this collection of writings. Instead, it may well be that the primary function of this term was to confer authority.²⁷

²⁴ Both Philo and Josephus use the plural “books” (βιβλοῖς/βιβλία) in contrast to the singular “book” (ספר), which is used consistently in MMT. This offers further support for differentiating Deuteronomy/“the Book of Moses” from the five-book Torah (see below).

²⁵ The major LXX codices all render ספר as singular, though 2 Chr 25:4 has τοῦ νόμου Κυρίου (“the law of the Lord”) in place of the MT’s ספר משה. Interestingly, the expression κατὰ τὸ πρόσταγμα τὸ προστεταγμένον περὶ αὐτῶν ἐν τῷ νόμῳ Μωσῆ (“according to the precept which has been added to the Law of Moses”) in G2 [= Sinaiticus] (Tob 1:8) is rendered ככתוב בספר תורה משה [sic] (“as it is written in the book of the law of Moses”) in H7 [= *Otsar Haqqodesh*]; however, the latter is attested only in an early modern printing, dating from 1851; see Stuart Weeks, Simon Gathercole, and Loren Stuckenbruck, *The Book of Tobit: Texts from the Principal Ancient and Medieval Traditions* (Fontes et Subsidia ad Bibliam Pertinentes 3; Berlin: de Gruyter, 2004) 42-44.

²⁶ 2 Chronicles 25:4 quotes Deut 24:16, and Neh 13:1 quotes Deut 23:3. 2 Chronicles 35:12 is related to the Passover, but the reference to the distribution of the burnt offerings seems to presuppose Lev 1:1-17. Ezra 6:18 does not correspond to anything in the received Torah but instead seems to be an attempt to confer Mosaic authority on the postexilic institution of the priestly courses. See Hindy Najman, “Torah of Moses: Pseudonymous Attribution in Second Temple Writings,” in *The Interpretation of Scripture in Early Judaism and Christianity: Studies in Language and Tradition* (ed. C. A. Evans; JSPSup 33; Studies in Scripture in Early Judaism and Christianity 7; Sheffield: Sheffield Academic, 2000) 202-16, here 208.

²⁷ Najman, “Torah of Moses,” 212-13. Najman goes on to observe, “Since a particular collection substantially like the Pentateuch had gradually become the most authoritative collection of sacred writings, it makes sense that this collection was the most pre-eminent example of the Torah of Moses. Yet, it was also possible to describe as Torah of Moses some law or practice without an explicit Pentateuchal basis, for the sake of authorization” (ibid.).

By extension, unless it is specified, as in Philo *Eternity* §19 and Josephus *Ap.* 1.8 §39, we should be wary of assuming that the expression ספר מושה and analogous terms denote a delineated literary corpus, let alone a five-book Torah.²⁸

Najman's cautionary remark is an important corrective to the anachronistic assumption that such references imply something like a canonical text; however, the principle requires some slight modification in the context of MMT. As was noted above, in MMT it is the overt citation marker כתוב that functions to invoke scriptural authority. In such cases, the use of the verb כתוב to adduce a *written* precedent seems to reflect a particular concern with *textual* authority (contrast expressions such as כאשר אמר ביד מושה, "which was spoken by [lit.: 'by the hand of'] Moses," 4Q266 11, 1-2).²⁹ Importantly, the citation marker performs this function regardless of whether it is qualified by a prepositional phrase such as בספר מושה. Furthermore, given that the scriptural referent is often unnamed, there is little reason to doubt that the audience could identify the implied source on the basis of the text being reproduced. Indeed, the optional use of the expression בספר מושה is illustrated particularly clearly by the fact that the prepositional phrase is omitted, or elided, in C 12, where the referent could be inferred from the distinctive lexis—though in this case the lexis is foregrounded by the references to the ספר (מושה) in the preceding lines (C 10-11). Therefore, the inclusion of the qualifier בספר מושה in MMT may be assumed to reflect a conscious choice to supply additional information. To be sure, the choice to include the prepositional phrase is related to the function of the citation marker as an authorizing strategy; yet any explanation that is extended to the expression בספר מושה must also be capable of explaining the syntactically equivalent references to "the books [ספרי] of the prophets" in C 17 and possibly C 10.³⁰ There, the two prepositional phrases must be functionally equivalent, since they serve together as a compound complement of כתוב, joined by a simple conjunctive *vav*. Significantly, in the case of "the books of the prophets," there seems to be little doubt that the prepositional phrase refers to specific texts associated with prophetic figures, and it therefore seems likely that the expression בספר מושה also functions, at least in part, to name a text.³¹

²⁸ I note in passing that Philo and Josephus do not in fact apply a title to the books of Moses.

²⁹ Of course the expression ביד אמר metaphorically blends speaking and writing. For more general discussions of the conventions for marking citations in the Dead Sea Scrolls, see Joseph A. Fitzmyer, "The Use of Explicit Old Testament Quotations in Qumran Literature and in the New Testament," *NTS* 7 (1961) 297-333; Moshe J. Bernstein, "Introductory Formulas for Citation and Re-Citation of Biblical Verses in the Qumran Pesharim: Observations on a Peshar Technique," *DSD* 1 (1994) 30-70; and the comprehensive list in Casey D. Elledge, "Exegetical Styles at Qumran: A Cumulative Index and Commentary," *RevQ* 21 (2003) 165-208.

³⁰ Admittedly, both references also require extensive restoration.

³¹ In this case, "the books of the prophets" seems to refer collectively to the books attributed to individual prophets and known by their name. Compare, for example, הדבר אשר כתוב בדברי ישעיה, "the word which is written in the book of the words of Isaiah, son of Amoz, the

Turning to the material evidence, it is clear that Deuteronomy occupied an important place among the literary traditions represented in the Dead Sea Scrolls.³² In addition to being quoted or echoed in other compositions, the text of Deuteronomy is attested in at least thirty fragmentary manuscripts—excluding *tefillin* and *mezuzot*—which may belong to Torah scrolls. As such, it is the second most frequently attested canonical book after Psalms (thirty-six copies).³³ The fragmentary nature of the manuscripts means that it is difficult to determine whether and how often Deuteronomy was copied together with other texts.³⁴ But it is noteworthy that there are no instances among the extant Torah fragments in which Deuteronomy is preceded by material from Genesis–Numbers.³⁵ This is especially significant in the case of 1Q4, 1Q5, 2Q10, 4Q35, (possibly) 4Q45, and 11Q3, which

prophet”) in CD 7.10, which introduces a quotation of Isa 7:17 in CD 7.11-12. It does not matter for present purposes in what manner and to what degree such texts resemble the canonical books.

³² A convenient survey can be found in von Weissenberg, “Deuteronomy at Qumran and in MMT,” 520-37. See also Sidnie White Crawford, “Reading Deuteronomy in the Second Temple Period,” in *Reading the Present in the Qumran Library: The Perception of the Contemporary by Means of Scriptural Interpretation* (ed. Kirstin De Troyer and Armin Lange; SBLSymS 30; Atlanta: Society of Biblical Literature, 2005) 127-40; and Timothy Lim, “Deuteronomy in the Judaism of the Second Temple Period,” in *Deuteronomy in the New Testament* (ed. Maarten J. J. Menken and Steve Moyise; LNTS 358; London: T&T Clark, 2007) 6-26.

³³ See Emanuel Tov’s list in idem, ed., *The Texts from the Judaean Desert: Indices and an Introduction to the Discoveries in the Judaean Desert Series* (DJD 39; Oxford: Clarendon, 2002) 169-70; idem, *Revised Lists of the Texts from the Judaean Desert* (Leiden: Brill, 2010) 116-17. See also the discussion and references in von Weissenberg, “Deuteronomy at Qumran and in MMT,” 520-37. See also White Crawford, “Reading Deuteronomy in the Second Temple Period,” 130.

³⁴ For an interesting attempt to systematically calculate the total reconstructed length of a Torah scroll, see Drew Longacre, “Methods for the Reconstruction of Large Literary (Sc)rolls from Fragmentary Remains” (forthcoming). Based on the preserved remains of 4Q14 (4QExod^c), Longacre concludes that a roll comprising Genesis–Numbers would fit the minimum possible length, while a roll comprising Genesis–Deuteronomy would fit comfortably in the mid-range of the reconstructed total. In view of the unusual height of Mur1, it has also been suggested that this document might have contained a complete Torah scroll. See P. Benoit, J. T. Milik, and R. de Vaux, *Les grottes de Murabba‘at* (2 vols.; DJD 2; Oxford: Clarendon, 1961) 1:75; Armin Lange, “Ancient, Late Ancient, and Early Medieval Manuscript Evidence,” in *Textual History of the Bible Online*, vol. 1, *The Hebrew Bible* (ed. Emanuel Tov and Armin Lange, http://dx.doi.org/10.1163/2452-4107_thb_COM_0002000000), §2.2.1.2.6. However, although portions of Gen 32:4-5, 30, 33; 33:1; 34:5-7, 30-31; 35:1, 4-7; Exod 4:28-31; 5:3; 6:5-9, 11; Num 34:10; and 36:7-11 are preserved in Mur1, no text from Deuteronomy is attested. In any case, the scroll is written in a post-Herodian book hand from the beginning of the second century C.E. (ibid.), when literary evidence for the five-book Torah already exists.

³⁵ I am indebted to George Brooke for this observation. Admittedly, the situation is not much different for other pentateuchal books; thus, Emanuel Tov has observed, “Although most of the scrolls contain only one biblical book, 5 Torah scrolls contain two consecutive books [namely: 4QGen-Exod^a; 4QpaleoGen-Exod; 4QExod^b; 4QExod-Lev^f; 4QLev-Num^a]”; see Emanuel Tov, *Textual Criticism of the Hebrew Bible* (2nd rev. ed.; Minneapolis: Fortress, 2001) 103-4; cf. idem, *Revised Lists of the Texts from the Judaean Desert*, 111-17; and Armin Lange, *Handbuch der*

preserve material from the beginning of Deuteronomy (chap. 1), where the juncture of Numbers and Deuteronomy could be expected. This might simply be an accident of preservation, but it might also reflect the quasi-independent status of Deuteronomy in the Second Temple period—at least, inasmuch as it was not inextricably bound to the other books of the Torah.³⁶ Moreover, the possibility that Deuteronomy had a quasi-independent status might go some way to explaining why the writers of MMT were apparently able to single it out through the use of the singular noun “book” (סֵפֶר), in contrast to the plural “books” (βίβλους/βιβλία) used by Philo, Josephus, and Ps.-Aristeas (see above).

In addition to Torah scrolls, there are four manuscripts from Qumran that have been identified as containing excerpts from Deuteronomy (4Q37, 4Q38, 4Q41, and 4Q44). It should be noted, however, that 4Q37 also contains excerpts from Exodus, while 4Q41 contains an expansionistic and harmonistic text, in which the Decalogue in Deut 5:12-15 is supplemented with the parallel passage from Exod 20:8-11.³⁷ Such excerpts likewise suggest that Deuteronomy had a special prominence, but that this status evidently did not extend to complete separation from the rest of the Mosaic law, especially where there are close textual affinities, as in the Decalogue.

On the other hand, in three examples of so-called rewritten Scripture, Deuteronomy is copied together with other books from the Torah: 4QRP^b (= 4Q364; Genesis–Exodus, Numbers–Deuteronomy); 4QRP^c (= 4Q365 + 4Q365a; Genesis–Deuteronomy); 4QRP^d (= 4Q366; Exodus–Deuteronomy).³⁸ Each of these manuscripts has been dated on paleographical grounds to the late Hasmonean or early Herodian periods (ca. 75–50 B.C.E.), and therefore they may be comparatively early evidence for a five-book conception of Torah (though the grouping of Mosaic materials can be explained on thematic grounds without requiring that the books were conceived of as a unified corpus).³⁹ A similar conceptual grouping of Mosaic

Textfunde vom Toten Meer, vol. 1, *Die Handschriften biblischer Bücher von Qumran und den anderen Fundorten* (Tübingen: Mohr Siebeck, 2009) 83-104.

³⁶ For the view that the Deuteronomy scrolls may have existed separately and were distinguishable from the Tetrateuch, see Thomas Römer, “Qumran and Biblical Scholarship,” in *The Hebrew Bible in Light of the Dead Sea Scrolls* (ed. Nóra Dávid et al.; FRLANT 239; Göttingen: Vandenhoeck and Ruprecht, 2012) 139, with references; cf. Emanuel Tov, “Textual History of the Pentateuch,” in *Textual History of the Bible Online*, vol. 1, *The Hebrew Bible*, ed. Emanuel Tov and Armin Lange, §2.1.1.

³⁷ White Crawford, “Reading Deuteronomy in the Second Temple Period,” 128-29. Such excerpts may have been intended for liturgical use.

³⁸ Emanuel Tov and Sidnie White, “Reworked Pentateuch,” in Harold W. Attridge et al., in consultation with James C. VanderKam, *Qumran Cave 4.VIII: Parabiblical Texts, Part 1* (DJD 13; Oxford: Clarendon, 1994) 187-351; Lange, “Ancient, Late Ancient, and Early Medieval Manuscript Evidence,” §§2.2.1.7.1–2.2.1.7.3.

³⁹ Tov and White, “Reworked Pentateuch,” 217, 260-61, 336-37.

law is reflected also in works such as the *Temple Scroll*, which, at least in its final recension, reflects material spanning Exodus–Deuteronomy.⁴⁰ Yet the fact that Deuteronomy could be associated with Genesis–Numbers in these texts does not mean that the five-book Torah was its principal frame of reference in every instance.⁴¹ This can be illustrated in the case of the so-called *Joshua Apocryphon*, which is reliant, *inter alia*, on Deuteronomy 1–3 and 28–31, and which may reflect a Hexateuchal frame of reference.⁴² So too, the fact that in MMT the expression *ספר מושה* is mentioned in conjunction with the books of the prophets and the examples of the kings of Israel indicates that, in the epilogue, the writers’ frame of reference was the fulfillment of Deuteronomistic themes in Israel’s subsequent history and literature.

In short, then, the evidence of the Dead Sea Scrolls may suggest that Deuteronomy had a quasi-independent status in the late Second Temple period. But, in any case, it is not necessary for Deuteronomy to have existed independently for it to have been named “The Book of Moses.” At the very least it enjoyed a special prominence, which is sufficient to account for its being singled out in the epilogue of MMT. Conversely, it must also be stressed that it does not follow from the association of Deuteronomy with Genesis–Numbers in collections such as the rewritten Torah that such groupings were known collectively as “The Book of Moses.”

IV. The Term *ספר מושה* and Its Cognates in the Dead Sea Scrolls

This brings us to the question of how the expression *ספר מושה* was used in contemporaneous sources. Given the diachronic and generic variety reflected in the Dead Sea Scrolls it would be precipitous to assume that the term *ספר מושה* had

⁴⁰ Indeed, the fact that Deuteronomy can be viewed as a summary of the preceding Mosaic law and is presented as such in its canonical placement invites synthetic reading.

⁴¹ Intriguingly, Genesis likewise seems to have had a quasi-independent existence, which may reflect its distinctive style and content. The quasi-independent status of Genesis is likewise suggested by the fact that it was apparently rarely copied with other works; see Römer, “Qumran and Biblical Scholarship,” 139. But this may simply be an accident of preservation. Since Genesis and Deuteronomy would come at the beginning and end (respectively) of a Torah scroll, they would be more susceptible to damage than would Exodus–Numbers.

⁴² See, e.g., Emanuel Tov, “The Rewritten Book of Joshua as Found at Qumran and Masada,” in idem, *Hebrew Bible, Greek Bible, and Qumran: Collected Essays* (TSAJ 121; Tübingen: Mohr Siebeck, 2008) 71-91. Similarly, it has been suggested that the order of the citations from Exodus 20; Numbers 24; Deuteronomy 33; and Joshua 6 in 4QTestimonia (4Q175) may reflect a notional Hexateuch. See George J. Brooke, “The Rewritten Law, Prophets and Psalms: Issues for Understanding the Text of the Bible,” in *The Bible as Book: The Hebrew Bible and the Judean Desert Discoveries* (ed. Edward D. Herbert and Emanuel Tov; London: British Library and Oak Knoll, 2002) 31-40, here 33.

the same meaning in every instance. Indeed, it is theoretically possible that the entailments of the term changed over time, so that in one context it might refer to the Book of Deuteronomy, while in another it might refer to a five-book Torah. This caveat is especially salient in view of the comparatively early date and prolonged transmission of MMT. Nevertheless, it is appropriate to consider the expression through a comparative lens. Immediately, however, it becomes apparent that the term seems to have been remarkably rare.

Apart from MMT, the expression ספר מושה is attested only in two other instances in the Dead Sea Scrolls: once as a prepositional phrase in a damaged context in 2Q25 1, 3 and once as a noun phrase in the label מדרש {ספר} מושה, “Midrash of {the Book of} Moses,” in 4Q249 verso 1. The latter presumably references the text’s contents in order to facilitate identification when rolled.⁴³ In both instances, material damage to the manuscript means that it is impossible to determine the scope of the textual reference (i.e., whether the term entails anything like the canonical five-book Torah), but it may be significant that the lexis of 4Q249 seems to echo that of Lev 14:40-45, not Deuteronomy.⁴⁴ In the case of 4Q249, however, the situation is complicated.

Jonathan Ben-Dov and Daniel Stökl Ben Ezra have recently observed that the word מדרש on the verso of 4Q249 is a secondary “correction” intended to replace ספר, which is marked with cancellation dots, in the title of the work.⁴⁵ This suggests that at some stage the title ספר was no longer deemed a suitable designation for the text’s contents, perhaps due to a shift in the semantic entailments of the term, as suggested by Ben-Dov and Stökl Ben Ezra. It should be noted, however, that 4Q249 is a palimpsest. It is possible, therefore, that the original, unrevised label ספר מושה, which is written in a Hasmonean semiformal script, refers to the erased lower text, rather than the upper text, which is written in the so-called Cryptic-A script.⁴⁶ This latter point presents a problem for Ben-Dov and Stökl Ben Ezra’s attempt to reconstruct an emic distinction between ספר and מדרש based on

⁴³ 4Q249 is one of five extant manuscripts with a title written on the back (see further below). The others are 1QS היחוד ומן [סר] ה' היחוד (4Q8^c (4QGen^b); ברשיית (4Q504 דברי המארות); 4Q257 (4QS^c) סרכ ה' [הד] ל' [הד]. In every instance, the label seems to have been written in a hand different from that of the main text of the scroll; see Stephen J. Pfann, “4Q249 Midrash Sefer Moshe,” in *Legal Texts and Legal Issues* (ed. Bernstein, García Martínez, and Kampen), 11-18, here 11 and n. 4.

⁴⁴ Specifically, the collocation of בביית, הלץ, and נתן; see Pfann, “4Q249 Midrash Sefer Moshe,” 11-18.

⁴⁵ Jonathan Ben-Dov and Daniel Stökl Ben Ezra, “4Q249 Midrash Moshe: A New Reading and Some Implications,” *DSD* 21 (2014) 131-49.

⁴⁶ See *ibid.*, 138-40. In that case, the change from ספר to מדרש may still reflect a semantic shift in the classification of the first text, without any connection at all to the cryptic text. Alternatively, it may reflect a generic difference between the upper and lower texts. Or, both labels could refer to the upper text. I do not mean to imply that the label must necessarily be written in the same script as the main text.

the similarity of the contents to the “Mosaic text.” But more importantly for present purposes, it also invalidates any attempt to determine the referent of the title on the basis of the manuscript’s contents.

In any case, even if the title ספר מושה in 4Q249 verso 1 is connected with Leviticus 14 in the upper text, there is a further semantic difficulty. The noun phrase admits two possible interpretations: it can be understood as either an objective genitive, meaning “The Book *about* Moses” (cf. ספר מלחמת יהוה, “The Book of the Wars of the LORD,” Num 21:14, etc.), or as a subjective genitive, meaning the “The Book *by* Moses” (cf. משלי שלמה, “the Proverbs of Solomon,” Prov 1:1, etc.).⁴⁷ This syntactic distinction corresponds to a functional, semantic difference. If ספר מושה is understood as an objective genitive, then the label would thematically describe the scroll’s contents, which could be more or less open-ended to the extent that they relate to Moses. In other words, the noun phrase ספר מושה could denote any composition about Moses, including an exegetical work such as that implied by the label מדרש (assuming מדרש refers to the same text as ספר). But if the label is understood as a subjective genitive, then its function would be generically to denote the scroll’s contents as being a copy of, or derived from, a/the “Book of Moses.” The latter is presumably closer to the referential, naming function of the citation formula in MMT, but, without knowing the content to which it refers, it is impossible to determine how the term was used in 4Q249 and what its correlation to מדרש מושה might be.⁴⁸

A similar ambiguity obtains for the analogous term ספר התורה (“the book of the Torah”), which is attested in several other sources. The term can be restored in the prohibition against Torah reading by individuals with a speech impediment in 4Q267 (4QD^b) 5 iii 5 and 4Q273 (4QpapD^b) 2, 1 (= CD 15.15-17). It also occurs in a broken context in 6Q9 (6Qpap apocrSam-Kgs) 21, 3. In addition, in 11Q19 (11QT^a) 56.3-4, in a passage that evinces extensive Deuteronomic influence, it is a source of juridical and covenantal instruction. Finally, in one instance (CD-A

⁴⁷ Interestingly, in the superscriptions of the Psalms the subjective genitive is consistently marked by the preposition ל- (e.g., מזמור לדוד, “a Psalm of David,” Ps 23:1; cf. למשכיל מזמור, “for/by the Maskil, a Psalm,” 1QH^a 25.10); however, this was apparently not a necessary syntactic feature, since it is omitted in the analogous syntagm in Proverbs, e.g., משלי שלמה בן־דוד מלך ישראל, “The proverbs of Solomon son of David, king of Israel,” Prov 1:1; משלי שלמה (“The proverbs of Solomon,” Prov 10:1); דברי חכמים (“The words of the wise,” Prov 22:17); משלי שלמה (Prov 25:1); דברי אגור בן־יקה (“The words of Agur son of Jakeh,” Prov 30:1); דברי למואל מלך (“The words of King Lemuel,” Prov 31:1); cf. the expression תורה מושה (“the Torah of Moses”; see below).

⁴⁸ As Ben-Dov and Stökl Ben Ezra note, the citation formula כתוב נא־אשר appears on frag. 13 and possibly frag. 14, where only כא remains, suggesting that the upper text was an exegetical text; see Ben-Dov and Stökl Ben Ezra, “4Q249 Midrash Moshe,” 147. If one accepts that there was a connection between the label and the upper text, this would support interpreting ספר מושה as an objective rather than a subjective genitive.

7.15) the plural ספרי התורה occurs in parallel with ספרי הנביאים (CD-A 7.17 = [ספר]י הנביאים [י]ם, 4Q266 3 iii 18) in exegetical comments following quotations from Amos 5:26-27 and 9:11. Interestingly, this is then followed in CD-A 7.19-20 by a quotation of Num 24:13. The use of the plural ספרי in this instance is intriguing and invites speculation about a multi-book Torah (cf. τοῦ νόμου τῶν Ἰουδαίων βιβλία, *Let. Arist.* §30), but the corresponding text is missing in the earlier manuscript 4Q266 (4QD^a) 3 iii 18, and it is therefore advisable merely to leave the possibility open.⁴⁹ In every case, the semantic scope of the term ספרי (י) התורה is unclear, but both the *Damascus Document* and the *Temple Scroll* draw extensively on a range of scriptural sources, including the five books of the Torah.

I can find no instance of the phrase ספר תורת משה (“the book of the Torah of Moses,” e.g., 2 Kgs 14:6, etc.) in the Scrolls; however, the term תורת משה is relatively common, especially in the D and S traditions (e.g., 1QS 5.8; 8.22; 4Q256 9.7; 4Q258 1.6; 4Q266 8 i 3; 11, 6; 4Q271 4 ii 4, 6 [CD 15.9, 12; 16.5]). Yet there is no indication in these cases that תורת משה denotes a particular text or textual corpus.⁵⁰ Indeed, the term תורת משה seems to point in a more abstract sense to a set of halakic principles predicated on Mosaic authority. Thus, for example, the reference to the תורת משה in 4Q266 8 i 3 follows precepts quoted from Lev 4:27 (4Q266 8 i 2-3) and Lev 26:31 (4Q266 8 i 3-4), but the emphasis is evidently on their Mosaic derivation (כאשר אמר ביד משה, “as he said by the hand of Moses,” 4Q266 8 i 1-2). It seems reasonable to suppose, then, that the expression ספר התורה is semantically similar to the expression תורת משה, especially where both expressions occur in the same manuscript. In other words, ספר התורה may refer to any work containing (Mosaic) torah. It is therefore tempting to posit a conceptual or categorical difference between the terms ספר משה and תורת משה.⁵¹ Ultimately, however, the evidence is inconclusive.

This brings us to the use of the expression אמר (ביד) משה, “spoken by (the hand of) Moses” (or the like), to introduce scriptural quotations or paraphrases. Once again, this expression is especially conspicuous in D, where it variously introduces quotations from Leviticus, Numbers, and Deuteronomy (e.g., CD 5.8 [Lev 18:13]; 8.14 [Deut 9:5]; 19.26 [Deut 9:5; 7:8]; 4Q266 3 ii 10 = 4Q267 2, 9 [Num 21:18]; 4Q266 11, 1-2 = 4Q270 7 i 17 [Lev 4:27]). Such attributions are clear evidence that the notion of Mosaic authority extended beyond Deuteronomy, but again it does not follow that ספר משה was coextensive with Mosaic authority.

⁴⁹ Intriguingly, 4Q177 (4QCatenas A) 3.13-14 apparently refers to “The Book of the Second Law” (הין ספר התורה שנית), but this seems to denote something other than the five-book Torah.

⁵⁰ Interestingly, 4Q258 1, 6 echoes Deuteronomical language when the covenanter is made to swear to return to the “law of Moses” with “wholeness of heart and wholeness of mind” (בכל לב ובכל נפש). But it does not follow that תורת משה denotes the Book of Deuteronomy in this context.

⁵¹ Cf. the νόμος/βιβλος distinction in Tobit.

V. The Use of Titles in the Second Temple Period

It remains to compare the title ספר מושה in MMT with the use of titles to name texts in other Second Temple period sources.

First, however, it should be noted that the pattern “The Book of (ספר) *x*” in titles is already well attested in the First Temple period. For example, in the Hebrew Bible there are references to ספר הברית, “The Book of the Covenant” (Exod 24:7); ספר מלחמת יהוה, “The Book of the Wars of the LORD” (Num 21:14); ספר הישר, “The Book of Jasher” (Josh 10:13; 2 Sam 1:18); ספר דברי שלמה, “The Book of the Words/Acts of Solomon” (1 Kgs 11:41); ספר דברי הימים למלכי ישראל, “The Book of the Chronicles of the Kings of Israel” (1 Kgs 14:19, etc.); ספר דברי הימים למלכי יהודה, “The Book of the Chronicles of the Kings of Judah” (1 Kgs 14:29, etc.); ספר יהודה, “The Book of the Kings of Israel and Judah” (1 Chr 9:1, etc.). In addition, the first rubric of the plaster wall inscription from Tell Deir ‘Alla seems to identify the work as *[spr blm br bcr*, “. . . of the] Book of Balaam, son of Beor.”⁵² It is impossible to determine the nature of such works on the basis of these literary references, but in each instance the title seems to describe the text’s contents and to imagine an actual text that could be consulted. Moreover, it matters relatively little for present purposes whether these texts ever actually existed; what is important is that the plausibility of such references rests on the fact that they conform to established naming conventions.

Similar conventions are attested in literary sources from the Second Temple period. This can be seen, for example, in the superscriptions of several pseudepigraphic works: [פר]ש[ג]ן כתב מלי נוהן, “a [c]o[s]p[y] of the Writing of the Words of Noah” (1Q20 [1QapGen] 5.29); βιβλος λόγων Τωβιθ, “Book of the Words of Tobit” (Tob 1:1); and פרגשגן כתב מלי חזות עמרם בר קהת בר לוי, “A copy of the Writing of the Words of the Visions of Amram, Son of [Qahat, son of Levi]” (4Q543 [4QVisions of Amram^a] 1a, b, c, 1 = 4Q545 1a i 1).⁵³ Of particular interest in the present context is the use of the noun ספר in the Enochic Book of the Watchers: ספר מלי קושטן א, “Book of the Words of Trut[h]” (4Q204 [4QEn^c]1 vi 9-10; cf.

⁵² See, e.g., Gareth Wearne, “‘Guard It on Your Tongue!’ The Second Rubric in the Deir ‘Alla Plaster Texts as an Instruction for the Oral Performance of the Narrative,” in *Registers and Modes of Communication in the Ancient Near East: Getting the Message Across* (ed. Kyle H. Keimer and Gillan Davis; London: Routledge, 2017) 126.

⁵³ Again, it does not matter for present purposes whether these works actually existed. What is significant is the naming conventions used to refer to them. For convenient introductions to the topic, see Andrew B. Perrin, “Capturing the Voices of Pseudepigraphic Personae: On the Form and Function of Incipits in the Aramaic Dead Sea Scrolls,” *DSD* 20 (2013) 98-123; Mladen Popović, “Pseudepigraphy and a Scribal Sense of the Past in the Ancient Mediterranean: A Copy of the Book of the Words of the Vision of Amram,” in *Is There a Text in This Cave? Studies in the Textuality of the Dead Sea Scrolls in Honour of George J. Brooke* (ed. Ariel Feldman, Maria Cioată, and Charlotte Hempel; STDJ 119; Leiden: Brill, 2017) 308-18. I am indebted to Robert Jones for these references.

I Enoch 14:1); and in 4QWords of Michael: בספרי די רבי מרא עלמא, “in my book of the Great Eternal Lord” (4Q529 1, 5-6). In addition, references to book titles occur in the *Aramaic Levi Document*: τῆς βιβλιοῦ τοῦ Νῶε, “of the Book of Noah” (ALD 10.10),⁵⁴ and the *Genesis Apocryphon*: מלי כתב [ספר/כתב], “[the Book/Writing of] the Words of Enoch” (1Q20 19.25). What is striking in these examples is the identification of the texts as (a copy of) a writing (ספר/כתב) followed by a description of their contents, introduced by the plural construct of מלל (“words of”). A similar pattern is also reflected in the incipit of 4Q529, albeit in a reversed order: מלי כתבא די אמר מיכאל למלאכיא, “words of the writing which Michael spoke to the angels” (4Q529 1, 1). The use of מלל in these incipits finds an interesting parallel in Deut 1:1 אלה הדברים אשר דבר משה, “these are the words that Moses spoke”; cf. the label on 4QWords of the Luminaries, below). This might lead us to expect that the title of the Book of Deuteronomy would be ספר דברי מושה, “The Book of the Words of Moses”; however, since the pattern is particular to the incipits of the Aramaic corpus, it can be viewed as a generic feature, and the omission of דברי need not be considered problematic for the identification of Deuteronomy as the ספר מושה.⁵⁵

An especially important source for the use of titles in the Second Temple period is five manuscripts from Qumran with a label written on the back: 1QS סרך הי[הד] [סר]י היהיד ומן, “[The Ru]le of the *Yahad* and from[the]”; 4Q257 (4QS^c) סרך הי[הד] [סר]י היהיד ומן, “[The Ru]le of the *Ya[had]* for/of”; 4Q249 מושה {ספר} מדרש, “Midrash of {the Book of} Moses”; 4Q8^c (4QGen^b) ברשיה, “In the Beginning”; 4Q504 (4QWords of the Luminaries^a) דברי המארות, “Words of the Luminaries.” Functionally, such labels serve to name the composition in order to facilitate its identification when rolled, and in this way they provide a unique insight into the relationship between titles and the contents of the texts to which they are attached. As noted above, the fact that 4Q249 is a palimpsest means that it is impossible to determine the relationship between the label and the corresponding text; however, more can be said in the other cases. In one instance, 4Q8^c, the label is evidently derived from the first word of Genesis, as in later Jewish tradition (cf. Philo, *Eternity* 19, above). In the other cases, however, the label seems to be a descriptive summary of the manuscripts’ contents. The labels on 1QS and 4Q257 probably paraphrase the

⁵⁴ Or τῆς βιβλιοῦ τοῦ Νῶε περὶ τοῦ αἵματος, “of the Book of Noah Concerning the Blood”; see Jonas C. Greenfield, Michael E. Stone and Esther Eshel, *The Aramaic Levi Document: Edition, Translation, Commentary* (SVTP 19; Leiden: Brill, 2004) 180.

⁵⁵ On the coherence of the Aramaic corpus, see Daniel A. Machiela, “The Aramaic Dead Sea Scrolls: Coherence and Context in the Library of Qumran,” in *The Dead Sea Scrolls at Qumran and the Concept of a Library* (ed. Sidnie White Crawford and Cecilia Wassen; STDJ 116; Leiden: Brill, 2015) 244-58. It is possible that the title in MMT is derived from, or modeled on, the use of the analogous “The Book of (ספר) x” pattern in the Hebrew Bible. Given that the title (הימים) ספר דברי is used in the Hebrew Bible to denote the chronicles (i.e., daybook) of the kings of Israel and Judah, it is possible that the title ספר דברי מושה was deliberately avoided to prevent confusion.

incipit of the text, which is itself a descriptive reference to the *seret*'s purpose: היחד [ספר ס]רך היחד ל[משכיל ...] שים להיו [ספר ס]רך היחד, “for/of [the maskil ...] for his life, [the book of the rul]e of the community” (cf. 1QS 1.1; 4Q255 1, 1). The label on 4Q504, on the other hand, seems to be an entirely descriptive reference to the text's contents. Hence, although the evidence is limited, it seems that titles attached to the Dead Sea Scrolls were (a) typically derived from the incipit of the work and (b) thematically described its contents. Consequently, the use of ספר מושה as a descriptive title to denote “The Book of (that is, ‘by’ or ‘about’) Moses” (viz. Deuteronomy) conforms to naming conventions attested elsewhere in the Second Temple period.

VI. Conclusions

Ulrich concluded his discussion of the possible reference to a Davidic corpus in MMT by calling for caution in the sense of “a less ‘significant’ but more accurate reconstruction” of the epilogue.⁵⁶ I would like to extend that call to the interpretation of “the Book of Moses.” Evidently Mosaic authority was an important issue for writers of the Second Temple period, and the authors of MMT's halakah were clearly well versed in Mosaic law. But we should be wary of importing categories and concepts where they do not belong. Ultimately, it is possible that the term ספר מושה refers to something like the five-book Torah, but to read the references in that way requires an interpretative step that should not be taken for granted.

What is more, by recognizing the restricted entailments of the title ספר מושה in MMT, we are better able to appreciate its rhetorical function in the epilogue. Numerous scholars have pointed to the important role Deuteronomy plays in shaping MMT. This can be seen in MMT's Deuteronomistic theology, its paraenetic contents, and perhaps in its literary structure.⁵⁷ Von Weissenberg has even suggested the intriguing possibility that the incipit of MMT's halakic section (אלה) אלה) 1:1, “these are some of our pronouncements”) might echo Deut 1:1 (אלה) אלה) 1:1, “these are the words”).⁵⁸ It is within this overarching Deuteronomistic framework that the references to ספר מושה must be understood. Rather than an expansive allusion to Mosaic Torah, which is at odds with, and goes beyond, the specific Deuteronomistic examples adduced in the epilogue—including the notices about the kings of Israel and the warnings of the prophets—it seems that the references to ספר מושה were intended to foreground the Book of Deuteronomy, specifically, in order to provide the interpretative key for the Deuteronomistic themes invoked.

⁵⁶ Ulrich, “Non-attestation of a Tripartite Canon,” 214.

⁵⁷ See esp. von Weissenberg, *4QMMT*, 120-29; eadem, “Deuteronomy at Qumran and in MMT,” 527-37, and the references in n. 37.

⁵⁸ Von Weissenberg, *4QMMT*, 121; eadem, “Deuteronomy at Qumran and in MMT,” 528.

Finally, the last point invites us to go even further and to question whether the writers of MMT were working with a conception of a prophetic canon. After all, the references to the books of the prophets function only to index the warnings from Israel's history recorded in the prophetic writings and do not necessarily imply a concept of a delineated collection.⁵⁹ That is not to say that such a conceptualization did not exist at the time the epilogue was written, but simply that it is not required by the references in MMT.

⁵⁹ Here, it may be helpful to draw a distinction between a *functional* canon, in the sense of the way certain texts were used, and a *conceptual* canon, in the sense of a consciously delineated grouping.