The Language and Logic of Conveyance in Testament of Qahat (4Q542) and Beatitudes (4Q525)

I. Introduction

Andrew Gross’s introduction to the Testament of Kohath states, “the testament genre…features a dying patriarch giving words of admonition and wisdom to his children and followers.”¹ Identifying TQ as a testament primes its reader to expect wisdom and moral guidance, which the document delivers when it calls upon its hearers to maintain “truth and righteousness and uprightness and blamelessness and purity and holiness and priesthood.” However, when the vocabulary of TQ is analyzed in the light of Aramaic property conveyances, its purpose becomes clear. Rather than generally conveying wisdom to the later generations, TQ seeks to protect a documentary priestly heritage from illegitimate possession. A similar locution in Beatitudes should be similarly read: the composer of Beatitudes also warned against conveying the text’s wisdom to illegitimate recipients.

II. The Language and Logic of Conveyance in the Testament of Qahat and Beatitudes

A1. Authorized Possession in TQ 1 I 7–10

My argument will begin with lines 7–10 of TQ 1 I, in which the addresses are commanded to possessividad ליה וררי, וני אברהם, ומי ותיכם (א혼ד).² Henryk Drawnel’s explanation that

these express “the exemplary life of the patriarchs found in the words of Jacob, judgments of Abraham, justice of Levi and Qahat” is fairly typical. 3 This is the first point at which attention to legal language sharpens our understanding of TQ. This otherwise odd trio (ממר and 진 are both primarily verbal, while צדק is concrete) all appear with some regularity in Jewish Aramaic or Nabataean property documents. מ(א)מ occurs in several documents next to a signature made on behalf of the illiterate principal who authorized a document; the document was written at the command of (דין) the principal. 4 דין frequently occurs in warranty clauses, in which the vendor promises to protect the buyer from loss in future litigation. Most significantly, various forms of צדק occur in Nabataean inscriptions and documents to describe legal entitlement to property. 5 צדק also occurs with this sense several times in the Hebrew Bible. 6 In legal contexts, this is not an odd trio; each term points in some way to authorized possession. Jacob, Abraham, and Levi were truly authorized to possess priestly wisdom. This wisdom must not be bequeathed to strangers, but must be properly transmitted in documentary form to the sons of Levi.

---

2 The portions of TQ and Beatitudes addressed in this paper are appended.
3 Henryk Drawnel, “The Literary Form and Didactic Content of the Admonitions (Testament) of Qahat,” pages 55–73 in From 4QMMT to Resurrection: Mélanges Qumraniens en Hommage à Émile Puech (ed. Florentino García Martínez, Annette Steudel, and Eibert J. C. Tigchelaar; STDJ 61; Leiden: Brill, 2006); here 66.
A2. Documentary Transmission in Qahat and Beatitudes

At two points, TQ highlights the importance of preserving and transmitting documentary knowledge with the use of an unusual form of the verb הלק. Edward Cook argues that the haphel and ittaphel forms of הלק in TQ 1 I 11–12 and 1 II 13 denote the transmission of priestly knowledge. TQ 1 II 9–13 makes it clear that this transmission is explicitly documentary. Although the text is broken, it seems clear that Amram and his offspring are being charged to preserve the documents that “they gave to Levi my father and my father gave to me,” and to guard them. The final line of text states, “there is great merit in their being transmitted with you.”

A second unusual verbal form, the haphel passive participle שלמא in 1 I 4, also describes conveyance. Muraoka proposes the meaning “delivered” for the participle, which fits the context and the use of שלם in Aramaic property conveyances. In conveyances, it typically occurs in warranty clauses in which the vendor promises to insulate the buyer from any losses due to future litigation. In the Wadi Daliyeh Samaria Papyri, the vendor’s use of a verbal form, typically אלם, indicates that the vendor will deliver a set payment for breaching the contract through litigation. In TQ 1 I 4, שלמא and אזדהרו mirror the same two-fold idea found in 1 I 12 and 1 II 9–13: the inheritance has been transmitted from their ancestors and must be safeguarded.

Michael Owen Wise argues, “Legal writ permeated late Second Temple Judaea. Whereas praxis in Persian times had arguably been largely oral, with the advent and progress of Hellenization, Jewish society began to put markedly greater emphasis upon the written

---

8 Hereafter WDSP.
instrument.”¹⁰ This document consciousness is evident in Jubilees: Not only do patriarchs like Abraham, Jacob, and Levi read and write, but also Levi receives the books of his ancestors to “preserve them and renew them for his sons until today.”¹¹ The distribution of the lands to the sons of Noah is accomplished by written documents.¹² TQ displays a similar concern for written instruments and textual authority. Hannah Tervanotko rightly argues that TQ’s references to Jacob, Abraham, and Levi reflect an ancient tradition in which “the cultic ordinances were given to Abraham and Jacob;” in TQ that knowledge is passed down in documentary form.¹³

B1. Illegitimate Conveyance in Beatitudes and TQ

Drawnel rightly notes, “The insistence on transmitting the books of the patriarchs assumes that all that inheritance about which Qahat speaks [previously]…is contained in a written form.”¹⁴ It is at this point that a second reference to property documents clarifies what is at stake. TQ reflects a concern for safeguarding the properly authorized priestly inheritance. In TQ 11 4–7, the priestly heritage must be guarded (אׁזדהרו) and must not be conveyed (ואל תתנו ירותתכון) to foreigners (לנכראין) or those of mixed descent (לכילאין). As Cook notes, foreigners seems to refer to those who have no claim to priestly descent.¹⁵ Cook views לכילאין similarly: “it is a prohibition


¹¹ Jubilees 45:16.

¹² As noted by Hindy Najman, “Interpretation as Primordial Writing: Jubilees and its Authority Conferring Strategies.” JSJ 30 (1999): 381. Najman comments, “But how else—as Jubilees did not even have to ask—could Noah have established an authoritative and lasting division of their land, forestalling future disputes?”


of mixed marriages, or marriage to wives of mixed blood, apparently originating in an allegorical exegesis of Lev. 19:19.”

The similarities between TQ and Beatitudes 5 8 are striking. Beatitudes similarly calls on its readers not to relinquish their portion or lot to foreigners (לא תעזבו לזרים תִּתְמוֹן וגו). The strangers (זרים) and foreigners (בני נכר) overlap with the terminology employed in TQ (נכריין). Additionally, the parallels to TQ strongly suggest that - לเศב indicates conveyance in Beatitudes. This technical sense is not well supported in classical Hebrew: שיב only rarely collocates with property terms in the Pentateuchal legal collections and is not encountered in epigraphic Hebrew. Lev 19:9–10 and 23:22 are noteworthy exceptions, requiring the gleanings of the field and vineyard to be left to the poor and to the resident alien (לעני ולגר תעזב אתם); as with Beatitudes, the recipients are designated with the preposition ל. Recently, Joel Kemp has recognized a further technical function of שיב, arguing that it means the renunciation of YHWH’s claim to Jerusalem in Ezekiel 8:12 and 9:9. The legal import of שיב is also suggested by several Semitic cognates and calques. The Akkadian ezēbum has several technical legal valences,

15 Cook, “Testament of Kohath,” 210: “The nuance seems to be that נכרי refers to those who are strangers to the priesthood, i.e. not of priestly lineage.”


17 Émile Puech (DJD XXV, 133) reconstructs לזרים on the basis of an extant לזרים.

18 Shmuel Aḥituv, Echoes from the Past: Hebrew and Cognate Inscriptions from the Biblical Period (Jerusalem: Carta, 2008), lists only one occurrence of שיב, a badly effaced and unreadable ostracon (34–35).

19 Clines, DCH, 6:327. שיב “leave over, leave for, leave to” identifies Lev 19:10, 23:22; Mal 3:19; Ps 49:11; Job 39:11; Ruth 2:16; Sirach 11:19, 14:15 as biblical examples. All but Mal 3:19 could refer to the conveyance of property.

including “to leave something to another,” “to bequeath,” and “to divorce.” Additionally, there is ample evidence of the legal valences of the Aramaic root שֶׁבֶק, which is generally equivalent to כשֶׁבֶק functions in the warranty clauses of Nabataean property conveyances and in the WDSP. In TQ 1 I 12, שֶׁבֶק denotes the proper conveyance of the priestly inheritance bequeathed by the ancestors. In light of this parallel, it is unsurprising that Beatitudes 5 8 would select כשֶׁבֶק to denote the conveyance of hereditary property.

B2. Wisdom as a Protected Inheritance in Beatitudes

The context of Beatitudes 5 8 makes it clear that wisdom is the inheritance that must not be illegitimately conveyed. The previous line speaks of seeking wisdom, represented by the 3fs pronominal suffix in 5 7. The subsequent line mentions instruction by sages (5 9). In the context of Beatitudes, however, the value of wisdom itself may be the reason for its careful possession. Beatitudes 2 III 2–3 make a Proverbs-like comparison between the worth of wisdom and gold (“she cannot be had for gold;” יְלָּדָה חֲלֶלַח בָהֵמ and precious stones (“with every precious stone;” יְלָּדָה כָל אָבֵנָי חֲפֵצ...). Already in Proverbs, wisdom could be handled in unworthy fashion and could not truly be possessed by the foolish.

21 CAD re: ezēbu; the second meaning given includes: “to leave something with or to a person, to entrust, to reserve, set aside, to leave behind, to leave to posterity…” and the special meanings include “to bequeath,” which was encountered from OA through NB (CAD E 421–422).

22 As suggested by the frequent translation of כשֶׁבֶק with שֶׁבֶק in the Targumim.

23 While Nabataean property documents postdate TQ, it is not implausible that the legal terminology employed in Nabataean property documents occurred earlier and was understood by Jewish scribes. Thus Baruch Levine comments that “one assumes that a Jew residing or owning property in Maḥoz ˁEglatain (= Maḥozaʾ), a town at the southern tip of the Dead Sea, and his Nabatean neighbor probably would have understood the provisions of each other's legal documents in large part, when read aloud to them.” Levine, “The Various Workings of the Aramaic Legal Tradition: Jews and Nabataeans in the Nahal Hever Archive,” pages 836–851 in The Dead Sea Scrolls Fifty Years After Their Discovery: Proceedings of the Jerusalem Congress, July 20–25, 1997 (eds. Schiffman, Tov, and VanderKam; Jerusalem: Israel Exploration Society, 2000), 836.

24 See, for example, Prov 17:16
A second possibility should be considered. Puech and Uusimäki both note similarities between Beatitudes and Psalms 15 and 24, with Uusimäki arguing that Beatitudes employs Temple themes and shows concern for ritual.\textsuperscript{25} This insight should be extended further. Even given its fragmentary nature, Beatitudes 5 shows signs of employing priestly language. 5 5 mentions purity (יָדוֹן). The description of strangers and foreigners in 5 8 should also be considered in this light: although זר and זכר are fairly common in Proverbs, בני זכר does not occur in the Proverbs.\textsuperscript{26} In the Pentateuch, בני נכר is exclusively found in priestly texts and זר is almost always priestly. Perhaps Beatitudes lies closer to the priestly logic of TQ, which cautions against the illegitimate possession of priestly knowledge by non-priestly strangers.

\textbf{III. Conclusion}

Reading TQ and Beatitudes in the light of Aramaic conveyances clarifies the rhetorical emphasis on protecting documentary knowledge in these texts. As learned literary products, neither TQ nor Beatitudes would have been accessible to the average person in late Second Temple Judaea. The wisdom of these texts was naturally shielded simply by virtue of their documentary form. And yet, both texts betray a concern for the scribal preservation and promulgation of their contents in a way that safeguards their contents from illegitimate possessors. In the case of TQ, it is clear that those illegitimate possessors do not possess priestly lineage. While this is less clearly the case for Beatitudes, the priestly tinges of the text and the conceptual similarity with TQ suggests that its prohibited audience may also be similar.


\textsuperscript{26} בני נכר and זר occur nine and fourteen times, respectively, in Proverbs. Both terms occur in the same verse six times (2:16, 5:10, 7:5, 20:16, 27:2, 27:13).
Appendix: Text and Translations of Select Portions of Testament of Qahat (4Q542) and Beatitudes (4Q525)

a. 4Q542 1 I 7–10

Therefore keep possession of the word27 of Jacob, your father, and enforce28 the adjudications29 of Abraham and the bequest30 of Levi and of me from all admixture, and possess truth and walking in uprightness and not with divided heart but rather with a pure heart and with a true and good spirit.

b. 4Q542 1 I 10 – 1 II 1

Then you will give to me in your eyes a good name and joy to Levi and gladness to J[a]cob and rejoicing to Isaac and praise to Abraham, since you have guarded

---

27 See P. Yadin 44 29–30 (‘קמיה; וספירה). “by his verbal order.” “The antecedent in both cases is the principal for whom the person signed. In other words, he signed by the permission, or verbal order, of the principal.” (Yadin, et al, The Documents from the Cave of Letters: Hebrew, Aramaic and Nabataean-Aramaic Papyri, [Jerusalem: Israel Exploration Society, 2002], 53.)

28 Abegg, et al, Dead Sea Scrolls Concordance 2:160 lists 5 occurrences of the nominal form, תקף, “valid document,” in Nabataean documents from Nahal Hever. See also HALOT vol. 5 פקק, “lawful, legitimate, authentic, legal authority.” In Esther 9:29, Esther and Mordecai write with all authority a second letter concerning the lots (תקף) in Halabal. In Esther 2:27 Esther and Mordecai write with all authority a third letter concerning the lots (תקף) in Halabal. The Hebrew Bible never speaks of the bequest of a particular patriarch.

29 See P. Yadin 7 (ll. 21, 27, and 64) and WDSP 1 10; 2 5, 2 9, 2 11; 3 5, 3 10; 8 6; 9 7; 15 11 for examples of דיר in legal documents. Drawnel, “Admonitions,” 67, refers to “Abraham’s legal proceedings.” The Hebrew Bible never speaks of the bequest of a particular patriarch.

30 Inscriptional evidence establishes the sense of “legal right, claim, title” for Aramaic זְדֵכָה: a 6th c. stele at Tema, KAI 228, concerns a grant (זְדֵכָה). See Stein, “Ein Aramaische Kudurru als Tayma?” pp. 228–231. Nabataean usage is extensive. Healey notes that זְדֵכָה designates a “legitimate heir” at Mada’in Salih. In the Nabataean documents from Nahal Hever, זְדֵכָה is entitlement (5/6Hev 2 ITV,5; 5/6Hev2 OTR,25; 5/6Hev3 ITV,6; 5/6Hev3 OTR,28; XHev/SeNab2 OTR,8) (CDSS 2:143); זְדִיק is attested once with the meaning “legally entitled” (5/6Hev3 ITV,1). The Nabataean תְּכֵדָה is attested as a “legal agreement” (Dead Sea Scrolls Concordance 2:160) (5/6Hev2 ITR,12; 5/6Hev2 OTR,35; 5/6Hev3 ITR,14; 5/6Hev3 OTR,39).
and you have passed on\(^{31}\) the inheritance which your forefathers bequeathed\(^{32}\) to you—truth and righteousness and uprightness

and blamelessness and purity and holiness and priesthood, according to everything which I instructed you and according to everything which

I taught you in truth from now and until all eternity….

c. 4Q542 II 9–13

And now to you, Amram, my son, I pass down…\(^{33}\)

and [to] your [son]s and to their sons I pass down[…]

and they gave to Levi, my father, and which Levi, my father, gave to me […]

all my writings as a testimony that you should guard them […]

to you; in them is great merit in their being transmitted with you.

d. 4Q542 I I 4–7

And therefore my sons, guard the heritage which was entrusted\(^{34}\) to you,

---


\(^{32}\) While Cook, *Dictionary of Qumran Aramaic* (Winona Lake: Eisenbrauns, 2015), 230, simply renders שבק as “left,” the term is significant with respect to the conveyance of property. See Yadin, et al., *The Documents from the Cave of Letters*, 226: “[שבק] is part of the Aramaic tradition…. One ‘leaves’ property ‘to, for, in the presence of’ another.”

\(^{33}\) CAL lists “to leave by testament” and Michael Sokoloff, *Dictionary of Jewish Palestinian Aramaic* (Ramat-Gan: Bar Ilan University Press, 1990) lists “to give last commands before death” for Pa’el of פקד.

\(^{34}\) The root שלם, “to make full,” occurs in legal contexts in documents from Nahal Hever (cf. Abegg, et al., *Dead Sea Scrolls Concordance* 2:153). Muraoka argues that the form שלם is a Hafel passive participle corrected from an Afel form, with the meaning of “delivered” or “entrusted.” (Muraoka, *A Grammar of Qumran Aramaic* (Leuven: Peeters, 2011), 109,111.) So also Cook, “Testament of Kohath.” While Muraoka’s analysis is syntactically satisfying, somewhat similar anomalous forms are attested at Elephantine (where שלם, from the root שלם, indicates a hereditary property holder), and Mahoza and En Gedi where nonstandard forms of derived stem infinitives occur in legal language, including mem-preformative infinitives. (See Wise, *Language and Literacy in Roman Judaea*, 319).
and which your (fore)fathers gave\textsuperscript{35} to you. So do not give your heritage to foreigners or your ancestral property\textsuperscript{36} to mixed-breeds—or you will become abased and foolish in their eyes and they will scorn you—to them who are strangers to you, and to them who are rulers over you.

\textbf{e. 4Q525 5 7–10}

Do not seek her with an arrogant heart, but the statutes of … … Do not abandon to strangers your allotment or your lot to foreigners; since wise with eloquence [and] fearers of God guard her paths and conduct themselves\textsuperscript{37} with[…]

…her statutes and they do not reject her reproofs.

35 See Healey, \textit{The Nabataean Tomb Inscriptions of Mada'in Salih} (JSS Sup 1; Oxford: Oxford University Press, 1993), 261 for Nabataean \textit{mwhbh} as “deed of gift, gift,” and 259 for \textit{yhb} as “give away, to make a gift of.”

36 See Szubin and Porten “‘Ancestral Estates’ in Aramaic Contracts: The Legal Significance of the Term \textit{mh\hspace{1pt}h\hspace{1pt}s\hspace{1pt}n},” \textit{Journal of the Royal Asiatic Society of Great Britain and Ireland} 2 (1982): 9. They argue that \textit{mh\hspace{1pt}h\hspace{1pt}s\hspace{1pt}n} referred to an ancestral estate at Elephantine: “It is this nuance of \textit{inheritance} that permeates the usage of the root \textit{hsn} in legal contexts.”

37 This is a very similar verbal sequence to TQ 11 11–12 (\textit{והילכתון\hspace{1pt}Entratון\hspace{1pt}וכיתון}). The collocation appears to be unique to these two documents but the \textit{binyan} of \textit{הלך} is significantly different between the two.