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Posthumously edited by Bernard M. Levinson

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In Memoriam

Paul Heger

January 22, 1924—August 18, 2018

The major question Paul Heger (born in Cernauti, formerly Romania now Chenivtsi, Ukraine) wished to answer in his scholarly endeavors was: how did the vibrant religious sectarian scene of late antiquity give way to a much smaller range of possibilities by the time of the Second Temple's destruction and its aftermath? Much of this research informs his seven academic works and twenty-two published articles. Paul, or as I called him Pesaḥ, was the ideal student. He was blessed with an iron determination matched only with an uncanny discipline and a terrific sense of humor. He possessed an amazing childlike curiosity and delight for finding out how things work without any of the naïveté of children. What almost defies imagination is that he came to University of Toronto at the age of sixty-two to do his final two years of an undergraduate degree as a transfer student from York University. He did so when many others consider or (at that time) were forced into retirement.

He had a serious traditional Yeshiva education at its highest levels in Eastern Europe and then in Jerusalem, including rigorous studies along with illustrious personalities as study partners *(ḥevruṭa)*. From there Paul spent some years on a kibbutz followed by enlistment in the Israeli Defence Forces (IDF). Following those formative years, Paul went into business where he was very successful. He continued to hone his skill at learning languages. When he arrived at University of Toronto he embarked on a learning project beginning with five years of classical Greek. To these he added such subjects as Zoroastrianism, his first encounter with the Palestinian Talmud, and to learn from a woman as teacher (Tirzah Meacham), working on a distinct part of the rabbinic canon with a focus on the status of women and gender studies. Paul went on to study many more subjects under her tutelage. He was always the best of the students and went on to hold the prestigious Social Sciences and Humanities Research Council of Canada Fellowship.

His doctoral dissertation on Tractate *Tamîd* (the Hebrew section of which unfortunately remains unpublished) broke new ground by demonstrating the highly speculative nature of rabbinic texts in an area most scholars have felt was dominated by tradition (the daily priestly sacrificial system). He was delighted to receive a preliminary copyedited manuscript for his seventh book in summer 2018. Since he still possessed all his mental faculties, Paul very much wanted to hold the final book in his hands but, alas, death took him.

Paul had great love for Toronto and Canada which for him provided a haven from the complex politics of the Middle East. He devoted his last remaining vigor to the pursuit of peace by writing letters to the editor of Israel's foremost newspaper, *Haaretz,* and by attending Israeli and Palestinian peace demonstrations two weeks before his passing at the age of ninety-four and a half in Tel Aviv. He and his curiosity and intellectual rigor are sorely missed. May his memory be for a blessing.

—Harry Fox, Professor of Near and Middle Eastern Civilizations, University of Toronto

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Editor's Note

There is a rabbinic saying: מצוה לקיים דברי המת,"It is a mitzvah to fulfill the wishes [lit., words] of the deceased" (b. Ta'anit 21a, b. Ketubbot 70a, b. Giṭṭin 14b, and elsewhere). That ancient adage, attributed to Rabbi Meir, applies in this case. The manuscript for this volume was submitted to the Journal of Ancient Judaism Supplement Series in early fall of 2016. It underwent the normal process of blind refereeing and subsequent revision before being formally accepted in March 2018. During the process of copyediting and production, the author passed away in August 2018, five months before his ninety-fifth birthday. Up to the end—with his strength and acuity biblically undiminished—he had been actively involved with the manuscript. He never had a chance, however, to bring it to its final stages, let alone to see the page proofs. The series editors and the publisher were concerned to complete what the author could not. With generous support from the author's family, I arranged to have a bibliography and indexes prepared. I also personally undertook a final round of extensive copyediting. In working this closely with the manuscript, it was clear how passionately the author was concerned to defend his position that a greater range of religious options and freedoms existed in the Second Temple period prior to the formalization of later tradition, and to an extent not fully recognized by existing scholarship. This book in many ways represents a form of ethical will, seeking to pass on his convictions for posterity. The author's concerted desire to buttress his position accounts for the remarkable number of internal cross-references within the volume as well as his zealous debate with other scholars. It seemed only appropriate to solicit an obituary from his *Doktorvater* in honor of his memory. Molly Zahn generously contributed her expertise in checking DSS citations and helped with the proofing. Otherwise the entire content, argument, and language are those of the author, whose voice I have sought to retain. Paul Heger's seventh book is now *Institutionalized Routine Prayers at Qumran: Fact or Assumption?*

—Bernard M. Levinson, University of Minnesota

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Author's Preface

I started my academic activity as a second career, when I was a mature person with a body of experience and knowledge acquired in my previous studies, diverse activities, and extensive travels. This formed the basis of my current activity, shaping my way of life, my modes of thought, and my literary creativity. My formal education in my formative years took place in *yeshivot* of two distinct traditions and approaches to Jewish literature (Hassidic and Lithuanian). The rabbinic method for evaluating interpretations of biblical texts involves calling every proposed postulate into question. Typical questions are: Since you can interpret this biblical decree in either a lenient way or in a rigorous one, why did you choose to interpret it in a lenient/rigorous way? (b. Qidd. 20a) and אדרבה איפכא מסתברא, "On the contrary! [The example you cited to support your thesis] suggests the opposite" (b. Ber. 45b).

This method left an enduring imprint in my ways of thought and intellectual reasoning. It explains the strong challenges that I pose to prevailing opinions in most of my publications, an approach not favoured—to put it politely—by the majority of the academic community. On the other hand, the periods of my life spent in various countries, my diverse activities, and my extensive worldwide travels with open eyes and a favourable attitude toward the "other" induced me to approach my topic from a broad point of view that incorporates data from a range of cultures and contexts as well as a historical perspective. I believe my current study on prayer at Qumran validates this approach.

I wish to take this opportunity to thank my family, friends, and teachers, who encouraged and assisted me in the difficult task of switching from an active international business career to an academic career at the advanced age of sixty-two. I am pleased to specifically mention Professor Harry Fox, who accepted me as his student, constructed a broad and well-balanced program of study for me, and was my adviser in my graduate and doctoral studies. I am also grateful to the late Professor Otto Kaiser, who published my first books, which encouraged me to continue the studies that became the basis of my academic publications. Professor Günter Stemberger edited my book on rabbinic literature and guided my transition from the traditional method of studying rabbinics to the academic one. Professor Florentino García Martínez assisted me with my entry into Qumran studies and edited two of my books. I am grateful to the editors of the Journal of Ancient Judaism Supplements for accepting this manuscript into the series and providing several reader reports, along with their own suggestions on how to improve it. I also wish to thank my friend Professor Herbert Basser, with whom I had the rewarding opportunity to discuss my studies and from whose valuable comments and advice

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I have benefitted. Finally, at this juncture of my life, I dedicate the outcome of my recent intellectual efforts to my dear family as well as to the many friends of various nationalities, cultures, religions, professions, and vocations I am fortunate to have acquired over the course of my life.

March 30, 2018 P.H.

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Table of Contents

ISBN Print: 9783525571316 — ISBN E-Book: 9783647571317

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Introduction

There is no obligation to pray in Scripture. In fact, "obligatory prayer" is an illogical concept, since prayer consists of spontaneous supplication to God, which cannot be mandated or consist of a prescribed text to be recited at fixed times. The prayers described by the Bible are voluntary supplications by individuals and the community, in which they appeal to God to assist them and offer them succor from adversity when the need arises.[1]

After the temple's destruction in 70 C.E., the rabbis established an obligation to pray using fixed texts, including supplications and blessings, to be recited at specific times. Likewise, the New Testament recommends that one dedicate oneself to prayer (e. g., Luke 18:1). However, we do not possess any reliable data about the Pharisees' regulations regarding prayer in the period prior to the temple's destruction.

There is no explicit evidence of obligatory public prayer in Qumran writings, although some scholars claim to find some evidence for it. The present study will discuss these scholars' assumptions and claims. It will demonstrate their weakness, contest their arguments and supporting evidence, and will ultimately call them into question, based on logical considerations. I cannot, however, categorically assert that there was no such prayer, as alleged by these scholars, since, unless explicitly stated, it is an axiom that one cannot prove that something did not exist. Hence, we cannot definitely assert that there were no voluntary prayers performed at the time of the temple by specific groups of people at Qumran and of the general community, and we must consider the possibility that there were. On the other hand, neither have those I disagree with on this matter provided hard evidence that organized public prayer was performed at Qumran.

In considering obligatory prayer, it is important to distinguish between supplication, which cannot be fixed, and expressions of praise or thanksgiving, which can occur at fixed times or follow a predetermined text. Deut 8:10, for example, mandates that the people thank God for the good land he has given them, which provides bountiful food. In this case, the text of the blessing or thanksgiving is not set, but its time of recital, after the meal, is indeed fixed.[2] Many scholars, however, ignore this crucial distinction between the two types of oral approaches to God:

1 See, for example, Abraham's prayer for Abimelech (Gen 20:17), Isaac's prayer for Rebecca (Gen 25:21), and the people's crying to God (Exod 2:23–24, 14:10; Judg 2:9).

2 The text says: ואכלת ושבעת וברכת את ה' אלהיך על הארץ הטבה אשר נתן לך, "When you have eaten and are satisfied, praise the Lord your God for the good land he has given you."

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the supplication prayer entreating God for some need, and praise or blessings of God for his magnificence, which thank him for his deeds and care of his creatures. The convention to refer to both types of expression by the same term, "prayer" in English or εὐχή in Greek, leads these scholars to conflate the two.[3] As a result of this confusion, they deduce, erroneously in my opinion, the existence of fixed supplicatory prayers from Qumran writings that seem to reflect a fixed public liturgy consisting of thanksgiving, blessing, and praises. Further, on the basis of this presumption,[4] many scholars conjecture that the innovative Qumran prayers may have served as a model for later rabbinic obligatory prayers. In addition, some scholars consider the recital of Shema a prayer, presuming, on the basis of rabbinic narratives, that such a recital was an element of the temple's daily ritual. But in fact, the twice-daily rabbinic recital of the Shema has no affinity whatsoever with prayer; it was established by the rabbis as a means of fulfilling the command of Deut 6:7 to read the Torah in the morning and at night. After the later institutionalization of the daily obligatory prayer ritual, all of its elements were incorporated into the *siddur,* or "prayer book,"[5] without distinguishing between the different types of oral approaches to God. At the time of the Tannaim and Amoraim, however, only the Amidah was perceived as תפלה, "prayer."[6]

3 On the various meanings of this term in Philo, see Jutta Leonhardt, *Jewish Worship in Philo of Alexandria* (Tübingen: Mohr Siebeck, 2001), 101–4 under the heading "Prayer in Philo (εὐχή)." Leonhardt does not, however, define it precisely. She writes: "the noun primarily means prayer in general, 'supplication' and 'vow.'" It can also "assume the neutral meaning of 'wish' or 'aspirations,' and the negative meaning of 'curse,' 'imprecation.'" She quotes, for example, Philo's use of the term εὐχή for Jacob's blessing of Joseph in Gen 49:22 and in Isaac's blessing of Jacob (Gen 27:28), which are not prayers. On the other hand, it is remarkable that Philo uses two different terms for supplications in his descriptions of the prayers on the Day of Atonement in *Spec.* 2.196: λιταῖς καὶ ἱκεσίαις "entreaties and supplications." Judith Newman, *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (Atlanta: Scholars Press, 1999), 5–6, quotes various scholarly definitions of "Prayer." She argues that there are three criteria: a) an address to God initiated by humans, b) not conversational in nature, and c) usually performed in the second person. She does not distinguish between the two pivotal types: petition, and all other types of approaches to God. See Michael D. Matlock, *Discovering the Traditions of Prose Prayers in Early Jewish Literature* (London: T&T Clark, 2012), 4, for a list of scholarly definitions of prayer, which do not distinguish supplication prayers from benedictions, praise, and thanksgiving.

4 Eileen Schuller, "Worship, Temple, and Prayer in the Dead Sea Scrolls," in *The Judaism of Qumran: A Systemic Reading of the Dead Sea Scrolls,* Judaism in Late Antiquity 5, ed. Alan J. Avery-Peck, Jacob Neusner, and Bruce D. Chilton (Leiden: Brill, 2001), 1:125–43 at 126, referring to "prayer material in the Dead Sea Scrolls," notes "serious limitations and unresolved problems that face us as we examine this (Qumran) material."

5 The first known *siddur* was composed by R. Amram Gaon in Babylonia in the ninth century.

6 See Joseph Heinemann, *Prayer in the Period of the Tannaim and the Amoraim: Its Nature and Its Patterns* [in Hebrew] (Jerusalem: Magnes, 1978), 15.

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As noted above, this study will argue against the view that liturgical supplications of fixed texts are attested prior to the temple's destruction, either by the Pharisees or by the Qumran community.[7] The fixed texts of the Qumran writings, if they were indeed recited by the community, consist exclusively of blessings and thanksgiving (4Q503) and cannot serve as evidence for obligatory fixed supplication prayers. As such, they cannot be regarded as models for the later rabbinic fixed prayers.

The Qumran community did not substitute or claim to be substituting prayer for the sacrifices in the temple, from which they abstained. I argue that many scholars are mistaken in their belief that the daily recital of the 4Q503 text, labelled "Collection of Daily Prayers," was intended as a replacement for the obligatory *tamid* offerings in the temple, since the *tamid* sacrifices were offered at times different from those stipulated by the author of 4Q503.

Similarly, I do not accept the authenticity of the rabbinic claim that the fixed prayers were instituted after the temple's destruction in 70 C.E. in lieu of the sacrifices. This study will offer other conjectures about the circumstances that may have motivated this radical, groundbreaking change in Israelite worship.

Methodology

This study will not discuss whether a given Qumran writing that appears to have been composed for public performance is sectarian or nonsectarian. This specific issue does not affect the core of this investigation, since it seems that the relevant writings were preserved as elements of "the 'traditions' inherited and used by members of the Qumran Community,"[8] even if not composed by them.[9]

Although scholars who assert that there was institutionalized or communal prayer at Qumran generally avoid using the term "obligatory," I believe that in essence, the terms "institutionalized," "communal," and "obligatory" are interchangeable as used by these scholars. It seems inconceivable that "communal institutionalized prayers," the term used by contemporary scholars to describe

7 I quote and then dispute Daniel K. Falk's main assertions. The broad and systematic work on prayer in his book *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls* (Leiden: Brill, 1998) seems to have influenced or been influenced by many other scholars who advocate similar views on this topic. The same applies to Esther Chazon's copious writings on the same topic.

8 Henry W. Morisada Rietz, "Identifying Compositions and Traditions of the Qumran Community: *The Songs of the Sabbath Sacrifice* as a Test Case," in *Qumran Studies: New Approaches New Questions,* ed. Michael Thomas Davis and Brent A. Strawn (Grand Rapids, MI: Eerdmans, 2007), 29–52, at 33.

9 Penner, "Mapping Fixed Prayers," 42–43, states: "the question of provenance loses some of its importance: all prayers found among the Dead Sea Scrolls can be considered sectarian in a certain sense because of their readership and reception in that community or movement."

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prayers practiced by a community in general, and by the Qumran community in particular, is not intended to convey a sense of obligation. Could it be that in a society like Qumran, in which every detail of personal and communal life was rigidly prescribed, and every transgression of a regulation was severely punished, an individual was free to decide whether or not to participate in communal prayer?[10]

The following examples demonstrate that scholars who regard the Qumran liturgy as "institutionalized" or "communal" also view it as obligatory:

Bilhah Nitzan asserts that the biblical "theoretical principle" that prayer of the righteous is pleasing to God as "an acceptable offering of delight" became a positive commandment when the Yahad separated itself from the temple offerings. Even if the laws of prayer do not quite rise to the level of a biblical command, Nitzan asserts, "the very fixity of the times of prayers, even if only as a pious practice, lent a quasi-halakhic character to the ordinances governing prayer."[11] This suggests that the Qumran prayers were obligatory.

In his *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls,* Falk[12] states that both Words of the Luminaries and Daily Prayers (4Q503) "consist of communal, liturgical prayers with specific wording of general interest, which were recited daily as an institutionalized procedure." This can only mean that these prayers were obligatory in the Yahad community.

The discussion under the heading "Obligation in Prayer"[13] demonstrates that Falk views prayer as obligatory at Qumran. He poses the question: "Is there support outside the Dead Sea Scrolls for the idea of prayer as an obligatory service prior to the destruction of the temple?" Consequently, it is obvious to him that prayer was "an obligatory service" according to the Dead Sea Scrolls.

Similarly, Falk's assertion that in the Qumran writings "is evidenced a community that apparently lived without participation in the temple cult and nurtured the idea of the community offering prayer as sacrifice" and his conclusion that "institutionalized prayer originated as a substitute for the Temple"[14] must be understood as regarding prayer as obligatory; just as the temple service was obligatory, so must prayer, its substitute, be obligatory.

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10 1QS VII, 10–11 states that "the man who leaves a session of the general membership without permission and without a good excuse three times in a single session … shall be punished by reduced rations only ten days."

11 Bilhah Nitzan, *Qumran Prayer and Religious Poetry,* trans. Jonathan Chipman (Leiden: Brill, 1994), 48–49.

12 Falk, *Daily,* 92.

13 Ibid, 247.

14 Daniel K. Falk, "Qumran Prayer Texts and the Temple," in *Sapiential, Liturgical and Poetical Texts from Qumran: Proceedings of the Third Meeting of the International Organization for Qumran Studies, Oslo, 1998; Published in Memory of Maurice Baillet,* ed. Daniel K. Falk, Florentino García Martínez, and Eileen M. Schuller (Leiden: Brill, 2000), 106–26 at 106.

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In "4QDibHam: Liturgy or Literature?" Chazon[15] contemplates whether some "formulaic parallels" of different prayers "emerged independently with the same structure and formulae" or "resulted from conformity to current liturgical practice." It is difficult to imagine that she means that prayer was not obligatory at Qumran and that members of the community could decide whether to participate in the "liturgical practice" or the "joint human-angelic praise" of the group.[16]

In "Prayers from Qumran,"[17] Chazon further states: "The role of prayer at Qumran as a substitute for temple sacrifice fostered its development as a religious institution of the Qumran community. The fixed daily, Sabbath and festival liturgies provide solid evidence of institutionalized communal worship merely hinted at in earlier publications." It is difficult to see any essential difference between Chazon's description of prayer at Qumran "as a religious institution of the Qumran community" and the concept of obligatory prayer.

I can only speculate about the motive that induced the above scholars to avoid "calling a spade a spade." My impression is that they had some doubts about their assertions of practiced communal prayer at Qumran, as I show occasionally in my scrutiny of their statements. I particularly respect Falk for his frequent hesitance to make categorical pronouncements.

I will, therefore, avoid using the term "obligatory" in my citations of the scholarly assertions, in which it does not appear, but I used it in the title and will use it freely in my own analysis, together with other comparable terms, such as "institutionalized" and "communal."

Since this study is divided into chapters discussing different aspects of prayer, some similar discussions and arguments appear in connection with different issues. For the convenience of readers, especially those who wish to read only about specific issues, I chose to repeat some material in multiple places. The sequence of topics in this study is as follows:

Chapter 1 investigates the distinction between different approaches to God. It demonstrates the distinct original Hebrew terminologies used for each way of invoking the Deity. In Scripture, the term תפלה is used exclusively for supplication; it appears in association with חנן/תחנה, "supplication," in its various grammatical forms, and with שוע, "cry" for help. Scripture uses distinct terms for other approaches to God, such as הלל for glorification, שבח for praise, ידה and ידו for thanks, and ברך for blessing. Based on my analysis of relevant texts, this study disputes the indiscriminate use by scholars of the term "prayer" for all invocations of the Deity. Moreover, in contrast to the absence of a command to supplicate God, we encounter a command to bless God for the good land on specified

15 Esther G. Chazon, "4QDibHam: Liturgy or Literature?," *RevQ* 15 (1992): 447–55 at 451.
16 See pp. 64 and 67–69.
17 Esther G. Chazon, "Prayers from Qumran and Historical Implications," *DSD* 1, no. 3 (1994), 265–84 at 273.

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occasions, demonstrating the sharp distinction between the two broad types of approaches to the Deity.

The study then examines this topic as it appears in the writings of the Second Temple period, apart from those in the Dead Sea Scrolls writings, to which I dedicate a separate section. The various approaches to God by Ezra and Nehemiah, which include thanksgiving, confessions, and petitions, are examined and classified. The Bible includes the texts of some of these oral approaches to God, but they are definitely of an ad hoc character, tailored to specific events. They do not serve as evidence for the practice of fixed "prayer" texts established by the political and spiritual leaders of the returnees from the Babylonian exile, who determined to a considerable extent the nature of Judaism in the late Second Temple period and beyond. The study then reviews the citations of prayers in Daniel, Judith, Baruch, Ben Sira, and Maccabees, demonstrating that they do not provide evidence for the practice of fixed-text prayers in the period of their composition. Various mentions of prayer in the New Testament are cited and discussed. Apart from the Lord's Prayer in Matt 6:9–13 and (in a shorter version) Luke 11:2–4, which seems to have a fixed text but not a fixed time of recital,[18] the prayers that are recorded have no fixed texts nor any indication of time. They were also to be performed only by individuals, not by the public.

The study then examines the Qumran writings relevant to the distinction between the various types of oral approaches to the Deity and the implications of this distinction for the topic of the use of fixed texts for addressing God. Whereas fixed texts at fixed times are logically inappropriate for supplication prayers, one can envision the use of fixed texts to praise God, thank him for received favors, and bless him for his continuous providence. Thus, this study argues against the indiscriminate use of the term "prayer" for all types of spoken address to the Deity, which can blur the crucial distinction between the different approaches and lead to erroneous deductions. Neither English nor Greek possesses distinct terminologies for the different approaches to God, but the Hebrew of the Bible and of Qumran, as well as the rabbinic writings, lexically distinguish between petition prayers, called תפלה, and the other types of oral approaches to the Deity; ample examples support this thesis.

Chapter 2 examines the scholarly assumption that 4Q503, 4Q504, and 4Q400–407 prove the existence of institutionalized communal prayer at Qumran. We start with an examination of 4Q503, labeled "A Collection of Daily Prayers," which is presumed by scholars to attest to the daily recital of a prayer, though it consists exclusively of blessings performed by the community in the morning and in the evening. The literary style of the "prayer" as a recital by one person, along with refrains by

18 The fact that we encounter two different texts of the same prayer indicates that the description "fixed text" is not appropriate for it.

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the congregation, does indicate that it was composed to be performed in public. (Whether the author was a member of the Qumran community or not is debated by scholars.) Yet we have no indication that it was accepted by the community as an institutionalized communal ritual. Crucial instructions that are indispensable for a recurring public ceremony are missing from these texts, such as the identity or qualifications of the reader of the main text: Was it a layman, a Levite, or a priest? How and by whom is the leader chosen? The exact time of the recital is not indicated. Moreover, we encounter confusion between the different cosmic changes mentioned in the writing, presumably denoting the schedule of its performance, compatible with them. This "prayer" blesses God for the transition between day and night and between light and darkness. In this text, four different terms denote these changes. "In the evening" and the "going out of the sun" are not compatible with the other times given for the blessings, namely night and at the heat of the sun,[19] which leaves some confusion regarding the time of the recital. Because there is no command to perform this daily prayer twice daily nor any record of such a custom, scholars speculate whether it was performed all year, or only in the first month (Nisan), or on specific days throughout the year. We are not informed of a dedicated location where the daily prayers were performed, similar to a synagogue, an institution common in Jewish communities of that period. These omissions raise doubts regarding the scholarly assertion that this text was institutionalized as a communal prayer at Qumran, a community in which everything, and particularly religious obligations, were regulated down to their smallest details.

Similar arguments raise doubts about the scholarly claim that 4Q504, labeled "The Words of the Luminaries," constitutes a liturgical text performed in public at Qumran. Moreover, in contrast to the Daily Prayer, which was unquestionably composed for communal performance, as the phrase וענו ואמרו, "and they respond saying" implies, we have no clear indication of this concerning 4Q504. The expression אמן אמן in 4Q504, which is assumed by scholars to constitute a refrain recited by the people in daily public worship, does not indicate this in the absence of the introduction וענו ואמרו or ואמר. It rather consists of a proclamation by the author that "matters are indeed so."

It is important to realize that there is, in fact, no indication of 4Q504's function. We do not know whether it was adopted by the Qumran community as an obligatory recital by the public or by individuals or whether it was meant to be recited by one person at a public function, and we are never informed of the qual-

19 The "heat of the sun," at midday, is inconsistent with "when the sun rises." Similarly, "night" is inconsistent with "evening." See Chazon's assertion in "When Did They Pray? Times for Prayer in the Dead Sea Scrolls and Associated Literature," in *For a Later Generation: The Transformation of Tradition in Israel, Early Judaism, and Early Christianity,* ed. Randal A. Argall et al. (Harrisburg, PA: Trinity Press International, 2000), 42–51 at 43, that "prayer times are coordinated with the movements of the heavenly lights."

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ifications necessary to lead the service.[20] Further, we do not know whether it was recited on a specific week of the year or was repeated every week,[21] whether it was recited once or twice daily,[22] and at what time of the day it was recited. As it seems to me that communal institutionalized prayers of any kind must occur at fixed times of the day, week, or month, the lack of such indications excludes a priori the possibility that 4Q504 was performed as an obligatory communal prayer by the Qumran community.

The third significant Qumran writing assumed by scholars to have functioned as a communal liturgy, namely 4Q400–407, the *Shirot Shabbat,* presents the same problems. We have no indication of whether these prayers were written for liturgical or inspirational/meditative purposes,[23] whether they were obligatory or not, or when they were intended to be recited; scholars have suggested that they were to be recited only in the first three months of the year, or twice yearly, or four times yearly.[24] There are no indications as to whether they were recited at the times prescribed for the sacrifices; whether they were designed as a substitute for the sacrificial service; or whether they were intended to be recited in the morning and afternoon of the Sabbath, corresponding to the *olat shabbat,* or only once, in the morning.[25] There are no indications as to whether they were composed to be recited or by whom—that is, by all the people, by Levites, or only by priests. Furthermore, we do not even know whether they were established as an obligatory performance by the Qumran community. The chapter concludes with the observation that the

20 Falk, *Daily,* 92, asks whether the reader came from "levitical circles or from the lay *ma'amadot*." However, we have no indication that lay *ma'amadot,* as described in *m. Ta'anit* 4:2, existed at Qumran. I doubt that they did, but the crucial question of who was supposed to recite the text still remains open. On the other hand, we observe that at obligatory ceremonies, such as at the Covenant Ceremony in 1QS I, 17–18, the exact division between the functions of the priests, the Levites, and the people is prescribed, as in 1Q33 VII, 13–16 and in col. VIII. In 4Q286–289, the many lacunae prevent a reasonable examination of the various functions. Yet, we may assume that there too a division between the different functions was prescribed, since we a priest is mentioned in 4Q289 frags. 1 and 2. The lack of such instructions for the recital of 4Q503 and 4Q504 is strange, reinforcing doubts regarding their obligatory function.

21 Johann Maier, "Zu Kult und Liturgie der Qumrangemeinde," *RevQ* 14, no. 4 (1990): 543–86, at 599, poses this question regarding the assumed recital of 4Q504–506.

22 Falk, *Daily,* 92, asks whether it was performed in the "morning or evening alone, or morning and evening repeated." The question is definitely justified, considering Chazon's assertion in "When did they Pray?," 43 that "prayer follows natural time, and prayer times are coordinated with the movements of the heavenly lights."

23 Maier, "Kult," 570, poses this question. Newsom, *Songs of the Sabbath,* 72, emphasizes the "hypnotic quality of the language," which creates "a sense of the presence of the heavenly Temple" and "a particular type of experience." Hence, in essence she too presumes the *Shirot*'s inspirational function, namely, the evocation of an elating experience.

24 See discussion on pp. 91–97.

25 On this specific issue, see Paul Heger, "Sabbath Offerings According to the Damascus Document: Scholarly Opinions and a New Hypothesis," *ZAW* 118 (2006): 62–81, esp. 67–76.

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lack of specific information of fundamental significance for institutionalized public prayer in these three Qumran writings makes it unlikely that they were recited as obligatory communal prayers by the Qumran community.

Chapter 3 turns to Qumran writings other than the three texts presumed to be the original text of "prayers," discussed in chapter 2. This study analyzes Qumranic texts, such as 1QS X, that are interpreted by scholars as referring to an obligation to perform daily prayers. These scholars derive their understanding of these texts from an alleged biblical command in Deut 6:7 to recite a sequence of biblical verses assembled much later by the rabbis, commonly called the Shema. However, these verses, as is patently evident, refer to the study of Scripture and not to prayer. The intent of the biblical command of Deut 6:7, ושננתם לבניך ודברת בם בשבתך בביתך ובלכתך בדרך ובשכבך ובקומך, accords with its plain translation: "Impress them on your children. Talk about them when you sit at home and when you walk along the road, when you lie down and when you get up." In effect, "Study continuously."

The reigning scholarly assumption that the Qumranites recited the Shema is very doubtful. No such concept exists anywhere in Qumran writing, and moreover, this late rabbinic obligation was not categorized as the recital of a "prayer" but as the fulfillment of the biblical command to read the Torah in the morning and at night, as observed above. This study analyzes, in detail, rabbinic narratives about prayers at the temple and their lack of historical reliability. The rabbis created a host of novel rules and customs after the temple's destruction and retrojected them to the period of the temple. They did this in order to facilitate the acceptance of these rules by the people as ancient tradition. In the same way, scholars who use the rabbinic narratives as evidence for their theory emulate them by attempting to derive the performance of some customs by the Qumran community from rabbinic writings composed centuries later. Scholarly attempts to support the thesis of communal prayer at Qumran with writings such as Josephus, Philo, and the Epistle of Aristeas are discussed at length and rebutted.

The thesis of this study raises the question of the Qumran community's motive in preserving texts that seem to have characteristics of prayer. The study argues that the fact that these texts were preserved, in the absence of any instructions to recite them as prayers, does not serve as evidence that they were obligatory for recitation by individuals or by the public. They rather seem to have been composed to express their authors' own pietistic thoughts and emotions, and possibly also to be read by others for similar reflection or to serve as a model for individual readers to compose similar texts in their own language and style in order to express their personal elation. We may compare them to the *hodayot* or similar hymns, such as canonical or non-canonical psalms, which contain praises and blessings, supplications and thanks, but which contemporary scholars do not categorize as obligatory prayers meant to be recited at predetermined times.

At this juncture, this study contemplates a possible explanation for the preservation of 4Q503, which was unquestionably written for daily use, that supports

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my overall thesis regarding prayer at Qumran. The great innovation of the author of this text was the conception of daily prayer, not as an obligation, but as a recommended meritorious act.[26] As already noted, normally people prayed whenever they felt the need to address the Deity, but a recommendation to serve the Deity daily with thanks and blessings, regardless of one's particular circumstances, was a novel concept that was previously inconceivable. Consequently, it could not be imposed as an obligation. This likely explains the absence of any command to engage in this practice or any designation of specific times of the day and year at which to do so. The prayer continued to be a voluntary act, and each individual could decide whether and when to perform it.

Chapter 4 addresses the imprecise and questionable claim often advanced by scholars that the Qumran community instituted daily prayers as a substitute for the sacrifices when they ceased to participate in the temple cult. I observe that scholars do not effectively distinguish between the two different types of sacrifices, namely, the twice-daily public *tamid* offering and the individual offerings, such as the obligatory sin and guilt offerings that atone for specific transgressions and the voluntary holocaust, fellowship, and thanksgiving offerings. The supposition that the daily prayers were substitutes for the sacrifices can only relate to the *tamid* sacrifice, the only sacrifice offered twice daily at fixed times. We have to keep in mind, however, that individuals, including priests, are not obligated to offer the daily perpetual *tamid*. It is a communal offering. The rabbis even prohibited an individual from voluntarily donating the animal for the *tamid* sacrifice (b. Menah. 65a); the Sadducees permitted it as a voluntary act but did not regard it as fulfilling an obligation. Hence, even the priests of the Qumran community were not obligated to perform this offering, and consequently did not need a substitute for it. Moreover, 1QS IX, 4–5, which declares virtuous deeds and righteous behaviour to be preferable to sacrificial offerings, clearly concerns individual offerings, not the public daily *tamid*. These sacrifices, however, are not offered twice daily, nor at the time of the presumed daily prayers in 4Q503, the only Qumran prayer explicitly composed to be performed twice daily. The *tamid* was offered twice daily, but not at the times indicated for the prayer in 4Q503, as demonstrated earlier in the study. The study then examines the text of CD XI, 20–21 and the common understanding of this text as meaning that prayer alone is equivalent to offerings. On the contrary, I argue that the text does not indicate that prayer alone is comparable to sacrifices; only prayer and correct behaviour are equivalent to sacrifice. The author's change of the original terms ישרים, "honest ones" (Prov 15:8b), to צדקם, "righteous ones," demonstrates his intent to emphasize that only the prayer of the righteous, namely, those who fulfill the commands of the Law in the right manner, is equal to offer-

26 This is similar to Jesus's exhortation to his disciples in Luke 18:1 "that they should always pray" or Paul's counsel in 1 Thess 5:17 to "pray continuously."

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ings. 11Q5 (11QPs[a]) XVIII, 1–10, addressing its message to "the good ones and the blameless," extols the man who glorifies God in an offering that comes מיד צדיקים, "from the hand of the righteous." Qumran scholars follow the biblical provisions of Isa 1:15[27] and Ps 50:16,[28] which convey the same doctrine.

The chapter concludes by stressing that the scholarly assumption that the Qumran community instituted prayer as a substitute for sacrificial worship after their separation from the temple has no real basis. This conclusion is based on the above arguments and the lack of any mention of the substitution of sacrifices by prayer in 4Q503 and in other writings in which communal prayer is mentioned or assumed by some scholars to be implied. Chapter 6 speculates about relationships between prayer and sacrifices.

Chapter 5 is dedicated to the rabbinic institution of prayer after the temple's destruction, of which we have ample and extensive documentation, in contrast to the pre-70 era, as discussed in the previous chapters. The study argues that the rabbis were well aware that the term תפלה, "supplication prayer," represents a spontaneous appeal to God by individuals or by the public at times of specific need and that it is inappropriate to offer in its place a prayer with a previously composed fixed text to be performed at fixed times. They nevertheless introduced such obligatory prayer after the temple's destruction, in the form of institutional daily recitals of the Amidah, a specific form of supplication in which prayer is interlaced with blessings. For Sabbaths and holidays, when supplications were proscribed, the rabbis composed a special liturgy. The contents of the weekday Amidah, however, demonstrate that the petitions for divine succor relate to the people's constant needs. Moreover, a study of the Amidah's petitions will demonstrate that all its prayers ask for divine relief from plights of the people of Israel; this particular structure somewhat circumvented the problem of its composition as a predetermined text. Individual petitions, which are not included in the Amidah, continue to take the form of spontaneous appeals to God at times of specific need.

This study theorizes that Rabban Gamaliel, the Patriarch officiating during the period shortly after the temple's destruction, perceived that his main task was to ensure the survival of the dispersed Jewish people and its particular culture as one uniform religious entity. With the loss of the temple and its sacrificial rituals, which had been the central unifying element of Jewish life in the Diaspora, Gamaliel realized that disparate customs could provoke splits within the Jewish people. He recognized the great danger of such divisions and concluded that establishing identical rules, customs, and manners of worship in Judah and the entire diaspora

27 The text reads: ובפרשכם כפיכם אעלים עיני מכם גם כי תרבו תפלה אינני שמע ידיכם דמים מלאו, "When you spread out your hands in prayer, I will hide my eyes from you; even when you offer many prayers, I am not listening. Your hands are full of blood."

28 The text reads: ולרשע אמר אלהים מה לך לספר חקי ותשא בריתי עלי פיך, "But to the wicked person, God says: 'What right have you to recite my laws or take my covenant on your lips?'"

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would be the most efficient way to avoid them. Rabban Gamaliel decided that this goal was of the utmost importance and should override the previous character of prayers and blessings. On the basis of his authority as patriarch,[29] he instituted the Amidah, a totally new category of divine appeal, a prayer with a fixed text. He initiated a process to establish uniform customs and halakhot, despite opposition by renowned sages of his time. This unified halakhah enabled the Jewish way of life to survive intact throughout the diaspora. The great bulk of the Jewish people lived according to halakhah until the period of the Jewish Enlightenment, when many Jews abandoned it in part or in total.[30] Indeed, the persistence of this way of life to this day confirms the correctness of Gamaliel's farsighted vision. This vision recognized the pivotal importance of the formation of a Jewish identity and communal boundaries.

At the same time, this study emphasizes that the Amidah, the unifying prayer, was only one element, albeit an important one, of the rabbinic transformation of Judaism after the trauma of the temple's destruction and the cancellation of the sacrificial cult that had been its core element. The rabbis created a new spiritual centre, the assembly of Yavneh, where the Sages attempted to generate a uniform set of halakhot and a way of life that would be binding on all Jews, wherever they lived. The centrality of Jerusalem was replaced by that of Yavneh and its sages. Any place where Jews assembled to pray or study the Torah became a holy site, and the study of the Torah, charity, the correct fulfillment of the Torah laws, and other virtuous deeds replaced the concrete sacrificial temple cult.[31] The supplications, blessings, confessions, and pleas for forgiveness that were previously performed by the priesthood were now performed by every Jewish individual through direct access to the Deity. By means of this fundamental change, the rabbis instituted a fundamentally new type of relationship between humans and God. The dominance of the priests, enhanced by Ezra and Nehemiah, which suppressed the significance of individual approaches to the Deity, was replaced by a direct, unmediated approach to God by every Jew. This dramatic change accomplished the final stage of the transformation of the Jewish creed, from concrete sacrificial worship of God to abstract worship. This was achieved by obeying divine rules and decrees, the overwhelming majority of which concerned ethical conduct in human relations, in realization of Micah's prophecy (Micah 6:8). Based on rabbinic records and citations, I evaluate various stages in the history of the forma-

29 The issues of whether the Romans acknowledged his authority and the limitations of that authority are a matter of debate. I refer here, however, to his authority in Jewish society. The opposition of some rabbis to his decrees and decisions did not affect his general authority.

30 The Enlightenment period is usually considered to have started in the sixteenth century, whereas the Jewish enlightenment, called Haskalah, started much later, in the second half of the eighteenth century.

31 See the statements of Rava and Abaye in b. Rosh Hash 18a and pp. 198–208 below.

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tion of the Amidah prayer and the disputes among the rabbis concerning its form and application.

Chapter 6 attempts to deduce the circumstances concerning prayers prior to the temple's destruction from a comparison of Qumran and Samaritan prayer customs. This study approaches this issue by noting similarities between the Samaritan and Qumran communities regarding such issues as the function of the first day of the seventh month, the distinction between the Passover and Mazzoth holidays, the importance of the priestly leadership's rank and function in the community, and vigilance regarding issues of purity and impurity. Many aspects of religious life and custom can be inferred from these similarities. I conclude that the Samaritans likely composed public oral approaches to God before the establishment of the rabbinic system. Since we have no evidence of Pharisaic/pre-rabbinic practices regarding prayer, this approach may assist us somewhat in filling in this missing information. Although the documentation of the Samaritan prayer practices comes from later periods, it can still be useful, since later-written liturgical texts and practices were similar to earlier rules and practice. I conclude that in Judah public prayers were not the common manner of entreating the Deity in the pre-70 period.

Chapter 7 deals with further issues concerning prayer. We begin with a hypothesis concerning the circumstances that initiated the process of orally approaching the Deity. In its final stage, under shifting historical conditions, this process led to the de facto substitution of prayer for the sacrificial worship system, a change that was subsequently justified ideologically. This chapter begins with a short discussion concerning the attributes of a "ritual," arguing that spontaneous approaches to the Deity of any type are not to be classified as rituals. On the other hand, Israelite sacrificial worship, which was repeated in the same precise manner at recurring times, must be understood as a ritual. The same applies to the Daily Prayer of 4Q503, if it was implemented as obligatory by the Qumran community.

This study further argues that the Qumranic ideological emphasis on correct behaviour and prayer resulted in a new assessment of the natural craving for unmediated and direct approaches to the Deity. King Josiah's reform, which confined sacrificial worship to one location, the Jerusalem temple, and restricted its performance to one priestly clan, rescinded the previous personal and spontaneous approaches to the Deity through sacrificial offerings. The resulting void in personal involvement led to a search for other, more satisfactory means of relating to the Deity. A mishnaic passage in m. Tamid 4:2 indicates that already at the time of temple, sacrificial worship by proxy was not sufficient for meeting individuals' personal need to approach the Deity. Oral praise, thanks, blessings, and petitions, which created a direct connection between the individual and the Deity, filled the void. These approaches were performed ad hoc, at times and in forms chosen by the individual worshipper, as were sacrificial offerings before their centralization. The de facto replacement of the sacrifices by good deeds and prayers was com-

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pleted at Qumran with the community's voluntary withdrawal from the sacrificial cult, and in the rabbinic world after the temple's destruction in 70 C.E.

I next reflect upon the parallels that scholars claim exist between some Qumran and later rabbinic prayers. Some scholars claim to find a common prayer tradition and argue that Qumran prayers served as a model for rabbinic prayers and benedictions. This study analyzes the examples these scholars present and demonstrates that some parallel terms derive from a common scriptural tradition, and hence that both the Qumran authors and the rabbis replicated them independently in their texts. I further contest another scholarly presumption, namely that an element of the daily rabbinic benedictions, the *trisagion,* has an analogy in Songs of the Sabbath Sacrifice and served as the source of the latter. This rabbinic text is actually a very late composition from the Middle Ages. It does not appear in talmudic literature, and so it is unreasonable to assume a connection with the Qumran writings.[32] Moreover, the study demonstrates that the allegedly common term קדוש, "holy," is used in completely different ways in the two sources, precluding any comparison of them.

Furthermore, the Daily Prayer of 4Q503, the only prayer that may possibly be compared to the rabbinic daily Amidah, differs from the latter in its purpose and function. The former consists exclusively of blessings and thanks, whereas the latter is composed of petitions, and the use of the term תפלה affirms this; the concluding blessings are secondary. In addition, 4Q503 was unquestionably written

32 An odd text at the end of y. Ber. 5:3, 9c seems to indicate, according to the commentator Pnei Moshe, that a *qedushah* at the *yozer* was an element of the morning prayer. Its reliability is, however, doubtful; neither references to the recital of the *qedushah* nor its text appear anywhere else in the Yerushalmi, nor do they appear in the Bavli. Hence, we cannot be sure of the meaning of the phrase אישתתק באופנייה, "he was stuck with silence in his prayer at *ofanim,*" suggested by the commentator. Further, we have no ordinance indicating that the *yozer* benedictions are recited by a prayer leader like the Amidah, and the discussions there unquestionably refer to such a public recitation, following the reference in m. Ber 5:3 to העובר לפני התיבה, "the leader of the prayer," and the question ומאין הוא מתחיל, "Where does he [the substitute] start [to lead the prayer instead of the previous one who erred]?" (The dictum אין פורסין את שמע, "one does not divide the recital of the Shema, relates to a totally different mode of recital and has no relation to prayer with a leader.) Rabbi Elazar's clarification that his anger was directed at someone who suddenly became mute has no relationship with the discussed subject and has no rational and grammatical association with the subsequent statement אתון ושיילון לר' אבון, "they went and asked Rabbi Abon," which is in the plural. The succeeding question on Rabbi Abon's pronouncement and the rhetorical answer מכיון דעניתון קדושתא, "since you (pl.) already recited the *qedushah,*" likewise introduces an unfamiliar topic, that is, the recitation by the public, in a discourse concerned with errors of the prayer leader and their remedy. Finally, b. Hul. 91b–92a declares explicitly that the refrain ברוך כבוד ה' ממקומו, "may the glory of the Lord be praised from his place," is recited by the ofanim (a particular kind of angel) quoted in the antecedent verse of the *qedushah,* not by the Israelites, as the commentator's supposition would suggest. Consequently, I do not believe that this confused narrative renders evidence for the public recitation of the *qedushah* in Amoraic times.

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for public recital, whereas the Amidah was composed as an individual prayer and remains so today. Another crucial distinction between the two types of prayers is their language: Qumran uses scriptural language but not scriptural texts, while rabbinic prayer, apart from the Amidah, is composed mostly of scriptural texts. Finally, one should keep in mind that the rabbis abhorred and ignored the Qumran group; they do not even mention the Qumranites as their opponents. Thus, it is highly implausible that they emulated their tradition of prayer. I hypothesize that the innovation of daily prayer may possibly be perceived as an indication of a commonality between the two disparate groups. That the text of the Daily Prayer of 4Q503, which is possibly a voluntary prayer and lacks any instruction to recite it, actually served as a model for the obligatory rabbinic Amidah cannot be excluded, but the above arguments make it highly unlikely.

Sources

Translations of biblical texts generally follow the New International Version or NIV, unless otherwise indicated. Quotations and translations of Qumran writings are usually from the *Dead Sea Scrolls Electronic Library of Biblical Texts* or *DSSEL* [https://brill.com/view/package/dsso], unless otherwise indicated. The rabbinic texts and their commentators are taken from the online Global Jewish Database (The Responsa Project) at Bar-Ilan University. The translations and interpretations of these texts are mine, as are the translations of occasional citations from Hebrew, German, and French books and articles. In all citations of ancient sources, I follow the convention of replacing the Tetragrammaton with the contraction ['ה], symbolizing "the Name." Abbreviations follow the *Society of Biblical Literature Handbook of Style*.

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Chapter 1
The Distinction between Prayer/Supplication and Blessings/Praise and Thanks

Scripture—First Period

There is no obligation of תפלה, "prayer," in Scripture, because such an enactment would defy any logic; one cannot reasonably command someone to supplicate when no specific need is at hand. On the other hand, there is one obligation to bless God in Deut 8:10.[1] Most of the blessings recorded in Scripture consist of God blessing individuals or the Israelite people, or humans blessing other people in the name of God.[2] Martin Hengel observed that the concept of תפלה does not appear in the Pentateuch and only appears sparsely in the other books of the Bible, except the Psalms, where it appears more frequently.[3] However, supplication prayers do appear in the Pentateuch, where they are referred to by different verbs, mainly when someone prays for someone else. When Abraham prays for Abimelech and Moses prays for the people, the term פלל is used.[4] It is curious that Scripture does not mention Abram praying for Sarai when she is taken by Pharaoh in Gen 12. But this is most likely because Abram's petition to God was secondary

1 See original text and translation in the Introduction, p. 9 n. 2.

2 See, for example, Gen 12:2; 35:9; Exod 20:21; Deut 7:13; 14:24; 15:18; 21:5; 2 Sam 6:18; Ps 129:8; and 1 Chr 16:2.

3 "[εὐχέ] ist in der Regel die Übersetzung von תפלה, ein Begriff, der im Pentateuch überhaupt nicht, in den erzählenden Büchern selten, um so häufiger aber in den Psalmen erscheint." (Martin Hengel, *Judaica et Hellenistica: Kleine Schriften* [Tübingen: Mohr Siebeck, 1996], 1:174). All instances of the term תפלה in Scripture, including Psalms, refer to petitions; some also include the usual glorification of God and thanks for previously received favors, an intrinsic element of supplications. Hab 3:1 does not seem at first sight to contain petitions, but the unusual term שגיונות at the end of the verse תפלה לחבקוק הנביא על שגיונות induces the traditional commentators to interpret the chapter as a supplication for Israel. The KJV and NIV use the original term in their translation, and the LXX interprets it "with songs." I do not think that the LXX had another manuscript, since in Qumran writings (Mur 88), the phrase על שגיונות is partly reconstructed, but apparently could not have been בשיר, in keeping with the LXX translation/interpretation.

4 Gen 20:17 reads ויתפלל אברהם, and Num 11:2 reads ויתפלל משה. In his prayer for himself in Deut 3:23, Moses uses the term חנן in the *hithpael.* In Gen 25:21, referring to Isaac's prayer for Rebecca, the term עתר, "to entreat," is used in a remarkable play of words, in which the active mode expresses his supplication and the passive mode expresses God's acceptance of his prayer.

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