

Timothy H. Lim

THE DEAD SEA SCROLLS

A Very Short Introduction

OXFORD
UNIVERSITY PRESS

Contents

	List of illustrations	ix
1	The Dead Sea scrolls as cultural icon	1
2	The archaeological site and caves	20
3	On scrolls and fragments	32
4	New light on the Hebrew Bible	40
5	Who owned the scrolls?	58
6	Literary compositions from the Qumran library	66
7	The Qumran-Essene community in context	72
8	The Qumran community	84
9	The religious beliefs of the Qumran community	100
10	The scrolls and early Christianity	106
11	The greatest manuscript discovery	117
	References	121
	Further reading	127
	Appendix: Hitherto unknown texts	130
	Index	135

Chapter 1

The Dead Sea Scrolls as cultural icon

Many people have heard of the Dead Sea Scrolls, but few know what they are or the significance they have for our understanding of the Old Testament or Hebrew Bible, ancient Judaism, and the origins of Christianity. Since their discovery in 1947, and especially from 1991 when all the remaining, unedited scrolls were released to the world at large, there has been a surge of publications, ranging from the popular to the technical. The technical works are inaccessible to most people apart from specialists, and the popular books vary in quality, from the sensational blockbusters (often involving a Vatican conspiracy theory) to the sound and reliable.

In this Very Short Introduction to the Dead Sea Scrolls, I will discuss the discovery, the controversies and personalities involved in the scholarly debates, the legal actions, the politics, and the vested religious interests. Moreover, I will introduce traditional and specialist studies of Jewish history and thought between 200 BCE and 70 CE, the archaeology of the Khirbet Qumran (the area where the scrolls were discovered), palaeography ('study of old handwriting'), textual criticism, philology, linguistics, and ancient biblical exegeses. There will also be a discussion of the most recent scientific techniques, often neglected by introductory textbooks. In keeping with the aims of this series, the treatment of each topic will necessarily be brief and selective;

the intention is to whet your appetite and to pique your interest rather than to provide a comprehensive introduction to the Dead Sea Scrolls.

A newspaper headline in *The Independent* on 12 November 2004 read 'Afghanistan wants its "Dead Sea Scrolls of Buddhism" back from UK'. The article, written by Nick Meo, reported that Dr Sahyeed Rahneen, the Minister for Culture and Information of Afghanistan, was attempting to restore the collection of the Kabul Museum and would be formally requesting the return of the Kharosti scrolls from the British government. The Kabul Museum had been ransacked during the war that ousted the Taliban government and the collection of sixty fragments of scrolls, written on birch bark and in the ancient script of Kharosti, disappeared into the antiquities market before resurfacing at the British Library in 1994 (Figure 1).

The Dead Sea Scrolls

Notable is the way the newspaper headline used 'the Dead Sea Scrolls' to signify a collection of ancient manuscript finds. The Kharosti texts are Buddhist scrolls dating to the 1st century CE and have no historical connection to Judaism. They are significant for the study of the early development of Buddhism and the search for the historical Buddha. The comparison, suggested by the staff of the British Library, was intended to underscore their great antiquity and importance. The peculiar usage of the name in a national newspaper is evidence that the Dead Sea Scrolls have taken on a symbolic status. They are no longer just the scrolls of a Jewish sect

Buddhist 'Dead Sea Scrolls' uncovered by British Library

BY DALYA ALBERGE, ARTS CORRESPONDENT

1. A newspaper headline in *The Times* on 6 June 1996 using the 'Dead Sea Scrolls' symbolically to represent ancient and important discoveries

that lived by the Dead Sea, but represent any important discovery of ancient manuscripts.

In transcending, so to speak, the historical context of Second Temple Judaism (515 BCE to 70 CE), the Dead Sea Scrolls have become a cultural icon. Popular fiction, such as the bestseller *The Da Vinci Code* by Dan Brown, peppers its narrative with references to them in order to add intrigue and mystery to the story. Or again, in an earlier novel called *The Mandelbaum Gate*, published in 1965 by Muriel Spark, the well-known author of *The Prime of Miss Jean Brodie*, the fiancé of the main character works as an archaeologist excavating Khirbet Qumran. How did the scrolls become so popular?

The media and the scrolls

The reasons for the popularity of the Dead Sea Scrolls are not far to find. From their initial discovery by two Bedouin shepherds in 1947 to the ‘battle for the scrolls’ in the late 1980s and early 1990s, the media have always been involved in reporting the finds, the politics, the personalities, and the academic squabbles, to an interested public. Some of the reporting trades on sensationalism, with or without the backing of one or more academics; other reports offer sound coverage of the latest developments in scrolls research; and there is, moreover, a whole range of other types of publicity between these poles. In any case, the involvement of the media – newspapers, television, and radio – have ensured that the public, especially in the United Kingdom, United States, Canada, and Australia, would have read or heard about the Dead Sea Scrolls.

Early in my own academic career, I experienced first hand the role the media played in popularizing the scrolls. In 1991, I had just finished my doctorate on the scrolls in Oxford and had become the Kennicott Hebrew Fellow at the Oriental Institute. It was during that time that access was being sought to the remaining unedited scrolls from Cave 4, in what has been described as ‘the battle for the

scrolls'. Essentially, the conflict was drawn between a small group of scholars who had in their possession unpublished material from the largest depository of the eleven caves of Qumran, Cave 4, and others who wanted and demanded access to them for research and study. The tension between the haves and have-nots had been building up for several years, but it came to a head in the summer and autumn of 1991. On 29 October 1991, after much bad blood had been spilt, the battle was won by the advocates of free access when it was announced by the Israel Antiquities Authority that a new policy of access was being implemented. An article reported in *The Times* heralded the news with this headline: 'Israel opens access to the Dead Sea scrolls'.

Within weeks of the announcement of the new policy, two American scholars, Michael Wise, then of the University of Chicago, and Robert Eisenman of California State University at Long Beach, announced to the world the discovery among the hitherto unpublished scrolls of a small fragment that allegedly attests to a slain or pierced messiah. With Geza Vermes, one of the leading scrolls scholars, I organized a seminar in Oxford that examined the six-line text, concluding that quite to the contrary the fragment does not speak of a messiah who is slain but rather an anointed Prince of the Congregation who puts his enemy to death. I will discuss the details of these diverging interpretations in a later chapter on the relationship between the scrolls and early Christianity.

The seminar was covered by a journalist, Oliver Gillie, and his article appeared on the front and inside page of *The Independent* published on 27 December 1991. One of the features of the seminar that was highlighted in the subsequent reporting was the use of computer technology and imaging software to enhance the Hebrew script. The imaging equipment was available at Yarnton of the Oxford Centre for Hebrew and Jewish Studies as part of the Qumran Project, funded by an anonymous donor under the guidance of Alan Crown, formerly of the University of Sydney. I had

produced an enlarged and enhanced image of what turned out to be fragment 5 (now renumbered as 7) of 4Q285 (4 = Cave 4; Q = Qumran; and 285 = the number assigned to the scroll), which was subsequently published in the *Journal of Jewish Studies*. This was one of the first applications of imaging software to the study of the scrolls, and the publication of the enhanced and blown-up fragment 5 astounded readers of the *Journal*.

Several aspects of this episode are noteworthy. First, the date of the publication of the newspaper article coincided with the Christmas season. This was reasonable since the Oxford seminar was convened on 20 December. Over the years, however, I have noticed that the pattern of media reports and broadcasts, in the broadsheets, on the radio, or television, almost always follows Christmas or Easter. Of course, this should not be surprising, since the scrolls are religious documents and are of particular interest during the annual cycle of festivals, but it is the Christian, and not Jewish, holy days that are followed. The fact that the movable feast of Easter is based upon the date of the Passover does not detract from the point that the media have in their sights the Christian rather than Jewish religious cycle. Why not publish reports to correspond to the Jewish New Year or Yom Kippur (Day of Atonement), for instance, since almost all scholars believe that the scrolls are Jewish and not Christian?

The reason is that it is the connection to Christianity that makes the scrolls sensational. If, for instance, 'a slain messiah' could be found in one of the Dead Sea Scrolls, then some have argued that it would call into question the uniqueness of Jesus and the foundations of the Christian faith. As an aside, this type of argument, baldly stated as it often is in the media, depends upon a rather simplistic understanding of Jesus and the Christian faith in supposing that the discovery of an archaeological artefact would undermine Christianity in this way. Within Jewish history, Jesus was not the only person to have been considered a messiah, even a suffering one, by his followers. Regardless, it could be argued that 'a slain

messiah' figure in the scrolls would not question the uniqueness of Christ, but would rather underscore the view increasingly accepted by Christians in the post-Holocaust, interfaith dialogue that Jesus was a Jew and not a Christian.

Second, the application of modern technology to the study of ancient manuscripts has its own inherent fascination, the contrast between the very old manuscripts and cutting edge electronic tools. With the explosion of computer applications and web technology in the past decade and a half, there are now impressive sites, like the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature (<http://orion.mssc.huji.ac.il/>) of the Hebrew University of Jerusalem, mounted on the web that will allow a 'surfer' to take a virtual visit of Khirbet Qumran, join an ongoing discussion group or search the bibliographical database.

Computer technology is used in an increasing number of applications for scrolls research and the dissemination of information. In 1997, I edited *The Dead Sea Scrolls Electronic Reference Library*, a CD ROM database that would allow scholars to search for images of specific scrolls, enhance and print them out for personal study. This was followed by volume 2, produced by the Foundation for Ancient Research and Mormon Studies, Brigham Young University, with a database edited by Emanuel Tov, including a searchable transcription and translation of all the non-biblical scrolls.

Other notable developments and projects in the United States include the enhancing and reduction of background 'noise' of a text called Genesis Apocryphon by Gregory H. Bearman, a scientist of the Jet Propulsion Laboratory in Pasadena, who specializes in analysing satellite images. Bearman developed a technique called multi-spectral imaging to produce readings (for instance, 'the book of Noah') invisible to the human eye from the badly deteriorated script. Application of computer enhancing technology is likewise being deployed at Princeton in connection with the Princeton

Theological Seminary Dead Sea Scrolls Project edited by James H. Charlesworth.

Access to the Cave 4 scrolls and the reading of a putative ‘slain messiah’ fragment are two of the recent controversies. There have been others in the eventful past half century or so. For instance, John Allegro, a British scholar at the University of Manchester, led expeditions to the Judaeian Desert to hunt for the treasures mentioned in the Copper Scroll (Figure 2).

This scroll from Cave 3 is unique among the Dead Sea Scrolls in using copper as its writing material. All the other scrolls were written on skin or papyrus. The text, etched on copper plates, describes sixty-four hiding places of gold, silver, Temple sacrifices and another copy of the same scroll in the Judaeian Desert. These treasures are what Allegro set out to find. Other scholars interpret the treasures, amounting to some sixty-five tons of silver and twenty-five tons of gold, as literary fiction and liken the copper scroll to the text *massekhet kelim* (tractate of the Temple vessels), a mediaeval text that described how the treasures of the Solomonic Temple were sequestered to a tower in Baghdad and their hiding places recorded on a copper tablet. Allegro failed to turn up any treasure, but his expeditions were widely reported in the media.

The Dead Sea Scrolls as cultural icon

Tourism and the Dead Sea Scrolls

Another reason for the popularity of the Dead Sea Scrolls is tourism. Every year thousands of tourists and pilgrims descend on Israel, visiting places holy to Judaism, Christianity and Islam. Among them the archaeological site of Khirbet Qumran in the Judaeian Desert and the Shrine of the Book of the Israel Museum, figure high on the list of places to visit. At Khirbet Qumran they are led by informed guides around the archaeological site and are given a viewing of the nearby caves. Even at a time of unrest, the number of tourists is impressive. According to Israel’s Ministry of Tourism figures, last year 46,000 visitors passed through the Qumran site.

Interested consumers can now purchase facsimiles of scrolls and the jars in which some of the manuscripts were stored, as well as a whole range of paraphernalia, including 'Dead Sea Scrolls' pens, t-shirts, ties, scarves and mud.

Politics and the Dead Sea Scrolls

The Dead Sea Scrolls are also regarded as a cultural icon in Israel. On 20–25 July 1997, scholars from around the world were invited to Jerusalem to mark the Jubilee celebration of the discovery of the Dead Sea Scrolls. Among the many events of this occasion was the memorable opening of the proceedings by the then Prime Minister of Israel, Benjamin Netanyahu, the former mayors of Jerusalem, Teddy Kolleck and Ehud Olmert, and James Snyder, the Director of the Israel Museum. Sitting outdoors on the grounds of the Israel Museum and in the dimming light of a Jerusalem evening, I along with Christian, Jewish and other scholars from Israel and abroad heard of how the scrolls were politically significant to the State of Israel. The year of the discovery of the scrolls, 1947, coincided with the re-establishment of the Jewish State after some two thousand years. The scrolls, we were told, played a symbolic role in the return of the Jewish people to their origins, and this point was underscored by the setting of the ceremony. It was a marvellous celebration and there was even a specially commissioned musical composition by Michael Wolpe whose libretto is based upon texts from the scrolls. The Shrine of the Book, a specially constructed underground museum built to display the Dead Sea Scrolls, has an above ground structure that was built to resemble the lid of an ancient jar in which some of the scrolls were kept. We were seated in front of it and in the background was Israel's parliament, the Knesset (Figure 3).

The political capital made out of the Dead Sea Scrolls by Israel's leading politicians was not lost on us, but a dignified silence was maintained. It was only when it was mentioned that the Dead Sea Scrolls were vital for Jerusalem did a disapproving titter ripple

through the audience. This was amusing to the assembled, since most experts believe that the Dead Sea Scrolls belong to a pious Jewish group of Essenes who, among other things, held that the Jerusalem priesthood was corrupt and as a result separated themselves from the majority of the people and went into a self-imposed exile in the Judaeen Desert!

When the scrolls were first discovered in 1947, Khirbet Qumran, the caves associated with it and the Judaeen Desert were under the authority of the British Mandate and the Antiquities Ordinance of 1929. With the political changes after 1948, almost all of the scrolls fell into Israeli hands. Most are kept at the Shrine of the Book and the Rockefeller Museum in East Jerusalem. The Copper Scroll is an exception and still finds its home in the Department of Antiquities in Amman, Jordan. There are also a few fragments in the Bibliothèque nationale de Paris and scattered in private collections throughout the world. There is even one stamp-size fragment, the so-called 'McGill fragment', in Canada. Ownership of antiquities, in general, is a much disputed issue that carries a complex set of political and legal considerations. Using the legal principles of succession and territorial link Wojciech Kowalski has argued that 'the fact that the scrolls are currently stored in Israel is in full harmony with international standards of the protection of cultural property'. Not everyone will agree with this view. Legal considerations of ownership aside, there is little doubt that the scrolls belong first and foremost to the Jewish people before they are mankind's common heritage.

In the United Kingdom, the political association was explicit in the 1998 *Scrolls from the Dead Sea* exhibition at the Kelvingrove Art Gallery and Museum in Glasgow. The Israel Antiquities Authority had decided to allow an exhibit of the Dead Sea Scrolls to be set up in Glasgow as recognition of the Jewish community there and in celebration of the 50th anniversary of the founding of the State of Israel. The Jubilee exhibition was the only one to be held in Britain and it attracted hundreds of thousands of people.

The Vatican and the Dead Sea Scrolls

A conspiracy theory involving the Vatican has long been attached to the publication of the scrolls. It is unclear who originally came up with the conspiracy theory, but John Allegro was certainly one of the first to have expressed it. According to him, the original team of international, inter-denominational scholars had access to all the scrolls and the publication of the manuscripts was progressing apace in the early fifties. By the late 1950s, however, John Allegro was beginning to suspect a Catholic monopoly and even conspiracy. Certain members of the editorial team were being assigned more and more of the manuscripts; Josef Milik, Jean Starcky and John Strugnell, all Catholics, were given the lion's share. Allegro had remarked to a friend: 'I am convinced that if something does turn up which affects the Roman Catholic dogma, the world will never see it'. This suspicion has two notable features. One was his exclusion of access from the remaining unpublished scrolls. Even though he was one of the original editors, by the late fifties, Allegro felt debarred from the team. In a letter he wrote to Frank Cross, another original editorial team member, on 5 August 1956, Allegro stated that 'the non-Catholic members of the team are being removed as quickly as possible'. Two, a suspicion was being cast that the Vatican might repress information damaging to the Christian faith.

Allegro's account of the delay in publication of the Dead Sea Scrolls and the restriction of access to the remaining unpublished material have been recounted recently by his daughter Judith Anne Brown in *John Marco Allegro. Maverick of the Dead Sea Scrolls*. Using private letters and personal recollections, she described how Allegro attributed his exclusion from the team of editors to a Catholic monopoly and conspiracy of silence, although she could not find any evidence to support her father's suspicions.

John Strugnell, a former Editor-in-Chief of the official publication series *Discoveries in the Judaean Desert*, and Geza Vermes, one of

the most vocal critics of the original editorial team, have given different accounts of the publication process and restriction of access. Strugnell and Vermes were on opposite sides of 'the battle for the scrolls', but neither scholar attributed the delay and access issues to a Vatican conspiracy. Strugnell defended the speed of publication of the scrolls as comparable to other projects of the kind, like the editing of the *Oxyrhynchus papyri* from Egypt, whereas Vermes blamed Roland de Vaux, excavator of Khirbet Qumran and the first Editor-in-Chief of the Discoveries in the Judaean Desert publication project, in appointing a team too small to cope with the demanding task of editing thousands of fragments.

John Allegro's view of a Catholic conspiracy is dubious, since at least one of the original team members, Frank Moore Cross, Professor Emeritus at Harvard University, who remained on the editorial team, is not Catholic. There are more mundane reasons, including academic aspirations and jealousies, personal problems and conflicts, financial constraints, perfectionism, procrastination and the fragmentary state of preservation of the remaining unpublished scrolls that can account for both the delay and restriction of access.

In any case, the Vatican conspiracy theory continued to circulate in the public arena. Fact and fiction often became blurred. Consider the novel *The Judas Testament* (1994) by Daniel Easterman, which vividly describes an imagined conspiracy to suppress information damaging to Christian faith. The hero, a certain Jack Gould, a doctoral candidate working on the prophecies of the star and sceptre in the Damascus Document at Trinity College Dublin, is hot on the trail of the Jesus Papyrus which apparently came from one of the caves by Qumran. While Gould is following clues elsewhere, in the Old City of Jerusalem in the fictitious Catholic Institute for Biblical Studies, a certain Father Raymond Benveniste struggles with his conscience as he contemplates the fate of an Aramaic fragment in his possession. I cite extracts from it to give you a flavour of one imagined version of the conspiracy theory.

Father Raymond Benveniste took a handkerchief from his pocket, coughed into it, and replaced it . . . On the desk in front of him lay a papyrus fragment sixteen centimetres by twenty-one. It contained thirty lines of Aramaic writing, marred here and there by holes or smudges, but generally legible It was not much importance in itself. Just a letter to a Temple functionary from an unknown correspondent Ordinarily, Benveniste would have passed it on for further study and eventual publication in an issue of the Institute's quarterly journal. But for one thing.

The fragment contained a reference, admittedly brief, to 'the followers of Jesus', a group seemingly attached to the Temple in some way and 'zealous for the Law of Moses'. There were, of course, several possible interpretations of the passage. On its own, it would send out few ripples

But there were people in Rome who preferred caution above all things. On his last visit, Della Gherardesca of the Biblical Commission had spoken frankly with him. A number of books had been published recently, suggesting that Jesus Christ had been little more than a Hasid, a Jewish holy man, and that his father had been a scholar, a *naggar* – the Aramaic word for 'carpenter' used metaphorically

Benveniste looked at the scrap of papyrus again. It was hardly important. But it could be considered yet another piece of confirmation for such scandalous theories. In the wrong hands it could be put to wicked use.

He took a box of matches from his pocket. As a scholar, he was ashamed of what he was about to do. As a priest he had been trained in obedience. His hand did not even shake as he struck the match.

The Judas Testament is a tale involving an obedient priest's destruction of an Aramaic fragment that evidently attested to Jesus's zeal for the Mosaic law. The conspiracy centres on the

suppression of information, accidentally found and not transmitted through official Christian channels, which would represent Jesus in a different light from the way he is depicted in the Gospels. In this novel, the papyrus shows that contrary to the way that he is portrayed in the New Testament, Jesus did not abrogate *halakha* or Jewish law. He was a pious man and a zealot of the law. The story is entirely fictional, but Easterman's Jesus has similarities to Geza Vermes's well-known argument, published in *Jesus the Jew* (1973), that the man from Nazareth is best seen as a *hasid*. The difference is that Vermes's Jesus was a charismatic holy man, not an expert of Jewish law. Even Easterman's use of the metaphorical understanding of the Aramaic word *naggār*, not as its literal meaning of 'carpenter' but 'scholar', is based on Vermes's work, although the latter has since retracted the view.

The Dead Sea Scrolls Deception by Michael Baigent and Richard Leigh, published a few years earlier in 1991, however, was not fiction. It claimed to have uncovered the sensational story behind the religious scandal of the century. The blame for the publication delay was laid at the doorstep of the Vatican that was supposedly in control of de Vaux, who was also Director of the Dominican centre of the biblical and archaeological school in Jerusalem, *L'École biblique et archéologique française de Jérusalem*. It was alleged that there was a conspiracy, in the form of a modern inquisition by the Pontifical Biblical Commission and the Congregation for the Doctrine of the Faith, led by Cardinal Joseph Ratzinger (the new Pope Benedict XVI), to suppress unpublished Qumran scrolls that might be 'inimical to Church doctrine'.

Conspiracy theories, by their nature, depend upon some known material that has been inexplicably concealed. The lack of access to the Dead Sea Scrolls by some scholars seemed ideal as the subject of a conspiracy theory. When *The Dead Sea Scrolls Deception* appeared, however, it did not have in the United Kingdom the impact that might have been hoped for. This was primarily due to the announcement, a few months after its publication, of the new

policy of access. The theory of a Vatican concealment could now be tested, and it was evident to most scholars that ‘the smoking gun’, to use a recent analogy, was not to be found. Subsequent interviews with the authors that were published in the media, suggested that the Vatican would already have destroyed anything that was doctrinally damaging. For most Britons, this smacked of special pleading.

When the book was translated into German as *Die Verschlusssache Jesus: Die Qumranrollen und die Wahrheit über das frühe Christentum* (The Secret File of Jesus: The Qumran Scrolls and the Truth about Early Christianity) and its chapters serialized in a national magazine, *Der Spiegel*, it became a bestseller. In fact, the book was so popular, with sales over 300,000 copies, that German academics felt compelled to write refutations of it.

The Biblical Archaeology Society and the Dead Sea Scrolls

For the lay readership, one magazine stands out in popularizing the scrolls and that is *Biblical Archaeology Review* of the Biblical Archaeology Society, Washington DC. This monthly magazine, founded and edited by Hershel Shanks, the indefatigable lawyer-turned-publisher, is known for the high quality of its articles. ‘BAR’, as it is known by over 300,000 readers of the magazine, is often controversial as it publishes the latest finds related to Biblical archaeology and the Dead Sea Scrolls. Through its publications and public seminars, Biblical Archaeology Society has played an important role in the dissemination of knowledge about the scrolls. It also championed ‘the liberation of the scrolls’.

Copyright, intellectual property, and the Dead Sea Scrolls

The battle over access to the Cave 4 material in the early nineties included at least two legal and academic collateral skirmishes

about the propriety of transcriptions and translations of then unpublished Dead Sea Scrolls. The more notorious of these was the clash over the unauthorized publication of a transcription of a text called 4QMMT (MMT stand for the Hebrew *miqsat ma'aseh ha-torah* or 'some precepts of the torah'). In an attempt to free the remaining scrolls from the academic control of a small group of scholars, Biblical Archaeology Society published in 1991 a two volume set of photographs entitled *A Facsimile of the Dead Sea Scrolls. Prepared with an Introduction and Index* by Robert H. Eisenman and James M. Robinson. At the head of the volume was a Foreword, written by Hershel Shanks, which included the transcription of a working copy of the composite text of MMT.

MMT is a text between 116 and 135 lines (the number of lines changed in the course of the editing process) that discusses some 20 or so legal points of dispute between unknown individuals and groups identified simply by 'you' (in the singular and plural), 'we' and 'they'. It is believed that this text refers to an early stage of the Qumran community's split from the majority of the Jewish people. The composite text was the editorial reconstruction of the presumed original text from six copies of the scroll. The editorial process was a collaborative effort between Elisha Qimron and John Strugnell. Hartmut Stegemann, a Professor from Göttingen University well known for his methods of reconstructing scrolls, also publicly stated in a conference in Basel on 7 August 2001 that he had a hand in the editorial process, but he did not stake a claim in the legal proceedings. Qimron, but not Strugnell, sued Biblical Archaeology Society, its president, Hershel Shanks, and the two editors, Eisenman and Robinson, for copyright infringement. The case was tried in Israel and on 30 March 1993, the District Court of Jerusalem, with the then Judge Dalia Dorner, found in favour of the plaintiff. An appeal was lodged and the Supreme Court of Israel, sitting as the Appellate Court for Civil Appeals, upheld the decision of the Jerusalem court on 17 March 1998.

The case has far reaching ramifications for the legal definition of an author, for editorial work, in the form of reconstruction and transcription, of a two thousand year old manuscript written by someone else can now be legally protected under copyright law. Copyright of the composite text of MMT belongs to Elisha Qimron. The case was a watershed in copyright law and *Houston Law Review* 38.1 (2001) devoted a whole issue to a book-length discussion of the case by David Nimmer, a leading American copyright lawyer, who questioned the original Judgment and subsequent appeal Decision. Hector MacQueen, Director of the Arts and Humanities Research Board Centre for Intellectual Property and Technology Law of the University of Edinburgh, takes a different view and agrees with the Judgment of the Jerusalem District Court, suggesting that editorial work should be protected by copyright law. At issue is the criterion of 'originality' in the legal definition of authorship. Broadly speaking, American copyright law sets the bar of originality very high, requiring as it does 'sparks of creativity', whereas the Israeli and British ones confer originality on 'the right kind of skill and labour'.

MacQueen further argues that conferring copyright on edited texts will positively promote rather than hinder scholarship: potential editors will have an incentive to expend the labour with the reward of copyright protection; and publishers will maintain their economic interest to publish edited texts. Whatever view one takes on the case of *Qimron v. Shanks et al.*, a precedent has been set for conferring copyright on editorial work.

There is no doubt that the Dead Sea Scrolls have become a cultural icon. The main reasons for their popularity include the publicity generated by the media, tourism, cultural and political institutionalization, controversy over access to the scrolls, the conspiracy theories involving the Vatican, the role of Biblical Archaeology Society, and the legal case over copyright infringement. All these factors contribute to the symbolic status of the Dead Sea Scrolls.