

mountain that he is to climb – 'upon one of the mountains of which I shall tell you' (Gen 22:2). Similarly, too, in Ezek 3:22 'Arise, go forth into the valley, and there I will speak to you' and in Jonah 3:2'. . . to proclaim to it the message that I tell you'. The importance of this rule is that it reveals a general biblical style, not restricted to any particular book or collection (such as the Pentateuch), that is characteristic of God's way of revelation.

Selected Bibliography

On rabbinic exegesis see the studies of BONSRIVEN, *Exégèse rabbinique*, 11-259; DOBSCHÜTZ, *Einfache Biblexegese*; DOEVE, *Jewish Hermeneutics*, 52-90; ELON, *Jewish Law*, 2, 239-320; FRANKEL, *Peshat*; GREENBERG, 'Rabbinic Exegesis'; HALLEWY, *Sharei ha-Aggadah*, 1-112; HEINEMANN, *Darkhei ha-Aggada*; HESCHEL, *Theology*; KADUSHIN, *Rabbinic Mind*, 98-130; LAUTERBACH, 'Jewish Allegorists'; LONGENECKER, *Biblical Exegesis*, 19-50; MELAMMED, *Bible Commentators* 1, 3-128; PATTE, *Early Jewish Hermeneutic*; SEGAL, *Bible Exegesis*, 7-21; STRACK-STEMBERGER, *Einleitung*, 222-56; VERMES, 'Bible and Midrash'.

The following works on the rabbinic terms of interpretation should be mentioned: BACHER, *Exegetische Terminologie*; BLOCH, 'Midrash'; GERTNER, 'Terms of Scriptural Interpretation'; HALLEWY, *Erkhei ha-Aggadah*; HEINEMANN, 'Technical Terms'; LE DEAUT, 'Définition'; LIEBERMANN, *Hellenism*, 47-82; LOEWE, 'The "Plain" Meaning of Scripture'; MARGALIOH, 'The Term "DRŠ" '; MILLER, 'Targum, Midrash', 43-49; PORTON, 'Midrash'; WRIGHT, *The Literary Genre Midrash*.

Important studies on the hermeneutical rules are: CHERNIK, *Kelal u'ferat*; id., 'Ribbuyim and Mi'utim'; id., 'Derashot'; id., 'Formal Development'; DAUBE, 'Alexandrian Methods'; id., 'Rabbinic methods'; DOEVE, *Jewish Hermeneutics*, 65-71; ELON, *Jewish Law*, 2, 270-302; EPSTEIN, *Introduction*, 521-36; GOTTLIEB, 'Formula Comparison'; JACOBS, *Talmudic Logic*; LIEBERMAN, *Hellenism*, 53-68; MIELZINER, *Introduction*, 117-87; OSTROWSKY, *Ha-Middor*; SCHWARZ, *Analogie*; id., *Syllogismus*; id., *Induktion*; id., *Antinomie*; id., *Quantitätsrelation*; id., *Kontext*; STRACK-STEMBERGER, *Einleitung*.

Chapter Sixteen

Use, Authority and Exegesis of Mikra in the Samaritan Tradition

Ruairidh Bóid (M.N. Saraf)

General

Scripture for the Samaritans is the Pentateuch. In this they do not differ radically from Jews, who regard the rest of Scripture as having come into existence only because of a general falling away from the teaching of the Tora, only existing for the purpose of leading people back to the knowledge of the Tora, being destined to become largely unnecessary in the ideal future, and being of a decidedly lower level of revelation.¹

The Samaritans prefer not to call themselves by the name Samaritans, שומרונים. They consider this to be a modification by outsiders of their real name, Shāmērem, שמררים, 'Guardians', which they explain as meaning those that keep the Tora correctly and guard it.²

Use of the Tora

HOW THE TORAH IS KNOWN

The written text of the Tora is not fully informative. The Samaritans agree with rabbinic Judaism, against the Qumran Covenanters and against the Karaites, that there is much not said by the text that could never be derived by exegesis. The classic statement of this principle is an untranslated passage in the *Kitāb at-Ṭubākh*³ which deserves to be quoted in full, partly because it is so important for the understanding of the Samaritan theory of the relationship between the

¹ The distinction between the Pentateuch and the rest of Scripture (or in other words, the absolute difference between the prophecy of Moses and all other types or instances of revelation) is a fundamental tenet of Judaism. Copious references to the authoritative sources of all periods on this subject can be found in Kaplan, *Handbook*, chs. 7-8. On the ending of the need for all or most of the books of the Prophets and Ketuvim in the future, see *P. T. Megilla* 1:7 (70d, bottom). The opinion is presented as being unopposed in essence.

² The Samaritans are *Bāni Yishrā'el ash-Shāmērem* בני ישראל השמררים. The Jews are *Bāni Yishrā'el ay-Ye'ādem* בני ישראל הדודים.

³ For information on the date and authorship of the Samaritan sources in Arabic referred to throughout this article, as well as the mss. available, see the introduction to my *Principles*.

text of the Tora and the tradition that accompanies it, partly because it is such a contradiction to scholarly assumptions,⁴ and partly because it has been summarised or referred to before in a misleading way and needs to be made available for independent scrutiny.⁵

Religious practice (*madhhab*), by which God is served and by which the permanent benefits, which appear free of all dross, are gained, can be learnt in two ways: the knowledge got from the intimation of the text, and the knowledge got from the testimony of tradition. The second of these is more effective as a guide, because if you have the second one then both are all right. It follows that you need to know the tradition and know the rules for telling a genuine tradition from a defective one.

Let us look into this last point. Tradition can be defined as what is available from a number of people who could not possibly have consulted each other or connived with each other. There are four essential marks of its genuineness.

The first is that it must have been received from a large number of people, right back in the time of the Emissary of God, people who were his contemporaries and received the regulations from him.

The second is that the bearers should be the next generation from them who would then have been supervised by them and must necessarily have been given the information about it.

The third is that they must all agree unanimously on it.

The fourth is that it must not be invalidated, either by reason or by the intimation of the text.

These, then, are the marks of the correctness of tradition, and any information held by the whole of the bearers of tradition, according to all these stipulations, must necessarily be conclusive evidence and decisive

⁴ There seems to be what could be called a bit of scholarly folklore to the effect that the Samaritans derive their halakha by literalistic exegesis because they have no tradition. The most recent expression of this idea is by Schiffman, *Halakha*, 17.

⁵ I quote from Rylands Samaritan Ms. 9, 151b-153b; Bibliothèque Nationale, Ms. Arabe 4521, 56b-57b. Gaster, *Samaritan Eschatology*, 59-63, was apparently the first to notice this passage. Internal evidence shows that he was working with the Hebrew translation, the text now classified as Rylands Samaritan Ms. 174. His exposition of the passage is useful, but is marred by his failure to register the inter-connection of the ideas in the passage. Halkin, 'Relation', 315-16, has misunderstood the text just as seriously, though less obviously. Briefly, Halkin's attempt at finding an equivalent to the Moslem concept of *sunnah* in this text, which looks convincing in his exposition, is vitiated by the facts of the text, which does not use the term *sunnah*, and which does not make tradition the continuation of the observed practice of Moses. The most serious misunderstanding is in regard to the reason for the introduction of the list of criteria for an adequate tradition. The list is of course modelled on the Moslem requirements for a valid *sunnah*, but the point that the author is making is that by generally accepted criteria the whole nation of Israel have a trustworthy tradition of the whole of the Tora; in other words, both the author and his readers have to use the terminology and categories provided by the environment. (Most attempts at finding Moslem influence on the Samaritans depend on the same fallacy of confusing the vehicle of expression with the message expressed.)

proof. There is no need to scrutinise any information when the essential conditions of tradition are in order and the tradition is sound: scrutiny is only necessary in a case of doubt.

The actual number of the bearers of tradition is irrelevant provided the basic conditions are in order, and the tradition is sound. A fallacy never became the truth through numbers and the truth never became a fallacy through lack of numbers. The nation, and all the experts (*'uqalâ'*), will accept a person's declaration, on the strength of the consensus of the inhabitants of a single village, that Zayd is the son of Khâlid, and on that basis will sort out the details of the inheritance of an estate, making Zayd eligible and disqualifying 'Amr; and they will give a ruling on quite serious questions, by giving permission for a man to marry certain women deemed permissible and disqualifying certain other women. Now if these and other cases can be settled on the basis of the consensus of a single village, then it must be even more right and correct to take the word of the whole nation.

There are some actions that you would never have any knowledge about, and would never know to be all right, without tradition. For instance, take the actions of midwives on Shabbat and festivals, when they perform a delivery: the point here is that the midwives, when they perform a delivery, perform activity that is work, and would not be permissible for anyone else. Then there is the killing of fish, by leaving them in air, so that the life leaves them; or the killing of locusts in hot water.⁶ Then there is the question of how to tell the boundaries separating the Qiblah from the profane ground surrounding it on all sides. Then there is the accuracy of the text of the Tora, written down with twenty-two letters, which they witnessed on the Day of Descent.⁷ There are plenty of other examples, but there is no room for them in this brief account.

The reason that we know all these details and know they must be right is the tradition received from the nation, who trace it right back to the time of the six hundred thousand that heard the Speech of God, and were alive at the same time as his Prophet, Moses the son of Amram, and received from him. The emissary gives the testimony for tradition and the intimation of the text in the General Speech,⁸ where the tradition is given precedence over the intimation of the text. The verse in question is 'My doctrine will pour like rain, my utterance will run down like dew' [Deut 32:2]. He intended these two expressions as a metaphor to teach the

⁶ Fish and locusts must be killed by an Israelite, and this is done by putting them in an element opposite to their natural one. In this respect the Samaritans partly agree with the Karaites and the Qumran sect against rabbinic Judaism.

⁷ The day of the giving of the Tora.

⁸ Deut. 32.

nation that necessity demands the tradition, just the same as the need for the intimation of the text.

[There follows another example of the correctness and unity of the tradition, the example of the knowledge of the calculation of the calendar by the High Priest, which is the only fully satisfactory calendar].

There can be no doubt that the Samaritans have a theory of a tradition that is essential for the understanding of the text of Scripture. The question then is, to what extent this theory agrees with the rabbinic Jewish view.

The Samaritans know and understand the rabbinic theory of a Written and Oral Tora, and reject the rabbinic concept of Oral Tora explicitly and unequivocally, whenever the matter comes under discussion.⁹ The theoretical difference between the rabbinic and Samaritan concepts of tradition is that the Samaritans are not willing to give the tradition the same status as the text. The tradition is the source of knowledge of the intention of the text, but it is not revealed, it is not at the same level of existence as the text. In practice, the Samaritans derive just as much from tradition as the Rabbis do: much more can be learnt from tradition than from reading the text. The tradition gives the necessary additional help needed to understand the text, but most of the time its function is to tell what the text does not even mention.¹⁰ Nevertheless, the information given by the tradition is always ultimately the expression of the intention of the text: the text mentions the existence of a certain area of halakha, and the tradition, by giving the details that are not even hinted at in the text (at least from the point of view of the human mind), only tells us what the text would be saying to us if we could read it on its own level of existence. The tradition does not tell us anything that is not in the text. Everything is in the text, which is a reflection or manifestation of the nature of Creation.¹¹ Only Moses has ever understood the text fully:¹² ordinary people need to be told what it means, and this is the function of the traditional knowledge.

⁹ For instance, in the comment of the Commentary on the Tora (*Kāshif al-Ghayāhib*) on Exod 13:9, first noticed by Geiger, *Die gesetzlichen Differenzen*, 318. The passage is in Ms. Petermann I:b of the Prussian State Library, 221a.

¹⁰ Bóid, *Principles*, Conclusions, 345.

¹¹ The theory on the origin of the Tora that follows could be derived from Marka's major work, the *Mimar Marqā* (third century c.e.) but the length of this work, and its detail, makes it hard to use as a reference without a previous general familiarity. Besides which, there is no completely satisfactory translation or edition. For practical reasons I therefore give references to the hymns by Marka which are actually often more explicit because of their conciseness. The only trustworthy edition and translation is by Ben-Hayyim, *Literary and Oral Tradition* 3b, 214-62. Marka was a younger contemporary of Baba Rabba, which puts him in the third century. See note 33. On the Tora and creation, compare Marka, Hymn 14, lines 7-8: 'Its creator is a consuming fire; it was given from out of the Fire'.

¹² Hymn 14, lines 130-133: 'The gate was opened and Moses went in, and took the Ten Words, and knew how the Universe came about'.

The traditional knowledge ultimately comes from Moses. The source of the Tora is the manifestation of the source of Creation.¹³ A description of Creation was fixed in the two tablets.¹⁴ Moses took the tablets, which only he could understand in all their implications, and turned them into the five books of the Tora.¹⁵ This text was still at a level of existence higher than normal objects,¹⁶ or the ordinary level of the human mind, so that only Moses could realise or grasp how much it said. Some aspects were clothed in the garb of ordinary words to the extent of being intelligible (at least at one level) to anyone: but other aspects were not intelligible to anyone except Moses, who had to put their content into form at the level of information that could be grasped by the human mind, so that people would know how to act according to the Tora in all matters, whether or not any given piece of information could be seen by ordinary people in the Tora.¹⁷ The Tora, as the manifestation of the Creative Power, is clearly at a higher level than the information at the level of the human mind that Moses set before Israel so that they would know in practice what was required of them. The tradition, as the transmitted explanatory teaching of Moses, is clearly not equal in status or authority to the book of the Tora.¹⁸

DIRECT ACCESS TO THE TORA

It would be very misleading to make these comments without adding the other side of the picture, which is that Moses is not, as is often maintained, an intermediary between Israel and the Tora, or between Israel and God. This is made quite clear in the passage from the *Ṭubākh* quoted above. The Samaritans

¹³ Hymn 14, lines 87-89: 'It is said that the King in the Heaven of Heavens came down, though he did not (actually) move'. On the relationship between the various levels of manifestation of the Tora, as the model of existence or creation, see Séd, 'Mëmar samaritain'.

¹⁴ Hymn 14, lines 25-26: 'These were the Ten Words, and from them Creation was filled'. Hymn 14, lines 45-46: 'It is the book of the Standing King, written by the finger of the Living God'. (The reference here is to the two tablets, not the five books.) Hymn 15, lines 10-15: 'It is written by the finger of consuming fire, according to the mind of the Divinity. With fasting and prayers it was received by Moses from out of the flames of fire, from the outstretched arm by which the universe is supported'. (The reference is to the complete scroll of the Tora.)

¹⁵ Hymn 15, lines 38-43: 'Woe on him that does not carry out its commandments. It is the Book of the Tora that Moses the Prophet wrote at the order of his Lord, and put inside (variant 'next to') the Ark, so that the repentant could read it'. Hymn 14, lines 37-42: 'The seed of holiness that Moses brought was sown on the two stones. These were ten specifications (or: details), and from them all the foundations were laid, and from them Moses wrote five books, from which all Israel is nourished'.

¹⁶ Hymn 24, lines 29-30: 'It is the great, pure, and holy book, which came down from the Heaven of Heavens'. (The reference is to the written *Sefer Tora*.)

¹⁷ Hymn 15, lines 35-36: 'The Prophet that was found trustworthy forever taught us everything that is written in it'. Abu 'l-Hasan clearly implies this by his insistence that the tradition starts with the people who were present at the giving of the Tora and who were also the contemporaries of Moses. See the quote from the *Kitāb at-Ṭubākh*, above.

¹⁸ The tradition is explicitly given a completely subsidiary function in the same passage from the *Ṭubākh*.

agree with the Jewish tradition that the introduction to the Ten Commandments and the first Commandment (which for Jews are the first two Commandments) were heard directly by all six hundred thousand Israelites. They heard them *mi-pi ha-Gevura* (*B. T. Makkot* 23b-24a), an expression normally used to indicate the unique level of the prophecy of Moses, or the level from which the whole Tora was given to Moses. What appears to be the Samaritan Aramaic equivalent of the same expression (*bāšimma adrēbūte* ברבותה) occurs in the same context in the following passage from Marka (Hymn 16, lines 81-85): 'He (God) was speaking to them by the mouth of his (or the) mastery: You shall have no god (or gods) except for me, for I am the Standing One'. The first half of this formula is clearly the First Commandment. The second half is an allusion to the introductory formula of the Ten Commandments (i.e. the First Commandment by the Jewish reckoning).¹⁹ Because they heard them without any intermediary, all Israel have direct access to the Tora, not just to the book, but to the unfailing depths of meaning in it. 'He (God) spoke with all Israel, a speech that can't be repeated (i.e. can't be put in words)' (Marka, Hymn 16, lines 165-66). 'Each mouth that has the power of speech reads what gives life to the reader, and his soul is nourished without food. Thus it happened to Moses the Prophet' (Marka, Hymn 14, lines 99-102). 'The storehouse that nourishes all that are nourished by it, light and wisdom to those that seek it; the storehouse that enriches every one that desires it' (Marka, Hymn 15, lines 28-31). This possession of the Tora by all Israel is quite compatible with the need to be explicitly instructed in it by Moses; compare the following lines, 35-36, of this hymn (quoted in note 17); and compare the juxtaposition of the two ideas that all Israel were witnesses of the descent of the Tora, and that Israel's traditional explanation of the Tora goes back to the time of Moses, in the quote from the *Kitāb at-Ṭubākh*, above.

We now see why the tradition can never over-ride the written Tora. If information can be taken directly from the Tora, then it must be at a higher level than information that has been set out by Moses. Nothing can have the same status as the Tora. The tradition is not, as rabbinic Jews have it, another manifestation of Tora, but only a help for understanding the Tora.²⁰

¹⁹ Compare the Samaritan piyyut *The Song of the Precepts*, (ed. Haran), 10 (= p. 183) for an alternative version of the Samaritan tradition.

²⁰ Assumed as fundamental by Abu 'I-Hasan, above.

The Samaritans are not literalists (in fact, they reproach the Jews with being literalists).²¹ Certainly, all halakha and all doctrine must come from the Tora, which for them is the text alone, but the text is not a human book and is not limited like a human book, so it would be futile to try to derive all knowledge from it by logical analysis. The finite does not comprehend the unlimited. It follows that much that is known is not obvious or derivable from the book, as we have seen; and it also follows that the understanding of the book must always be tempered by tradition, lest logic go astray. The three sources of knowledge are the wording of the text, reason, and tradition,²² but the three items are not equivalent in nature; the relationship is that reason and tradition help in understanding the text, and at the same time, reason and tradition are guided by the text in developing new knowledge, new insights and new solutions.²³ In this way, the written text of Scripture is always the source of new information, without any danger of literalism, and without any danger of finding the information in the text to be inadequate. The comments on Samaritan written and unwritten halakha in *B. T. Hullin* 4a are to be interpreted accordingly, as referring to a Samaritan Oral Tora side by side with the Written Tora. The obscurities in the passage and its context are due to the difference between Samaritan and Jewish theory.

THE TRANSMISSION OF KNOWLEDGE OF TORAH

The tradition is not a fixed body of information which could be reduced to writing if enough systematic effort were put into the task. As the bearers of the tradition are the nation as a whole,²⁴ who live by the Tora, which they have collectively accepted upon themselves at Mt. Sinai and which was in some way revealed to them, it will always be possible for new questions to be solved and for new situations to be handled. The Tora is unlimited, so its application must be unlimited, and because its application is according to a living tradition, new information will appear when necessary. This new information can appear as a result of the argument of learned experts, or can arise as universal popular

²¹ Muna'ja bin Šadaqah, *Kitāb al-Khilāf*, in a long excursus after chapter 6, on the inadequacies and fallacies of Jewish halakhic exegesis, of which the passage edited in Bóid, *Principles* under the title *Additional Text from the Khilāf* is a part. I quote from Ms. Oriental Quarto 523 of the Prussian State Library, p. 145: 'Because of their reliance on the wording of the passage alone, and their exclusive use in regard to each Scriptural law (*qāṭ*) of the details that are written down, they have no conception of details derivable from lay-out [all other mss. are corrupt at this point] or the (main) purpose of the passage or the implications (of the text)'. The concept shows that what is meant is that the fault with Jewish exegesis is that it takes passages in isolation, without comparing related passages, and on a smaller scale it takes the meaning of separate phrases without looking at their place in the structure of the exposition. There is another statement of this complaint on p. 141 of the ms.

²² Bóid, *Principles, Kāfi*, XI, lines 21-32, note; III, lines 31-32, note.

²³ Bóid, *Principles, Additional Passage from the Khilāf*, line 6.

²⁴ Bóid, *Principles, Conclusions, Authority*. See also above, notes 15 and 17.

practice.²⁵ In both cases the solution is not arbitrary, but the result of the application of a traditional understanding of the intention of the Tora, whether or not formal arguments are used to help reach a decision.

If the bearers of tradition are the nation as a whole, and if the tradition (like the Tora, but not to the same extent or in the same way) is in part beyond the level of verbalisation, if it is living knowledge, then it is possible for different specific solutions to problems to appear, even if the solutions contradict each other.²⁶ This is not a contradiction or uncertainty within the tradition, but a divergence of manifestation at the most mundane level.

It is, of course, possible to write down the essential facts about an area of halakha. However, the Samaritans have never produced an equivalent of the Mishna, and the halakhic texts that they have produced do not pretend to be complete.²⁷ It is likely that the explanation for this phenomenon is that no need has ever been felt to write down the halakhic tradition in full. If the tradition is borne by the nation as a whole, then unresolvable contradictions between scholars will not occur, and the situation of necessity, which according to rabbinic tradition produced the Mishna, has never arisen.²⁸ The 'Oral Tora' is still oral.

The same principle applies to the aggada, at least in the area of doctrine. The source of knowledge of doctrine is the unlimited written Tora, and it would be impossible to fix the possibilities once and for all. It is always possible for a theological writer to develop the message of the text.²⁹ (In this respect Jews and Samaritans are in the same situation.)

In the area of both halakha and doctrine the written text of Scripture imposes certain constraints. It is not that the text limits development, but it does give a continuous check on the possibility of the adoption of an erroneous practice or concept, when knowledge of the tradition is obscured.³⁰

²⁵ Bóid, *Principles*, Marginal Note 2.

²⁶ Bóid, *Principles*, Conclusions, *Authority*, Id., Conclusions, *Variations within the Samaritan Halachic System*; Id., *Kitáb al-Fard'id*, lines 97-106.

²⁷ It is hard to see how the common comparisons of the Samaritan halakhic texts with the *Shulhan 'Arukh* are arrived at. The only code of laws is the *Kitáb al-Fard'id*, but even it is not really complete for all details, and anyway, it only survives in fragmentary form, so it could not have been a book generally studied.

²⁸ A different explanation is given by Crone and Cook, *Hagarism*, 29 and 179. They suggest that halakha is less important or central for Samaritans than Jews. The observation is incorrect, as any acquaintance with Samaritan literature will show. On the other hand, the observation on the less developed state of Samaritan halakhic literature is quite correct, and the fact must be explained.

On the production of the Mishna as a remedy for unresolvable and excessive disagreements between scholars which had arisen as a result of the change from transmission of the halakha by the people as a whole to a system of development by academic study and argument, see Ginzberg, 'Significance' 94-96, and 'Codification', 160-61, commenting on *T. Hagiga* 2:9. (Parallels in *T. Sanhedrin* 7:1; *P. T. Sanhedrin* 1:4 (19c, middle); *B. T. Sanhedrin* 88b). But see the remarks of Safrai, 'Oral Tora', 72-74.

²⁹ The Arabic period is rich in original theological literature.

³⁰ See note 23.

In short, all areas of halakha and all doctrines are mentioned in the text, and the living national tradition applies them and develops them as necessary.

PRONUNCIATION OF THE TEXT AND TRADITIONAL KNOWLEDGE

Nowhere in the descriptions of the loss of books in the Roman persecutions,³¹ and nowhere else in any source before the Mediaeval period, do we find any mention of a written study of Scripture, with the single exception of Marka's book, which is not a formal exegetical study. The first evidence for written notes on halakha is the reference in the preface to the *Kitáb al-Káfi*³² to written notes surviving from the obscure past.

A number of questions raise themselves here. Why does no systematic study of Scripture in writing survive from before the Mediaeval period? Why is the surviving literature of the earliest period apparently not concerned with the direct study of Scripture? What is the reason for the existence of a Greek translation and an Aramaic translation of the Tora? What were these translations used for? And most importantly, how was formal study carried on in the absence (perhaps irrelevance) of books?

There is no doubt that systematic-exegetical study of the Tora was widely carried on in the time of Baba Rabba,³³ and as this is the earliest period for which we have any extensive information, we will start there and then see if we can extrapolate backwards. The evidence is set out below in full, so that the probable correctness of the conclusions to be drawn can be gauged by others. The more important pieces have not been translated before.

³¹ Mainly under Hadrian and Commodus, according to the Chronicles.

³² Quoted below.

³³ Generally dated in the fourth century C.E., but on inadequate evidence. The correct date is probably the mid third century. On this, see Crown, 'Byzantine Orbit' (forthcoming; I refer to a draft kindly provided by the author).

The first passage is taken from the description by Abu 'l-Faḥ³⁴ of the first steps in restoring knowledge and practice after Baba Rabba had taken control.³⁵

Baba sent and brought all the Experts ('ulamā') in the Tora (*Sharf'ah*), and the priests (*kahanah*), from every place, except that not many of the Elders (*mashāyikh*) and Learned Men (*ḥakākimah* printed text; *ḥukamā'* recension C)³⁶ of Israel were to be found . . . He told them: 'Each of you go to his place and be scrupulous, diligent, and clever in teaching all Israel, men, women, and children, the Tora (*Sharf'ah*), so that they know it by heart (*li-ḥifẓha*) and follow the general commandments (*farā'id*) and detailed regulations (*qkhām*; recension C adds: which are in it) perfectly as your ancestors did and be careful about the correctness of the reading of the Tora (*Tōrah*)'.

The next passage is taken from the description by Abu 'l-Faḥ of Baba Rabba's perfected administration.³⁷

(Printed Recension)

Baba Rabba said to the Learned Men (*ḥakākimah*): 'Reflect and be clever in all that you do and be careful of mistakes and blunders and pay attention to the readers of the Tora and the teachers (*mu'allimīn*)'.

(Recension C)

The Judges (*ḥukkām*) appointed by Baba Rabba would always be exhorted by him: 'Be extremely pious (*'ala ḥadd at-tā'ah*) and reflect and be clever in all that you do, and be careful of mistakes and blunders, and always pay attention to the Tora, because that is the greatest and most important authority (*akbar amr muhim*), and talk to the teachers

³⁴ There are two recensions of the *History* of Abu 'l-Faḥ: the one edited by Vilmar and referred to since then, and translated by Stenhouse; and another so far unpublished and mostly unstudied. As Stenhouse divides the mss. of the better-known version into two groups, I refer to the lesser-known version as recension C, though in actuality the main division is a two-way one, not a three-way one. Recension C is far more accurate than the better-known version, hereafter called the printed text or printed recension, particularly in any technical discussion. I quote the printed recension from Vilmar's edition, corrected against all of Vilmar's mss., which I have re-collated, and a number of other mss. I quote recension C from Ms. Sulzberger 14 of the Jewish Theological Seminary, but its readings have been checked against Ms. Oriental 7927 of the British Library and Ms. Barton 7 of Boston University Library. The text published by Cohen, *A Samaritan Chronicle*, is essentially a Hebrew translation of a part of recension C of Abu 'l-Faḥ, and as such, is extremely valuable, though it needs to be used with care.

³⁵ The two recensions are very close in this passage and can be quoted together. Printed recension, ed. Vilmar, 128, lines 9-15 (Stenhouse, 177-78). Recension C, Sulzberger ms., 203b-204a. Some very minor variants are not recorded (Cohen 4:11-13).

³⁶ The form *ḥukamā'* is the normal plural of *ḥakīm* (= Hebrew *hakham*, Aramaic *ḥakīm*). The form *ḥakākimah* is a secondary plural of the same word.

³⁷ Printed text, ed. Vilmar, 132, lines 2-4 (Stenhouse, 182); recension C, Sulzberger ms., 207a (Cohen 8:1-3). In this case recension C is decidedly superior to the printed text.

(*mu'allimīn*) about that in regard to their learning by heart (*ḥifẓ*) of the reading of the Tora (*Sharf'ah*) according to the Ten Canons (*uṣūl*) transmitted by tradition from the Seventy Elders of Israel and from the Priests (*a'imnah*) who lived at the same time as our Master, the Great Emissary Moses the son of Amram.'

The third passage comes soon after the second, and gives details about the use of the synagogues mentioned in the intervening section.³⁸

(Printed Recension)

He built a place for the reading and interpretation (*tafsīr*), and the hearing of queries, to the south of (*qibli*) the house of prayer so that anyone that wanted a query answered could ask the Learned Men (*ḥakākimah*) about it and they would inform him correctly.

(Recension C)

He also built a central synagogue (*jāmi'an wāsi'an*), which he assigned for the purpose of the reading and interpretation (*tafsīr*) and the hearing of questions, and set it up opposite (*muqābil*) the house of prayer he had set up on the lower slopes of Mt. Gerizim, so that anyone that had a query could come there and put his query to the Learned Men (*ḥukamā'*) and they would inform him what the position was (*'an mā laha*).

Even on a first reading of these passages, it is obvious that the teaching and study of the text of the Tora is closely connected with the correct reading. Let us examine what is meant by correct reading.

The Ten Canons³⁹ of reading mentioned in our second passage (in the undamaged recension only) are the ten sets of supra-segmental morphemes that mark the sense divisions, logical inter-connection and sequence of thought, level of reality (statement, question, exhortation, command, warning, speculation, etc.), and emotional content. The system of marking these Canons in a written text was apparently not fully understood by the authors of the extant treatises on the subject. What has been lost is apparently the knowledge of the intonation that is represented by each sign (perhaps as well as the fine points of the rhythm). The principle of marking the text by stress, rhythm, and pitch is still alive, but it is not linked clearly to the written signs. For our present purpose this is not an obstacle, as we can rely on the lists of meanings of the signs (and therefore of the supra-segmental morpheme sets) even if the authors of the lists were a bit uncertain how to link each symbol with the pitch, rhythm, and stress changes used by them on the basis of tradition. The Ten Canons were once applied consciously to the text, and at least the list of meanings of the

³⁸ Printed text, ed. Vilmar, 132, lines 14-16 (Stenhouse, 183); recension C, Sulzberger ms., 208b (Cohen 9:1-2). Once again, recension C is decidedly superior.

³⁹ See the excursus by Ben-Hayyim on these Canons and their representation and use in *Literary and Oral Tradition* 1, 53-57.

Canons is in our hands, if not the intonations themselves. The signs for the Canons occur sporadically in the oldest mss. of the Tora, which indicates that in earlier times their conscious use was part of the study and knowledge of the text.

Aside from the use of the Ten Canons, we can assume that the modern and Mediaeval system of fixing the pronunciation of each single word in the Tora⁴⁰ was also practiced in the time of Baba Rabba. This fixed pronunciation has the same functions as the Masora, except that the pronunciation takes precedence over the spelling and has even influenced the spelling in the past.⁴¹

Correct pronunciation is inextricably linked with correct interpretation in the Samaritan tradition. Correct pronunciation expresses one's knowledge of the etymology and morphology of the word, and one's correct understanding of the syntax of the phrase. To speak about correct reading means in practice to speak about correct pronunciation (the same word is often used for both in the Arabic sources) and to speak about correct pronunciation is to speak about correct understanding of the text, including its implications.⁴²

The learning by heart of the Tora referred to by Baba Rabba would then be the acquisition of the knowledge of the application of the Ten Canons to every sense-unit, and the exact pronunciation of every single word. This knowledge would inevitably, given the outlook and assumptions we have described, be acquired along with instruction in the meaning of the text. Those who had obtained this knowledge would then be qualified to teach Scripture, though they would not necessarily be qualified to argue about halakha or doctrine at a scholarly level.

EXPERTS AND LEARNED MEN

Beyond the level of the 'Teachers' is the level of the 'Experts' and 'Learned Men'. It is not entirely clear whether there is a difference in rank or function between the 'Learned Men' (*hukamâ*) and 'Experts' (*'ulamâ*) in the usage of the Chronicles, but on the whole, when speaking of the work of Baba Rabba, it seems to me that there is a tendency to use the term '*'ulamâ*' in the sense of halakhic and doctrinal study of Scripture at an advanced level, and *hukamâ* in the sense of discussion or decision-making where the argument or tradition is more to the fore than the text itself. The 'Judges' (*hukkâm*) would be the 'Learned Men' or 'Experts' acting in a specific capacity, probably, if we can go by the analogy of Jewish practice, with some extra training.

The institution for the study of the Tora was apparently concerned with the development of knowledge as well as its transmission. It was concerned with the activity of interpretation (*tafsîr*), which implies the continued intensive study of

⁴⁰ Ben Hayyim, *Literary and Oral Tradition* 3a, 27-28.

⁴¹ Ben Hayyim, *Literary and Oral Tradition* 1, 24. On the pointing system, see Ben-Hayyim, 5, 4-7.

⁴² See note 40. For examples of the relationship between interpretation and pronunciation, see Ben Hayyim, *Literary and Oral Tradition* 1, 22; Halkin, 'Relation', 290-91.

the text, as well as the activity of reading, which is an activity that maintains knowledge rather than developing it. From the close connection of the two terms, we can assume that there was a body of established interpretation which was taught and transmitted as an attachment to each word or phrase.

This method of study closely resembles the procedure of the schools of the Tannaim, which produced midrashim that systematically attached traditional halakha and aggada to the text of the Tora, and also recorded the results of intensive study of the text. The Samaritan method of attachment of information to the text could perhaps have resembled that of the *Sifra*.⁴³ There remains the question of why no written midrashim of the school of Baba Rabba have come down to us. From this period we have Marka's book (which is not a midrash), liturgical compositions, the Targum, and the sources of the extant Chronicles, so obviously texts of midrashim could have been passed on. Part of the answer to this question is provided by the history of the Tannaic midrashim themselves. Although these midrashim were readily available to the Tannaim themselves, the actual books were deposited in the academy in the form of master copies, which were revised over several generations. The midrashim that we have in our hands are not these books: they do not survive. What we have are compilations, each compilation being an edited and abridged version of the midrash of one school, with material from other schools added wherever necessary to produce a satisfactory complete work. Some of the material in our midrashim was not known to the Amoraim and much of the material known to the Amoraim is not in our books. It could be conjectured that Samaritan midrashim would have been even more vulnerable to loss, because of the smaller numbers of the Samaritans, and that they could have perished in the unsettled conditions after the time of Baba Rabba.⁴⁴

Let us see how much of this structure of fact and inference (and, admittedly, some speculation) can be applied to the period of the first and second centuries

⁴³ The format of the *Sifra* is the simplest of all the Tannaic midrashim, particularly in purely halakhic passages.

⁴⁴ On these aspects of the history of the Tannaic midrashim, see Albeck, *Mavo ha-Talmudim*, ch. 5, section 3; Melamed, *Pirkei Mavo le-Sifrut ha-Talmud*, part 2, chs. 4, 16, 19. There is an allusion to the establishment of 'the instruction of the synagogues' in what would have been the mid eleventh century (a date that corresponds to the composition of the *Tubâkh* and *Kâfi*), in *Chronicle Neubauer*, 448-49 (Compare *Chronicle Neubauer*, 446 and *Chronicle Adler* for the year 5307 on the dating.) This is said to have been the time of the first literary use of Arabic by the Samaritans. It would seem that the disconnected pieces and outlines surviving from the obscure past mentioned by the author of the *Kâfi* in his introduction (see below) must therefore have been written in Hebrew or Aramaic, and that their condition was due to being relics of a period when the study of the Tora was fragmented and disorganised. I suggest that although the early Samaritan midrashim perished, their content survived, both in the form of the disconnected written pieces mentioned above and as traditional knowledge, and that much of the literature of the Arabic period, including quite late works such as the comprehensive commentary on the Tora, the *Kâshif al-Ghuvâhib*, contains such material along with much later material.

of the common era. 'Experts' and 'Learned Men' are mentioned frequently in the context of the Roman persecutions.⁴⁵ Houses of study (*madâris*) are also mentioned.⁴⁶ It is assumed that in normal times most people would know the Tora.⁴⁷ If we combine these facts with the mention of 'Informed People' by the *Samareitikon*,⁴⁸ we can take it that it is highly probable that Baba Rabba's work was that of restoration, not reformation, as in fact the tenor of the narrative about him indicates. Probably, then, the Samaritan 'Scribes' mentioned in the Jewish sources are the 'Experts' (*'ulamâ'*) of the Samaritan *Chronicles*; and we actually have one passage that puts these Samaritan scribes or experts in the context of the interpretation of the text of the Tora. This passage is a comment on Numbers 15:31, occurring both in the *Sifrei*⁴⁹ and the Babylonian Talmud.⁵⁰ The form in the *Sifrei* is probably more original. The text of the *Sifrei* reads in this case:

Rabbi Shimon ben Elazar said: This is how I demonstrated the Samaritans' books to be spurious (זייפתי ספרך כותימים), since they would say: The dead do not revive. I said to them: It says: 'That soul will be absolutely cut off; its fault is in it'. Now the meaning of 'its fault is in it' is that it will have to give account on the Day of Judgement.

It seems surprising to have Samaritans denying the concept of a day of judgement and a general resurrection for the purpose, since this is one of the main items of faith of the Samaritans as we know them. There is also evidence that the Dositheans believed in an individual resurrection, probably not in bodily form.⁵¹ Whether some Samaritans denied any life at all after death is hard to tell from the sources. A denial of resurrection is not the same as a denial of some

⁴⁵ Experts (*'ulamâ'*): Abu 'l-Fath, ed. Vilmar, 120, line 8 (Stenhouse, 165); 118, line 18 (Stenhouse, 163); *'ulamâ'*, Teachers (*mu'allimîn*), and *hakdkimah* (Learned Men): 125, lines 3-4 (in recension C, Sulzberger ms. 199b, the form is *hukamâ* instead of *hakdkimah*). These examples are only representative.

⁴⁶ Abu 'l-Fath, ed. Vilmar, 118, line 18 (Stenhouse, 163).

⁴⁷ Abu 'l-Fath, ed. Vilmar, 122, lines 3-4: 'No-one taught his child the Tora, except one in a thousand or two in ten thousand, in secrecy' (Stenhouse, 168, has completely misunderstood this). In the *Arabic Book of Joshua*, ch. 48: 'No-one was able to learn the Tora etc.'.

⁴⁸ Deut 25:7-8. The significance of this term is discussed below. See note 76 for the reference. The spelling *Samareitikon* with >ei< representing [i:] corresponds to normal Greek spelling for this period. On Samaritan scribes, see note 80.

⁴⁹ *Sifrei Num.* 112 (p. 122).

⁵⁰ *B. T. Sanhedrin* 90b.

⁵¹ First example: Abu 'l-Fath, ed. Vilmar, 156, lines 14-15. Vilmar's text is corrupt at this point. Stenhouse, 218 has followed Vilmar's text and not the mss. The actual text (according to the mss.) is: 'They said that the dead would rise soon as the children of Dositheos the prophet (of God)'; or, with Ms. Oriental Quarto 471 of the Prussian State Library: 'They said that the dead would soon rise, thanks to Labi (לבי) and his group, the children of Dositheos the prophet of God'. Second example: Abu 'l-Fath, ed. Vilmar, 155, lines 1-2. Vilmar's text is corrupt again. Stenhouse, 216 admits to being unable to make sense of Vilmar's text, but does not refer at all to the mss. The actual reading of the mss. is 'My faith is in you, Lord, and your servant Dositheos, and his sons and daughters'.

future life. One could, for example, think of re-incarnation, which can be demonstrated from the Tora much more easily than resurrection, individual or collective.⁵² Anyway, some form of disagreement on these lines seems to be the explanation of the reading of the Venice edition⁵³ of the *Sifrei* of 1546, which assumes the need to specify that not all Samaritans are meant: 'This is how I demonstrated the Samaritans' books (Samaritans that would say . . .) to be spurious'. Rabbi Shimon's proof is in fact one of the standard Samaritan proofs for the concept of a day of judgement.⁵⁴

The Samaritans referred to by R. Shimon rejected the argument quoted just beforehand in the *Sifrei*, whereby the duplication of the verb for re-enforcement (*hikkaret tikkaret*) to express the idea of absoluteness or completeness is artificially interpreted as a duplication of intended meaning, so that it is taken to mean 'will be cut off and will be cut off', that is, will be cut off in this world and the next, thus proving that there is another world. The rejection of this method of exegesis is fundamental to all known later Samaritan exegesis, and we have here a conclusive example of the continuity of the methodology. Later Samaritan exegesis, which insists on the concept of the Day of Vengeance and Recompense, a concept which is essentially the same as one version of the Jewish concept of the World to Come, continues to reject any special interpretation of the duplication of the verb, and takes the duplication to indicate absoluteness or completeness. Where they find the reference to resurrection is precisely where R. Shimon finds it, in the next phrase, 'its fault is in it', which is taken to indicate that even after death the soul still exists, and is liable to the consequences of its actions.

We learn from this passage that one of the known Samaritan principles of exegesis, the refusal to find special meaning in variants of style, is as old as the time of the Tannaim. We also learn that different Samaritan groups, who disagreed on their theology, still agreed on the methodology of exegesis.

There remains the problem of the mention of Samaritan books by R. Shimon ben Elazar. There is a passage similar in form to this one in *Sifrei Deut* 56 (p.

⁵² The standard Jewish proof for re-incarnation is from such verses as Exod 20:5-6, where it does not say 'to thousands of generations', but only 'to thousands'; if they are not generations they can only be lifetimes; and the visiting of the sins of the sons on the fathers must have the same meaning, otherwise there would be a denial of justice.

⁵³ The Venice edition of 1546 is the first printed edition. Its distinctive reading in this place is not a minority reading. Horowitz only had four text-witnesses available for this passage. Of these, two have a secondary reading at this point. This leaves only one ms. (the reading of which I have translated above) and the Venice edition. The reading of the Venice edition is not recorded in Horowitz's edition, and I have consulted the original. This reading would look like a simple dittography if its significance was not appreciated, and would tend to be eliminated by scribes.

⁵⁴ This is how the *Kishif al-Ghaydhib* interprets the verse (Prussian State Library, Ms. Petermann Ec. 307b). The same interpretation is implied by the Samaritan Arabic translation and one version of the Samaritan Targum (the other being inconclusive). A Jewish reading of the verse on the same lines seems to lie behind the translation of the Peshitta, and is conflated with the other interpretation by the Targum Pseudo-Yonatan.

123) on Deuteronomy 11:30, where the Samaritan Tora is said to have been falsified, to be spurious (Cf. *P. T. Sota* 7:3, 21c; *B. T. Sota* 33b; *Sanhedrin* 90b; the phrase is *אֵת הַתּוֹרָה לִיפְתּוֹם*) In that passage, the reference can be explained as being an allusion to the text of the Samaritan Tora, which in this verse has a variant reading which is explicitly quoted. In the passage from the *Sifrei* on Numbers this explanation will not do. The Samaritan Tora agrees with the Masoretic Text in the verse under discussion, so how can it be said to have been falsified? Besides, all the implication of the wording is that the text was not the issue, but that the text was agreed on and the problem was how to convince the others of its meaning. There are, then, no obvious books that could have been falsified. Geiger⁵⁵ suggested reading 'scribes' instead of 'books', an emendation which in Hebrew is very slight, but this will not do, because one does not declare people to be spurious, counterfeit, or forged, which is the range of meanings of the verb. The verb demands the existing reading of 'books'.⁵⁶

I suggest that the books referred to are the Samaritan collections of fixed, official, scriptural exegesis, similar to the Tannaic midrashim, which were being built up at the same time.⁵⁷ There is of course the question of how R. Shimon could have been so familiar with Samaritan literature, particularly if we hold to the analogy previously suggested with the Jewish midrashim, which as books were not readily available. It is likely that the solution lies in the fact that the controversy being a major one amongst the Samaritans themselves, one could hardly fail to hear about it and hear the arguments of both sides if one came into social contact or physical proximity to a Samaritan community. Furthermore, the controversy would be one of interest to a Jewish scholar, having a bearing on a disputation between the Pharisees and the Sadducees, and once it came to a Jewish scholar's attention, he would want to pursue the matter till he had uncovered the details. We have evidence from elsewhere of R. Shimon's interest in the arguments of the Samaritans and their practice, an interest for the sake of controversy, but nevertheless much more than a casual interest.⁵⁸ Thus his discovery of the standard midrash of one Samaritan group is not unexpected. What R. Shimon quoted against them looks like the standard midrash of another Samaritan group.

We are now in a position to understand why it is that we have a Greek translation of the Tora (or at least, bits of one), and an Aramaic translation of the Tora, from the first centuries C.E., but no equivalent of the Mishna or the Tannaic midrashim. From our description of the probable method of Samaritan

⁵⁵ *Ha-Mikra ve-Targumav*, 85 (= *Urschrift*, 81).

⁵⁶ The impression given by Jastrow's dictionary (p. 389) is misleading. He assigns a certain meaning to this passage, and then derives a meaning of the verb from that.

⁵⁷ In which case we should probably take the verb *לִיפְתּוֹם* to mean 'to declare false' in agreement with its Syriac cognate.

⁵⁸ There is evidence of R. Shimon's strong interest in Samaritan ideas in *P. T. Avoda Zara* 5:4 (44d, middle).

study of halakha, the Mishna form would be very unlikely to be used.⁵⁹ As for the midrashim, they have simply perished. The evidence, such as it is, indicates that the content of the midrashim lived on and became incorporated eventually in the Arabic literature. Compare the passage from the *Kāfi* quoted below.

If the books of midrashim, by the nature of their production and use, were vulnerable to loss, the exact opposite must have applied to the translations of the Tora. If all doctrine and halakha had to have some attachment to the text, if all traditional knowledge was regarded as merely a statement of what to know to understand the text correctly and in detail,⁶⁰ then all study must have been linked to the text (which we have seen to be an attested fact), and a text in the common language would have been absolutely essential. The Hebrew text would have been copied as often as a group of people came together to study or be taught, and would have been the focus of each study group. Attached to this text, not in physical form in writing, but in the minds of all educated people, and in this respect that means most people to some extent, was an ever-growing body of interpretation. The Greek translation gave way to the Aramaic, and the Aramaic to the Arabic. (Nowadays most Samaritans would be able to read the Tora in Hebrew.) The text has been re-copied and constantly studied, and the accompanying invisible but real tradition has been passed on with it. The handbooks of faith and practice, and the Scriptural commentaries that were composed in the Middle Ages in Arabic, although to some extent the creation of their authors, and certainly bearing the mark of their personality, are also largely individual selections from this traditional knowledge. This continuous new composition is quite appropriate, since the traditional knowledge, which is the knowledge of the meaning of the Tora, must not only be passed on, but also developed.

Perhaps this is why the Samaritans care so little about identifying the authorship of books, and do not seem to care at all about the distinction between an original book and a revision or adaptation.⁶¹

KNOWLEDGE RESERVED BY THE PRIESTS

There is a body of traditional knowledge, apparently mystical in nature, and having to do with the meaning of the Tetragrammaton, that is the preserve of the Priests, and in part, the preserve of the High Priest.⁶² Obviously such information does not get written down in books for the general reader, and we know nothing about it.

⁵⁹ Except that there were probably collections of laws as *halakha le-ma'ase* for practical judicial purposes, similar to the Sadducean *Book of Decrees* (see note 130).

⁶⁰ See the passage from the *Kitāb al-Tuhākh* quoted above.

⁶¹ Gaster, 'Samaritan Literature' 5, column 2. See also Bóid, *Principles*, Introduction, 23-25 on the authorship and recensions of the *Kitāb al-U'iqādāt*.

⁶² Montgomery, *Samaritans*, 213-14.

Some other parts of the mystical tradition are readily available. If we go by the analogy of the Kabbala, which is to be found everywhere in the prayer-book, the traditional Bible commentaries, and many discursive works, without being explicitly labelled as such, we can expect some of the mystical tradition to be alluded to throughout the liturgy. This is in fact the case. The didactic or reflective pieces called *shirân*⁶³ in Arabic are quite rich in these ideas. Then there is the material on Moses, which says a lot about the nature of the Tora if read perceptively. Marka's book is only a particularly long prose version of the *shirân*, or a particularly long version of the prose and verse pieces on Moses, where the real focus is on Moses's function and work, and the purpose behind it. For this reason a study of Marka really belongs with a study of the liturgy, and will not be brought in here. However, for our present purpose it will do as a concentrated example of secret knowledge made public. Much of this material is concerned with the nature of the Tora and the concept of revelation.

The very specific knowledge handed on from one High Priest to another, and not available to other Priests (or said not to be available to them), has to do partly with the actual pronunciation of the Tetragrammaton.⁶⁴ The High Priest is also responsible for the calculation of the Calendar.⁶⁵ Neither of these matters are directly related to Scriptural exegesis, and they do not concern us here.

The same comment applies to an area of knowledge that was once the exclusive preserve of the Priests but was preserved only in books after the end of the Time of Favour and was lost altogether in the Roman persecutions: the songs for the sacrifices.⁶⁶

In short, there is no area of Scriptural study or interpretation that is the exclusive preserve of the Priests. The only apparent exception is that there was once a difference of opinion on whether the Priests had the exclusive right to make a practical halakhic decision, or decide on the correct pronunciation of a word in the Tora. We will now discuss these questions.

THEORETICAL STUDY BY EXPERTS

As would be expected, there have always been experts in the study and teaching of the Tora. Who these experts are, and how they went about their work, is not entirely clear for all periods, and the evidence is to some extent contradictory. We will start with a discussion of the evidence for the mediaeval period, and try to work backwards to the first centuries C.E.

⁶³ The singular is *shir*, obviously a borrowing from Hebrew, perhaps by way of Aramaic.

⁶⁴ Gaster, *Samaritan Eschatology*, 69.

⁶⁵ See ch. 1 of the *Kitâb al-Kâfi*.

⁶⁶ *Arabic Book of Joshua*, ch. 47. This was a real loss of knowledge of Tora, as this liturgy theoretically went back to the giving of the Tora and must therefore have been part of the tradition of how to carry out the injunctions of the text in practice. These songs would have been similar in origin and function to the Jewish Psalms.

The most explicit statement on the subject known to me is in the introduction to the *Kitâb al-Kâfi*. The introduction is in flowery and prolix rimed prose. The following mainly gives the gist of the relevant section, but the critical sentences are translated exactly.⁶⁷

[Experts ('ulamâ') have looked into the details of the Tora and have written their findings down in books containing material derived by investigation (*ma'qûl*)⁶⁸ and material known by tradition (*manqûl*). All sorts of notes (*furû' aqâwîl*) giving information on the practice and details (*sunan wa-ahkâm*) of certain written laws (*uṣûl*) survive from the obscure past].

Notes (*aqâwîl*) on some matters which are obligatory knowledge for any Israelite have been written up from the outlines (*tasâwid*) of learned jurists (*fuqahâ'*), each of whom was a leading authority (*sayyid wa-imâm*) in his generation. Some of them were not actually *Imâm* (Priest) by descent and rank, but were *Imâm* (authority) by (religious) standing (*shayâkhah*) and function (*tarîqah*), and any genuine compositions of theirs have validity.⁶⁹

[This book, the *Kitâb al-Kâfi*, has been written up from their statements, which is why it is not always fully systematic in its arrangement. Those who are competent in such questions will be able to sort out the contents and handle the arguments put by each side].

There can be no doubt that the position of Legal Expert (*âlim*) and Jurisprudent (*faqîh*) can be attained by any competent person, Priest or not. The problem lies in reconciling this undeniable fact with the assumption in other places that the Priests have the supreme authority to make decisions.

For the mediaeval period the problem can be solved from a careful reading of the sources. The first chapter of the *Kitâb al-Kâfi* deals with the function and status of the *Imâm* (Priest). The chapter says nothing about their function as jurists. The function given to them in regard to the law is to fix the calendar and regulate the festivals, and read the Tora. In addition, the High Priest has the title of Judge, which significantly is not further defined. Aside from this, any Priest must know and practice the Tora, but this is not because it is his official function to teach the Tora, but rather because the right knowledge and behaviour are necessary prerequisites for such an important position. An ignorant Priest is not allowed to officiate.

This clarifies the practical situation. The theoretical situation is still not entirely clear because there is some evidence that the Priests in general, or perhaps the High Priest, are regarded as the ultimate authorities for any decision on what the law actually is (in Jewish terminology, they are *poskim*).

⁶⁷ Noja's translation is not precise enough for the present purpose.

⁶⁸ Some mss. have *muqawwal* 'stated by the text'.

⁶⁹ Noja has exactly reversed the meaning at this point.

The clearest statements on this known to me are both in the *Kirâb at-Tubâkh*. The first passage is in the introduction to the book, where the author deals with the question of what happens to the function of Moses after his death. The answer given is that prophecy is not transmitted or inherited, but neither does it disappear with the death of Moses: this would be impossible, because it has permanent validity. It is reserved for the future, for the Day of Judgement, beyond the mundane level of existence. The work and function of Moses is in some respects still necessary, so it is taken over by the High Priest, who then has two functions. We are not told at all how the High Priest takes over the position of Moses, and the rest of the chapter only describes what would be expected as normal priestly functions. The fact that we are not told anything about any activity in regard to the interpretation of Scripture or the study of the halakha, where so much detail in regard to other activities is given, indicates that this is not part of their hereditary function. The solution is probably that ultimate authority lies with the High Priest, but that in practice this only involves making a decree or decision to fix the halakha in case of necessity. This interpretation is confirmed by the description of the function of the Priests in general by the same author in the passage on the Blessing to Levi (Deut 33:8-11). His main concern is with their ritual functions, and the following section on their function as protectors of the Tora and judges has to be read in this context.⁷⁰

The phrase 'Because they have guarded your utterance' (v.9) refers to their keeping the whole of the assignment that was expressed from God in words by the Emissary, and their actively arguing against the opponents of the religion, as it says: 'and they guard your covenant'. They are the ultimate authorities for the regulations and for the clarification of the details of their real meaning (*wa-'alayhim tantahi al-ahkâm wa-tubân al-haqâ'iq fîha*). From them one acquires the legal rulings (*fatâwa*), statements of forbiddenness or permissibility, uncleanness and cleanness (*wa-'anhum tûkhaâh al-fatâwa wa-'l-harâm wa-'l-halâl wa-'t-tamâ' wa-'t-tuhr*), as it says: 'They declare judgements to Jacob, and your Tora to Israel' (v. 10). The bit about Jacob refers to the judges (*hukkâm*) of Priestly lineage, and the bit about Israel refers to the whole of the nation, whether people occupying special positions or ordinary people, men and women, upon whom they impose the Tora.

We see that one of the main functions of the Priests is to give *fatâwa*, that is, rulings on what the halakha actually is in specific cases of doubt or dispute: the exact equivalent of the Jewish *teshuvot*, except that the decision of the Priest has the authority not only of his learning, but also of his position. The Priest needs skill and understanding so as to reach his decision, and one can assume that ignorant Priests will not be asked for decisions, but the authority of the decision is the authority of the hereditary function of the Priesthood. In this respect they

⁷⁰ The passage has not been translated before.

are performing the same function as when they decide whether a particular person or object in a particular case is clean or unclean. Their function is to make binding authoritative decisions in particular cases, not to be theoreticians, jurists, collectors of traditions, systematic commentators on Scripture, or authors of handbooks of faith and practice (though any given Priest may well do this in practice). Nevertheless, by giving authoritative decisions on matters of faith or practice or Scriptural interpretation in particular cases, they presumably create a body of case law which becomes a body of authoritative teaching on these matters.

To what extent the Priests actually performed this function in the mediaeval period is not easy to answer. Neither the *Kâfi*, nor the *Tubâkh*, nor any other source known to me, actually use such Priestly decisions, and there may well be a discrepancy between theory and practice in this matter.⁷¹ Our main concern here, however, is not the mediaeval period, but the first centuries C.E., and the situation in the mediaeval period is for the present purpose a guide to what to look for at earlier periods. Let us take the rather meagre evidence from the period before Baba Rabba, and then try to see if any of the information about Baba Rabba's work throws light back onto the earlier periods.

Kippenberg⁷² has correctly pointed out that the Samaritan Targum translates the term *shûlârem*⁷³ (commonly taken to mean some kind of administrative officers), as 'scribes'; and that the term 'elders'⁷⁴ is translated as 'wise men' or 'learned men'. Now such a translation assumes an identification of administrative function and the knowledge of Scripture and tradition, which indicates that these functions do not belong to the Priests by virtue of their position. It also assumes that the knowledge of the meaning of Scripture was mainly passed down by way of the Seventy Elders, as in fact the text of the Tora⁷⁵ implies fairly clearly and as rabbinic Jewish tradition insists. We will see later that there is a strong Samaritan tradition on these lines.

To my knowledge, there is not a single mention in any Jewish source before the Middle Ages of Samaritan Priests in any other connection than their priestly function, i.e. as recipients of tithes and cultic functionaries.

In the one case where the translation of the word *zâqinim* (elders) by the *Samareitikon* is known,⁷⁶ the word is translated as 'informed men' or 'learned men' (*synetoi*). This is enough to show that the method of the targum in translating this term (and, presumably, the other term in question) goes back to the method of the *Samareitikon*, and therefore that the concept of learned men,

⁷¹ There are in fact collections of priestly *fatâwa*, 'legal rulings', but they are all from the modern period, when the High Priests have a function in practice in deciding the halakha simply by being educated in the Tora.

⁷² *Garizim und Synagoge*, 175-76. (See also 180-84.)

⁷³ The masoretic pronunciation is *shotrim*.

⁷⁴ זקני (the masoretic pronunciation is *zekenim*).

⁷⁵ Num 11:25.

⁷⁶ Deut 25:7-8, in a fragment published by Glaue and Rahlf's, 'Fragmente'.

not necessarily Priests, who interpret the text and tradition of the Tora, is older than the time of Baba Rabba.⁷⁷ A rather slight confirmation, but nevertheless clear in the light of the information so far put forward, is that Josephus refers to the Samaritan administrative council (which could also have been a judicial body) by the term *Boulē*,⁷⁸ a term which in the usage of the time means specifically Senate in the Roman sense, or a Council of the Greek type, and would lead the reader away from any thought of the Priesthood. The existence of a Samaritan Patriarch⁷⁹ is also attested. Now the term Patriarch (the exact equivalent of the Hebrew term *Nasi*) is one that in the usage of the time would not be applied to someone holding a Priestly office. It would properly belong to the President of the *Boulē* just mentioned. We also find references to Samaritan scribes, clearly connected with the interpretation of Scripture, in Jewish sources, in passages dealing with the time of the Tannaim.⁸⁰

In the light of this information, we can now put greater reliance on the information in the Samaritan Chronicles on the study of the text and tradition of the Tora before the disruptions caused by the Romans, information which agrees with the evidence put forward so far. A sketch of the evidence will have to suffice here.⁸¹

(a) There are numerous references to the persecution by the Romans of teachers of the Tora or experts in the Tora, who in some cases are mentioned without any reference to the Priesthood and in some cases are distinguished from the Priesthood.

(b) There are references to the destruction of the houses of study by the Romans, without any indication that these houses of study had any necessary connection with the Priesthood.⁸² On the other hand, the Priests are consistently mentioned in connection with the attempt to suppress the synagogue service and destroy the knowledge of liturgy.

(c) When the experts and teachers are mentioned in connection with the synagogues, there is not usually a mention of the synagogue service, and the implication is that the synagogues were also houses of study.

(d) There are places where the experts or teachers are mentioned along with the Priests, and there is a distinction in function.

⁷⁷ Compare above, in the first quotation from Abu 'I-Fath, the reference to *mashdyikh* and *hakākimah* or *hukamā* as an institutionalized function before the activity of Baba Rabba.

⁷⁸ Josephus, *Ant.* 18:88.

⁷⁹ Kippenberg, *Garizim und Synagoge* 139, quoting *Gen. Rabba* 94:7 (p. 1178). The date would be about 150 c.e.

⁸⁰ *Sifrei Deut.* 56 (p. 123) on Deut 11:30 (where the interlocutor is R. Elazar ben Yose); *P.T. Avoda Zara* 5:4 (44d, middle), where the interlocutor is R. Shimon ben Elazar. See note 58.

⁸¹ All of what is said here can be verified simply by reading through the relevant sections of Abu 'I-Fath and the Arabic *Book of Joshua*.

⁸² See above, note 46, for the reference.

(e) It was expected that the Tora would be taught from father to son, which implies that it was common property and therefore accessible at an advanced level to any interested person.⁸³

On the other hand, there is some evidence of a viewpoint that ascribed the right to teach the Tora to the Priests, and of an attempt by Baba Rabba to regulate the conduct of the community that held this opinion, an opinion that was once widespread. Whether this opinion had arisen in times of persecution, and the Priesthood was the most stable and visible public office, or whether it is an ancient divergent concept of the teaching of Tora, is not stated by the sources. There is, though, one important piece of indirect evidence that this divergent viewpoint is ancient. We are told that when Baba Rabba took the teaching of the Tora out of the hand of the Priesthood, the ordinary Priests (those not descended from Pinhas) no longer had any reason to maintain their record of genealogy intact, i.e. back to Levi, and were content to be known as Priests because their immediate ancestors were known to be Priests. Now if the removal of any authoritative function in regard to the Tora could have this effect, it must have been an innovation, otherwise these records would have been abandoned long before.

In view of the importance of this issue, I give here the translation of the relevant passage, taken from the history of Abu 'I-Fath.⁸⁴

Baba Rabba took seven men out of the best of Israel, men of wealth and learned in the Tora, and honoured them with the title of 'Learned Men' (*hakākimah*, *hukamā*). The generality of the Priests (*kahanah*) were not, however, called Learned Men. Of these seven Learned Men, three were Priests (*kahanah*) and four were ordinary Israelites. Before this, any of the Priests (*kahanah*) that was of high authority was called in Israel Chief Priest (*Imām*),⁸⁵ but from Baba onwards they came to be called Learned Men so as to have a title to call them by.⁸⁶ The nomination of the Chief Priests (*a'immah*) belonged to them and their descendants afterwards.

[Laymen were then put in charge of most of the synagogue service (except for carrying the *Sefer Tora*) and in charge of circumcision].

From that time onwards the lines of descent of the Priests (*kahanah*) were lost, and they only traced their descent to their immediate ancestors.⁸⁷ None of them cared about the records of the lines of descent, the reason being that Baba Rabba had only bestowed the title of Learned Men on the Experts (*ulamā*), whether they were Priests (*kahanah*) or

⁸³ See above, note 47.

⁸⁴ Abu 'I-Fath, ed. Vilmar, 129, line 2, to 130, line 8 (Stenhouse, 178-80); recension C, 204a-205b. Minor differences between the two recensions that do not affect the sense are not recorded. The Hebrew translation (Cohen 5:1-14) has some interesting variants.

⁸⁵ So recension C; printed recension *Imām Kabīr*.

⁸⁶ 'So as to have a title to call them by' (*bi-sabab tawqīr manyudda'a minhum ka-dhālika*) only in the printed recension.

⁸⁷ This is the situation among Jews at present.

ordinary Israelites. The generality of the Priests were not given the title of either Learned Man or *Imâm* (Chief Priest or eminent person).

[Baba Rabba then gave these men the authority to make decisions].

THE SEBUAEANS

There is a record of a group called the Sebuaeans (of whom virtually nothing is known) who would not accept the authority of Baba Rabba's appointees as final authorities, but would allow these appointees to make observations and then put a particular case to the High Priest of the Sebuaeans for an authoritative decision. The attitude of this group resembles the theoretical attitude (as opposed to the actual practice) of the mediaeval sources, which, as we have seen, is to allow any learned person to set out his interpretation of the text and tradition, but for the Priests to be the usual experts, and for the High Priest to make the authoritative ruling on any case, if lesser Priests are unable to decide.⁸⁸

The Sebuaeans, however, did not take notice of Baba Rabba and did not accept the Learned Men (*ḥakâkimah*) that he appointed. Instead their Priests (*kahanah*) would give judgement in their villages, and the seven Learned Men (*ḥakâkimah*) appointed by Baba Rabba would travel round all the villages and would leave⁸⁹ informants⁹⁰ there who would find out if there was any of the Sebuaeans Priests there that had made a mistake in a *mitswa* (*faridah*) or Scriptural law (*shari'ah*) or detail of practice (*hukm*), and would bring the matter before their own *Rabis*⁹¹ 'Priestly Authority' from their own community (*ar-rabis alladhi lahum min al-'ashir*).

This attitude of the Sebuaeans obviously must have existed before Baba Rabba. Whether it existed before the Roman persecutions is not so obvious. On the whole, however, the evidence seems to point in that direction.

⁸⁸ Abu 'l-Fath, ed. Vilmar, 131, line 12, to 132, line 1 (Stenhouse 182); recension C, Sulzberger ms., 206b-207a (Cohen 7:1-6). I quote the printed recension. The only significant difference with recension C is that the wording at the start of the passage implies that the reader might not have heard of the Sebuaeans, which means that it is not possible to speak of them as a numerous group, or as the majority, against a supposed Dosithean Baba Rabba, as is often done.

⁸⁹ Stenhouse follows Vilmar's text against the mss. at this point.

⁹⁰ Stenhouse has failed to recognise an inner-Arabic graphic corruption at this point. The reading *mu'arrifin* is confirmed by recension C.

⁹¹ The reference is to the *Rabis* of the Sebuaeans. Stenhouse has confused the words *rabis* and *ra'is* here (as in fact he does throughout his whole translation). On the term *rabis*, see Ben-Hayyim, *Literary and Oral Tradition* 1, 132-33; 2, 380. The Hebrew and Aramaic equivalent is רבין or רבי. I suggest that the term is cognate to the Hebrew terms (in Jewish usage) תורה and תורה. The *Rabis* is usually the High Priest, but a distinctive community such as the Sebuaeans, or an ordinary community of some size, can have its own *Rabis*. (On this last point see the reference to *Chronicle Neubauer* by Ben-Hayyim.)

First, as we have seen, the more extreme attitude of the Priests who found Baba Rabba's reforms so traumatic seems to be older than the Roman period, so presumably an attitude lying between this attitude and Baba Rabba's would be at least as old, if the tendency of the times in the Roman period had been in the direction of increasing priestly authority. This argument, although plausible, is not conclusive.

Second, the attitude of the Sebuaeans is echoed in the theoretical statements (as opposed to the actual practice) of the mediaeval sources, and therefore seems to have been one that was not easy to sweep away. This would indicate that the attitude had deep historical and theoretical roots. This argument is not conclusive either, though it adds to the plausibility of the theory.

Third, the Sebuaeans seem to have existed well before the Roman persecutions, so presumably they must have had a distinctive attitude even then.⁹²

Fourth, the Sebuaeans seem to have continued to exist as an identifiable group into the Gaonic period.⁹³ As Baba Rabba's reforms had fallen into abeyance by that time, at least in the matter of the function of the Priesthood, there must have been something that distinguished them even then from other Samaritans. This argument would be stronger if we knew for certain that at that time there were Samaritans that were neither Sebuaeans nor Dositheans.⁹⁴ In view of the fact that the Sebuaeans are only mentioned once in that period, this is probably the case, but there is no certainty, as they might not have called themselves by that name.

It is to be noticed that the Sebuaeans could not have belonged to a separate sect to Baba Rabba and his officials if their halakha was identical, which it must have been to make the arrangement described workable. This means that the only point of disagreement must have been over the question of ultimate authority on the halakha, as in fact the text fairly clearly implies. If this single point of disagreement was enough to make them a distinctive group, then it must have had much deeper roots than an assumption of authority by the priests

⁹² The most plausible way of accounting for the names of the two scholars Sabbaïos and Theodosios mentioned by Josephus as the Samaritan representatives in the debate before King Ptolemy on the text of the Tora is as names produced by Jewish and Samaritan folklore out of the names of the two most distinctive Samaritan groups of his time, the Sebuaeans and the Dositheans (Josephus, *Ant.* 13:75).

⁹³ *Halakhot Gedolot, Hilkhot Shihur 'Avadim* (ed. Hildesheimer 2, 522). This passage identifies Cuthaeans, Sebuaeans, and Samaritans, and thus supports the suggestion that the Sebuaeans were a distinctive group rather than a separate sect, since a distinction between Cuthaeans and Samaritans is only one of terminology. (It must be admitted, though, that the main concern in this passage is genealogy, not sectarian divisions.)

⁹⁴ This does seem to have been the case in the time of Baba Rabba; see above, note 88. What the anonymous majority might have called themselves is uncertain. I suggest a division as follows: The great majority (probably to be identified with the Gorothenians); a subdivision or distinctive community within this majority, called the Sebuaeans (and possibly the same as the Masbotheans, if the etymology of the two names is the same); and a group with its own organisation, incompatible because of its calendar and halakha, which later produced the Dositheans. The name of the Gorothenians could perhaps be derived from the place-name גורתנה.

in a time of turmoil. This argument is probably the strongest of those put forward here.

Perhaps we can approach this problem from another direction. We have seen that there is a discrepancy in the mediaeval sources between theory and practice. Such a situation can be explained as an ancient divergence in the theory of the relative authority of experts in the Tora (who might or might not be Priests) and the Priesthood in regard to ultimate decisions on the interpretation of the Tora. Now in fact there is evidence for such an ancient theoretical divergence. The expression of this theoretical divergence takes the form of a difference of opinion about the relative authority of the Seventy Elders as opposed to the High Priest. Both authorities were constituted by Moses and both were given the Tora to keep. This theoretical divergence is indirectly attested for the period before Baba Rabba.

One version of the theory is given by Abu 'l-Fath just after his description of Baba Rabba's organisation.⁹⁵

This administration and organisation was not from the Time of Favour. Rather, in the Time of Favour there were Seventy Elders who were honorary agents (*mukhtârîn*) and experts (*'ulamâ'*) for the population. Twelve of these elders were the chiefs of the tribes. One of the twelve was chief over all of them and was called Leader of the Tribes, and he assisted the most senior of them in adjudicating. [However the Priesthood was autonomous in its internal affairs].

In line with this theory, some sources tell us that the King was appointed by the High Priest and the tribal elders in concert.⁹⁶ The tribal elders would be bearers of the type of authority represented by the Seventy Elders.

The other theory expresses itself by having the High Priest choose and appoint the King on his own and by his own authority.⁹⁷ It also expresses itself by having Joshua order the King to obey the High Priest,⁹⁸ and by deleting the reference to the existence or relevance of the Seventy Elders at the end of the

⁹⁵ Just before the bit about the Sebuaeans. Abu 'l-Fath, ed. Vilmar, p. 131, lines 2-12 (Stenhouse 181-82); recension C, 206a-206b (Cohen 6:6-8). I translate from the mss. of the printed recension.

⁹⁶ Macdonald, *Chronicle II*, 101-02: 104 (three instances); 106-07: 108; 108-09.

⁹⁷ *Chronicle Adler*, entries for the years 2844, 2904, 2944, 2994, 3629 (pp. 202-04).

⁹⁸ *Arabic Book of Joshua*, ch. 39. A previously unknown text, the Arabic source of the text translated from a Hebrew version by Crown in his doctoral thesis *A Critical Re-evaluation of the Samaritan Sopher Yehoshua* (the first of the two texts translated by him in this study), agrees with the *Arabic Book of Joshua*. (Jewish Theological Seminary, Ms. Adler 1357, 82-83). The Hebrew version translated by Crown omits this whole paragraph and is therefore inconclusive for the present purpose. In the parallel passage, in another Hebrew version (called by Macdonald *Chronicle II*), the injunction for the King to obey the High Priest is omitted (Crown, 192; Macdonald, 99). This agrees with the outlook of this text elsewhere (see note 90), and the alternative tradition.

Time of Favour, when the High Priest Uzzi announces what is starting to happen.⁹⁹

It can be established with a high degree of probability that this divergence in theory existed before Baba Rabba. In regard to the first theory, we have the explicit statement of the source quoted by Abu 'l-Fath, which seems to be a part of his main source on Baba Rabba. This theory is unlikely to have been invented at the time, since it is precisely the theory that explains what seems to have been the actual situation before Baba Rabba, as we have seen. On the other hand, the Sebuaeans practice existed before Baba Rabba and must have had a theoretical justification. Such a theory is expressed in the claim of *Chronicle Adler* that the High Priest appointed the King, and this section of the *Chronicle*, in its origins, is probably close to the period of Baba Rabba.

THE AUTHORITY OF PRIESTS AND EXPERTS

As we have seen there are two divergent views on the level of authority of the Priests as compared to people who are expert in the Tora. This divergence has a theoretical foundation, though we do not know whether the theoretical or practical divergence is older. Both views, and both practices, existed in the early centuries C.E., probably before the Roman persecutions. For our present purpose, the main fact is that these two views determined who taught the interpretation of Scripture and who decided doubtful points. It seems that the view that the Priests had the ultimate authority was decidedly the minority view.

The explanation of the origin of this divergence in theory probably lies in seeing it as an expression of two different responses to conditions outside the Time of Favour. One of the institutions that ended with the end of the Time of Favour was that of the Seventy Elders, the direct inheritors of the Seventy Elders commissioned by Moses. The question naturally arises, as to who inherits or takes over their function. Logically, one could argue that as the Elders held their position by virtue of their learning, and represented the whole nation, individual learned men, or the nation as a whole, could take over their function, and the evidence for the mediaeval period shows this to have been the solution in practice at that time. On the other hand, one could argue that the Priests, as the only institutional group founded by Moses still in existence, should take over the functions of the Elders. This concept of inheritance of the Priests (or better, of the High Priests) from the Council of Elders is explicitly attested in the practical and theoretical work on the tradition of pronunciation of the Tora by Ibrâhîm al-'Ayyah.¹⁰⁰

⁹⁹ The Seventy Elders are mentioned in Abu 'l-Fath, ed. Vilmar, 40, lines 5-6 (Stenhouse, 50); Jewish Theological Seminary, Ms. Adler 1357, 87; Crown's first text, 87; Macdonald 116. They are omitted in the corresponding passage in the *Arabic Book of Joshua*, ch. 42.

¹⁰⁰ Ben-Hayyim, *Literary and Oral Tradition* 2, 380 and 382.

We now have a historical explanation of the theory put forward in the introduction to the *Kitāb at-Tubākh*,¹⁰¹ that after the death of Moses, the High Priest inherited his function (but not his prophecy). This is a compressed and rationalised version of the theory that the High Priests took over the function of the Seventy Elders, who were given their function and position by Moses. This explains the apparent artificiality and lack of logical consequence of the theory of a double function of the High Priest. A different rationalisation, one that is logically better, is that both the Elders (presumably as the bearers of knowledge of the practice of the Tora, which includes its pronunciation), and the Priests (presumably as Levites charged with carrying the Ark with its standard *Sefer Tora*), both received the pronunciation from Moses directly. This is the theory of Abu 'l-Fath or one of his sources.¹⁰²

From all that has been said in this section, it seems that the solution to the apparent contradictions in the data on the teaching, study, and use of the Tora, written and traditional, probably lies in distinguishing between ultimate authority in transmitting the secret doctrines and the Calendar, which belongs to the Priests; the authority to read the Tora in the synagogue, which belongs to the Priests; supreme judicial authority or halakhic authority in any particular case, including the pronunciation of a word in the Tora, which belongs to the Priests in one tradition and to experts, Priests or not, in another tradition; the authority to pronounce an opinion on a matter of halakha or doctrine or interpretation of Scripture, which belongs to any expert, Priest or not; the authority to teach the text, pronunciation, and understanding of the Tora, which belongs to any expert; the authority to accept one halakhic opinion as binding and the rest as not binding, which belongs to the people as a whole (though of course some authorities will make their opinion authoritative by their position as recognised experts, just as happens in English law); and the general knowledge of the tradition of the Tora, in regard to both halakha and doctrine which belongs to the people as a whole.

TRAINING

A system of training, taking three full years, probably after a solid general grounding, is attested for the mediaeval period.¹⁰³ There was a fixed or formal curriculum, or at least, the recognition of having reached a fixed standard. The training was not intended for the Priests, or was not exclusive to them. One would assume that the knowledge of the meaning of Scripture for doctrine and halakha would be a major component of the requirements. Beyond this nothing is known on the subject.

¹⁰¹ Not translated so far.

¹⁰² In the second passage from Abu 'l-Fath quoted above, according to recension C.

¹⁰³ Robertson, *Catalogue* I, column 383.

Method of Exegesis

There has been no systematic study of the methodology of Samaritan exegesis, of what might be called their *middot*. Part of the reason for this is probably that no large sections of connected text having to do with Scriptural exegesis have been generally accessible.

HERMENEUTIC RULES

There are lists of Samaritan *middot*.¹⁰⁴ The technical meaning of the terms is not yet fully clear, but the overall impression is that they belong to a system of interpreting Scripture on the following assumptions, which are applied as rules:

The text often does not tell you what you need to know and you need traditional knowledge. However, if the text does speak on a topic, it always leads you along if you read with some sensitivity. Reading the text is like reading any human document, except that the Tora is completely consistent. The Tora has its own distinctive manner of expression, which must be studied by systematic perceptive reading, so that the text will be fully intelligible in any particular place. What the text does not say is a source of information, i.e. if in a certain context it could have said something and does not, the omission is deliberate and you can draw an inference, subject to certain limitations. Similar cases have the same regulations, unless you are told otherwise. Terms always have the same meaning, unless you are told otherwise. What a verse means can be determined from its context. General headings or concluding statements make all the cases mentioned in the context share the same rules unless you are told otherwise. If a verse has two possible interpretations, the one that expresses a halakhic statement is the one to be accepted; in other words, meaning is always to be maximised. This can safely be done because the Tora tells you when your natural understanding of a verse would be wrong. The general principle is that the Tora never wastes words. On the other hand, repetitions do not add hidden meanings: the Tora does repeat itself at times. This applies to minor repetitions in a single context; but striking repetitions out of context carry meaning. If two cases share some of their rules, or if they have the same general heading, then what is said about the first applies to the second, and what is said about the second applies to the first, unless you are told otherwise. As the Tora is completely consistent, widely separated passages in the text may be meant to illuminate each other. In such cases the two passages will have one of various types of linkage to show that they are meant to be read together, at least for certain purposes. When you might think that two passages should illuminate

¹⁰⁴ Bóid, *Principles, Khilāf*, lines 127-28: *nahū natq; mafhūm; fahwa; ma'āil; qiyās; jā'i 'l-'ādāt* (this last being a separate source of information). *Khilāf*, excursus at the end of ch. 6 (see above, note 21). Prussian State Library, Ms. Oriental Quarto 523, 145: *natq khatāb; qiyās; fahwa; mafhūm; 'itibār 'ādarūh* (This last corresponds to the last item in the first list). The two lists are the same in content, if *ma'āil* refers to derivation in general.

each other and they are really different, you will be told this by something in the wording. As well as this, you have to use common sense to tell if two cases are to be treated similarly or not. A vague or non-specific passage is read in the light of a specific passage, if there is one. Any verse means what it says, that is to say, extraneous meanings must not be forced upon the text where such meanings are patently artificial and unnatural, so there is no such thing as an *asmakhta* ('secondary or indirect support'). On the other hand, much that is not said directly is implied by the choice of wording. Tradition clarifies vague or ambiguous expressions. Many an obscurity or ambiguity can be resolved by common sense and general knowledge of reñia.

The essential principle behind these rules¹⁰⁵ is that the Tora speaks in the style of a humanly-composed book, and in this principle the Samaritans superficially seem to agree with Rabbi Yishmael. They do agree in rejecting the type of exegesis developed by Rabbi Akiva. Where they would disagree with R. Yishmael in actuality is that they do not accept that there can be special *middot*, rules for reading the Tora, that do not apply to a humanly-composed book. To this last statement, however, there is one fundamental exception that completely transforms the whole system of Samaritan *middot*: the Tora is composed and worded perfectly, and therefore *always leads the reader in the right direction*, if it speaks on the subject at all. It is perfectly cross-referenced, and it is perfect in its choice of what to say and what not to say, its use of terms, the order of material within sections, and the implications of headings and concluding phrases. This means that in practice, the Samaritans are able to apply their rules of exegesis with a degree of finesse equal to that of the Jewish midrashim, if it is considered necessary.

The rules for aggada are as for halakha. One practical consequence of this for the development of Samaritan doctrine is that, just as the halakha is often only known by a tradition that gives the details to be applied to a bare statement in the text, in the same way doctrinal speculation can develop without hindrance provided there is a single phrase to attach the essential concept to. For example, speculation about the Day of Vengeance and Recompense can go on, and ideas can develop, without any need for Scriptural proof, because there is a phrase than can be taken to refer to the existence of the initial concept. Thus sterility is never a danger.¹⁰⁶

¹⁰⁵ All of these items need to be developed in a much more detailed exposition. I hope to bring out a study on the Samaritan *middot* and the general theory that produces them in a separate study. For the moment, the principles extracted empirically from the texts are presented. To see them at work, read through ch. 6 of the Book of Differences (*Kitāb al-Khilāf*), translated in Bóid, *Principles*. Compare also *Principles*, *Tubdkh*, lines 110-117. Note P. E. *Avoda Zara* 5:4 (41d) on the interpretation of Lev 11:36. Gematria is known and used, but apparently only to confirm what is already known (Examples in Gaster, *The Samaritans*, 70-71.) The Jewish restriction on Gematria is similar.

¹⁰⁶ The best collection of material on doctrine, showing the development of ideas by speculation and reflection from an initial scriptural concept, is Gaster, *Samaritan Eschatology*.

No application of the principles of exegesis can ignore common-sense or material facts; and observation of facts, and a consideration of the consequences of a given line of interpretation, will determine how to apply the principles of exegesis.¹⁰⁷

Aberrant Attitudes to Scripture

THE DOSITHEANS

The Dositheans are described by our sources¹⁰⁸ as incompatible with other Samaritans, and are defined as a separate rite; but what eventually definitively and completely estranged them was their veneration of the person of Dositheos himself, who was regarded as actually being able to improve the text of the Tora, and able, by teaching the real meaning and right interpretation of the text, to give his followers, his 'sons and daughters' and his 'children', the knowledge of Tora needed so as to be resurrected after death.¹⁰⁹ Obviously a sect with this basic belief will be very much concerned, one might say obsessed, with the study of the text and interpretation of Scripture; but with its insistence that the text itself had been improved by the prophet Dositheos, and its apparent belief in the authority of Dositheos to interpret the text by his own superhuman insight, it falls right outside any tradition of study and interpretation of Scripture practised by other Samaritans. We must, therefore, distinguish between the practice of the majority of the Samaritans, as represented for example by the anonymous majority in the account of Baba Rabba by Abu 'l-Faḥ, together with the distinctive but compatible 'community' ('*ashir*')¹¹⁰ of the Sebuaeans, on the one hand, and the separate rite (*madhhab*)¹¹¹ of the Dositheans, on the other hand.

We are only given one certain example in our sources of a textual change by the Dositheans.¹¹² This is the change of the word *izzob* (אִזּוֹב)¹¹³ in Exodus 12:22 to *ṣattār* (צַעְתָּר).¹¹⁴ This one example is, however, enough to tell us a lot about their reasons for changing the text and how it was done. The *izzob* is a particular plant, used once in Egypt immediately before the Exodus to sprinkle the blood on the door-frames of the Israelites' houses, and permanently after

¹⁰⁷ Bóid, *Principles*, *Khilāf*, lines 122-32.

¹⁰⁸ Abu 'l-Faḥ is the main source on the Dositheans. The text of the printed recension is translated by Scanlon in Isser, *The Dositheans*, 75-82. It seems that Dositheos took over a movement that already existed, and made it a distinct sect: see below on the evidence of recension C of Abu 'l-Faḥ.

¹⁰⁹ See above, note 51.

¹¹⁰ Abu 'l-Faḥ, 132 line 1 (see above).

¹¹¹ Abu 'l-Faḥ, ed. Vilmar, 82 line 4 (Scanlon 75-76).

¹¹² Abu 'l-Faḥ, ed. Vilmar, 155, lines 15-17 (Scanlon, 79).

¹¹³ In the masoretic pronunciation, *ezov*.

¹¹⁴ In the masoretic pronunciation, *ṣa'atar*.

the Exodus during the Passover ceremony, and also for the purpose of sprinkling the water containing the ashes of the Red Heifer, so as to purify a person contaminated by a corpse, or to sprinkle water to purify a person afflicted with loss of skin pigmentation (צָרַעַת *šāru*). The identification of the exact plant thus has practical significance, and the motivation for the Dositheans' concern with the plant must be seen in these three continuing uses of it, rather than in an antiquarian or theoretical concern with what plant might have been referred to in Exod 12:22 in connection with a unique event.

Now the *izzob* is identified by unanimous Samaritan and Jewish tradition as marjoram. (This is the plant used by the Samaritans to sprinkle or smear the blood from the Passover sacrifice.)¹¹⁵ The word *šāttār* refers to exactly the same plant. It is well-attested in Jewish usage, and is used in Jewish sources as a more modern or specific Hebrew name for the *izzob*. The word has cognates in Aramaic and Arabic. (In Arabic it refers to both thyme and marjoram.) We see, then, that the Dositheans did not change the meaning when they changed the text in this instance. Why then did they change it? The answer seems to be that the word *izzob* can refer to a number of different plants of related genera, and only has the very specific meaning of *šāttār*, marjoram, in the text of Scripture in this place by virtue of traditional knowledge.¹¹⁶ Jewish and Samaritan sources agree on this application of tradition to narrow down and define the meaning of the word. What Dositheos did was to put the information carried by tradition into the text itself, so that the text itself would declare its meaning directly. We are not told why he felt the need to make this change, or all the others, but it can be conjectured with a high degree of probability that it was the logical result of his seeing himself as the equivalent of Moses. If he was equivalent to Moses, then he could see directly in the text of the Tora all the information that ordinary people would only be told about by tradition. If his followers were his sons and daughters, they were to be given saving knowledge generation after generation after his translation to a higher realm. This saving knowledge could only be complete insight into the Tora. But how could they acquire such insight? By adapting the text itself so that it said to ordinary person what it said to Dositheos, by making the text more transparent.¹¹⁷

This particular alteration must have had great symbolic significance for both the Dositheans and their opponents, since it is recorded by Abu 'l-Fath as having been used by the Priest Labi (לָבִי), the great Dosithean martyr, to announce his conversion to Dositheanism.¹¹⁸ Probably both the term *šāttār*, and the context it appeared in, were significant. If Dositheos was the second Moses,

¹¹⁵ Jewish tradition identifies this plant as *Majorana syriaca* = *Origanum maru* (*Leksikon Mikra'i*, article פָּצוֹר). On the Samaritan practice, see Zohary, *Plants of the Bible*, 97. Zohary uses the botanical term *Origanum syriacum*.

¹¹⁶ References as in the previous note; and see the traditional commentators on Exod 12:22. Significantly, many Karaite commentators deny that the plant can be identified by tradition.

¹¹⁷ Compare John 4:25 and 42, which are utterances attributed to Samaritans.

¹¹⁸ Abu 'l-Fath, ed. Vilmar, 155-56; Scanlon 79.

it seems natural to connect him with the Exodus, but the connection is not very precise this way. Perhaps the variant זַטְטָר *zattār* was seen as an anagram of זַרְרֵת *zarrēt*, the symbolic name of the Priest that went over to the Dositheans and re-organised them.¹¹⁹ Recension C of Abu 'l-Fath tells us that the original sect, before the arrival of this Priest, had the same text and pronunciation of the Tora as other Samaritans, and had only separated from them because of their different calendar and incompatible halakha. Rather than multiplying the number of re-organisers with similar backgrounds, it seems reasonable to identify this Priest with Dositheos. Recension C tells us that his original name was זָרָה (probably = זָרַע *zēra* 'seed', with a deliberate change in the spelling by his opponents). This name was changed to זַרְרֵת *zarrēt*. Both recensions tell us that the name זַרְרֵת or זָרָה was symbolic of his superior and unequalled knowledge.¹²⁰ The bearer of a title like this has identified himself with the supernal Tora, which is the source of all knowledge and wisdom, being the model of Creation. The right or ability to make changes in the text of the book of the Tora would be a natural consequence of this claim. His claim to be superior to other Priests would be based on the idea that they were the guardians of the book, but his knowledge came from the source of the book. He has then put his name in the actual book in the form of an anagram, in the context of the Exodus, in the specific context of the means of salvation from death, and with the implication of the removal of uncleanness caused by contact with corpses, and uncleanness caused by leprosy (צָרַעַת), which according to tradition is the consequence of a deep-seated and stubbornly-held wrong outlook ('sinning'). Labi could hardly have found a more symbolic passage to read. No wonder there was a riot in the synagogue.

Dositheanism is the work of Dositheos, but why Dositheos felt impelled to declare himself, or why anyone should have taken notice of him, we do not

¹¹⁹ Abu 'l-Fath, ed. Vilmar, 83, Scanlon, 76. Recension C. Sulzberger ms., 139b. The printed recension has זַרְרֵת, but the form זָרָה of recension C is preferable, both because of the general superiority of the text of recension C, and because the secondary change of the form of the name within the textual tradition of the book could only have been from the more difficult to the easier form.

¹²⁰ On the concept of the seed, see note 15. One starts to wonder just how much significance the name Dositheos (gift of God) was given by the sectarians. The only objection to all this would be that the term 'the Dositheans' (*ad-Dustān*) is used by Abu 'l-Fath to refer to the sect before this Priest took over. If, however, one reads in context, it seems that the term is a deliberate anachronism so as to have some name for the sect other than 'that lot'. This explanation seems to be almost inevitable in regard to the form of the text of the passage in recension C, in which the name 'Dositheans' is not used till well into the description, where it eventually becomes too awkward to refer to the people under discussion by undefined pronouns. The fact that we are told explicitly that the sect had the same text as other Samaritans, i.e. the text produced by Dositheos was still unknown, right where recension C calls them Dositheans, confirms this interpretation. My analysis of the epithets *zēra* and *zarrēt* is confirmed by the analogy of the sectarian leader Sakta, who is associated with the Dositheans, and whose name is explicitly declared by Abu 'l-Fath to be symbolic, referring to his booth or shelter. Sakta is the correct form: see Bóid, *Principles*, XIII.

know.¹²¹ Perhaps the answer lies in a failure of confidence in the tradition, similar to the one that produced the Qumran sect.¹²² It is probably not an accident that an extreme example of the production of a self-styled book of Scripture has turned up at Qumran in the form of the *Temple Scroll*. What this text seems to be is a thoroughgoing example of the writing down of what Scripture ought to say, but does not say, though the information is supplied by tradition and exegesis. What is written in the Temple Scroll is therefore what the Tora actually says if you know how to read it.¹²³ The Temple Scroll goes far beyond Dositheos's single emendations, but the principle seems to be the same or very similar.

For our present purpose, it is enough to know that Dositheanism is at least as old as the first century C.E.,¹²⁴ that it seems to have had a tremendous impact in its time, and that it would be unsound to regard the Samaritans in this period as having a uniform attitude to the study of Scripture that transcended sectarian boundaries. On the contrary, it seems that there was a radical division in this respect between the Dositheans and everyone else. Aside from this, it is likely, from the information we have about the Sebuaeans, that the differences between the various groups that were not Dosithean were largely administrative.¹²⁵ If they did affect the interpretation of Scripture, it was more likely over the specific interpretation of single passages, according to differences in theological ideas (perhaps also single details of halakhic practice), and not over the principles and methodology of Scriptural interpretation, which, as we have seen,¹²⁶ seem to have been common to groups that disagreed in their theology.

¹²¹ We can at this point remove an obstacle from the path of research. Bowman, *Samaritan Researches*, 46-47 argues for a date in the time of John Hyrcanus. His proof is an alleged quote from the *Kitāb al-Kāfi*, as follows: 'When the Temple was destroyed, some people did not see the need to make a pilgrimage to the mountain, or to worship there; they said that to worship in a synagogue was enough'. Bowman gives no reference for this quotation, but it is clear from allusions to it in *Pilgrimage*, 20 and 22, that he is thinking of ch. 17 of the *Kāfi*. The alleged quotation is imaginary. The nearest equivalent in this chapter, or anywhere else in the book, is the following: 'In our time there are some of the inhabitants of the villages and places close to the mountain that do not bother with the pilgrimage and the formal trip (*al-hajj wa-'s-sa'i*), and make out that the formal trip to the synagogue and seeing the Book and the Priest will do instead of the pilgrimage, at least to some extent'. (The Arabic text is quoted by Halkin, 'Polemics', 57 bottom, and discussed briefly by him in section 4 of his article). Furthermore, contrary to what Bowman says in 'Pilgrimage' 22, the discussion is not about sectarianism, but a straightforward halakhic question.

¹²² Which seems to have originated for the purpose of recovering the correct knowledge of the Tora. See note 128.

¹²³ Yadin, *Temple Scroll*, 390-92.

¹²⁴ The Christian sources make Dositheos himself a younger contemporary of Jesus and a disciple of John the Baptist. See Kippenberg, *Garizimund Synagoge*, 128-33. This dating is not contradicted by the arrangement of the material on the Dositheans by Abu 'l-Fath, or its place beside other material. There are signs of the use of multiple sources, not always well integrated, in these sections of the book. The original sect, whatever it was called, must have arisen before the Christian era. Compare notes 92 and 120.

¹²⁵ See note 94.

¹²⁶ In the discussion on the interpretation of Num 15:31, above.

ANTINOMIANISM

Some later developments of the Dosithean movement, or perhaps independent movements that were later ascribed to the Dositheans, were antinomian.¹²⁷ The study of those movements must await a detailed investigation of the inter-relationship of the movements with each other and with Dositheanism. Till this is done, any study of these movements is likely to confuse the Samaritan movements of decidedly aberrant character with the Gnostic movements of partly Samaritan or Jewish origin.

The great popularity of Dositheanism, along with related movements that were antinomian or were seen by their opponents as being effectively antinomian, would explain many of the hostile references to the Samaritans in rabbinic literature.

The existence of such movements would also account for the favourable reception accorded to Jesus by many Samaritans, and the ready comprehension of his declaration about himself. The authority over the Tora and commandments claimed by Jesus has no parallel in Judaism or normative Samaritanism, but is only a step beyond the claims of Dositheos. This is not to say that Jesus belonged to the Dosithean sect or any related or similar group: on the contrary, all that we can derive from the evidence available is a congeniality of outlook of some Samaritans with the tenets of Christianity.

Relationship to Jewish Theory

We have seen that the Samaritans accept with complete equanimity the fact that much of the necessary information about the details of the halakha is not derivable from the text of Scripture. In this they differ radically from the Qumran sect and the Karaites, who regard, or regarded, the recovery of the knowledge of halakha, once known by tradition but lost because of certain events, by means of midrash as a necessary task which at the start of both sects was regarded as urgent (though both sects later came to accept the need for the passage of time, as practical experience showed that the process was so difficult and laborious, and the information so hidden and recondite in the text of the Tora, that many generations would be needed to complete the task.).¹²⁸ We have also seen that the Samaritans do not accept the rabbinic and Pharisaic theory of two *Torot*, one written and one oral. They also differ from rabbinic Judaism by not being all that interested in establishing the connection between each item of traditional knowledge and the text of the Tora: on the contrary, it is enough to have the information and to know from it how to carry out each item mentioned, however briefly, in the text, without necessarily being able to

¹²⁷ See Abu 'l-Fath, translated by Scanlon (in Isser, *Dositheans*, 80-81). Not all the sects listed here were antinomian. On Gnostic developments see Fossum, *Name of God*.

¹²⁸ For what is said here about the theory of Tora of the Qumran sect and the Karaites I am heavily dependent on Wieder, *Judean Scrolls*, specially ch. 2.

derive the information from the text itself by any kind of formal exegesis. This distinctive theory of the function of tradition, along with the equally distinctive equanimity of outlook, are characteristic of only one Jewish group, the Sadducees.

SAMARITANS AND SADDUCEES

The Talmud, and the Gemara to *Megillat Taanit*,¹²⁹ remark on the ineptness of Sadducean proofs from Scripture to support their opinions. What does not seem to have been noticed in the accounts of the Sadducean responses is that most of the Sadducean representatives are unable to offer any proof from Scripture at all, inept or not, which means they did not normally derive halakha by exegesis. The Pharisees accuse them of only being able to offer 'useless talk' instead of the 'perfect Tora' of the Pharisees. In the context, this means that they were only able to offer information about the halakha, but were not able to rely on the union of an oral Tora and a written Tora. In another place, the Gemara to *Megillat Taanit*¹³⁰ tells us that they had traditional knowledge of halakha, but that it was not treated by them as equal in status to the text of the Tora. All of this corresponds exactly to the Samaritan outlook.

The resemblance goes deeper. We are told, in the passage just mentioned, how they interpreted the text of Scripture to derive items of halakha. In their method of interpretation, and the theory that is assumed, they agree with the Samaritans. The explanation is provided by means of three examples, which have been consistently misunderstood. We are told that the Boethusians took the expression 'an eye for an eye, a tooth for a tooth' in Exod 21:24 to mean that the same injury had to be inflicted on the perpetrator. Contrary to popular belief, rabbinic exegesis interprets this expression the same way. The reason that monetary compensation can be substituted is that other verses show that the perpetrator is not to bear the consequences that he is actually liable to: instead, strict justice is to be suspended by mercy.¹³¹ The Boethusians, we are told, said that the perpetrator had to be made equal to the injured person. Contrary to popular opinion, this was actually their way of removing any physical penalty from the perpetrator. The Samaritans and some Karaites argue that a physical penalty can never legally be carried out, because no two people are in exactly the same state of health, physical condition, or age, or have

¹²⁹ Gemara to *Megillat Taanit* 21 (entry for the 27th Marheshwan), translated by Le Moyne, *Sadduceans*, 290; *B.T. Bava Batra* 115b-116a, translated by Le Moyne, 300; *B.T. Menahot* 65a, translated by Le Moyne, 184. The first two passages deal with the Sadducees *sensu stricto*, and the third with the Boethusians. In all three the main rabbinic spokesman is Rabban Yohanan ben Zakkai, and in all three there is a similar pattern and similar statements by the protagonists.

¹³⁰ Gemara to *Megillat Taanit* 12 (entry for the 4th Tamuz), translated by Le Moyne, *Sadduceans*, 219-20. The reference is to the Sadducean *Book of Decrees*.

¹³¹ There is a masterly exposition of this issue by Halevi in his *Dorot ha-Rishonim*, part 2 or 1c (depending on the edition used), ch. 17.

exactly the same range of normal activities, which means that no physical penalty could ever be exactly appropriate in any case.¹³² The Karaite commentators use this legal technicality for the purpose of leniency. On the Samaritan side, see the commentary *Kāshif al-Ghayāhib*¹³³ on Exod 21:24. If I understand the author correctly he raises the possibility that instead of a monetary fine, or compensation, no penalty at all may be legal. (The Samaritan commentator quotes directly from the Karaite commentary *Keter Tora* in some places in this discussion, but is careful to only quote the arguments on the side that he agrees with.) We conclude that the Samaritan exegesis of the text, and the Samaritan halakha, in this instance, agree with the Boethusian exegesis and halakha.

The third example of Sadducean interpretation is Deut 25:9. The rabbinic comments on the word בפניו try to prove that in this particular instance the word means 'in his presence'. The Sadducees, we are told, took the word literally. It is quite possible that they followed the Samaritan principle that an expression can have more than one literal meaning, but that in any given case you can choose one and reject the other by various criteria. The Samaritans accordingly take 'in his presence' as being the literal meaning of the word in this passage, even if it has a different literal meaning elsewhere. (Compare the Samaritan Targum with the recensions of the Arabic Version.)

It can be conjectured that a similar explanation applies to the second example, Deut 22:17 'And they shall spread the garment before the elders of the city'. The assertion is that the phrase ופרשו השמלה (which would normally mean 'they are to spread the garment') is to be taken literally, presumably in opposition to the usual rabbinic interpretation of it as a metaphor meaning that the matter is to be clarified.¹³⁴ There is no extant Samaritan commentary on the whole of Deuteronomy, and I do not know of any discussion of this verse in any Samaritan text. It is perhaps only stating the obvious (though the point seems to have been generally overlooked) to point out that a שמלה is a cloak or shawl, which is not a normal item of bedding and will not get stained with blood, so it is very difficult to make the literal meaning of the verse refer to any actual spreading out of a piece of cloth. (Attempts to make the word mean some specific piece of cloth have been made, notably by the Ramban, but they are artificial and contrived.) It follows that the meaning of 'clarifying the matter' is left as the only possible meaning, and that it is quite reasonable to insist that the metaphorical meaning is in this case the intended literal meaning; or better, to argue that the word שמלה here does not mean 'cloak' but rather 'quality, nature, circumstances' (just as its Arabic cognate has both of these sets of

¹³² Revel's discussion of this issue ('Karaite Halakah', 56-57) has some value, but his conclusions are vitiated by his failure to see the significance of the requirement of equality in the Boethusian, Karaite, and Samaritan argument, and to understand the rationale of the rabbinic exegesis. (In spite of his reference to Halevi, he has not registered Halevi's main argument.)

¹³³ In the section edited by Klumel, *Mischpātim*.

¹³⁴ Cf. Kasher, above, pp. 554, 578.

meanings), and that the meaning of 'clarifying the matter' is indeed the literal meaning. I am inclined to think that this is what R. Eliezer ben Yaakov meant by his comment on the verse, as quoted in the *Midrash Tannaim* and *Sifrei*, in opposition to the usual metaphorical interpretation. If this second explanation is correct, then we have another instance of the use of the rule mentioned above, that when a word or phrase can have more than one literal meaning you choose the meaning that is more appropriate in the context.

The application of Samaritan theory seems to work consistently for what else is known of the Sadducean theory of the interpretation of the Tora. Josephus tells us that the Sadducees would not accept any practice as valid unless it was mentioned in Scripture. The comment refers to popular practices instituted by the Pharisees on the basis of tradition. One thinks of the washing of hands as a possible example. The Sadducees seem to have been following the Samaritan principle that any amount at all of details of halakha can be known by tradition alone, provided there is at least a bare mention of the existence of the whole area of halakha somewhere in the text.¹³⁵ We know that this was precisely the objection of the Sadducees to the doctrine of resurrection: that it was not mentioned even briefly in the text, explicitly or implicitly.¹³⁶ As we have seen, the debate between different Samaritan groups over resurrection probably took the same form.

It must not be assumed that the agreement in theory and methodology between the Samaritans and the Sadducees necessarily means agreement in the actual details of halakha and theology.¹³⁷ It would be reasonable to assume a tendency for such agreement to occur, but in any particular case, the Samaritans and Sadducees could equally well agree or disagree. Besides which, there is extensive disagreement over details within the Samaritan tradition itself, which is at least equal to the amount of disagreement between different Jewish groups.¹³⁸

Bibliography

The number of directly relevant published works is quite limited. Systematic scientific study of the Samaritan use and exegesis of Scripture starts with GEIGER, *Ha-Mikra ve-Targumav* (= *Urschrift*); 'Theologie und Schrifterklärung'; 'Gesetzlichen Differenzen'; 'Neuere Mittheilungen'; and scattered observations. Geiger's findings on the Samaritans are still valid, whether or not his

¹³⁵ Josephus, *Ant.* 13:297-98. Once again, the evidence, when read in the light of Samaritan principles, does not suggest rigidity or literalism at all on the part of the Sadducees.

¹³⁶ See, e.g., *B. T. Sanhedrin* 90b.

¹³⁷ Some material on this question was studied by Revel in his 'Karaitic Halakah', but his work suffers from inadequate knowledge of Samaritan halakha and a rather uncritical attitude to the common scholarly assumptions about the Sadducees (see above, note 132).

¹³⁸ See Bóid, *Principles*, Conclusions, 309-16, for extensive evidence of halakhic disagreement. An example of a major theological disagreement over the question of resurrection was discussed above.

more general theories are accepted. The longest study on the subject since Geiger is Lowy's *Principles*. Unfortunately, most of the examples are not quoted extensively and the book is quite expressly tendentious. All arguments are continually brought back to the theme of a supposed Samaritan rigid literalistic exegesis, combined with arbitrary flights of fancy, which they are supposed to share with all or most Jewish groups except for Pharisaic-rabbinic Judaism.

Examples of aggadic exegesis can be found in GASTER's *Samaritan Eschatology*, or in the *Asáfir* (to be read in BEN-HAYYIM's edition or Gaster's translation). See also T.H. GASTER, *Samaritan Poem*. BÓID, *Principles* can be used as a source-book of halakhic exegesis, as well as an exposition of theory. More examples are given by Geiger. BÓID's 'Halakha', in the forthcoming volume on the present state of Samaritan studies mentioned below, can be used as a condensed exposition of some aspects of halakhic exegesis.

On the nature of the Tora the best published source is Marka, to be read in HEIDENHEIM's translation (*Bibliotheca Samaritana*, part 3). A new edition and translation by BEN-HAYYIM is in preparation.

On the Samaritan expression of the religion of Israel in general, see MACDONALD's *Theology* (indispensable, but to be used with great care on account of the author's tendency to put incipient Christian ideas into his sources); GASTER, *Samaritan Eschatology* and *The Samaritans* (not to be trusted on details or facts, but full of valuable insights); HALL, *Samaritan Religion* (a good survey of the primary sources); FOSSUM, *Name of God* (relevant for its background information, but not its main theme); BROADIE, *Samaritan Philosophy*. BOWMAN's translations in his *Samaritan Documents* are untrustworthy. A typical example is discussed in BÓID, *Principles*, p. 227. One might also compare his translations of the passages on the Dositheans with SCANLON'S (in Isser, *Dositheans*, 75-82).

The fortnightly periodical *Alef-Bet: Hadshot ha-Shomronim* is an indispensable source of all kinds of information. Further references can be got from CROWN, *Bibliography*. A volume of articles on the present state of knowledge of numerous aspects of Samaritan studies, under the general editorship of Professor Crown is to be published in Tübingen.