

Moving the Boundary: The Metaphorical Use of a Literal Prohibition in the Second Temple Period

In a half dozen passages, the Hebrew Bible expresses disapproval of moving the boundary (הָסִיג הַגְּבוּל): twice in Proverbs, twice in Deuteronomy, and once each in Hosea and Job. In Proverbs and Deuteronomy, moving the boundary is broadly legal, condemning the practice of stealing from one's neighbor by moving boundary markers.¹ These texts countenance an actual practice, an assertion that can be strengthened through an appeal to comparative literature from the ancient Near East. The book of Job appeals to this literal sense, while Hosea 5:10 utilizes the phrase as a figure of speech. However, in a range of texts from the Second Temple period, moving the boundary is encountered as a metaphor. Its usage is no longer restricted to the conceptual field of property law, but expands in several directions. In this paper, I argue that the literal sense of moving a boundary marker lends itself to application in two particular conceptual fields: sin as transgression of a boundary and one's life as a divinely granted inheritance. After demonstrating this conceptual migration, I will briefly suggest that the use of legal material as a source for literary metaphor deserves further investigation.

I. Moving the Boundary as a Metaphor

Moving the boundary is first encountered in sapiential and legal contexts in the Hebrew Bible. In both contexts, a specific kind of theft of another's property—moving a boundary shared in common with another's property—is declared illicit. When encountered in later texts, this

¹ It goes without saying that the relationship between biblical texts and ancient Near Eastern legal practices has been the focus of significant study and questions of the purpose of biblical and ancient Near Eastern legal texts remain fraught with difficulty. This paper does not assume that biblical legal texts intended to mandate specific enforceable stipulations, but rather assumes (aided by a brief textual demonstration) that a known legal practice stands at some point in the background of the prohibition against moving boundary markers.

specific phrase may take on metaphorical senses that are no longer directly tied to property law. The movement of the meaning of the prohibition into metaphorical usages in an ancient context is illustrated by Philo of Alexandria. In his *De specialibus legibus* 4.149–150, Philo quotes Deut 19:14 (μη μετακινειν ὄρια τοῦ πλησίον, ἃ ἔστησαν οἱ πρότεροί σου)² as a warrant for respecting established tradition. Philo acknowledges the original source of the metaphor, stating that it refers “to inheritances ... and to the boundaries of the land” (κλήρων ... γῆς ὄρων). However, on the basis of its “great common utility” (κοινωφελής), Philo uses moving the boundary figuratively in several works, with the boundary standing figuratively for virtue (*Legum allegoriarum* 3.107), the good (*De posteritate Caini* 84), divine law (*De posteritate Caini* 89), and ancestral traditions (*De specialibus legibus* 4.149–150).³ Philo demonstrates that an awareness of the original sense of a phrase did not exclude its applicability in other domains. This will prove true of other metaphorical uses of moving the boundary, an insight that is crucial for understanding the metaphor. Some awareness of the source domain is necessary for a metaphor to communicate effectively, although a metaphor can be applied to various target domains.⁴

² Codex Vaticanus (B) reads οἱ πατέρες σου instead of οἱ πρότεροί σου, but the Philonic reading is found in several other LXX manuscripts.

³ Peder Borgen, Kåre Fuglseth, and Roald Skarsten, *The Works of Philo: Greek Text with Morphology*, (Bellingham, Wa: Logos, 2005). In Yonge’s translation, the passage reads as follows: “There is also this commandment ordained which is of great common utility, that, “Thou shalt not move thy neighbours’ landmarks which the former men have set up.” And this injunction is given, as it seems, not only with respect to inheritances, and to the boundaries of the land, in order to prohibit covetousness respecting them, but also as a guard to ancient customs....”

⁴ The language of source and target domains is discussed in multiple studies of metaphor, both with particular reference to the Hebrew Bible and in general. Two helpful discussions of biblical metaphor can be found in Sarah Dille’s *Mixing Metaphors: God as Mother and Father in Deutero-Isaiah* (London: T & T Clark, 2004), 1–20 and Olaf Jäkel’s “How Can Mortal Man Understand the Road He Travels? Prospects and Problems of the Cognitive Approach to Religious Metaphor” in *The Bible through Metaphor and Translation: A Cognitive Semantic Perspective* (ed. Kurt Feyaerts; Bern: Peter Lang, 2003): 55–86, especially 56–59.

II. A Literal, Legal Context for the Moving the Boundary Prohibition

Two formal characteristics, a *hiphil* form of verb סוג with the noun גבול as its object, mark the prohibition against moving the boundary in the Hebrew Bible. The *hiphil* of סוג carries the sense of displacement and is distinguished from the *qal* and *niphal* stems, which carry the sense of turning back.⁵ The noun גבול occurs in multiple contexts, most often signifying the boundaries of a tribe or polity, but also the boundary of the sea, as well as the fixed boundary or boundary marker of one's neighbor. This final usage in the Hebrew Bible, גבול as a boundary marker, seems to be derived specifically from the phrase moving the boundary.

Table 1: Moving the Boundary Passages in the Hebrew Bible and Dead Sea Scrolls			
Reference	Text	Figurative / Metaphor	Miscellaneous Comments
Prov 22:28	אל־תסג גבול עולם אשר עשו אבותיך	No	Proverbs and Deuteronomy and ANE parallels provide good reason for thinking that moving boundary markers was an actual practice that caused social concern.
Prov 23:10	אל־תסג גבול עולם ובשדי יתומים אל־תבא כִּי־גאלם חזק הוא־יריב את־ריבם אתך	No	
Deut 19:14	לא תסיג גבול רעך אשר גבלו ראשנים בנחלתך אשר תנחל בארץ אשר יהוה אלהיך נתן לך לרשתה	No	
Deut 27:17	ארור מסיג גבול רעהו ואמר כל־העם אמן	No	
Job 24:2	גבלות ישיגו	Maybe	First in a list of sins of the wicked; perhaps being used stereotypically.
Hos 5:10	היו שרי יהודה כמסיגי גבול עליהם אשפוך כמים עברתי	Yes	Formally a simile; the extent of its figurative language depends in part on interpretation of its context.
Damascus Document CD I, 16	ולסיע גבול אשר גבלו ראשנים בנחלתם	Yes	1. The occurrences in CD-A, CD-B, and 4Q266 are consistent in using boundary
Damascus Document	עמדו מסיגי הגבול ויתעו את	Yes	

⁵ Micah 6:14 is the only occurrence of the *hiphil* of סוג without גבול as its object in the Hebrew Bible. However, Micah 6:14's וְתִסַּג could be construed as *niphal* form without altering the consonantal text.

CD V, 20	ישראל		language spatially: sin consists of transgressing, moving, or removing the boundary. 2. Deuteronomy appears to provide the background for most of these occurrences, with the exception of the explicit citation of Hos 5:10 in CD XIX, 15–16.
Damascus Document CD XIX, 15–16	הוא היום אשר יפקד אל כאשר דבר היו שרי יהודה כמשיגי גבול עליהם אשפך כמים עברה	Yes	
Damascus Document CD XX, 25	וכל אשר פרצו את גבול התורה	Yes	
Damascus Document ^a (4Q266) 1 a-b, 4	...למסיגי גבול	Yes	
Damascus Document ^a (4Q266) 11, 12	וגבולות הגבלתה לנו אשר את עובריהם ארותה	Yes	
4Q Instruction-like Work (4Q424) 3, 9	הוא בעל ריב לכול מסיגי גבול	Yes	In a wisdom context, but seems to employ the same spatial sin metaphor as the Damascus Document
4Q Curses (4Q280)	... שיגו הגב ...	Yes	Broader context of covenant curses may suggest a link to Deuteronomy 27:17
4Q Instruction ^b (4Q416) 2 III, 8–9	אל תתאו זולת נחלתכה ואל תתבלע בה פן תסיג גבולכה	Yes	Direct link between boundary and inheritance indicates a different metaphorical conception than the Damascus Document
4Q Instruction ^b (4Q416) 2 IV, 6	ואשר ימשול בה זולתכה הסיג גבול חייהו	Yes	Probably still functioning within the bounded inheritance metaphor
Serek Hayahad (1QS) X, 11	ובהיותם אשים גבולי לבלתי שוב	Yes	The other side of the spatial sin metaphor in the Damascus Document
Serek Hayahad (1QS) X, 25	ובערמת דעת אשוך °° דה גבול סמוך	Yes	Still in the realm of individual action; גבול סמוך is unique

A. The Original Sapiential or Legal Context of Moving the Boundary

The four occurrences of moving the boundary in Proverbs and Deuteronomy should be set within a broader ancient Near Eastern sapiential and legal context. Michael V. Fox argues that both Prov 22:28 and Prov 23:10–11 are literarily dependent upon the Egyptian sapiential text, *The Wisdom of Amenemope* §6:

Do not displace the stone on the boundary of the fields,
nor move the position of the measuring cord.

Do not be greedy for (even) a cubit of a field
nor encroach on the boundary of the widow.
The trodden furrow shortens the lifetime
of him who cheats in the fields.
Should he ensnare (something) by false oaths,
he will be caught by the powers of the Moon.

...

Beware of encroaching on the boundaries of the fields,
lest a terror take you away.

...

One pleases God by the powers of the Lord,
(in) determining the boundaries of the fields.⁶

Fox argues that literary dependence can best be explained by assuming that the author of this portion of Proverbs had a Hebrew or Aramaic translation of the Egyptian document available to him.⁷ Prov 22:28 and 23:10–11 represent a Hebrew adaptation of their Egyptian source, which is most evident in the expansion in 23:10–11 that highlights YHWH's role in protecting the socially vulnerable.⁸ According to Harold Washington, the redeemer cited in 23:11 should be understood on the basis of the reference to the moon in *Amenemope* §6.⁹ YHWH as divine redeemer will ensure the vindication of the needy.

In addition to providing a literary source, *Amenemope* §6 provides a social and legal background for the Proverbs passages. Washington argues that Egyptian officials or scribes

⁶ Michael V. Fox, *Proverbs 10–31: A New Translation with Commentary* (AB 18b; New Haven: Yale University Press, 2009), 718, 730–733, here 731–732.

⁷ Fox, *Proverbs 10–31*, 754.

⁸ Compare Prov 15:25 in which YHWH tears down the house of the arrogant, but fixes the boundary of the widow (בית גאים יסחו יהוה ויצב גבול אלמנה).

⁹ Washington, *Wealth and Poverty in the Instruction of Amenemope and the Hebrew Proverbs* (SBL Dissertation Series 142; Atlanta: Scholars Press, 1994), 189: “The Moon again represents Thoth, so the threat, ‘He will be caught by the might of the Moon’ is materially identical to the Hebrew warning, ‘Their Redeemer is strong, and he will plead their case against you’ (Prov 23:11). The Hebrew passage adapts the expression to the Israelite cultural context.”

would move boundaries on behalf of wealthy clients.¹⁰ Fox notes that this was a particular problem in Egypt, since fields were marked off yearly after the Nile had flooded:

The scribes who kept records of the landholdings would mark the boundaries anew with measuring lines. The mention of the cord indicates that the crime envisioned here is that of a scribe aggrandizing his own property, or, more likely, a protector's or briber's, by the dishonest configuration of the fields.¹¹

Thus, an actual social and legal reality seems to exist behind the text of *Amenemope*.

The literary dependence of Deut 19:14 upon the prohibitions in Proverbs has been argued by Moshe Weinfeld and Joseph Blenkinsopp in addition to Fox.¹² For Blenkinsopp, minimal distance exists between the sapiential and legal traditions.¹³ The prohibition in Deuteronomy 19:14 is similar to that of Prov 22:28 or 23:10; although it uses the negation \neg rather than Proverbs' \neg . A different form is encountered in Deut 27:17, in which moving the boundary is included within a series of cursed behaviors. The common link between the cursed behaviors is not entirely apparent, it has been suggested that these were sins committed in secret.¹⁴ However, the opposite has recently been argued by David Clines with respect to Job 24:2:

We need to observe that people do not get up in the middle of the night and move a neighbor's boundary stone, to the consternation of the landholder the next morning. When landmarks are moved, there is at least a tacit approval by the community, and those

¹⁰ Washington, *Wealth and Poverty*, 188.

¹¹ Fox, *Proverbs 10–31*, 732.

¹² Moshe Weinfeld, *Deuteronomy and the Deuteronomy School* (Oxford: Oxford University Press, 1972) 265–267; Joseph Blenkinsopp, *Wisdom and Law in the Old Testament* (Oxford: Oxford University Press, 1995), 32; Fox, *Proverbs 10–31*, 732–733.

¹³ Blenkinsopp, *Wisdom and Law*, 111.

¹⁴ So Peter C. Craigie, *Deuteronomy* (NICOT; Grand Rapids: Eerdmans, 1976): 331. Craigie writes, “It is difficult to determine a single unifying theme underlying the various acts that are placed under the curse. It is possible, however, that *secrecy* (see *in secret*, vv. 15, 24) might be considered such a theme. That is to say, there were certain crimes committed which by their very nature might not be discovered and therefore would not be brought to trial.”

responsible believe they are within their rights in so doing, and may in fact have the law on their side.¹⁵

If Clines is correct, the nature of the offense described in Proverbs and Deuteronomy need not be considered secretive. In either case, with prohibition and curse, Deuteronomy reinforces the legal requirement to respect the physical boundaries shared with one's neighbor. In this, it is consistent with the concern embodied by the wisdom of *Amenemope* and Proverbs.

B. Mesopotamian Concern for Preserving Property

Fox provides sufficient evidence to regard *The Wisdom of Amenemope* as the literary source for Proverbs 22 and 23. However, without making any other claims regarding literary relationships, additional ancient Near Eastern evidence may be adduced to demonstrate the pervasiveness of concern with boundaries.

Kathryn Slanski's analysis of the corpus of Mesopotamian *narûs* (traditionally referred to as *kudurrus*) demonstrates that the *narûs* were concerned with preserving entitlements. Slanski differentiates between these *narûs* and actual boundary markers: *kudurru* and *pulukku* served as boundary markers¹⁶ while *narûs* were monumental in nature and were placed in cultic settings.¹⁷ In a cultic setting, the *narû* commemorated a received entitlement of some form.¹⁸ Slanski's final definition of the *narû* is as follows:

In sum, the Babylonian Entitlement *narûs* are stone artifacts in the shape of stelae, tablets, or plaques.... The artifacts are designated in their inscriptions as *narûs*, that is, '(stone) stela' or '(stone) monuments'. Their inscriptions, in Middle-Babylonian or

¹⁵ David J. A. Clines, *Job 21–37* (WBC 18A; Nashville: Thomas Nelson, 2006): 602.

¹⁶ Kathryn Slanski, *The Babylonian Entitlement narûs (kudurrus). A Study of Their Form and Function* (Boston: ASOR, 2003), 28.

¹⁷ Slanski, *Entitlement narûs*, 57.

¹⁸ Slanski, *Entitlement narûs*, 105–110, argues against Gelb that the original setting for a *narû* would have been at the boundary of the property in question.

Neo-Babylonian lapidary script, describe the acquisition or affirmation of an entitlement to an ongoing source of income, and take pains to ensure that the entitlement be permanent, that is, hereditary.¹⁹

Thus, the *narû* is not analogous to the Hebrew גבול. Yet in a different context, the *narû* attests to the need to formally act to preserve property; the prohibition of moving boundary markers in the ancient Israelite context expresses a similar concern.

Another Mesopotamian parallel can be found in Tablet B of the Middle Assyrian Laws, which deal with annexing property illegally by altering boundaries. Both the large-scale (MAL B8) and small-scale (MAL B9) annexations are condemned and multiple sanctions are imposed.²⁰ MAL B20 also concerns altering the boundaries, although its text is less well-preserved.²¹

A third Mesopotamian parallel, a case from Nuzi, should also be mentioned. Samuel Greengus uses it to validate the concern for property manifested in legal collections like the MAL:

In the Nuzi archives, from the last half of the second millennium, we have a record wherein a man confesses that he did indeed steal an area of his neighbor's field lying next to the boundary of his own and that he did destroy the existing boundary line between their properties. He was sentenced to repay an area twice what he stole plus amounts of grain and straw equal to what would be expected as yield from the area taken, multiplied by the number of years (three) that he held illegal possession of that area.²²

¹⁹ Slanski, *Entitlement narûs*, 180. Peter Stein's recent analysis of the Tayma' Stele ("Ein aramäischer Kudurru aus Taymā'," pp. 219–245 in *Babylonien und seine Nachbarn in neu- und spätbabylonischer Zeit: wissenschaftliches Kolloquium aus Anlass de 75. Geburtstags von Joachim Oelsner, Jena 2 und 3 März, 2007* [Hans Neumann and Manfred Krebernik, eds.; Münster: Ugarit-Verlag, 2014]) argues that it properly belongs in this category as well.

²⁰ Martha Tobi Roth et al., *Law Collections from Mesopotamia and Asia Minor* (2nd ed.; WAW 6; Atlanta, GA: Scholars Press, 1997), 178.

²¹ Roth, *Law Collections*, 182.

²² Samuel Greengus, *Laws in the Bible and in Early Rabbinic Collections: the Legal Legacy of the Ancient Near East* (Eugene, Ore.: Cascade Books, 2011), 239.

Greengus comments, “The centuries of cuneiform writing yield further evidence that boundary violations were indeed prosecuted and punished.”²³ The violation of boundaries was not merely a literary *topos* found in the Mesopotamian legal collections.

In summary, the prohibitions against moving boundary markers and the curse upon those who do which are found in Proverbs and Deuteronomy seem to draw on a concern for maintaining the sanctity of property that is also found in Egyptian and Mesopotamian parallels. There is evidence from both Egypt and Mesopotamia that suggests this was a real social and legal concern. As a result, these prohibitions and curses found in Proverbs and Deuteronomy may be seen as representatives of a social and legal concern in the Hebrew Bible.

III. How Metaphorical is Hosea 5:10?

It is against the sapiential and legal backdrop suggested by Proverbs and Deuteronomy that the figurative or metaphorical use of the prohibition can be explored. The other two occurrences of the moving the boundary prohibition in the Hebrew Bible occur in Job 24:2 and Hosea 5:10. Job 24:2 uses the phrase גבלות ישיגו as the first accusation in a catalogue of the offenses of the wicked. This usage need not be figurative at all; however, its position at the beginning of a list of vices might suggest that it being used paradigmatically: the wicked habitually move boundaries.

In Hos 5:10, moving the boundary is used figuratively. This is signaled by the preposition כ: כמים עברתי: “The chiefs of Judah are like the movers of a boundary marker; against them I will pour out my wrath like water.” Although the preposition marks this as a figure of speech, the extent to which the prohibition is figurative is a matter of interpretation. Albrecht Alt argued for an essentially literal understanding based on his

²³ Greengus, *Laws in the Bible*, 239.

historical reconstruction of the events underlying Hos 5:8–6:6. For Alt, Hos 5:10 was the second in a series of oracles concerning a Syro-Ephraimite conflict with Judah in 733/732 BCE.²⁴ He argued that Hosea condemned the princes of Judah who sought to annex territory while Israel was occupied with the approaching Assyrian threat: “*Die Annexionspolitik der Judäer bedroht Hosea mit einem Erguß des göttlichen Zornes.*”²⁵ Thus, for Alt, Hosea’s use of language is appropriate to the historical situation: a simple analogy can be drawn from the legal sense of the prohibition to the political situation of Judah and Israel. In both cases, a physical boundary that should be respected is violated.

Edwin Good challenged the assumption that a conflict can be reconstructed from the prophet’s words.²⁶ For Good, Hos 5:8–6:6 is marked throughout by the announcement of a legal decision and by liturgical overtones:

The poem does not turn on a prophet's private view of certain historical events, though the one clear historical allusion, Ephraim's going to Assyria in 5:13, is not to be denied, nor does it undercut the present argument. The poem turns on the imagery associated with the renewal of the covenant and the maintenance of God's justice in and over Israel.²⁷

Thus, for Good, the figurative usage of moving the boundary is much further removed from its original literal sense. He states, “When we note that the curse of Deut 27:17 is in the context of cursing in a covenantal ratification ceremony, it may be suggested that the princes of Judah are being here declared ‘beyond the pale’ of the covenant by their transgression of its law.”²⁸ Thus,

²⁴ Albrecht Alt, “Hosea 5,8–6,6:Ein Krieg und seine Folgen in prophetischer Beleuchtung,” pp. 163–187 in *Kleine Schriften zur Geschichte des Volkes Israel* (vol. 2; München: C.H. Beck’sche, 1953).

²⁵ Alt, “Hosea 5,8–6,6,” 173.

²⁶ Good, “Alternative to Alt,” 275.

²⁷ Good, “Alternative to Alt,” 283–284.

²⁸ Good, “Alternative to Alt,” 277.

no actual boundaries were harmed in Hos 5:10. Rather, the figurative language of violating boundaries serves to indict the leaders of Judah as particularly outrageous lawbreakers. Good's interpretation of Hos 5:10 suggests that it anticipates the metaphorical use of the prohibition that will be found in the Dead Sea Scrolls.

IV. The Metaphorical Moving of Boundaries in Second Temple Literature

The Dead Sea Scrolls present a markedly different pattern of usage for moving the boundary than the Hebrew Bible. The original legal sense does not appear to be primary. Phrases with a verbal form of סוג and the noun גבול occur at least a half dozen times; additionally, there are phrases in which גבול occurs with the sense of a boundary, but in which no form of סוג occurs. These latter occurrences must be handled with some caution, since allusion to the prohibition can no longer be demonstrated by vocabulary alone. Context must therefore be appealed to and respected. As a group, both references and allusions to the prohibition demonstrate that moving the boundary was more flexible than might have been anticipated by its usage in the Hebrew Bible. I will group these occurrences of moving the boundary into three categories: first, those that use moving the boundary as a spatial metaphor for sinning; second, those that use moving the boundary in the context of accepting one's divinely granted inheritance; and third, those that use boundary language positively in the context of personal piety.

A. Moving the Boundary as a Spatial Metaphor for Sin

The first metaphorical use of moving the boundary describes sins past and present, primarily in the Damascus Document. Meir Malul notes that a number of biblical conceptions of sin conceive of it in spatial terms:

A cursory perusal of such Heb. terms and verbs as *pāšaʿ*, *ḥāṭaʿ*, *nābal/nibbel*, *ʿāwâ*, as well as their derived nouns *pešaʿ*, *ḥēṭʿâ*, etc., *nābāl*, *ʿāwôn*, reveals their basically spatial nuance of moving aside or outside of some accepted lines of conduct. The sinner or criminal is the person who transgresses some established border, misses some agreed upon line of conduct, or twists his way.... Crime and sin, according to biblical *Weltanschauung*, were thus perceived in spatial terms, as moving out, transgressing, or trespassing the borders of society.²⁹

This observation suggests that moving the boundary, which was already concerned with space, borders, and boundaries, was a quite easily adapted to this metaphorical usage. The Damascus Document employs the metaphor numerous times. In CD I, 16 and V, 20, removing the boundary is one of the sins committed by previous generations.³⁰ In CD I, 15–16, the community wandered in a trackless wilderness and brought themselves under judgment in three ways, each marked by an infinitive phrase: by bringing down ancient heights (להשח גבהות עולם), by turning away from righteous paths (ולסור מנתיבות צדק), and by removing the boundaries with which the former ones marked their inheritance (ולסיע גבול אשר גבלו ראשנים בנחלתם).³¹ CD V, 20 uses similar terminology, speaking of those who moved the boundary (מסיגי הגבול) and led Israel astray in the age of devastation.

References to moving the boundary in CD XIX, 15–16 and XX, 25 speak of future divine judgment against those who move the boundaries. CD XIX, 15–16 explicitly cites Hos 5:10–11

²⁹ Malul, *Knowledge, Control, and Sex*, 454–455.

³⁰ Menahem Kister, “Some Aspects of Qumranic Halakhah” in Julio Trebolle Barrera and Luis Vegas Montaner, eds., *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March, 1991* (STDJ 11/2; Leiden: Brill, 1992): 574–576, argues that CD 1:16 represents a polemic against the Pharisees over halakhic interpretation (the Pharisees have moved the boundary, while the covenanters hold to the practices established by the fathers). This is certainly a plausible reading of CD 1:16, since CD 1:12 may place the historical context in the recent past and CD 1:18 speaks of seeking “smooth things” (חלקות), a possible pun on halakhah. However, it is not entirely clear that CD 5:20 has the same time frame in mind. CD 5:20 appears to refer to sins committed that led to conquest by the Babylonians. For the position that CD 1:16 and 5:20 refers to the Babylonian conquest, see Yonder Gillihan, *Civic Ideology, Organization, and Law in the Rule Scrolls: A Comparative Study of the Covenanters’ Sect and Contemporary Voluntary Associations in Political Context* (STDJ 97; Leiden: Brill, 2012), 141.

³¹ Both the text of CD-A and 4Q266 2ii read לסייע rather than לסיג, making it less likely that this reading is the result of scribal error. Rather, it demonstrates that the *Damascus Document* freely adapts the prohibition.

with an introductory formula, כאשר דבר. The citation varies from the Masoretic text in several ways: the participle משיגי has a ש rather than the MT's ס, the MT's אשפוך is written defectively, and עברה does not have the MT's pronominal suffix. Only the last of these represents a significant alteration. CD XX, 25 also speaks of a future judgment for all those from among those who enter the covenant who break out of the boundaries of Torah (וכל אשר פרצו את גבול) (התורה); using פרץ to describe the transgression of the boundary.

In 4Q Damascus Document^a (4Q266), two additional references are found. First, in an introductory section not shared by CD, the text warns of God's wrath against the movers of the boundary (למסיגי גבול; frag. 1, 4). Second, in frag. 11, lines 12–13, while blessing God, the priest says, “You established boundaries for us, and you curse those who transgress them” (וגבולות) (הגבלתה לנו אשר את עובריהם ארותה). The language of cursing is suggestive of Deut 27:17.

The occurrences of moving the boundary in the Damascus Document are marked by a discernable indebtedness to material from Deuteronomy and Hosea; however, that indebtedness does not require the use of the verbal root סוג. Only half of the occurrences use סוג; three other verbal roots (נסע, פרץ, and עבר) are used. The stronger indication of references to the biblical prohibition lies with the noun גבול, which occurs only in these passages in the Damascus Document.

In 4Q Curses (4Q280) and 4Q424 (4Q Instruction-like Work), additional uses of moving the boundary as a metaphor for sin are found. The relevant fragment from 4Q Curses only clearly has the letters ...שיגו הגב... but Bilhah Nitzan concludes that they represent an allusion to moving the boundary.³² Little can be said beyond this, although the language of cursing elsewhere in the document is suggestive of a connection to Deut 27:17. 4Q424 3, 9 describes a

³² Bilhah Nitzan, “4Q280” in Chazon, et al., *Poetical and Liturgical Texts, Part 2* (DJD 29; Oxford: Clarendon, 1999), 8.

righteous person as one who contends with all the “movers of the boundary” (הוא בעל ריב לכול) (מסיגי גבול).³³ The surrounding context is damaged, but it seems likely that the pronoun הוא refers back to איש חיל in line 8. Sarah Tanzer notes that eleven preserved or reconstructed sayings in 4Q424 begin with איש followed by a descriptive adjective; it is one of the identifiable literary forms in the text.³⁴ So the tone of 4Q424 is similar to that of the Damascus Document or Prov 23:11.³⁵ The specific sins of those who move the boundary are not further described.

The use of moving the boundary in the Damascus Document is consistent. Although the specific sins cannot be identified, despite Kister’s efforts to link CD I, 16 to halakhic concerns, it is clear that transgressions past and present are being described as transgressions of a boundary. 4Q Curses and 4Q424 appear to reflect a similar understanding. Can more be said about these occurrences? Michael Fishbane identified three significant kinds of aggadic exegesis of Pentateuchal legal material in his *Biblical Interpretation in Ancient Israel*.³⁶ According to Fishbane, legal material can be spiritualized, nationalized, and nomicized or ethicized. In the historical section of the Damascus Document, nationalization seems to come into play. Fishbane describes one kind of nationalization in this way: “the use of one instance of legal-covenantal transgression as a synecdoche for covenant violations generally.”³⁷ What was originally formulated as an individual prohibition in Proverbs and Deuteronomy is applied to the history of

³³ John Kampen, *Wisdom Literature* (Eerdmans Commentaries on the Dead Sea Scrolls; Grand Rapids: Eerdmans, 2011), 306.

³⁴ Sarah Tanzer, “4 QInstruction-like Composition A” in S. Pfann, et al., *Qumran Cave 4.XXVI: Cryptic Texts and Miscellanea, Part I* (DJD 36; Oxford: Clarendon, 2000), 335.

³⁵ 4Q424’s הוא בעל ריב seems to evoke Prov 23:11’s הוא־יריב את־ריבם אתך; but with the significant difference that the phrase in Prov 23:11 likely has a divine subject.

³⁶ Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon, 1985), 425–426.

³⁷ Fishbane, *Biblical Interpretation*, 426.

the nation as a whole in I, 15 and V, 20. Although nationalization does not seem like the best descriptor for the other instances in the Damascus Document, it does seem that moving the boundary is used as a synecdoche for covenant violations generally.³⁸

B. 4Q Instruction and the Boundaries of a Divine Inheritance

A second metaphorical usage of moving the boundary occurs in 4Q Instruction, where moving the boundary is used twice as a metaphor for moving away from one's proper place in life.

Matthew Goff argues that the metaphor is spatial: one's inheritance and boundaries are expressions of one's divinely granted place in life. Goff writes, "In 4Q416 2 iii 8–9 the phrase asserts that the inheritance of the *mebin* is his proper domain. Urging him not to move the boundary marker is a spatial metaphor that teaches him not to be confused about his inheritance, and to stay within his assigned allotment in his life."³⁹ In 4Q416 2 III 8–9, the poor are warned not to long for anything other than their inheritance: אביון אתה אל תתאו זולת נחלתכה ואל תתבלע בה פן תסיג גבולכה ("You are poor. Do not desire except for your inheritance and do not be consumed by it, so that you will not move your boundary"). Inheritance and boundary are linked here to describe the poor person's current situation. Goff states that while נחלה is frequently an economic term in the Hebrew Bible, it can have a theological meaning, "describing a special allotment given to particular individuals by God."⁴⁰ Goff contends that this is the basic sense for 4Q Instruction and notes further that "4QInstruction, reflecting a deterministic mindset, claims

³⁸ Neither spiritualization nor nomicization/ethicization seems more appropriate; for the former Fishbane intends the attempt to bring a *traditum* into a closer or more appropriate relationship to the divine, and for the latter, the attempt to bring an existing *traditum* into closer conformity with Torah.

³⁹ Matthew Goff, *4QInstruction* (WLaw 2; Atlanta: SBL, 2013), 102–103.

⁴⁰ Goff, *4QInstruction*, 101.

that everyone has an inheritance: ‘For God has distributed the inheritance of [eve]ry [living being]’ (4Q418 81 20; cf. 4Q423 5 3).⁴¹

This deterministic mindset likely draws on biblical language describing divinely established boundaries and inheritances. The following examples are illustrative rather than exhaustive. In Ps 74:17, the boundaries of the earth are fixed by YHWH (אתה הצבת כל-גבולות (ארץ), just as the boundaries of a widow are fixed in Prov 15:25 (ויצב גבול אלמנה). In Deut 32:8, YHWH famously selects Jacob as his own portion; in Ps 78:54 he brings them to his holy territory (ויביאם אל-גבול קדשו). Compared with these biblical examples, 4Q Instruction makes the idea of divinely established boundaries explicitly personal.

Meir Malul offers a different understanding on inheritance in the Hebrew Bible, suggesting that rather than property, נחלה signifies a place within the social matrix of a particular group, such as a family or clan. The terminology can still be spatial, but the concept goes beyond the idea of property.⁴² Malul’s analysis may offer a better way for understanding the use of inheritance language in 4Q Instruction: one’s inheritance, with its proper boundaries, is a place within the divine economy. In the Serek Hayahad, those who enter the community are to love “all the sons of light, according to his lot in God’s plan” (1QS I, 9–10).⁴³ The rigid order and structure described in the Serek Hayahad suggests a similar conception of each person

⁴¹ Goff, *4QInstruction*, 101–102.

⁴² Thus Malul, *Knowledge, Control, and Sex: Studies in Biblical Thought, Culture, and Worldview* (Tel Aviv–Jaffa: Archaeological Center Publication: 2002), 449: “In discussing the concept of status as it seems to have been perceived by the ancients, we noted its strong spatial load, as is evident from the very etymology of the term itself. Elsewhere I suggested that the Heb. word *māqôm*, lit. ‘place, space’ (in the physical-local sense) may, in fact, also carry the jural-structural sense of ‘position’ = status. A person who has a status within the social structure has thus a footing within some social-structural matrix, which appears as though it is actually and physically drawn or incised on the ground.”

⁴³ Florentino García Martínez and Eibert J. C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (Leiden: Brill, 1997), 1:71.

having a specific place within the divine plan, one that can be determined by examination of a person's life (as in 1QS II, 22–23) but which is fixed from all eternity (as in 1QS IV, 1).⁴⁴

4Q416 makes another reference to moving the boundary in 2 IV, 6, part of a longer passage on the relationship between husbands and wives that draws heavily from and reinterprets Genesis 2–3. In this section, dominating another's wife is linked to moving the boundary: ואשר ימשול בה זולתכה הסיג גבול חייהו (“And whoever would dominate her, except for you, has moved the boundary of his life”). 4Q Instruction's use of moving the boundary moves into the realm of desires and self-control. John Kampen states, “In *Instruction* the concern about removing the boundary has to do with the religious and personal effects of lusting after something that is beyond you or not yours.”⁴⁵ The infraction in 2 III, 8–9 has verbal links to the Tenth Commandment and to warnings against desiring the food of rulers, the food of stingy people, or envying the wicked in Prov 23–24. It is possible to argue that 4Q Instruction also is making use of the spatial understanding of sin discussed above. However, the added element of inheritance in 4Q416 2 III, 8–9 further develops the concept, by linking boundary to the broader category of inheritance in 4Q Instruction. Boundary language serves as a natural expression of the conceptual language of inheritance.⁴⁶

⁴⁴ See also Ari Mermelstein, “Love and Hate at Qumran: The Social Construction of Sectarian Emotion,” *DSD* 20 (2013): 237–263. Mermelstein analyzes emotional language at Qumran (primarily love and hatred) as vehicles for shaping the social values of the covenant community. He argues that:

love and hate served as vehicles for *constructing* and *embracing* the group's distinctive worldview, according to which only the sect enjoyed a covenantal relationship with God. Divine love and hate, as we will see, were presented as the basis for the relative positions of sectarians and nonsectarians in the divine pecking order, and sectarian love of insiders and hatred of outsiders served as emotional endorsements of this value system. (241)

The “divine pecking order” determines the status of individuals; the community's attitudes and behaviors were to reflect that order.

⁴⁵ Kampen, *Wisdom Literature*, 75.

⁴⁶ The use of moving the boundary language to describe self-control is also demonstrated in the *Testament of the Issachar* 7:5. In the *Testament of Issachar* 7, Issachar claims to have avoided consciously sinning. The sins

C. Setting a Boundary as Personal Piety

The Serek Hayahad twice uses גבול positively in the realm of personal piety. It cannot be demonstrated with certainty that these positive uses are consciously opposed to moving the boundary; however, the individual establishing of a proper גבול is promoted. In 1QS X, 10–11, the speaker promises, ובהיותם אשים גבולי לבלתי שוב: “By the existence of [his statutes] I will set my boundary without turning.” Rather than moving a boundary from where it had belonged or transgressing a boundary that had been set previously, the speaker promises to appropriately establish a boundary. The connection between statutes and boundary presents a pleasing contrast to CD XX, 25. There, sin consisted of breaking out of the boundaries set by the Torah; here, obedience is found in remaining inside the boundary of the statutes (הוקי). In the lines that follow, the speaker promises to accept the justice of God, to live according to his judgments, and to continually praise him. Then in 1QS X, 25, the speaker promises: ובערמת דעת אשוך °דה גבול סמוך (“with discretion of knowledge I shall hedge it [the community?] with a supported boundary”). Garcia Martínez and Tigchelaar reconstruct the damaged word as בעדה, “(behind) him” which is then comparable to Job 3:23: ויסך אלוה בעדו, “when God has hedged him in.”⁴⁷ The possibility that 1QS is utilizing biblical diction is appealing; however, the referent for בעדה in their translation is unclear and the reading does not make good sense of the context.⁴⁸ William Brownlee’s commentary on 1QS, though dated, reads העדה, “the assembly,” which is a

mentioned include sleeping with a woman other than his wife, lust, drinking wine so as to go astray, having deceit in his heart/thoughts, speaking lies. On the contrary, he suffered alongside the distressed and shared with the poor. He practiced hospitality (he did not eat alone) and he did not “move the boundary” (ὄριον οὐκ ἔλυσσ).

⁴⁷ García Martínez and Tigchelaar, *Study Edition*, 1:97.

⁴⁸ If ה is a pronominal suffix, then the referent should be feminine, but the closest feminine singular antecedent would be אצת “counsel,” which does not make sense in this context.

more grammatically satisfactory reading.⁴⁹ In either reading, the speaker pledges to use wisdom to enclose something לשמור אמנים ומשפט עוז לצדקת אל “in order to guard faithfulness and strong judgment for the justice of God.” The speaker will defend and protect the boundaries of pious obedience. 1QS X seems to fit with Fishbane’s description of nomicization since it brings together the idea of boundaries and Torah at these points.⁵⁰

V. What Could an Ancient Composer Do with Legal Material?

In this paper, I traced the development of moving the boundary from its literal, sapiential and legal roots to its metaphorical expression in the Dead Sea Scrolls. I argued that the literal sense of moving the boundary of an individual’s property lent itself to reuse in spatial metaphors for sin and inheritance and Torah-based piety. These conclusions are not revolutionary, but were anticipated by Michael Fishbane’s *Biblical Interpretation in Ancient Israel*. Fishbane’s categories of spiritualization, nationalization, and nomicization or ethicization are helpful ways of thinking about the reuse of legal material, but do not seem to offer the perfect fit for categorizing each of the metaphorical occurrences of moving the boundary surveyed above. The ease with which moving the boundary found metaphorical application in the Dead Sea Scrolls surveyed here and Philo’s comments in *De Specialis Legibus* suggest that legal material was a potentially bountiful source for literary metaphor. On the whole, it seems that little attention has been paid to the reuse of biblical legal material as literary metaphor in the Dead Sea Scrolls. References to Torah and metaphor lead to other discussion, so as Moshe Bernstein and Shlomo Koyfman’s analysis of legal metaphor in the Damascus Document. Bernstein and Koyfman use

⁴⁹ Brownlee cautions that that “a lacuna here makes the word quite uncertain.” (William H. Brownlee, *The Dead Sea Manual of Discipline* [New Haven: ASOR, 1951], 43.)

⁵⁰ Fishbane, *Biblical Interpretation*, 426.

the term metaphorical analogy to describe the situation in Damascus Document^d (4Q269) frag. 9, 2 in which the curse on leading the blind astray (Deut 27:18) is used to provide warrant for the requirement that a father disclose his daughter's physical blemishes to a potential son-in-law.⁵¹ This is a rather different sense of metaphor; it remains within the realm of *halakhah* and seems to me to remain in the realm of analogy.⁵² Law as source material for literary metaphor both in biblical material and in the extra-biblical material of the Second Temple remains under-explored territory.

⁵¹ Moshe J. Bernstein and Shlomo Koyfman, "The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods," in *Biblical Interpretation at Qumran* (ed. Matthias Henze; SDSSRL; Grand Rapids: Eerdmans, 2005), 83.

⁵² It also seems comparable to Paul's argument in 1 Corinthians 9 that he has a right to draw his livelihood from the proclamation of the gospel, which he supports by citing the stipulation: "You shall not muzzle an ox while it is treading out the grain" (Deut 25:4).