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### **The Sources of Torah in the Book of Jubilees**

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# THE SOURCES OF TORAH IN THE BOOK OF JUBILEES

By James Kugel

The book of Jubilees is arguably the most important and influential of all the books written by Jews in the closing centuries before the start of the common era.<sup>1</sup> Composed by an unknown author sometime around 200 BCE, it belongs to the “Rewritten Bible” genre, taking the form of a retelling of much of the book of Genesis and the first part of the book of Exodus. According to its opening chapter, the contents of the book were communicated to Moses on Mount Sinai by God’s chief angel (known in the book as the “angel of the presence”). Moses had initially gone up Mount Sinai in order to receive the Torah (Pentateuch). Before he could go down again, Jubilees relates, God ordered the angel of the presence to dictate another book to Moses, a detailed history of events from the creation of the world to the time of the exodus from Egypt. The result of that dictation is the book of Jubilees itself. Although it covers much of the same ground contained in the biblical books of Genesis and Exodus, Jubilees’ retelling is in part designed to answer various well known questions arising from the biblical narrative: How did humanity continue to develop if Adam and Eve had only sons? When and why did God decide that Israel was to be His special people? Where was Abraham when God first spoke to him? Why was the tribe of Levi chosen for the priesthood in Israel?

Although resolving such matters of biblical interpretation plays a prominent part in the book, this was hardly the author’s sole, or even principal, purpose in writing. Rather, he had a definite message he wished to communicate to his readers. He lived in a time when, no doubt, many of

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<sup>1</sup> A measure of its importance may be discerned in the ancient library of the Dead Sea Scrolls; parts of some fifteen different manuscripts of Jubilees were found hidden in the caves at Qumran. It was in fact cited by name in the Damascus Covenant (16:2-4), the authoritative set of rules of the Dead Sea Scrolls community, and it was used extensively by the authors of the *Aramaic Levi Document* and the *Genesis Apocryphon*, two other important texts of the Second Temple period. But its influence certainly went beyond sectarian literature. Although rabbinic Judaism rejected Jubilees because of some of its doctrines, many of its interpretive traditions are paralleled in the Talmud and various midrashic collections, as well as in the early poetry of the synagogue, suggesting possible influence. It also played an important role in early Christian communities. Originally composed in Hebrew, it was soon translated into Greek and, apparently, Syriac. (Individual verses from Jubilees were cited in an anonymous “Syriac chronicle,” suggesting that the author quoted from an otherwise unknown Syriac version of the work.) From Greek it was translated into two other languages, Latin and Ge‘ez, an ancient language of Ethiopia; it is only in the latter version that the book now survives almost in its entirety. Jubilees was cited or alluded to here and there in the writings of the Church Fathers and was quoted at length by three Christian writers in particular: Epiphanius of Salamis (ca. 310-320 to 403), and the Byzantine chroniclers Georgius Syncellus (died after 810), and Georgius Cedrenus (dates uncertain: 11<sup>th</sup>-12<sup>th</sup> cens.).

his countrymen were despairing of Israel's future. It may well be, they reasoned, that at one point God adopted Israel as His own people, just as ancient Scripture related (Exod. 19:5-6). But that day was long gone. In the meantime, He had allowed the Northern Kingdom of Israel to fall to the Assyrians, never to rise again; the Southern Kingdom, Judah, had similarly fallen to the Babylonians, and much of its citizenry had been exiled to Babylon. True, unlike the Northerners, the Judean exiles had subsequently been allowed to return to their homeland, but they were nonetheless a subject people, ruled over first by Persia, then Ptolemaic Egypt, and now by Seleucid Syria. Was this a fitting arrangement for a people allegedly chosen by the Lord of heaven and earth? Instead, it seemed a clear indication that God's adoption of Israel as His own people, an act inaugurated with the great covenant at Mount Sinai, must no longer be in force. Israel had violated that covenant – first the Northerners, then the Southerners – and had therefore been rejected; the apparently unending years of foreign domination were a clear indication that Israel had fallen into God's disfavor.

It was principally to combat any such reading of history that the author of *Jubilees* wrote his book. He began by having Moses hear the “prediction” of all the evils that would lead to up to the Babylonian exile (*Jub.* 1:9–14). This was to be a terrible catastrophe, but it would ultimately be followed by Israel's repentance and restoration (*Jub.* 1:15), and the explicit reversal of the Pentateuch's own curses that were said to be Israel's lot if it violated the Sinai covenant (*Jub.* 1:16). In other words, *Jubilees'* author readily accepted that Israel had sinned and was punished – but this hardly spelled the end of its historic bond with its God. Israel was, and always had been, God's own people.

This was, for *Jubilees'* author, the great message carried by the book of Genesis – and the reason why he chose a retelling of its stories as the ideal instrument for communicating his theme. Genesis is, after all, full of accounts of God's dealings with Israel's remote ancestors, Abraham and Sarah, Isaac and Rebekah, and Jacob and his wives and children. These stories all give evidence of the close connection between God and Israel's forebears; they not only interact directly with God, but God rewards them – most tangibly in the grant of the land of Canaan to them and their descendants. For the author of *Jubilees*, this was proof positive that God's adoption of Israel did not begin at Mount Sinai, as one might assume from a straightforward reading of Exod 19:5–6, but that it had begun long before – going back, his book asserted, to the

sixth day of creation, when God first decided that Israel was to be His people (*Jub.* 2:19–20). The covenants concluded with Abraham in Genesis 15 and 17, along with the promises made to Jacob in Gen 28:13–14, were thus not, as it might seem, merely intended as a grant of the land of Canaan, nor yet a vague pledge of numerous descendants, but an eternal alliance. They, no less than the Sinai covenant, bound Israel to its God forever.

To say this likewise implied a certain diminution of the importance of the Sinai covenant itself. It was not the first and sole basis of the alliance between God and Israel, but only one covenant among several; its violation, therefore, could hardly have occasioned a definitive rupture between the two parties. So yes, Israel had failed to keep the conditions of the Sinai covenant, a sin for which it had been duly punished through the Babylonian conquest and exile. But once punished, the child is forgiven. Whatever the political ups and downs that had subsequently characterized Israel's history, there could be no doubt that God's alliance with Israel was still in effect and would continue eternally.

This was the basic message of comfort that the author of *Jubilees* wished to communicate, and in retelling Genesis, he sought to give it concrete expression. Thus, as mentioned, the choice of Israel was moved back from Exodus 19 to Genesis 1 (based in part on the divine assertion in Exod 4:22 that Israel was God's "firstborn son").<sup>2</sup> The author also went to the trouble of having Israel's remote ancestors worship God in much the same way as they were to worship Him after Sinai. True, there was no temple or tabernacle in pre-Sinai times, indeed, no established priesthood. But Genesis did mention that various patriarchs had built altars and offered sacrifices to God. With this slim bit of evidence to support him, the author of *Jubilees* asserted that a chain of priests had in fact existed from earliest times – one per generation – and that these priests were in every sense continuous with the later, Levitical priesthood. Thus, Adam, Enoch, Noah, Abraham, Isaac, and Levi are represented in *Jubilees* as forming a continuous chain of priests, with each new priest being instructed by his predecessor in proper priestly procedure.<sup>3</sup>

To further illustrate the continuity between these pre-Sinai priests and their post-Sinai successors, the author of *Jubilees* detailed the form and content of the sacrifices that they

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<sup>2</sup> See my "4Q369 'Prayer of Enosh and Ancient Biblical Interpretation,'" *Dead Sea Discoveries* 5 (1998): 119–48.

<sup>3</sup> See my "Levi's Elevation to the Priesthood in Second Temple Writings," *Harvard Theological Review* 96 (1993): 1–64, esp. 17–21.

offered, having these conform to prescriptions for sacrifices found later in the Pentateuch, principally in the book of Leviticus. For the same reason, the author depicted these pre-Sinai priests as celebrating (and properly observing the sacrificial laws of) various holy days – the Feast of Booths, the Feast of Weeks, the Day of Atonement – even though these holy days were first mentioned only later in the Torah, as part of or following the Sinai covenant. Indeed, the author was so bold as to assert that the very reason for the existence of these holy days was to be found not in the prescriptions of the Sinai covenant, but in the events of the patriarchs’ own lives. The message that all these changes introduced into the author’s retelling of Genesis was clear: Sinai really didn’t matter very much. We were God’s people long before the Sinai covenant, we worshiped Him back then in the same way that we worship Him now, and we will remain His people forever.<sup>4</sup>

### **The Interpolator**

Such was the original book of Jubilees. This is not, however, precisely the book of Jubilees that we have today. A number of scholars have recently highlighted certain internal contradictions, inconsistencies, and repetitions that appear to suggest that Jubilees, in common with other Jewish works of this same period, is the product of more than a single author.<sup>5</sup> In my own reckoning, the book contains some twenty-nine separate interpolations inserted by an additional writer – known hereafter as the Interpolator – who, although an admirer of Jubilees, had a rather different orientation from that of the original author and who, therefore, wished to bring the book more in line with his own (or, more likely, his group’s) practices and beliefs. Most of his interpolations are brief, some consisting of only a single sentence or two; others, however, go on for as long as

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<sup>4</sup> Not all, of course, was sweetness and light in the view of *Jubilees*’ author. In particular, he believed that Judah in his own day was plunged in fornication (זנות) and impurity (טומאה), the latter term referring not to the ritual impurity imparted by contact with dead bodies and the like, but impurity arising largely from sexual immorality and contact with “foreigners,” that is, non-Jews. In addition, he felt that Israel in his day was lax about a number of other commandments: he repeatedly stresses Israel’s failure to observe properly the sabbath and various holy days. It was for such reasons, he claimed, that Israel still lived under foreign domination and had not yet been restored to its former glory and power. But if it now could abandon its waywardness in these matters, God would surely return His people to their proper place of honor and their lives would be blessed beyond measure (*Jubilees* 23).

<sup>5</sup> Some individual spots of inconsistency were pointed out by D. Dimant, “The Biography of Enoch in the Books of Enoch,” *Vetus Testamentum* 33 (1983), 14-29; M. Kister, “Some Aspects of Qumran Halakhah” in J. Trebolle-Barrera and L. Vegas-Montaner (eds.), *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18-21 March 1991* (2 vols.; Leiden: Brill and Madrid: Editorial Complutense, 1992) 2:571-88; and L. Ravid, “The Relationship of the Sabbath Laws in *Jubilees* 50:6-13 to the Rest of the Book” *Tarbiz* 69 (2000) 161-66. The matter of the book’s overall unity was thrown into question by Michael Segal, *The Book of Jubilees: Rewritten Bible, Redaction, Ideology and Theology* (Leiden: Brill, 2007); see also my “On the Interpolations in the *Book of Jubilees*,” *Revue de Qumran* 24 (2009), 215-72.

fifteen verses. Most are easily identified by their distinct terminology. Thus, in discussing various biblical laws and practices, the Interpolator habitually describes them as having been “ordained and written in the heavenly tablets.” (The “heavenly tablets” seem to be just that, writing tablets that were inscribed and kept in heaven from the beginning of time; see below.) Sometimes the Interpolator omits mention of the tablets but simply refers to things that have been “written and ordained” or “written and inscribed” for the Israelites to do; combining these two verbs is another way by which the Interpolator indicates that the matter in question is found on the heavenly tablets. The Interpolator also likes to have the angel of the presence turn to Moses and say, “And you, Moses, command the Israelites to do such-and-such.” (By this he means: “Include this thing I just mentioned among the laws that you are going to give to the Israelites here at Sinai or thereafter.”) Finally, he is fond of asserting that the law or practice that he has just described “has no temporal limits” but is to be kept by the Israelites “for eternal generations.” All these phrases constitute the signature of the Interpolator. The fact that his legal rulings sometimes conflict with the original author’s words, and that he sometimes even seems to have misunderstood what the original author meant, make it clear that these “heavenly tablets” passages are all later insertions and not the work of the original author.<sup>6</sup>

## **Two Approaches**

My purpose in the present study is to examine the difference between these two writers specifically with regard to their presentation of the very nature of biblical law. In effect, each writer had his own, distinct way of explaining the origin and significance of the Torah’s laws, and these are presented rather consistently throughout each writer’s words. From what has been said already about the Interpolator, it should not be difficult for the reader to imagine what his overall stand on God’s laws was. The Interpolator regarded the Torah’s various injunctions and prohibitions as the transcription of decrees eternally inscribed on the heavenly tablets. As such, they – and the punishments prescribed for their violation – had been established forever and left little room for flexibility or modification. One of the Interpolator’s insertions makes the point clearly:

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<sup>6</sup> The distinct “language of the tablets” was first identified as such by L. Ravid, “The Special Terminology of the heavenly tablets in the book of Jubilees,” *Tarbiz* 68 (1999), 463-71; the contradictions between, specifically, the heavenly tablets passages and surrounding narrative were highlighted in Segal, *The Book of Jubilees* as well as in my “Interpolations.” It is not my purpose in the present study to review the case for the Interpolator’s existence, which was presented in some detail in that article.

**I)** The judgment of all [human beings] has been ordained and written on the heavenly tablets; there is to be no injustice. [As for] all who transgress from their way in which it was ordained for them to go – if they do not go in it, the punishment has been written down for each creature and for each kind. There is nothing [hidden] which is in heaven or on the earth, in the light, the darkness, Sheol, the deep, or in the dark place – all their judgments have been ordained, written, and inscribed. He [God] will carry out punishment regarding each person – the great one in accord with his greatness and the small one in accord with his smallness – each one in accord with his way. He is not one who shows favoritism or one who takes a bribe; if He says so, He will execute judgment against each person. If a person gave everything on earth he would not show favoritism nor would He accept (it) from him because He is the righteous judge. (5:13-16)<sup>7</sup>

Here, divine justice has an altogether immutable quality: each possible crime has already been “ordained and written on the heavenly tablets,” and God will carry out the prescribed punishment without favoritism (although some consideration is taken of the status of the transgressor, “the great one in accord with his greatness and the small one in accord with his smallness”). This is entirely representative of the Interpolator’s view of biblical law: divinely given, divinely enforced, virtually inflexible. Similarly:

**II)** No adulterer or impure person is to be found within Israel throughout all the time of the earth’s history, for Israel is holy to the Lord. Any man who has defiled is to die; he is to be stoned. *For this is the way it has been ordained and written on the heavenly tablets* regarding anyone of the seed of Israel who defiles: “He is to die; he is to be stoned.” This law has no temporal limit. There is no remission or any forgiveness. (30:8-10)

Sometimes, however, there is a conflict between a narrative in the book of Genesis and a law promulgated later in the Torah. Such is the case with Jacob’s son Reuben, who slept with his father’s concubine Bilhah (Gen. 35:22). According to biblical law (Lev. 20:11), both Reuben and Bilhah ought to have been put to death.<sup>8</sup> In the Interpolator’s view of things, this law – like the other laws of the Torah – must have been inscribed on the heavenly tablets from the beginning of

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<sup>7</sup> All citations of Jubilees herein are based – with occasional minor changes – on the translation of the Ethiopic text by James C. VanderKam, *The Book of Jubilees*, Corpus Scriptorum Christianum Orientalium vol. 511, Scriptores Aethiopici (Louvain: Peeters, 1989).

<sup>8</sup> Cf. the similar condemnations in Lev. 18:8, Deut. 23:1 [some Bibles: 22:30], 27:20.



time. Yet the Genesis narrative does not mention Reuben and Bilhah receiving the prescribed punishment. For the Interpolator, this apparently lax treatment demanded explanation:

**III)** As for any man who uncovers the covering of his father – his act is indeed very bad and it is indeed despicable before the Lord. For this reason it is written and ordained on the heavenly tablets that a man is not to lie with his father’s wife and that he is not to uncover the covering of his father because it is impure. They are certainly to die together – the man who lies with his father’s wife and the woman, too – because they have done something impure before our God within the nation that he has chosen as his own possession. Now you, Moses, order the Israelites to observe this command because it is a capital offence and it is an impure thing. To eternity there is no expiation to atone for the man who has done this; but he is to be put to death, to be killed, and to be stoned and uprooted from among the people of our God. For any man who commits it in Israel will not be allowed to live a single day on the earth because he is despicable and impure.

**IV)** They are not to say: “Reuben was allowed to live and [have] forgiveness after he had lain with the concubine-wife of his father while she had a husband and her husband – his father Jacob – was alive.” For the statute, the punishment, and the law had not been completely revealed to all; but in your days, [Moses, it] is for all time from now on,<sup>9</sup> an eternal law for the history of eternity. There is no time when this law will be at an end, nor is there any forgiveness for it; rather both of them are to be uprooted among the people. On the day in which they have done this they are to kill them. Now you, Moses, write for Israel so that they keep it and do not act like this and do not stray into a capital offence; because the Lord our God, who shows no partiality and accepts no bribes, is the judge. (33:9-18)

According to the Interpolator, both Reuben and Bilhah ought to have been executed; they were spared only because this particular law, although “written and ordained on the heavenly tablets,” had not been fully made known: “For the statute, the punishment, and the law had not been completely revealed to all.” (A legal principle well established in Second Temple times held that one could not be punished for a crime without prior warning.)<sup>10</sup> Indeed, such a public proclamation of the heavenly tablets’ various prohibitions and prescribed punishments seems to have been, for the Interpolator, the main purpose of the Sinai revelation. Only “in your time,” the angel tells Moses, was this offense and the death penalty that accompanied it to be revealed “as an eternal law for the history of eternity.”

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<sup>9</sup> Literally, “in its day.”

<sup>10</sup> See S. Japhet, *The Ideology of the Book of Chronicles and its Place in Biblical Thought* (Frankfurt-a-M.: P. Lang, 1989) 183-91; L. Schiffman, *Sectarian Law in the Dead Sea Scrolls* (Chico, California: Scholars Press, 1983), 89-109.

So much for the Interpolator's notion of divine law: what of the original author's? As was mentioned above, this author's whole stance is that God's connection to the people of Israel – His *legal* connection – went back well before the Sinai covenant. The people of Israel had in fact been chosen by God as His own even before they existed, on the sixth day of creation (Jub. 2:20), and His connection with them was subsequently solidified through a series of solemn agreements between God and Israel's remote ancestors: Noah, Abraham, Isaac,<sup>11</sup> and Jacob all concluded covenants with God, binding themselves and their descendants to Him. What is more, the original author made sure that these ancestors observed at least some of the laws and practices later promulgated in the Pentateuch – particularly in regard to festivals and other religious observances.

How this came about is particularly significant for our subject. Here, for example, is how the biblical Festival of Tabernacles (*Sukkot*) came into existence: One day, God's angels visited Abraham and informed him that the child that his wife Sarah was carrying would grow up to become the father of a holy nation, sacred to God. (This angelic visit is altogether the creation of Jubilees' author – there is no such account in the book of Genesis.) After hearing the news, Abraham and Sarah “were extremely happy”:

**V)** Thereupon he built an altar for the Lord who had rescued him and who was making him so happy in the country where he resided as an alien. He celebrated a joyful festival in this month – for seven days – near the altar which he had built at the well of the oath. He constructed tents for himself and his servants during this festival. He was [thus] the first to celebrate the Festival of Tabernacles on the earth. During these seven days he was making – throughout all the days, each and every day – an offering to the Lord on the altar: two bulls, two rams, seven sheep, one goat for sins in order to atone through it for himself and his descendants. And as a peace offering: seven rams, seven kids, seven sheep, seven he-goats as well as their (cereal) offerings and their libations over all their fat – (all of these) he would burn on the altar as a choice offering for a pleasing fragrance. In the morning and evening he would burn fragrant substances: frankincense, galbanum, stacte, nard, myrrh, aromatic spices, and costum. All seven of these he would offer beaten, equally mixed, pure.

**VI)** He celebrated this festival for seven days, being happy with his whole heart and all his being – he and all those who belonged to his household. There was no

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<sup>11</sup> Genesis does not recount any covenant between God and Isaac, but such a covenant is mentioned in Lev. 26:42. The author of Jubilees, no great lover of Isaac, seems to understand Isaac's covenant as an extension of Abraham's; note specifically his insertion of the word *covenant* in his rewriting of Gen. 26:5 (Jub. 24:11); cf. 4Q269 *Damascus Covenant* col. 3:4.

foreigner with him, nor anyone who was uncircumcised. He blessed his creator who had created him in his generation because he had created him for his pleasure, for he knew and ascertained that from him there would come a righteous plant for the history of eternity and (that) from him there would be holy descendants so that they should be like the one who had made everything. He gave a blessing and was very happy. He named this festival the festival of the Lord – a joy acceptable to the most high God. (16:20-27)

Observance of the Festival of Tabernacles (or “Booths”) is commanded by the Torah (Exod. 34:22; Lev. 23:33-36, 39-43; Num. 29:12-38, Deut. 16:13-15). Yet it is curious how Abraham’s observance of this festival came about: *he originated it on his own initiative*. It certainly would have been possible for the author of Jubilees to have God or one of His angels appear to Abraham and instruct him to inaugurate this festival – but that is not at all what happens. Abraham, overjoyed at the news the angels have brought him, spontaneously decides to create a seven-day festival, and it is only as a result of his action that this festival subsequently becomes a provision of divine law in the Torah.

The same pattern is repeated again and again in Jubilees. Here, for example, is how the Day of Atonement came about according to Jubilees’ author: It all started when Joseph’s brothers sought to deceive their father Jacob into thinking that Joseph was dead.

**VII)** Jacob’s son’s slaughtered a he-goat, stained Joseph’s clothing by dipping it in its blood, and sent (it) to their father Jacob on the tenth of the seventh month. He mourned all that night because they had brought it to him in the evening. He became feverish through mourning his death and said that a wild animal had eaten Joseph. That day all the people of his household mourned with him. They continued to be distressed and to mourn with him all that day. His sons and daughter set about consoling him, but he was inconsolable for his son... He continued mourning for Joseph for one year and was not comforted but said: “May I go down to the grave mourning for my son.” For this reason, it has been ordained regarding the Israelites that they should be distressed on the tenth of the seventh month – on the day when (the news) which made (him) lament Joseph reached his father Jacob – in order to make atonement for themselves on it with a kid – on the tenth of the seventh month [the date of the Day of Atonement], once a year – for their sins. For they had saddened their father’s (feelings of) affection for his son Joseph. This day has been ordained so that they may be saddened on it for their sins, all their transgressions, and all their errors; so that they may purify themselves on this day once a year. (34:12-19)

Once again, what was to become one of the commandments of the Torah, the observance of the Day of Atonement, came about as a result of something done altogether spontaneously by one of the patriarchs – and in this case, in commemoration of nothing particularly virtuous, a fraud perpetrated by his sons that caused Jacob to mourn needlessly. So it is as well with the Festival of Weeks (*Shabu'ot*). It was inaugurated, according to Jubilees' author, with Noah's spontaneous decision to offer thanks to God at the end of the great flood (Jub. 6:1-3); only later did this Festival become part of the Torah's legislation (Exod. 34:22; Lev. 23:16-21; Num. 28:26-31; Deut. 16:10-11). In other words, these holy days are essentially based on things that happened to the patriarchs long before the Sinai revelation. It was not God who commanded the patriarchs that they be celebrated, but almost the opposite: God made them official in reaction, as it were, to things that the patriarchs themselves had instituted.

This is true not only with regard to festivals and other holy days, but as well with certain other laws contained in the Torah. For example, the book of Leviticus contains a provision about consuming the fruit of a tree:

**VIII)** When you enter the land and plant any tree for food, you shall regard its fruit as forbidden. Three years it shall be forbidden for you, not to be eaten. In the fourth year all its fruit shall be set aside for jubilation<sup>12</sup> before the Lord; and only in the fifth year may you use its fruit – that its yield to you may be increased: I am the Lord your God. (Lev. 19:23-24)

In the Pentateuch, this law is commanded by God. But according to Jubilees, its provisions seem to have been anticipated by one of Israel's forebears long before the Sinai revelation. And once again, it is not the author's claim that God *revealed* the details of this law to the ancestor, who then carried them out to the letter. Rather, the opposite happens: the ancestor – in this case Noah – spontaneously does something on his own which turns out later to be commanded in the Torah:

**IX)** During the seventh week, in its first year, in this jubilee Noah planted a vine at the mountain (whose name was Lubar, one of the mountains of Ararat) on which the ark had come to rest. It produced fruit in the fourth year. He guarded its fruit and picked it that year during the seventh month. He made wine from it, put it in a

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<sup>12</sup> See Kister, "Some Aspects of Qumran Halakhah," 571-88.

container, and kept it until the fifth year – until the first day at the beginning of the first month (Jub. 7:1-2).<sup>13</sup>

The original author of Jubilees knew nothing of laws having been inscribed on the “heavenly tablets”—this was the great invention of the Interpolator. But he certainly was familiar with the idea of the divine origin of the Torah’s laws, an idea unambiguously depicted in the Sinai pericope (Exodus 19-24, 34) and repeated in numerous passages thereafter. Nevertheless, time and again Jubilees’ author seeks to connect those laws to some human source. For example, here is what Noah commands his sons:

**X)** During the twenty-eighth jubilee, Noah began to prescribe for his grandsons the ordinances and the commandments—every statute which he knew. He warned his sons that they should do what is right, cover the shame of their bodies, bless the one who had created them, honor father and mother, love one another, and keep themselves from fornication, uncleanness, and from all injustice.

**XI)** [Noah said:] But now I am the first to see your actions—that you have not been conducting yourselves properly because you have begun to conduct yourselves in the way of destruction, to separate from one another, to be jealous of one another, and not to be together with one another, my sons. For I myself see that the demons have begun to lead you and your children astray; and now I fear regarding you that after I have died you will shed human blood on the earth and (that) you yourselves will be obliterated from the surface of the earth. For everyone who sheds human blood and everyone who consumes the blood of any animate being will all be obliterated from the earth. No one who consumes blood or who sheds blood on the earth will be left. He will be left with neither descendants nor posterity living beneath heaven because they will go into Sheol and will descend into the place of judgment. All of them will depart into deep darkness through a violent death. No blood of all the blood which there may be at any time when you sacrifice any animal, cattle, or (creature) that flies above the earth is to be seen on you. Do a good deed for yourselves by covering what is poured out on the surface of the earth. Do not be one who eats (meat) with the blood; exert yourselves so that blood is not consumed in your presence. Cover the blood because so was I ordered to testify to you and your children together with all humanity. Do not eat the life with the meat so that your blood, your life, may not be required from every person who sheds (blood) on the earth. For the earth will not be purified of the blood which has been shed on it; but by the blood of the one who shed it the earth will be purified in all its generations. (7:20, 26-33)

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<sup>13</sup> Note that a later passage, Jub. 7:35-36, presents a somewhat different understanding of this law; see Kister (previous note).

The passage opens: “Noah began to prescribe for his grandsons the ordinances and the commandments—every statute which he knew.” It is not clear from whom Noah came to know these ordinances: he may have heard them, directly or indirectly, from Enoch or some other of his forebears. What is striking, however, is who he did *not* hear them from: God. This speech is clearly derived from Gen. 9:1-6, but there, on the contrary, it is God who is speaking, warning Noah and his sons against shedding human blood or consuming the blood of animals. Unlike the biblical passage from which it is derived, Jubilees says nothing of God transmitting these rules: they come from Noah himself. Having thus first “warned his sons that they should do what is right, cover the shame of their bodies,” and so on,<sup>14</sup> Noah then goes on to command his descendants – again, apparently on his own – not to shed human blood or consume the blood of animals, just as God commands in Gen. 9:1-6. Moreover, Noah tells his sons that if any animal’s blood is shed in the process of its being slaughtered, they are to cover over “what is poured out on the surface of the earth” – which, in the Pentateuch, is likewise a commandment given by God to humans (Lev. 17:13).

Somewhat later in the book, Jubilees’ author creates the following lengthy speech, in which Isaac instructs his sons before his death:

**XII)** This is what I am ordering you, my sons: that you do what is right and just on the earth so that the Lord may bring on you everything which the Lord said that he would do for Abraham and his descendants. *Practice brotherly love among yourselves, my sons, like a man who loves himself*, with each one aiming at doing what is good for his brother and at doing things together on the earth. *May they love one another as themselves. Regarding the matter of idols, I am instructing you to reject them*, to be an enemy of them, and not to love them because they are full of errors for those who worship them and who bow to them. My sons, *remember the Lord*, the God of your father Abraham (afterwards I, too, worshiped and served him properly and sincerely) so that he may make you numerous and increase your descendants in number like the stars of the sky and plant you in the earth as a righteous plant which will not be uprooted throughout all the history of eternity. Now I will make you swear with the great oath – because there is no oath which is greater than it, by the praiseworthy, illustrious, and great, splendid, marvelous, powerful, and great name which made the heavens and the earth and everything together – that you will continue to *fear and worship Him*, as each loves his brother kindly and properly. One is *not to desire what is bad for his brother*

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<sup>14</sup> Gen. 9:1-6 was the biblical source of the rabbinic “seven Noachide laws,” to which Noah’s seven commandments here in Jub. 7:20 bear some resemblance. See my *Traditions of the Bible* (Cambridge: Harvard, 1998), 224-26.

now and forever, throughout your entire lifetime, so that you may be prosperous in everything that you do and not be destroyed. (36:3-8).

Each of the phrases highlighted above refers to a different commandment in the Torah (Lev. 19:18; Deut. 7:25-26, 8:18, 10:12; Lev. 19:17-18). But Jubilees' author does not attribute them to some divine source; instead, these commandments of the Torah are communicated *avant la lettre* at Isaac's own initiative.

Needless to say, none of this was particularly pleasing to the Interpolator's sensibilities. So he set about systematically undoing this central claim of the original author. To the above-cited explanation for the origin of the Festival of Tabernacles, for example, the Interpolator immediately tacked on his own modification: "We [angels] blessed him [Abraham] eternally and all the descendants who would follow him throughout all the history of the earth *because he had celebrated this festival at its time in accord with the testimony of the heavenly tablets*" (16:28). In other words: Abraham actually initiated nothing. Through a happy coincidence or some unreported act of divine manipulation, Abraham ended up inventing Tabernacles and celebrating it on just the right date – "at its time in accord with the testimony of the heavenly tablets." Similarly, the Interpolator says about the Festival of Weeks that it was not *really* initiated by Noah, since "this entire festival had been celebrated in heaven from the time of creation until the lifetime of Noah – for 26 jubilees and five weeks of years [=1309 years]" (Jub. 6:18). As for the Day of Atonement, long before Jacob was fooled into mourning Joseph's supposed death, "It ha[d] been written and ordained that He [God] will have mercy on all who turn from all their errors once each year" (Jub. 5:18)

In fact, the Interpolator did not like the whole idea that *anything* of significance in the Torah happened because of what humans did. The biblical narrative suggests that Isaac (a name that might seem to mean "he laughs") was so called because the aged Abraham (Gen. 17:17) or Sarah (Gen. 18:12-15, 21:6) had burst out laughing at the thought of her having a child so late in life. But the Interpolator sought to squelch this idea:

**XIII)** Sarah laughed when she heard that we [angels] had conveyed this message to Abraham, but when we chided her, she became frightened and denied that she had laughed about the message. *We told her the name of her son as it is ordained and*

*written on the heavenly tablets – Isaac – and (that) when we returned to her at a specific time she would have become pregnant with a son. (16:2-4)*

Similarly, the Interpolator saw in Laban’s excuse for not giving Jacob his promised bride Rachel – “It is not the practice in our place to marry off the younger before the older” (Gen. 29:26) – another opportunity to assert that this practice had not been initiated by Laban or his ancestors, but that it reflected what appeared in the laws of the heavenly tablets:

**XIV)** It is not right to do this because this is the way it is ordained and written on the heavenly tablets: that no one should give his younger daughter before the older one, but he should first give the older and after her the younger. (Jub. 28:6)

One of the Interpolator’s main concerns was the calendar. In keeping with the attitude displayed in the above-cited passages, he was fiercely opposed to the luni-solar calendar used by his halakhic opponents, since it depended on the actions of human beings. According to these opponents, only after the thin sliver of the new moon had been sighted and reported by reliable witnesses could the start of the new month be officially declared.<sup>15</sup> As a result, it was the testimony of these moon-sighters that determined the timing of everything inside each month – notably, the precise days on which Israel’s festivals would be observed. Just as the Interpolator hated the notion that the initiative of human beings like Noah or Abraham had resulted in the creation of sacred festivals, so he was also dead-set against the action of human beings determining the days on which they would fall. Instead, he espoused a sun-based calendar in which each month had a fixed number of days and was quite independent of the phases of the moon – hence, no need for human observers. In fact, he had the angel of the presence warn Moses against such human intervention:

**XV)** There will be people who carefully observe the moon with lunar observations because it is corrupt (with respect to) the seasons and is early from year to year by ten days. Therefore years will come about for them when they will disturb (the year) and make a festival day something worthless and a profane day a festival. Everyone will join together both holy days with the profane and the profane day with the holy day, for they will err regarding the months, the sabbaths, the festivals, and the jubilee. (6:36-37)

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<sup>15</sup> See m. *Rosh ha-Shanah* 2:5-9. Although this is a considerably later text, the process it describes of humans sighting the new moon is clearly the same one being attacked in Jubilees.



For the same reason, the Interpolator created a lengthy insertion in Jubilees (6:17-22) in which he sought to claim that – despite its name – the Festival of Weeks (*Shabu 'ot*) did not require human beings to count off seven weeks to arrive at the correct date for this festival (as is indeed stipulated in Lev. 23:15-21 and Deut. 16:9-11). Instead, he said that the real name of this holy day was the “Festival of Oaths” (*shebu 'ot*), a festival that had been “ordained and written on the heavenly tablets” and celebrated by the angels “from the time of [the] creation” (Jub.6:17-18). In other words: no human counting of weeks is required.<sup>16</sup> All these cases make clear the Interpolator’s mission: to assert that the laws and practices that the original author seemed to attribute to humans were actually divine in origin and execution. The human role was illusory.

### **The Heavenly Tablets**

As numerous scholars have observed, the Interpolator did not invent the idea of the heavenly tablets.<sup>17</sup> In fact, the notion that such tablets exist in heaven has a distinguished history, going back to ancient Mesopotamian writings.<sup>18</sup> Although the Hebrew Bible does not speak explicitly of heavenly *tablets*, it does sometimes refer to heavenly or divine writing. Thus, Moses at one point says to God that if He is unwilling to forgive Israel’s sin, “erase me at once from the book that You have written” (Exod. 32:32). Ps 69:29 similarly speaks of a “book of life” from which the wicked will be erased “and will not be written along with the righteous.” Isa. 4:3 (clearly a late addition to the book) says of a group of survivors: “Whoever is left in Zion and remains in Jerusalem will be called holy, everyone who has been *written for life* in Jerusalem.” Mal. 3:16 similarly speaks of “a book of remembrance [that] was written before [i.e., by] Him of those who

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<sup>16</sup> For a fuller account, see my “Interpolations,” 241-48.

<sup>17</sup> The heavenly tablets themselves have been the topic of numerous studies. See, inter alia, F. Garcia Martinez, “Las Tablas Celestes en el Libro de los Jubileos,” in A. Vargas Machuca and G. Ruiz (eds.), *Palabra y Vida: Homenaje a José Alonso Díaz en su 70 cumpleaños* (Madrid: Ediciones Universidad de Comillas, 1984) 333-49 = “The heavenly tablets in the Book of Jubilees” in M. Albani, J. Frey, and A. Lange (eds.), *Studies in the Book of Jubilees* (TSAJ 65; Tübingen: Mohr Siebeck, 1997) 243-60; A. Lange, *Weisheit und Praedestination: Weisheitliche Urordnung und Praedestination in den Textfunden von Qumran* (Leiden: Brill, 1995), 69-97; R. A. Kraft, “Scripture and Canon in Jewish Apocrypha and Pseudepigrapha,” in M. Saebo, *Hebrew Bible, Old Testament: The History of its Interpretation* vol. 1.1 (Goettingen: Vandenhoeck und Ruprecht, 1996) [199-216] 205-209; ; C. Werman, “The Torah and the Te‘udah Written on the Tablets,” *Tarbiz* 68 (1999) 473-92; H. Najman, “Angels at Sinai: Exegesis, Theology, and Interpretive Authority” *DSD* 7 (2000).313-33; eadem, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Times* (Leiden: Brill, 2003), 119-25; M. Kister, “On Two Formulae in the Book of Jubilees” *Tarbiz* 70 (2001), 289-300.

<sup>18</sup> S. M. Paul, “heavenly tablets and the Book of Life,” *JANES* 5 (1973), 345-53; also R. Eppel, “Les tables de la loi et les tables célestes” *RHPPhR* 17 (1937) 401-12.

revered the Lord and thought on his name.” These and other passages all suggest that the notion of some sort of divine book kept in heaven was not unknown in biblical Israel; in it were recorded the names of the righteous, and this act of recording was to their benefit – in some cases, it seems, it meant they were to be granted continued earthly existence.

Still closer to the world of Jubilees is 1 Enoch, a book that preceded Jubilees by perhaps fifty or a hundred years and parts of which the original author of Jubilees seems to have known and even cited.<sup>19</sup> In 1 Enoch, the heavenly tablets are tablets on which the good and bad deeds of humanity are recorded – at least some, apparently, before they have taken place – and on which other heavenly mysteries, including future events, are revealed. Thus 1 En 81:1, 2 speaks of “the book of all the deeds of mankind and of all the children of flesh that shall be upon the earth to the remotest generations.” 1 Enoch 93:2 says that Enoch learned from the heavenly tablets about “the sons of righteousness and the eternally chosen ones, and about the plant of uprightness.” In 1 Enoch 103:2-3, Enoch reports that he has “read the heavenly tablets” about the righteous, “that all goodness and joy and glory are prepared for them.” In 1 Enoch 106:19, Enoch says that he knows “the mysteries of the holy ones; for He, the Lord, has showed me and informed me, and I have read [them] in the heavenly tablets.” In 107:1, Enoch says that he saw written on the heavenly tablets “that generation after generation will do wrong, until a generation of righteousness arises and wrongdoing is destroyed and sin is wiped out from the earth and every good omen comes upon it” (see also 108:3, 7).<sup>20</sup>

These same themes – that the heavenly tablets contain a record of the righteous and the wicked, as well as of events yet to occur – appear in other texts from this same period. Thus, among the Dead Sea Scrolls, 4Q180 *Ages of Creation A* opens: “The interpretation concerning the ages which God made: an age to mark the end of [ ] and that which was created. Before He created them He determined [their] operations [...every] age to its end. And this is engraved on the [heavenly] tablets.” Similarly, 4Q177 *Catena*<sup>a</sup> says: “Now behold: everything is written on the tablets, which...and inform him of the number of [all generatio]ns, and gran[t him as an] inheritance...[to] him and his offspring [for]ever” (col. 3:12). The fragmentary 4Q537 *Testament of Jacob [?] ar*, apparently referring to Jub. 32:16-26, has an angel bid Jacob to read from tablets

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<sup>19</sup> See, e.g., Jub. 4:17 and 1 En. 12:3-4; Jub. 4:17 and 1 En. 80:1; Jub. 5:6 and 1 En. 10:12, 13:1-2, 21:6; Jub. 5:7 and 1 En. 10:12; Jub. 7:21-24 and 1 En. 7:1, 8:1-2, 10:11, 12:4; see further my *Traditions*, 196-209.

<sup>20</sup> On all these see L. Stuckenbruck *1 Enoch 91-108* (Berlin: W. de Gruyter, 2007), esp. 81-86.

that foretell the future, perhaps including future punishment of the wicked (last line). The heavenly tablets likewise make their appearance in the Greek *Testaments of the Twelve Patriarchs* (TLevi 5:4,<sup>21</sup> T Asher 2:9,<sup>22</sup> 7:5). The “Prayer of Joseph” (of uncertain date) has Jacob say: “For I have read in the heavenly tablets all that shall befall you and your sons.”<sup>23</sup>

But all these texts view the heavenly tablets principally as a record of righteous and wicked people and events, both past and future. The particular innovation of the Interpolator was to use this existing concept of the heavenly tablets in order to solve his own problem with the book of Jubilees. Just as he hated the idea of human intervention in the calendar (in regard to both the beginnings of months and the dating of the Festival of Weeks), so he hated the claim by Jubilees’ original author that various divine laws were essentially based on things spontaneously initiated by humans. So he adapted the heavenly tablets to a new purpose, previously undreamed of: they would also be the repository of a great set of divine laws, statutes that had been “written and engraved” from the beginning of time and which, therefore, must have preceded any actions by Noah, Abraham, or the other patriarchs that *seemed* to have originated various festivals and other practices. In this way he solved the aspect of Jubilees that must have been the most troubling for him and, quite possibly, the group to which he belonged.

The Interpolator *also* spoke of the heavenly tablets in the traditional sense: for example, a record of Abraham’s righteousness and his future appellation “the friend of God” were recorded on the heavenly tablets (19:9); so was the punishment to be suffered by Lot’s descendants (17:9), the reward to be given to the righteous (23:32), the curse to befall the Philistines (24:33), Levi’s righteous acts in slaughtering the Shechemites and the reward prepared for his descendants (30:5, 19), and so forth. But all these instances clearly belong to the “old” notion of the heavenly

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<sup>21</sup> Here the heavenly tablets contain a record of past events, Levi’s virtuous execution of Hamor, “as it is written in the heavenly tablets.” This is clearly a reflection of Jub. 30:19.

<sup>22</sup> M. Kister (“Two Formulae...”) has described this verse as suggesting that the laws of pure food are written on the heavenly tablets. Even if that were true, it would have no significance for our topic, since the *Testaments* are clearly later than Jubilees and borrow heavily from them. But it seems to me that what this text is asserting is not that those laws are written on the heavenly tablets, but that men who do both good and evil “are *like* pigs or hares, for they are half clean, but in truth they are unclean. For God has said so [about such people] in the heavenly tablets,” that is, they have been condemned (altogether in keeping with the pre-Jubilees, classical function of the heavenly tablets as foretelling future punishments) as “unclean” through and through. Note also that 4Q400 *Songs of the Sabbath Sacrifice* says at one point that God “has inscribed his laws for all spiritual creatures” (1 i:5), which may possibly be a reference to the heavenly tablets in Jubilees.

<sup>23</sup> See J. Z. Smith, “The Prayer of Joseph,” in J. Charlesworth, *OTP* vol. 2 (Garden City, NY: Doubleday, 1985), 714.,

tablets, the same presented in 1 Enoch and the other texts mentioned above. Sometimes the fate of the righteous and the wicked had been pre-determined, while at other times (as with Levi, for example), his happy lot had come about as a result of his actions. This somewhat inconsistent picture has led various scholars to find the whole notion of the heavenly tablets problematic; M. Kister is no doubt correct in suggesting that the inconsistency in Jubilees reflects his combining the different notions of the heavenly tablets present in his various sources.<sup>24</sup> But the idea that the laws of the Torah, along with various applications thereof and other practices enjoined by God, had been written on the heavenly tablets from the beginning of time – this was the Interpolator’s own innovation, designed to resolve his basic disagreement with the original book of Jubilees, a book which, in so many other ways, he profoundly admired.<sup>25</sup>

### **Conflicting Motives**

In short, the Interpolator created the heavenly tablets to counter the author’s claim about the origin of certain biblical laws, that they were initiated by human beings, transmitted from generation to generation, and then merely made official by Moses at Mount Sinai. But the reason for that claim of the original author is somewhat harder to explain. It is one thing to say that he wanted to have Noah, Abraham, and the others observe the Torah’s festivals even before the Torah was given to Israel. By all means, let God reveal to the patriarchs the laws of festivals, priestly sacrifices, fourth-year fruits and other matters to be promulgated later at Mount Sinai.

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<sup>24</sup> Kister, “Two Formulae...” 291.

<sup>25</sup> One passage written by the original author might seem heavenly tablets to contradict this assertion. The passage addresses a well-known exegetical problem in the story of Joseph: in the biblical narrative, Joseph knows that to commit adultery with Potiphar’s wife would be to “sin against God” (Gen. 39:9). But how did he know? Genesis does not say. Jubilees provides its answer: “He remembered the Lord and what his father Jacob would read to him from the words of Abraham—that no one is to commit adultery with a woman who has a husband; *that there is a death penalty which has been ordained for him in heaven* before the most high Lord. The sin will be entered regarding him in the eternal books forever before the Lord.” The first sentence is altogether typical of the original author’s notion of things: Joseph knows that adultery is forbidden not from any divine revelation to him, or even one attributed to someone else; rather, he knows this from having heard “the words of Abraham” read to him by his father Jacob – in other words, just like the festivals and other observances spontaneously originated by Israel’s remote ancestors, so various other do’s and don’t’s were likewise transmitted from Abraham to Jacob to Joseph. It might be argued that the words “that there is a death penalty which has been ordained for him in heaven before the most high Lord” were inserted by the Interpolator to bring this passage into conformity with his views, but I do not think so. Not only does this phrase lack the usual signature of the Interpolator, it does not even speak of anything having been *written* in heaven, and certainly not of heavenly tablets. The death penalty is something ordered by God and communicated to Abraham (though we do not know how) as a stern warning. As for the continuation, “The sin will be entered regarding him in the eternal books forever before the Lord,” these eternal books are altogether the same as those seen above in 1 Enoch, Qumran, and earlier sources, the written record of the fate of the righteous and the wicked.

The patriarchs' observance of these things would then indeed solidify the author's overall argument that Israel's connection to God, including their observance of His laws, goes back well before the Sinai revelation, back to the time of Israel's earliest ancestors. But that is not his claim. Rather, he seems to be saying that at least some of the Torah's laws were specifically created *in imitation* or commemoration of the spontaneous actions of the patriarchs. What could have made him adopt such a stance?

The answer seems to lie with the author's desire to attribute even greater importance to Israel's ancestors than to the actual laws that God gave to their offspring: in his account of things, the deeds and speeches of Israel's ancestors *gave rise* to the Torah, or at least part of it. If so, then the Torah's laws began as a kind of family affair; things that had been practiced as family traditions since the days of Abraham, Isaac, and Jacob, or bits of sage counsel uttered by Enoch and Noah, ended up being promulgated as laws in the Pentateuch. To present things in this way was not only to exalt the role of Israel's ancestors, but also to diminish the significance of the Torah and Israel's subsequent failure to keep its laws properly, a disobedience that resulted in the fall of Jerusalem to the Babylonians. True, the people had sinned, but they were still indisputably, *genetically*, the descendants of the patriarchs. Surely their violation of some of the Torah's provisions – provisions which, at least in some cases, were based on the deeds of their own forefathers – was no cause for God to break faith with those ancestors and throw off their descendants forever! Blood is thicker than ink, Jubilees' author seems to be saying: what God later set down as law had in any case begun in the deeds and speeches of flesh-and-blood human beings, so even the later violation of those laws was no cause to reject the descendants of the human beings who had inaugurated them.

I do not wish to overstate the case. The original author of Jubilees never implied that *all* the laws of Sinai, or even most of them, were based on precedents in the lives of Israel's ancestors. But certainly some of them were – most prominently, the festivals and other holy days – and this in turn seemed to present the Torah in a somewhat different light. At least some of its laws came about as a result of God's prior selection of Israel's beloved ancestors: so much did He cherish Noah, Abraham, Isaac, and Jacob that the Torah itself bears the imprint of their spontaneous actions and wise counsel.

Why did this stance move the Interpolator to take pen in hand and insert into Jubilees passages that so radically changed the message of the book's original author? Certainly such a conception of the origin of divine law stuck in his throat; if he did not like a calendar that depended on human sightings of the new moon or a Festival of Weeks that relied on humans counting off seven weeks,<sup>26</sup> then having the patriarchs initiate divine laws unwittingly, by dint of their own, spontaneous actions, was equally unacceptable. But the Interpolator may also have had a rather narrower, and more political, reason for opposing it. Though we have no precise details about his own affiliations, there can be little doubt that the Interpolator was an ideological enemy of that stream of Judaism elsewhere identified with the Pharisees or, somewhat later, the halakhic rulings of rabbinic Judaism. After all, he espoused a sun-based calendrical system that was diametrically opposed to the luni-solar calendar of these opponents; the stern warning cited earlier against those "who carefully observe the moon with lunar observations" was directed against a real group of people in his own days, the Pharisees and their congeners. Because of the ramifications of this disagreement (affecting the date of every festival and holy day in the sacred calendar), there could be no compromise with the Pharisees. In other aspects of religious practice as well – in the proper observance of the Passover, for example, or the laws of the second tithe – the Interpolator espoused positions apparently rejected by these same enemies.

The original author of Jubilees was no Pharisee, of course. In fact, he shared a number of points (including the espousal of a sun-based calendar) with the Interpolator. But his suggestion that some of the Sinai laws were simply a formalization of earlier practices initiated by Israel's ancestors, or his idea that Noah's sons (or Abraham or Joseph)<sup>27</sup> did what they did simply because that is what their fathers had told them to do, came dangerously close to the Pharisees' own justification for their halakhah: "We do what we do because at some point someone started doing it and that's what we've done ever since." That is to say, the Pharisees could point to no divinely given document as justification for their particular way of interpreting or applying the Torah's statutes; all they could refer to was "the tradition of the elders" (or "of the fathers")<sup>28</sup> as the basis for some of their religious practices and Scriptural interpretations. This was their great weak point, and their opponents wasted no time in producing actual texts – the *Temple Scroll*, the

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<sup>26</sup> On this see my "On the Interpolations," 241-48.

<sup>27</sup> See Jub. 7:20-39, 39:6, 41:28

<sup>28</sup> Kugel, *Traditions of the Bible* (Cambridge: Harvard University Press, 1998), 657-58.

*Aramaic Levi Document*, and others – that purported to be the ancient, *written* record of divinely given rulings on various matters of practice and interpretation. Indeed, the original book of Jubilees was another such text, enshrining all sorts of halakhic practices (like the law of fourth-year produce) that were at odds with those of its opponents in a written work that claimed to have come from Moses and the angel of the presence. But in his zeal to stress the importance of Israel’s remote ancestors, the book’s author had come dangerously close to espousing a Pharisee-like position: later law is based on practices that were simply passed down orally from generation to generation, “the law which Abraham had commanded his children” (Jub. 41:28) and similar traditions. This could not be! And so the Interpolator set about asserting that if *any* of the things that the patriarchs had done were in consonance with the laws of Sinai (and to strengthen his claim, he added quite a few matters beyond what the original author had provided), they were in consonance with them not because the Sinai laws were based on the patriarchs’ spontaneous actions, but because both the laws of Sinai and the patriarchs’ doings echoed a still older *text*, the laws inscribed eternally on the heavenly tablets.

## **Conclusion**

The contrasting approaches to biblical law examined above make clear the great gap that separates Jubilees’ original author from the Interpolator. That gap cannot be explained away: it is expressed throughout those passages in Jubilees that bear the Interpolator’s signature. Thus, Abraham might *seem*, according to what the original author wrote, to have initiated the Festival of Tabernacles on his own, but he was merely doing what had been prescribed on high long before, that is, he celebrated it “at its time in accord with the testimony of the heavenly tablets.” Noah might seem, according to the original author, to have initiated the Festival of Weeks on his own initiative, but this too is an illusion: “This entire festival had been celebrated in heaven from the time of creation.” The law violated by Reuben and Bilhah was similarly “written and ordained on the heavenly tablets” long before their crime; the only reason why they were not punished with death was because that law had not yet been made known in full. In all these cases (and the others described above), the Interpolator reveals his determination to undo the harm created by the original author’s attempt to establish the patriarchs as, one might almost say, inadvertent lawgivers.

The Interpolator's motive for so doing is likewise clear. The original book of Jubilees, because of what it implied about the Torah's laws, was unacceptable to him: it seemed to suggest that, at least in some instances, there was nothing absolute or even divine about the origin of the Torah's laws; indeed, it virtually made of the Torah a divine imitation of the human. Such a notion profoundly offended the Interpolator's whole conception of the Torah, and it further conjured up a picture of laws being passed on orally from generation to generation rather similar to what the Pharisees said about their own practices. So he set out systematically to undo this aspect of the original author's book. Thus, was created a set of interpolations into Jubilees that were fundamentally opposed to the book's original stance.



## Appendix: “Therefore it is written...”

In trying to undo such a central claim of the original book of Jubilees – namely, that various festivals, holy days, and other biblical laws stemmed from the spontaneous doings of the patriarchs – the Interpolator faced a serious problem. How could he say that something had been written in the heavenly tablets when Jubilees itself clearly attributed the same item’s origin to something done spontaneously by Noah or Abraham? He could adopt the frontal approach and simply write each time, “But really, a law to this effect had already been written on the heavenly tablets long, long before.” However, since such a formulation might seem too obviously to contradict the original author’s account, the Interpolator took exactly the opposite path: instead of saying “But...” he said “Therefore...” Time and again he introduces his insertions with the phrase “*Therefore* it is [or “was”] written [or “inscribed” or “ordained”] on the heavenly tablets...” – as if to imply that, far from there being any contradiction between the preceding narrative and his own assertion that this law had been on the heavenly tablets all along, his assertion somehow followed naturally from the narrative.

As M. Kister has observed, this “therefore” cannot mean “*as a result of* what was just described,” since in many instances it is explicit that the writing on the heavenly tablets existed long before the human beings involved did what they did: the law forbidding marrying off the younger daughter before the older existed long before Laban quoted it (28:7); the Festival of Oaths was celebrated by the angels in heaven long before Noah initiated it on earth (6:18); the behavior of Reuben and Bilhah *violated* an existing law in the heavenly tablets (33:10-12); and so forth.<sup>29</sup> But if the basic aim of this *therefore* was to suggest that there was no contradiction between the preceding narrative and the law having been written earlier on the heavenly tablets, how is one to construe the precise meaning of this word (presumably Hebrew כן על)?

The Interpolator’s use of *therefore* for this purpose seems to have been modeled on a particular use of the term by Jubilees’ author, one that was, not coincidentally, the source of the Interpolator’s very first use of *therefore* in his insertions.<sup>30</sup> The biblical inspiration for the

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<sup>29</sup> Examples from Kister, “Formulae...” 289-90.

<sup>30</sup> Here I must disagree with Kister’s claim in the aforementioned article.

Interpolator's choice of words begins with the story of the creation of Adam and Eve. In that story, Eve is formed out of Adam's "side" or "rib":

**XVI)** Then the man said: "This one at last is bone of my bones and flesh of my flesh; This one shall be called woman, for from man was she taken." *Therefore* shall a man leave his father and mother and cling to his wife, and they will become one flesh (Gen. 2:23-24)

What exactly the word *therefore* means here is not entirely clear. It probably does not mean that husbands should leave their parents and cling to their wives *as a result of* Adam's saying that the newly formed creature in front of him should be called "woman." Nor does it seem likely that the verse was intended to mean that *as a result of* the fact that Eve was formed from Adam's side or rib, all later husbands are to leave their parents and cling to their wives. After all, why, logically, should that be a *consequence* or result of what happened in Adam and Eve's day? If husbands are "of one flesh" with anyone, it is with their own mothers, from whose bodies they emerged very much as Eve did from Adam's. Thus, perhaps "in keeping with this" is indeed the best understanding of כן על here; that is, in keeping with the fact that Eve was actually created from Adam's body and was, in this sense, his "other half," so, later husbands – even though their wives were *not* shaped out of their own ribs – ought to leave their parents and cling to their wives as a sort of reminiscence of the original physiological oneness of the first human couple.

Whatever the precise sense of this original *therefore*, it is clear is that this same word *therefore* was stressed by the original author of *Jubilees* in his retelling of the Genesis narrative:

**XVII)** Then He brought [him] to her. He [Adam] knew her and said to her: "This is now bone from my bone and flesh from my flesh. This one will be called my wife, for she was taken from her husband." *Therefore* a man and a woman are to become one, and *therefore* he leaves his father and his mother. He associates with his wife, and they become one flesh. In the first week Adam and his wife – the rib – were created, and in the second week he showed her to him. *Therefore*, a commandment was given to keep (women) in their defilement seven days for a male [child] and for a female two [units] of seven days. (3:7-8)

In this passage, the author of *Jubilees* deliberately echoed the *therefore* of Gen. 2:24 – in fact, he turns its one *therefore* into two. Then, in the last sentence above, he uses the word a third

time. Here he alludes to the law in Lev. 12:1-5, which stipulates that a mother who gives birth to a male child remains in a state of impurity for seven days, while her impurity lasts fourteen days if she gives birth to a female. Why did the author evoke this law? He cleverly used it to support his book's scenario for the creation of Adam and Eve: in the first week of creation, the male Adam was created, with Eve still a little homunculus contained inside of him. It was only in the second week that Eve emerged fully, seven days *after* Adam's creation. (This is what he means by saying, "In the first week Adam and his wife – the rib – were created, and in the second week he showed her to him.") As is usual with the original author, this event in Genesis served as a precedent for the later biblical law: "*Therefore*, a commandment was given to keep (women) in their defilement seven days for a male [child] and for a female two [units] of seven days."

But of course, that is not how the Interpolator wished to understand the original author's "therefore." He would never have agreed that it was *because* Adam and homunculus Eve were created in the first week while Eve emerged fully only in the second week that the law of the parturient mother in Lev. 12:1-5 was created. That divine law, like all the Torah's laws, had been inscribed on the heavenly tablets *before* Adam and Eve were created, in fact, from the beginning of time. So, for the Interpolator this *therefore* was not to be understood as implying cause and effect, action and consequence, but merely congruity: *in keeping with* the one-week and two-week time periods mentioned by the Torah for the creation of Adam and Eve, there is – and always has been – a law establishing one- and two-week waiting periods for the parturient mother. He seeks to drive this point home by adding one more *therefore*:

**XVIII)** *Therefore* a commandment was written in the heavenly tablets for the one who gives birth to a child: if she gives birth to a male, she is to remain in her impurity for seven days like the first seven days... As for a female she is to remain in her impurity for two weeks of days like the first two weeks. (3:10-11)<sup>31</sup>

This *therefore* echoed that of the original author's, but in the sense that the Interpolator chose to understand it. It did not indicate causality or any sequence in time; it simply meant that a certain event described in Genesis actually agreed with a law that was inscribed on the heavenly tablets at the beginning of time. The one was *in keeping with* the other. If biblical Hebrew had a specific

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<sup>31</sup> For a discussion of this passage and the Interpolator's misunderstanding of the original author's intention, see my "Interpolations," 226-27.

verbal form to indicate the pluperfect, I have no doubt that the Interpolator would have said, “and for that reason it *had been* written...” But all he could say is what he did say (and what his literal-minded Greek translator translated): *therefore* it was [or sometimes “is”] written.”

The Interpolator subsequently used this same *therefore* in other legal passages in *Jubilees*: such-and-such thing was recounted by the original author, and to this account the Interpolator would add: *therefore* (that is, *this is why*, in keeping with what was just narrated) a commandment is/was written (and/or “inscribed” or “ordained”) on the heavenly tablets saying that this should be done. It was his way of suggesting that there was no contradiction between the original author’s narrative and his own connection of the narrated action to something written in the heavenly tablets.

That the Interpolator’s *therefore* is intended in the sense of “in keeping with this” is reflected by his variations on the term. He does not always say כן לע. Sometimes, instead of this term (rendered in Ethiopic variously by *ba’anta zə* [3:31, 4:32, 6:17, 6:28, 16:29], *ba’anta zantu*, [3:10, 4:5] both corresponding to Greek *dia touto*), the Interpolator simply says “and thus [Heb. וכן] it has been written and inscribed” etc. (Eth. *kama, kama zə* [6:31, 18:19, 24:33] [Lat. *et erat decretum* in 18:19]). Sometimes there is neither *therefore* nor *thus*: it simply “has been written” on the heavenly tablets (5:13, 6:12, 16:3). This writing, it is understood in all cases, took place before the event in question: for example, it is clear from the context that Isaac’s name was written in the heavenly tablets before he was so named on earth. In one place (16:9), the Interpolator writes *and behold* it is commanded and engraved on the heavenly tablets (Lat. *etenim ecce*, Eth. *wanāhu*). These variations indicate that there is nothing *temporal* implied by the Interpolator’s *therefore*; it is his way of asserting that what was just described is in keeping with what had been written on the heavenly tablets since the beginning of time.