

THE M. H. DE YOUNG
MEMORIAL MUSEUM (SAN FRANCISCO)
EXHIBITION OF THE DEAD SEA SCROLLS
(FEBRUARY 26–MAY 29, 1994)

A RESPONSE

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Mr. Harry S. Parker III
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Dear Mr. Parker,

I have finally been able to secure a transcript of the audio presentation referred to in Ms. Leventon's letter to me of Feb. 28th. Now aware of many of the facts pertaining to your exhibit of the Scrolls and ancillary museum programming, I am in a position to respond to you and your associates.*

What you have in effect done is to allow the de Young Museum to host and present an exhibition of the Dead Sea Scrolls that

- (A) gives unfair prominence to one particular theory of the Scrolls' origins;
- (B) attempts to induce viewers to accept that theory as cogent and reasonable, while suppressing precisely those findings that show the opposite;
- (C) makes efforts to convince viewers of the verisimilitude of that theory by promulgating fallacious statements regarding both the archaeology of the Khirbet Qumran site and the interpretation of the contents of the Scrolls;
- (D) conceals from the viewing public the present status of the controversy over the freeing of the Scrolls, instead mendaciously inculcating the view that the controversy is past history and that scholars may now freely study and publish the texts; and
- (E) gives comfort to the restrictive policy of the Israel Antiquities Authority regarding scholarly access to the Scrolls by punitively refusing to offer for sale the writings of those scholars most prominently connected with the effort to free the manuscripts earlier in this decade, and otherwise concealing their contributions.

These efforts may be demonstrated by reference to the audio guide, the explanatory wall placards, the makeup of your lecture series, and the configuration of writings on sale in your Museum Store. I list here the particulars, consonant with the above five-part classification:

* Cf. your letter dated 24 Feb 1994; letter of Curator Leventon (28 Feb. 1994); letter of Museum Stores General Manager Payne (14 March 1994).

A. *The de Young Museum gives unfair prominence to one particular theory of Qumran origins.* Several placards and labels discuss the original theory (i.e., that a group of Essenes lived at Khirbet Qumran and wrote or copied the scrolls there) and give reasons adduced by certain scholars for this view: E.g., the original excavator's view that the "inkwells and benches" found in the rubble of one room were indicative of a "scriptorium" where pious Essene scribes supposedly penned these texts; that certain jars found at the site and in the scroll caves were "proof of the link between the two"; that the water-storage system was "thought to have been used to hold water for ritual bathing"; that particular scrolls were products of "the Qumran sect," etc. **No reasons, however, are adduced anywhere in the exhibit that underlie the views of those scholars opposed to this paradigm of Scroll origins, although the interpretations of many such scholars actively engaged in the investigation of the scrolls are published and would have been easily accessible to the curators through appropriate inquiry.**

While (by contrast with the New York Public Library's display) the tone of zealous partisanship is relatively subdued in the *visual* presentation at San Francisco, it appears full-blown in the de Young's *Audio Guide*. Here we are told, for example (*Audio Guide Transcript*, p. 2, lines 21–26) that "almost all the rooms [of Khirbet Qumran] were used for communal purposes," that "the settlement...has the look of a commune," and that "the scrolls themselves seem to support this interpretation." These assertions, made by an archaeologist (J. Magness), are then buttressed by the assenting words of the narrator, Robert MacNeil, who at one point states (*Transcript*, p. 5, lines 4–6) that "Pliny tells us of [the Essenes'] city in the wilderness between Jericho and En Gedi near the shore of the Dead Sea. This of course is where the Qumran ruins are located. And in fact many scholars today believe that the people who lived at Qumran were Essenes." This adduced belief of the many scholars is thereafter transmuted into a fact by MacNeil, in stating (*Transcript*, p. 5, lines 35–36) that the characteristics of a certain manuscript on display show similarities with other works "probably written by the radical Jewish group who lived at Qumran" and in later stating (p. 5, line 41–p. 6, line 1) that "We know the community at Qumran opposed the Hasmonaeans."

These are but some of the statements in the *Audio Guide* that are obviously intended to induce viewers of the exhibit, particularly in tandem with even their most cursory glances at the posted descriptions, to accept the traditional theory that a sect of Essenes, if not another sect, lived at Khirbet Qumran and wrote scrolls there. Unlike the audio presentation at the Library of Congress, opposing views are not presented. All three of the scholarly discussants in the de Young presentation—beside Magness, L. Schiffman and J. Charlesworth—are well known as supporters of the sectarian theory (even though Schiffman makes out the putative sect to be Sadducees rather than Essenes) and only those lines of reasoning that appear to lead to the desired conclusion are presented in the *Audio Guide*. **By the most ordinary standards of museological practice, this effort of the de Young Museum, or your acquiescence in the effort of others, is obviously unfair not only to scholars who hold other views of Qumran origins based upon demonstrably important archaeological and textual evidence, but also to the west coast public at large, which has the basic right to hear and weigh for themselves the views on**

Qumran origins that are in opposition with one another, and to do so within the public museum chosen for the exhibition.

B. *The de Young Museum attempts to induce viewers to accept the Qumran-sectarian theory as cogent and reasonable, while suppressing precisely those findings that show the opposite. We may deal with the attempts, and with the evidence suppressed, page by page, with italics in all cases being mine:*

1. Archaeologists earlier on paid little attention to Khirbet Qumran “because it is *small* and was *generally thought to be a minor Roman fort.*” (MacNeil, Transcript, p. 2, lines 4–5).

The ruin, including the adjacent cemetery, was mapped in the 1870s by Ch. Clermont Ganneau, who did not at all find it to be small. In 1914 G. Dalman described it as a fortress, but did not claim it to be a Roman one. This identification was repeated by M. Avi-Yonah in 1940. In 1970 it was designated in the well-known *Atlas of Israel* (Jerusalem and Amsterdam) as the Meşad Ḥasidim, or “Fortress of the (Jewish) Pietists” mentioned in a Bar-Kokhba document of *circa* 134 A.D. In a map published by M. Harel in the *Biblical Archaeologist* 44, no. 1. (1981), Kh. Qumran is designated as one of the sites of the fifth concentric circle of Israelite fortresses protecting Jerusalem. The suppression of this information in its entirety, and the use of the expression “Roman fort” instead of it, has encouraged the museum and/or promulgators of the Audio Guide to issue a fallacious statement regarding my view of the nature of the site (see below, Section C).

2. “I think...most scholars today believe...the people who lived at Qumran used the scrolls and were responsible for hiding them in the caves.” (Magness, *ibid.*, p. 2, lines 14–16.)

The archaeologist states that this is shown, e.g., by the fact that the coins and pottery found at the Qumran site “are from the same period as the jars found in the [scroll] caves,” but fails to indicate (a) that coins and pottery of the same period are found widely throughout the Judaeen Wilderness, and (b) that on the interpretation of those she claims to be “most scholars,” it is most difficult to understand why the hidens would carry their manuscripts *northward*, in the very direction of the advancing Roman force—which is supposed to have been the cause of the Qumranites’ claimed decision to hide the Scrolls—rather than southward. (On the further claim made that certain elongated jars that contained some of the Scrolls stored in the caves, and were found also at the Kh. Qumran site, were “unique” to Qumran and the nearby caves, see Section C below on overtly fallacious statements made to viewers of the de Young exhibition.)

3. “Almost all the rooms [at Kh. Qumran] were used for communal purposes....the settlement *has the look of a commune.*” (Magness, *ibid.*, p. 2, lines 21, 24.)

Father de Vaux uncovered over 140 *loci* at Qumran (see his plan, attached hereto as Appendix I), but could identify no more than a score of them as workshops, storage areas, and meeting halls. The settlement has “the look of a commune” only to those who wish to believe it was a commune. It was improper and misleading of the persons responsible for the audio script to refrain from describing those features of the site that impart to it more the character of a fortress than a commune, (See, e.g., the characteristics described by Father de Vaux himself in his *Archaeology and the Dead Sea Scrolls*, pp. 5, 28; Ph. Davies in *Biblical Archaeologist*, Dec. 1966, pp. 203 ff.; and my observations in *Journal of Near Eastern Studies* 49, 1990, p. 103 ff.).

4. “There is...a room that has been identified as the *scriptorium* or writing room....” (Magness, Transcript, p. 2, lines 21–23.) “...Fr. de Vaux and his team...identified [one room] as a *scriptorium*. One of the inkwells even had traces of ink in it. *Writing tables and benches* were also discovered among the collapsed walls...of this room....” (MacNeil, Transcript, p. 3, lines 26–29.)

The audio guide fails to mention that, despite de Vaux’s belief that the room in question was a *scriptorium*, the number of scholars who still believe this keeps dwindling. (We observe that in the guide, the presentors pointedly refrain from stating that de Vaux’s identification today has strong scholarly support which of course it does not.) De Vaux, moreover, did not speak of “benches” actually being found in the so-called “*scriptorium*,” but only of *tables*, adding that these might have been placed next to benches once situated along the wall. The definitive response to de Vaux is that of the very continuators of his work, Prof. Robert Donceel and Prof. Pauline Donceel-Voûte of Louvain, who have shown by careful measurements and analysis of the site that de Vaux’s “writing-tables” were in reality *the benches themselves* which were infixed along the wall; while the two inkwells were in fact not found in the rubble of the same floor of the building that de Vaux claimed was the floor holding the “*scriptorium*.” (See particularly P. H. E. Donceel-Voûte, in *Res orientales* IV (1993), pp. 61–84, where the characteristics of the fragmentary finds are compared with those typical of a *triclinium*, or dining lounge, rather than that of a *scriptorium*.) On the relevant wall-placards of the exhibit, the table-idea disappears entirely, the author of the placard instead stating that de Vaux pointed “to the inkwells and *benches* as proof of scribal activity”—thus appropriating the identification of these artifacts arrived at by the Donceels and making it seem that this was the view of de Vaux: i.e., de Vaux identified *benches* rather than tables at Kh. Qumran, and said that these *benches* that he found were to be interpreted as the places where scribes *sat*. The audio guide and related exhibition items are clearly slanted to encourage viewers, however dishonestly, to favor de Vaux’s premature idea, while refraining from offering even a few sentences that might inform the public of the basic reasons for the rejection of that idea by the continuators of Fr. de Vaux’s work at Qumran.

5. "...the inkwells in particular...led the excavators to conclude that this *may have been the room where scribes tirelessly copied and recopied treasured works...*" (MacNeil, Transcript, p. 3, lines 29–31.)

The excavators concluded not that it "may have been" the room but that it *was* the room, and the Israel Antiquities Authority insists upon keeping that designation posted at the site. The audio guide's formulation is clearly designed to encourage the viewing public to accept what is today regarded by many scholars as a highly questionable identification—an effort further underlined by the guide's silence concerning the findings of those archaeologists currently working on the problem, who have arrived, on solid critical grounds, at a diametrically opposite identification of the room in question. Even had the two inkwells been found in the rubble of the room claimed to be a scriptorium, rather than in the rubble of the ground floor, there is still no indication in the writings of de Vaux that it was "the inkwells in particular" that underlay his conclusion. (See de Vaux, *L'archéologie et les manuscrits de la Mer Morte*, p. 23.) This is merely the collective voice of the individuals who prepared the de Young audio script speaking, in the obvious hope of getting listeners to accept de Vaux's identification. Such inkwells have been found in many townhouses in Jerusalem of the same period, in a druggist's shop there as well, and at other sites, e.g., Quailba in Transjordan. That some writing activity was conducted at Qumran, as at these other places, is beyond question, but it has been pointed out more than once that no actual parchments or the particular tools of *scribes* have ever been discovered in the rubble of that room, nor anywhere else at Qumran—and the de Young Museum had the clear responsibility to include this basic information in its audio guide, rather than merely trying to manipulate unsuspecting viewers, as it would appear, into accepting de Vaux's highly idiosyncratic theory about the nature of the room in question.

6. Immediately after his remarks concerning the tireless copying and recopying of treasured works in the vaunted "scriptorium," the audio guide describes the Psalms Scroll from "Cave 2" (he means Cave 11) and states that it "is one of the *longer fragments from Qumran.*" (MacNeil, transcript, p. 3, lines 35–36.) It then notes some interesting features of this scroll (p. 3, line 36–p. 4, line 6), and thereupon takes up the theme initiated earlier by Magness that jars containing manuscripts in the caves are uniquely connected with the Khirbet Qumran site and therefore demonstrate that the scrolls derive from that site. The message is clear that the Psalms Scroll in question derives from the claimed "sect of Qumran." The authors of the transcript have neglected to inform the viewing public that this unusual scroll contains several psalms not found in the Book of Psalms in the Hebrew Bible and yet, according to the scholar who edited and published this text, was written by someone who expressed Hellenistic and anti-Essenic ideas. My letter to you of 14 January 1994, pp. 3–4, supplied you with the necessary information about this matter, but that went unacknowledged until after the audio guide had been prepared and made ready for distribution and museum use.

7. As mentioned above in Section A, MacNeil refers to Pliny's account of the Essenes' "city in the wilderness between Jericho and En Gedi near the...Dead Sea," in addition stating that this "of course is where the Qumran ruins are located," and that "in fact many scholars today believe that the people who lived at Qumran were Essenes." (Transcript, p. 5, lines 4–7.) Pliny of course does *not* mention that his settlement of the Essenes was "between Jericho" and En Gedi, but only that it was on the western side of the Dead Sea and that "below" it was En Gedi; and he never refers to this settlement as a city. He mentions that "thongs of refugees" daily join the order, that they are celibate, have no money and "only the palm trees for company." I am not alone in having questioned Father de Vaux's enthusiasm to associate this description with the Khirbet Qumran site and to make out the latter to be a monastery. De Vaux was evidently quite troubled by his own finding, for he knew that Pliny's *Natural History* was actually produced at least several years *after* the Romans had taken Jerusalem and destroyed the Temple in 70 A.D., and that this latter fact is mentioned in Pliny's description. De Vaux and his colleagues, however, had determined through the excavation that *Roman troops inhabited Qumran at that time*, not Jewish sectarians, a fact which by itself would have indicated the Pliny's Essenes of the Dead Sea shore were a post-70-A.D. phenomenon and that Qumran could not have been their place of habitation. To save the Sectarian theory, he therefore suggested that Pliny's description of the Essenes was written before 70 A.D. and that an editor merely added the reference to the destruction of Jerusalem later on—in other words, a new theory added on to the other one, and vitiated by the fact that numerous surrounding passages in Pliny refer to events in Jerusalem after 70 A.D. The authors of the audio guide had a clear duty to the public to indicate the critical problem with de Vaux's identification, not only to put the endorsement of the theory, without further comment, into the mouth of a public figure engaged, I assume by the de Young Museum, to serve as moderator of the guide.

8. The audio guide states that the cisterns located at Qumran "were used for storing water and possibly bathing," and that these considerations "seem to support the picture of this community *that we get from the Dead Sea Scrolls*—that is, a community that was self-sufficient and...*very much concerned with ritual purification*." (Magness, p. 6, lines 24–27.) De Vaux, by contrast, had stated that archaeology "*does not have the power*" to determine whether the cisterns had a ritual character (*L'Archéologie et les MSS de la Mer Morte* [1961], p. 99). The corresponding placard in the exhibit hall misleadingly states that the "*excavators [i.e., de Vaux and his team] uncovered a sophisticated water...system that was thought to have been used to hold water for ritual bathing...*").

The picture that, as Magness puts it, "we get from the Dead Sea Scrolls" *as a whole*, on the other hand, is not that of one sect, but of many—as growing numbers of Qumranologists are today stating—and only several of the texts reveal authors who were "very much concerned with ritual purification." One of those writings, i.e., the Manual of Discipline, is that text which the great majority of

traditional Qumranologists hold to be the one whose rules and guidelines were followed by the inhabitants of Kh. Qumran. The authors of this text emphasized the crucial role that members of the priesthood played in their society. Immediately after speaking of the inhabitants' great concern with ritual purification, Magness goes on to speak of the *cemetery* adjacent to Qumran, indicating that she feels that it belonged to the claimed sect living nearby. The laws of the Pentateuch relating to the ritual purity of priests and their obligations to distance themselves from the dead make it absurd, however, to think that a community headed by priests would have allowed a cemetery of its own to be built in such close proximity to its site of habitation. From a critical point of view, it is obviously impossible to believe that, given the proximity of the cemetery, the people who practiced the rules of the Manual of Discipline could have lived at Qumran, and this should clearly have been stated in the audio presentation in response to Dr. Magness's defense of the old theory. Moreover, if this audio program were genuinely intended to serve the public fairly and objectively, why did its authors not also state that, in consonance with the interpretation of Kh. Qumran as a fortress, the cisterns would have contained enough water to serve the needs of over seven hundred troops during an entire annual eight-month period of Judean Wilderness drought? Why was the viewing public not told that other fortresses of the Judean Wilderness have cisterns that contained similarly large supplies of water?

9. The audio guide speaks of "the cemetery which Fr. de Vaux excavated," and then states that "In the main part of the cemetery *all the burials he excavated were of adult males*. A few women and children were found nearby, *but only in the outlying areas*. This is unusual and suggests another link with the community described in the Dead Sea Scrolls: a mainly celibate, adult male community with just a few married couples and children" (Magness, *ibid.*, p. 6, lines 29–33.)

The guide fails to state that de Vaux excavated *only forty-three* of the twelve hundred Qumran graves, and that of these forty-three, seven contained skeletons of women and four of children. (De Vaux inexplicably stopped digging at that point.) Now if the above ratio had held even loosely through a complete excavation of all twelve hundred graves, the expectation is reasonable, on the basis of those graves actually excavated, that at least one-fifth of the total number, or approximately 240 graves, would have contained skeletons of women and children. Within this context, it is totally misleading to suggest, as the audio guide does, that skeletons of only "a few women and children were found." That statement, made after Magness had finished referring to "*the cemetery which Fr. de Vaux excavated*," (not, e.g., to "the less than 4% of the graves actually excavated," as she should have said) makes it appear to uninitiated viewers of the exhibition utilizing the audio guide that only a few skeletons of women were found although *the entire cemetery was excavated*. The statement that *only thirty bodies of men* were found during de Vaux's excavation is missing from the audio guide's presentation, and that makes it utterly misleading.

In suggesting that women's graves were discovered "in the outlying areas," the audio guide goes beyond de Vaux in another way: he only hesitantly had

suggested that they were located in “extensions of the main cemetery.” (*L’Archéologie et les manuscrits de la Mer Morte*, pp. 96–97). S. H. Steckoll in the 1960s excavated another eleven Qumran graves, and it was found that the skeletons of six were of men, four of women, and one of a child, more than affirming the ratio implicit in de Vaux’s excavation. But Steckoll and others (not de Vaux), also mapped out the cemetery, and could find no support for de Vaux’s suggestion that the women were buried—to use the audio guide’s term—in “outlying areas.”

What is more, there is no indication—contrary to what the audio guide suggests—in any of the Scrolls of the espousal of celibacy, and no community described in them can be proved to have been “mainly celibate [and] male.” These and the above claims of the guide relative to the significance of the cemetery totally lack a scientific basis. The least the de Young Museum should have done under these circumstances was to insist upon some statement being put in the guide to show the other side of the picture, and by not doing so the public was clearly misled. An intent appears to prevail here, as throughout the guide, to use only that language which might encourage viewers to walk away from the exhibition believing in the Qumran/sectarian theory.

10. It is only through the above-described suppression of significant findings relating to the archaeology of Qumran and the theory of a sect living there, and by overt falsification of certain facts relative to these problems (see below, part C), that the authors of the de Young audio guide are able to give the impression that the interpretations they offer of various scrolls on display are not only reasonable but the best ones available. Once the groundwork of archaeological misinformation is removed, however, the cleverly organized structure and the content of the manuscript descriptions become as shaky as most efforts to convince the public of untenable scholarly ideas eventually do. The questionable character of the ideas propounded is only highlighted by the fact that (as in the case of the discussions concerning archaeology) alternative interpretations of the texts, not deriving their strength from archaeological misinformation, are absent from the audio presentation.

In her response to me dated February 28th, Curator Leventon has emphasized the toned-down quality of the descriptive placards accompanying the display of manuscripts, but has said nothing concerning the content of the audio guide, which changes the picture entirely. It must be noted that the curator suggests in her letter that the average museum-goer spends only “about 30 seconds reading an exhibition label.” This, however, only increases the importance of an audio guide in a popular exhibit of ancient manuscripts, and, in view of the determined effort of the Antiquities Authority officials to protect the old ideas about the Scrolls, does no more than help to explain why they or those associated with them, perhaps the de Young Museum itself, would be willing to pay the relatively large sums of money obviously required to produce such a professional taping.

Thus, while the museum placards state relatively little about those manuscript fragments that are at the very center of the controversy over Scroll origins, the audio guide discusses them at considerable length, and in an entirely partial way. We are informed, regarding the Calendrical Document, that the “*people who lived at Qumran followed a calendar which was different from the dominant Jewish one. The dominant Jewish calendar was based on lunar months, while the calendar of the Qumran group was a solar one.*” (Schiffman, *ibid.*, p. 5, lines 12–15.) The obvious response to this claim (already indicated in my earlier letter to you, pp. 5–6), is that there is a *range of luni-solar calendars* among the Scrolls (this was not entirely clear before the Scrolls were unlocked in 1991, but many scholars now recognize this fact), and it is still impossible to know which one of them was adhered to by the inhabitants of Kh. Qumran. To gain such knowledge, one would first have to know who the inhabitants were, whether they did or did not constitute a sectarian group, and which of the multifarious manuscripts found in the caves might have expressed views to which they felt close. (As L. Schiffman himself declares elsewhere in the audio guide (p. 6, lines 6–8), “not all manuscripts in the Qumran collection were authored and copied by the Qumran sect. Many of the documents...were probably copied by religious groups elsewhere....”) I am unaware of any proof demonstrating that the Qumran inhabitants followed a solar calendar. If that is what the authors of the audio guide wish to believe, then it should have been stated as their personal belief, with at least some semblance of a response representing the views of those who do not share in this article of faith of the traditional Qumranologists—as, for example, Dr. Uwe Glessmer of Hamburg, who specializes particularly in the calendars of Qumran.

The audio guide’s discussion of the Calendrical Document is followed by one on the Songs of the Sabbath Sacrifice (MacNeil, *ibid.*, p. 5, lines 31–36), and the reason for this juxtaposition quickly becomes apparent. “This fragment,” MacNeil’s script urges, “...had 13 sections of songs and liturgies, one for each of the first 13 Sabbaths of the solar year. So like the document we just saw, this piece relates to the special calendar of the Qumran community, and the form and terms of its text are similar to those of other works probably written by the radical Jewish group who lived at Qumran.” What the authors attempt to do by this formulation is to justify the tenacious view of a group of traditional Qumranologists that this is beyond question one of the authentic writings of the “sect of Qumran,” and not, heavens forbid, one of those that, as another group of traditional Qumranologists now maintains, may have been “brought in from the outside.” This latter group, as I already mentioned to you in my earlier letter (p. 3), includes the very editor of the Songs, who now *rejects* the notion that this text has a perceptible sectarian content, or “forms and terms,” as MacNeil’s script puts it, that relate to those of sectarian texts that traditional Qumran scholars believe were written by the inhabitants of Kh. Qumran. The editor’s opinion is expunged not only from the audio guide but also from the official catalogue of your exhibition, *Scrolls from the Dead Sea*, p. 68. The fragment of another manuscript of this same work was discovered in the 1960s at *Masada* by the late charismatic Israeli archaeologist Yigael Yadin, who believed

so deeply in the Qumran/sectarian theory that he proposed that Qumran-Essenes literally carried this manuscript to Masada from Qumran. Denying the claimed sectarian characteristics of this text, such as its editor now does, would however mean that the entire question of the origin of the fifteen Masada scrolls discovered during the excavations there might have to be reopened, and Yadin's conclusions of a special link between Qumran and Masada eventually be discarded. The Antiquities Authority clearly does not wish this to happen; but that hardly means that the de Young Museum acted appropriately in not insisting that the other side of the picture be included in the audio presentation. The result attained by the authors of the audio guide reads more like propaganda for a cause than an objective presentation of the facts now known about this and the other texts on display.

This impression is only abetted by the guide's treatment of the so-called MMT Text, or Some Torah Precepts (MacNeil, *ibid.*, p. 10, lines 37-40, p. 11, lines 1 ff.). The statement is made that in 1984 "an associate of the scholar assigned to publish it *revealed that the scroll was one of the most significant documents of the Qumran sect, a letter containing about 22 laws that represented the essential differences between the Qumran group and the Jewish establishment in Jerusalem.*" All that the scholar in question "revealed," however, was his own opinion about the scroll in question. There is not a single shred of hard evidence that this text was written by the same group of people who wrote the Manual of Discipline or other texts of the Yahad circle. The terminology of that circle is conspicuously absent from this text, and the Hebrew idiom employed in it, as I indicated to you in my letter of 14 January and as numerous scholars recognize, is conspicuously unlike that of the twenty-odd "Yahad" texts to which group it is supposed to belong. Why did the authors of the audio guide not add that the editor of the text who coopted the services of the associate himself does not agree with the associate's interpretation, which has struck many scholars of these manuscripts, not me alone, as bizarre and unhistorical? And how is it that Robert MacNeil, himself not a historian of this period or in any sense a scholar of the scrolls, was put in the position of espousing this interpretation and encouraging the viewing public to assimilate it? It is as though the authors of the audio guide sought out a public figure to express assent to the traditional hypothesis, in the hope that he would sway the public to favor it against other interpretations of Scroll origins. The question inevitably arises as to the nature of the responsibility he assumed, or whether he sought out information about the ideas he is portrayed as espousing with or without interviewing those who disagree with the ideas in question. The famous and highly respected moderator of Public Broadcasting's MacNeil-Lehrer News Hour clearly has certain responsibilities vis-à-vis the public trust that lesser figures may not have.

Other such efforts to convince the public of the truth of the old theory are scattered liberally throughout the audio guide's treatment of the manuscripts. In discussing the Prayer for King Jonathan, the guide states, as we have already indicated, that "Most scholars believe [it]...is an excellent illustration...that not all manuscripts in the Qumran collection were authored and copied by the Qumran

sect. Many of the documents, like this one, were *probably copied by religious groups elsewhere, and became part of the library at Qumran.*" (Schiffman, *ibid.*, p. 6, lines 5–8.) This formulation, it is true, goes beyond that allowed by the Antiquities Authority in its catalogue,* but still results from not one but two unproven beliefs: that a sect lived at the Khirbet Qumran site, and that the sect in question possessed a very large library there, somewhere in the neighborhood of one thousand scrolls (i.e., the roughly 850 scrolls of which fragments were found in the caves, plus a minimum of a few hundred additional ones that must have perished totally). Whereas we know what an ancient library might have looked like from the one found, with its scrolls still more or less intact, under the lava of Herculanaeum, no such room has ever been located at Kh. Qumran, nor even a single scroll or scrap of one discovered there. It seems quite evident that the only way a scholar can arrive at such a postulation with his head above water is by disregarding all the critical objections to the traditional theory of Qumran origins (precisely the course of action chosen by the authors of the audio guide)—but an unscientific procedure of this nature surely does not offer responsible grounds for the assessment that there was "probably" a library at Qumran which, in addition, included various books brought in from "elsewhere." This formulation of the audio guide appears to be nothing more than an effort to counter my own, which is that the variety of trends in ancient Jewish thinking increasingly perceptible in the Scrolls points, as does the Copper Scroll of Cave 3, to an origin of all the texts in Jerusalem and their dispersal in desert hiding places prior to the Roman siege on the city. Instead of deigning at this crucial point to mention this interpretation, the authors of the audio guide chose to allow the viewing public but one explanation of the phenomenon before them, while at the same time finding a way, as we shall see, to insert a damaging falsehood regarding my interpretation of Qumran origins later on in their presentation. By such tactics the polemical interest of your audio show, once the words of the script can be analyzed, becomes all too evident.

While lying somewhat outside the purview of this letter, it is rather important to mention that the statement in the audio guide that "[artistic] images of Biblical scenes were not accepted by the Jewish tradition, because they were considered to be a violation of one of the Ten Commandments which forbade graven images" (Schiffman, *ibid.*, p. 7, lines 19–21), paints a most misleading picture. Scores of illuminated Hebrew manuscripts of medieval Europe contain Biblical scenes, a fact that surely must be known at the de Young Museum, and I cannot perceive why you would let such an obscurantist statement stand in the audio presentation without an effort to rectify it. The purpose of the subsequent focus on tapestries depicting scenes from the Book of Genesis does not at first seem entirely clear, but the dawn breaks when, upon the heels of a most careful description of Jacob's dream and his arrival in Haran, we are told (Schiffman, *ibid.*, p. 8, lines 3–5) that "The Dead Sea Scrolls include 17 fragmentary scrolls of Genesis, so this story was certainly known at Qumran." Anything to sustain the

* *Scrolls from the Dead Sea*, p. 40; cf. my letter to you of 14 Jan. 1994, pp. 2–3.

polemical thrust of a pious Bible-reading sect living on the Qumran plateau, with no chance for alternative explanations of all those different scriptural texts stored within the Qumran caves.

The polemic is more pointedly directed against the theory of Jerusalem origin of the Scrolls in ensuing paragraphs of the transcript, which seem, as several of those described above, almost to constitute responses to the criticisms contained in my letter to you of January 14th, turning them, as it were, inside out. Thus in speaking of the phylactery fragments on display, MacNeil states that before phylactery fragments were discovered in the caves, "*scholars were uncertain* about whether the custom of wearing phylacteries was common among early Jews. Now they have their earliest evidence that indeed the practice of this important Jewish custom was widespread *even among the separatist community living in the wilderness, Qumran.*" (MacNeil, *ibid.*, p. 8, lines 15–19.) This, I assume, is an attempt to respond to the statement of David Rothstein (author of the most recent study of the Qumran phylacteries), whom I quoted (in my letter to you of Jan. 14th, pp. 4–5) to the effect that the variegated rather than uniform texts of the Qumran phylacteries made it appear "probable that these circles constituted a broad spectrum of Palestinian (and diaspora) Jewry"—and not at all that they belonged to the claimed "sect of Qumran." The authors of the audio text set up the unsuspecting listeners for their unusual conclusion by first claiming that scholars used to be uncertain about the common use of phylacteries by Jews in antiquity; but to the best of my knowledge scholars in the past have generally acknowledged the authenticity of the combined testimony of the Letter of Aristeas, Josephus, and Matthew 23.5 relating to the *general* use of phylacteries among the Jews. The wording spoken by MacNeil can hardly be called an honest attempt to deal with the significance of the variegated texts of the Qumran phylacteries. Knowing as you did through my letter of Dr. Rothstein's independent conclusion, the de Young Museum had the responsibility at least to insist upon its inclusion alongside the agenda-dominated description of the script's authors, which could easily have been cut down in size to accommodate the contravening opinion.

I am obliged to add that your posted description of the phylacteries, in which you state that "As a rule, phylacteries include the same four selections...from ...Exodus and Deuteronomy," fails to describe the *Qumran* phylacteries, which are notable for their various ways of departing from this rule, as not only Rothstein but early editors of these texts have fully demonstrated. Having this information already in the middle of January, you could quite easily have added a small panel to your display explaining it. In effect, this significant finding was concealed from the viewing public both in the audio guide and the posted display, as well as in the official catalogue (p. 44).

The same polemical thrust, fundamentally dishonest in its content, reappears in the audio guide's efforts to handle the question of the nature of Hebrew literature of the intertestamental period as reflected in the Scrolls. In dealing with the Book of Enoch, the audio script states that it "represents yet another kind of

Dead Sea text, literature written around the same time as the Biblical manuscripts, but not included in the Hebrew Bible. A large number of these kinds of texts were preserved in the caves of Qumran and presumably were studied and treated as canon by the Qumran community." (MacNeil, *ibid.*, p. 8, lines 23–26.)

The viewing public must be hopelessly confused by this statement. It appears to be a way of dealing with the criticism expressed in my January 14th letter to you, where I stated (p. 2) that the earlier exhibition's division of the Scrolls into three groups—(1) The Hebrew Bible, (2) Apocrypha and Pseudepigrapha, and (3) Sectarian Writings—suffered from failure to recognize a substantial body of Scrolls that are neither Biblical, pseudepigraphic, nor sectarian, but can only be placed in a fourth category, i.e., "Other Literature of the Intertestamental Jews." Enoch appears as a canonical work in the Septuagint, but not in the Hebrew Bible, and like other writings of the Apocrypha and Pseudepigrapha (whose roots are in the Greek Septuagint) was evidently considered canonical by the *Alexandrian* Jews. We cannot legitimately presume from this fact that the fragmentary Hebrew and/or Aramaic originals of some of those writings, discovered in the caves near Qumran, were likewise considered canonical by the Jews of any particular *Palestinian* locality, especially since there is no evidence that any ancient form of the *Hebrew* canon in use among the *Palestinian* Jews included such writings. What is more, the statement of the audio guide heaps together such writings with other literary works discovered in the caves that were "written around the same time as the Biblical manuscripts" and yet have no palpable connection with the Septuagint or the so-called "Apocrypha and Pseudepigrapha of the Old Testament." Such literature is clearly in category 4, "Other Writings of the Intertestamental Jews." By blurring the distinction between these two types of texts—i.e., those known from the Apocrypha and Pseudepigrapha, and those otherwise entirely unknown before the discovery of the Scrolls—the authors of the audio guide attempt to maintain the tripartite classification of scrolls laid down in the official catalogue (p. 28) without saying as much. Yet there is no shred of evidence that those fragmentary works of ancient Hebrew literature discovered in the caves that are not writings of the Hebrew Bible, and not included in the Septuagint, were ever considered as holy by inhabitants of *any* area of Palestine. The one passage in this confused and misleading statement of the audio guide which reveals its true purpose is the one asserting that the writings being described were "presumably...studied and treated as canon *by the Qumran community.*" This is clearly meant to deflect the unacknowledged alternative: that the imaginative construct of an avidly literate, pietist sectarian group at Kh. Qumran seems somewhat reasonable only through extirpation of the idea that many Hebrew writings, Biblical and non-Biblical alike, were hidden away in Judaeon Wilderness caves prior to the siege on Jerusalem of 70 A.D. This alternative could have been simply stated in a single sentence, but the authors of the audio script once again foreclosed this possibility. What is to be said of the fairmindedness of the de Young Museum in view of your acquiescence in such a policy?

The same question may be asked with respect to each of the other scrolls discussed in the audio guide. In dealing with the Damascus Document, the guide states that it “contains the rules and way of life of a particular group of Jews. In this case *the group is the Essenes*, specifically the Essenes living in other places, not at Qumran...” (Charlesworth, *ibid.*, p. 8, lines 38–39.) The question whether the group described in this document was or was not an Essene community continues, however, to be debated by many highly respected scholars, and the guide should have stated as much. The Damascus Document group did allow marriage, but, despite the pressure exerted in the guide, (p. 8, lines 40–42), the identity of the separatist group described in this document has never been satisfactorily demonstrated. Charlesworth is certainly entitled to his opinion but, being the only scholar chosen to discuss this document, he should then have added, however briefly, the contrary opinions of colleagues, even if that meant shortening his own discourse in defense of the theory he champions. In the guide’s discussion of the Hosea Commentary (Charlesworth, *ibid.*, p. 9, lines 3–13), a similarly inappropriate zealotry is maintained. That the author of this commentary was a member of the Yahad group seems clear enough, but nowhere in this or any other writing among the score of works attributable to that group is there *any* implication that they resided at Qumran, as Charlesworth so dogmatically insists. It is one thing to express such a view as an opinion, but quite another to describe it to an unsuspecting lay audience as an uncontested fact, without allowing room for other views. In addition to the problem of who lived at Qumran, or where the Yahad group may have had its origin, many scholars would also challenge the assertion of the guide that the Biblical commentaries of the Yahad group “stressed that the words of the prophets were being fulfilled *only* in the life of the Qumran community,” (*ibid.*, p. 9, lines 7–8).

In the case of the Community Rule, the guide states (Charlesworth, *ibid.*, p. 9, lines 18–19) that the “document describes the rules for admission *to the Qumran community*”—whereas we know no more about it than that it describes admission to an order, or unity-group (Yahad) evidently described in the approximately twenty other texts dealing with this interesting group. No one has ever come close to demonstrating that this Yahad group inhabited Khirbet Qumran, and it was unfair and improper of the de Young Museum to allow this theory to run rampant within the museum’s confines without response. And when the guide makes the contradictory, but equally erroneous, assertion that, after the period of Herod the Great, “For the next hundred years or so the Qumran settlement remained under Roman control” (MacNeil, Transcription, p. 3, lines 12–13), are viewers of the exhibition supposed to understand by this that the Romans lived together with the Essenes at their claimed habitation of Qumran?

A further statement in the guide (Charlesworth, *ibid.*, p. 9, lines 27–30) is to the effect that “Another link between the Essenes and the early Christians is the concept of a Messiah. Unlike the Christians, the Essenes were looking for the coming of two Messiahs: a priestly one and a lower ranking king. Christians, of

course, affirm their belief in Jesus as the only Messiah.” One of the very strange aspects of this dubious formulation is that the Yahad texts, as has been often acknowledged in scholarly discussion, themselves include contrary passages, some espousing a belief in *one* Messiah and some in two. It is also very strange that the guide contrasts a Messianic belief of “Essenes” with that of Christians, without mentioning that the concept of a Messiah is found not only in the Yahad texts but in other Scrolls not connected with this group and also in ancient Jewish texts far more generally speaking. The error of omission made in the guide would not be so troubling were it not for the fact that it is abetted by a somewhat more serious one (Charlesworth, *ibid.*, p. 10, lines 27–30), to the following effect: “*the Essenes taught hatred,*” states the guide, “*and they cursed all other Jews...anyone who was not a member of their community. As we well know, Jesus taught the complete opposite, the concept of love. He even urged people to love their enemies.*” It is true that a section of the Community Rule expresses unremitting hatred toward its enemies, and that is one reason why more than a few scholars are unwilling to identify the authors of this text as Essenes, who according to both Philo and Josephus were *the most peace-loving of men*. More importantly, it was hardly appropriate of the authors of the guide to turn a blind eye at this juncture to ancient *Jewish* teachings of the same tenor as that of Jesus, as, for example, that of Ben Sira urging his fellow Jews to “forgive your neighbor the hurt he has done you.” Was there no quality check of the contents of this audio guide?

On the most charitable reading, the basic answer to many of the questions I have posed above is simply that the producers of the audio guide appear not to have intended to present a balanced or even necessarily truthful presentation of the evidence relating to the Scrolls and the nearby Qumran site. Rather, the main purpose was evidently to defend the traditional theory of Qumran origins and to belittle or disregard other views by willful suppression of evidence known to the Antiquities Authority principals. The extent to which the de Young Museum acquiesced in this policy is shown not only by the nature of the audio guide and of the explanatory placards it posted in the exhibit, but also by the fact that all of the scholars chosen by the museum to participate in its symposium on the Scrolls (i.e., the three contributors to the audio guide and three other experts)* are all champions of the view that a sect lived at Qumran that possessed and later hid the writings eventually discovered in the caves.

And the fact that there was no cogent expression of dissenting opinion in either the posted placards, the audio guide, or the symposium is matched by the fact that museum officials were silent regarding my offer, made as early as mid-January of this year, to supply you, at cost, with copies of my *American Scholar* article for sale in your bookshop—a silence that was hesitatingly broken only after the exhibition had begun and only after articles incidentally voicing my concerns

* See the list as published in *Triptych*, no. 68, p. 32.

about the exhibit had appeared in the *San Francisco Chronicle* (23 Feb.) and the *San Jose Mercury News* (27 Feb., 1994).

C. *The de Young Museum makes efforts to convince the viewing public of the verisimilitude of the Qumran-sectarian theory by promulgating fallacious statements regarding both the archaeology of Khirbet Qumran and the interpretation of the contents of the Scrolls.* The underlying intent and purpose of the exhibition is most notably revealed by the willingness of the exhibitors to allow the propagation of grievously untruthful statements. Examples of this propagation include the following:

1. It is known that some of the elongated jars found in a few of the caves were used to store certain of the Scrolls. With respect to this fact, the posted placard at the display case containing a cylindrical jar excavated either at Kh. Qumran or in one of the caves states that "tall pottery jars of this type... were also discovered at Qumran *but are unknown elsewhere.*" (Compare the identical statement in the official catalogue of the exhibition, p. 90.) This "fact" is further developed in the audio guide. At first the statement is made (Magness, Transcript, p. 2, lines 16–19) that "finds from the Qumran site, like the coins and pottery that you see in the cases nearby, are from the same period as the jars found in the caves containing the scrolls. The other thing is that these scroll jars are a *unique type of pottery at this time.* And they were found not only in the caves but at the excavation site as well." These statements are made by way of explaining why so many scholars today, in Magness's view, "believe that the people who lived at Qumran used the scrolls and were responsible for hiding them in the caves." (*ibid.*, p. 2, lines 14–16). The importance of this alleged finding is thereafter emphasized by the moderator (MacNeil, p. 4, lines 9–13), who asserts: "As Professor Magness mentioned earlier, these cylindrical vessels, *perfectly designed for holding scrolls, were unique to Qumran at the time,* and were found both in the caves and at the settlement." It is only after this point is, as it were, established, that the moderator and participants in the audio guide presentation speak unhesitatingly of the "Essenes of Qumran" who hid scrolls in the caves, and it is utterly clear that this claimed jar evidence forms the basis of an essential argument in favor of that theory.

And yet it is not true that such cylindrical jars were "unique to Qumran." A fragmentary jar of this type was found at Jericho and published in 1955, and another was found in northern Transjordan at Quailba (ancient Abila). Also found at Quailba was an inkwell, leading the Jordanian inspector of antiquities F. S. Ma'ayeh to state that "the most interesting [Quailba] finds were that of an inkwell and a cylindrical jar which are closely paralleled by similar objects discovered at Qumran."* See the description in the *Revue biblique* of 1960 (vol. LXVII), p. 229, "...la découverte la plus spectaculaire [à Quailba] est celle d'un encrier et d'une jarre

* Jericho: See J. L. Kelso and D. C. Baramki, *Excavations at New Testament Jericho and Khirbet en-Nitla* (Annual of the American Schools of Oriental Research, Vols. XXIX–XXX, 1955), p. 26 and plate 23, no. A115. Quailba: See *Annual of the Department of Antiquities of Jordan*, Vols. IV & V (1960), p. 116.

cylindrique offrant un parallèle étroit avec les découvertes de Qumran....” Discoveries of other types of jars found at Qumran, which de Vaux also originally thought were unique to the site, have been made elsewhere in the Judaean Wilderness, e.g., at Wadi Murabba'at and En-el-Ghuweir. The totality of these findings forced Father de Vaux himself eventually to discourage attempts by several doctrinaire Qumranologists to claim settlement by Essenes in these far-flung areas as well, and to acknowledge that “The pottery of Qumran now appears less ‘autonomous’ or ‘original’ than I stated it to be at an earlier state.” (*Archaeology and the Dead Sea Scrolls* [1973], p. 33. I attach hereto, as an appendix, the pertinent source-documentation relative to this matter.

The findings themselves, and the conclusions concerning them, are well known to archaeologists and most students of the Scrolls, and were discussed at some length at the New York International Conference on the Scrolls and Kh. Qumran that took place in December of 1992. This was a conference in which all three of the scholarly participants in the audio guide participated, and it is thus hardly possible that they were later unaware of the pertinent information. The authors of the audio guide had a clear obligation—no matter what was stated in the official catalogue of the exhibition—to refrain from expressing this fallacious statement, which appears from the sequence of statements in the audio guide to have influenced Mr. MacNeil in his decision to endorse the traditional hypothesis. With the authentic archaeological information about this matter having been long available (i.e., for over twenty years), the claim of a demonstrative proof for an organic interconnection between the manuscripts of the caves and the nearby archaeological site of Kh. Qumran is *vitiated*. With or without the authors’ insistence on including the fallacious statement, the least that the de Young Museum should have insisted upon at this point was the inclusion of the alternative explanation of the jar phenomenon, namely, that the presence of such jars in the caves, the nearby site, and other sites of the Judaean Wilderness shows that the inhabitants of the region, not excluding Qumran, evidently aided the Jews of Jerusalem in hiding their scrolls, phylacteries and other possessions of value as a precaution during the impending siege by the Romans on the capital. The facts (a) that the alternative explanation did not appear, and (b) that the fallacious statement was included repetitively in the audio guide, show that the guide was apparently construed as a tool of propaganda and not as a means to enlighten the public.

2. This is shown also by the audio guide’s description of the nature of the archaeological discoveries excavated at Khirbet Qumran. Virtually from its start the audio guide emphasizes what is claimed to be the “communal nature” of the site. See for example p. 2, lines 20 ff. (Magnes), “Almost all the rooms were used for communal purposes...So the settlement at Qumran has the look of a commune.” This claim is intertwined immediately with another one (frequently adduced by traditional Scroll scholars), that “the Scrolls themselves seem to support this interpretation” (Magnes, *ibid.*, p. 2, lines 25–26; see critique in

Section B above). Referring to artifacts exhibited in one of the galleries, MacNeil introduces Magness as “the expert on these” (Transcript, p. 6, line 14) and she thereupon introduces the theme of Qumran “austerity” (p. 6, lines 15–20): “In the two cases to the right of the large photograph are more objects made of organic materials and rarely found on excavation...In looking at the pottery, the bowls and vessels on the other side of the photograph, *you’ll notice that they’re unusually plain. The settlement at Qumran was also very plain.* In contrast, Jews living in Jerusalem in the same period had houses with mosaics and wall paintings, and *they used pottery that had painted designs on it and was much more decorated.* So the character of *this pottery from Qumran points to what seems to have been a very austere life style.*” Later mentioning, for the first time in the audio guide, living scholars by name—only to disparage their views—Magness states (p. 9, lines 35–40): “One of the problems with the interpretation of the Qumran site is that Fr. de Vaux never published a final excavation report, and therefore it’s actually difficult to discuss a lot of the archeology in a definitive manner. But a few years ago a Belgian couple, Robert Donceel and Pauline Donceel-Voûte, interpreted Qumran as the site of a wealthy villa. I don’t support this theory because if it were a villa, *you would expect the pottery not to be so plain and undecorated.* I would also expect to find things like mosaic floors and wall paintings.

These assertions hide the fact that, at the International Conference on the Scrolls of 1992—i.e., a full year before the de Young audio guide was produced—both Dr. Magness and Dr. Donceel-Voûte read slide-illustrated papers on the Khirbet Qumran artifacts. These were reports in which they arrived at *opposing views* on the significance of the finds. But whereas those finds described and shown by Dr. Magness were indeed all very simple and plain, a significant proportion of those shown by Dr. Donceel-Voûte were surprisingly fine and well-decorated. I attach hereto, as Appendix III, the abstract of Dr. Donceel-Voûte’s paper, distributed to all participants in the conference. Donceel-Voûte reported on the “variety and richness” of the objects, ~~comp~~ared a number of the decorated items with similar pieces found in Jerusalem and elsewhere, showed some remarkable carved stoneware items, and, on the basis of the totality of the objects presented, concluded that the material culture of the settlement was very much akin to that of the other Judean archaeological sites and not at all marked by a pronounced austerity.

Now what the audio guide does in its presentation of the site is to *conceal* the findings of the two Belgian archaeologists. Their conclusions, however, were based upon intensive study of the site and its associated artifacts over many years, particularly in their capacity as the official continuators of Father de Vaux’s work at Khirbet Qumran. It would have been much easier for them to pass over their findings and merely signal a feigned assent to the conclusions of Fr. de Vaux, whom they sincerely admired, but their own integrity obliged them to divulge the facts as they found them to be. And they are not merely, as the audio-guide suggests, “a Belgian couple,” but highly respected faculty members of the Catholic University

of Louvain. Why were the academic affiliations of the Donceels excluded from the audio guide, after MacNeil had been so careful to state, precisely, those of the three scholarly participants in the audio presentation?

The audio guide regrettably offers a totally dishonest portrayal of the Khirbet Qumran artifacts. While it is true that Magness may only at first have known “plain” and “austere” pottery at the site, there were many pieces of other types that it would seem she did not originally know of. It was the purpose of the New York Conference to bring scholars together just in order to have discussions, debate, and the presentation of new findings about these and other matters; and as Magness was present at the lecture of Donceel-Voûte (and vice-versa), there is no way she could not have known of the latter’s findings. Merely to assert, as the audio guide does, that “a Belgian couple” came to a different conclusion than the presenter’s, and to follow this by an allegation about the findings in direct denial of the evidence supporting the conclusions of Donceel-Voûte and her husband, Prof. Robert Donceel, constitutes an egregious assault on the public’s right to know the truth about this matter, and a damaging affront to the two scholars who have studied the Khirbet Qumran site more closely, to the best of my knowledge, than any other contemporary archaeologists.

3. The untruthful claim in the audio guide relating to the Qumran jars is thus matched by the guide’s demonstrably mendacious allegations concerning the findings of two highly respected European archaeologists. These efforts cannot be due to lack of information regarding the subjects at issue, and thus forcefully imply the will to press forward with sponsorship of the Qumran/sectarian theory at all costs, even if that should mean the possible deception of the public. The extent to which this is the case is shown by yet a third instance of fallacious allegations that concerns my own work on the Scrolls and the problem of identification of Khirbet Qumran. Immediately after the “refutation” of the Donceels’ findings, we are informed in the audio guide that “Another hypothesis put forward by Norman Golb, whose article is on display in the center case, is that *Qumran was a Roman fort.*” (Magness, transcript, p. 9, lines 40–41.) With respect to this claimed hypothesis, the presenter asserts: “*I don’t think the archaeology of the site supports this interpretation, because there’s no wall around the site. It’s unfortified.*”

This bundle of fabrications was put into the audio guide apparently without any effort being made to ascertain either my own views on the identification of Khirbet Qumran, or what the present state of knowledge regarding the archaeology of the site in general actually is. It is not I, to begin with, who “put forward” the identification of the site as a fortress, but scholars long before me, and as indicated to you earlier in this letter (above, p. 3), the trend of the scholars in question has been to identify the site not as a *Roman* fort but as a *Jewish* one, erected originally in ancient Israelite times and later on developed and given final shape by the Hasmonaeans and their successors. Attributing to me the perverse notion that Kh. Qumran was a *Roman* fort amounts to an attempt to convince the public that I am a fool; and of course the authors of the guide, revealing a certain

consistency, also fail to indicate whether I hold a professorial post at a university. The reason given by the presentor for her dismissal of the identification of the site as a fortress is likewise as confusing as it is deceitful: It is true that there is now “no wall around the site,” but there are *remnants* of the walls that once protected it, depicted and described since the 1870s, and still sporadically visible. Frank Cross of Harvard, who participated in the dig, describes in his own writings the discovery of evidence showing that “the walls were mined through” by Roman troops when they attacked the site, stating afterwards that the conquerors themselves used it “as a bastion” after their victory. Fr. de Vaux also discusses the walls, stating, for example that “a new wall [after the early Israelite one] went on to join, by an oblique line, the long wall bordering the esplanade on the south.” (*L’Archéologie et les manuscrits de la Mer Morte*, p. 6). De Vaux speaks of the notably “defensive position” of the site—thus echoing Gustav Dalman’s much earlier assessment that it was “remarkably well situated for a fortress”—and de Vaux also describes the heavy fortification of the tower, states that this fortified tower “bore the brunt of the [Roman] attack,” and gives still other information bearing both on the intense battle that was fought there between Jews and Romans and the military aspects of the site. What Magness has done in her “critique” of the identification of Kh. Qumran as a fortress is (a) to seize upon the fact that the walls have for the most part now crumbled away; (b) to magnify this into the statement that “there’s no wall around the site” while disregarding the statements of the excavators and earlier explorers referring to the walls; (c) to refrain from describing the other archaeological evidence pointing to the site’s military nature and described in some detail by the excavators in their writings; and (d) while suppressing all this information, to assert that she “does not think that the archaeology of the site” supports its identification as a fortress. This is a statement characterized not by scientific information but by whimsicalities.

What we have, in the above series of quoted statements (this section, pars. 1, 2 and 3), is an entire congeries of untruthful assertions regarding the archaeology of Khirbet Qumran. These assertions distort the views of three scholars, themselves mentioned by name in a half-truthful way, who are deeply involved in the subject under discussion; and they distort those views in such a way as to encourage the unsuspecting public to conceive of those scholars as somewhat ignorant parvenus given to throwing out unfounded theories. Despite these unfortunate tactics, however, it is demonstrably the case that the cylindrical jars are *not* unique to Qumran, that the characteristics of the *totality* of artifacts do *not* support the identification of the site as that of an abstemious monastic sect, and that the archaeology of the site itself is also *counterindicative* of the claimed identification.

I briefly discussed many of the characteristics of the site in my 1989 *American Scholar* article.* When, however, I proposed to the curator in mid-

* See *American Scholar*, Vol. 58, No. 2 (Spring 1989), p. 182:

“The completed dig revealed a once highly developed site, with well-built stone constructions, interconnected reservoirs for the storage of a very large supply of water, workrooms, stables, and

January, and to the bookstore manager on February 1st, that the de Young could have multiple copies of this article for public sale at cost, with no profit whatsoever accruing to me personally, only silence on the part of the museum greeted this proposal until the appearance close to the end of February of the above-mentioned Bay Area news articles that quoted my concerns about the nature of your exhibition. (For the response that was sent to me thereafter, see Section E below.) In this way the de Young Museum stifled any vestige of criticism that might be fostered within its confines regarding the bizarre archaeological proposals being championed in the audio guide.

We may add as well, to the untruthful assertions of an archaeological nature made in the audio guide, the various half-truths, untruths, and misleading assertions relative to the very scrolls that are on display, which I have documented in Section B above. I refer particularly, but not exclusively, to the propositions that (a) the Calendrical Document contains a calendar which was the very one followed by the inhabitants of Kh. Qumran; (b) that there is something within the Songs of the Sabbath Sacrifice that shows it was a sectarian text; (c) that a scholar revealed a particular truth about the MMT manuscript, this revelation consisting in the "fact" that the text represented the differences between the inhabitants of Qumran and the Jerusalem establishment; (d) that the nature of the Qumran finds leads to the recognition of a probability that the Prayer for King Jonathan once belonged to a library kept by a sect at Kh. Qumran; (e) that the nature of the phylacteries found in the caves tells us nothing more than that many Jews wore phylacteries in antiquity, including even the claimed "sect of Qumran"; (f) that the scrolls on display prove that the Essenes taught hatred and cursed all other Jews. **The omission of opposing views from the audio guide (also noted extensively in Section B), when placed in the context of the various documented distortions and untruths in the guide, adds further to the picture of an effort, however dishonest, to lead unsuspecting lay viewers into accepting the traditional Qumran/sectarian theory, an effort carried out in the face of most of the information now at our disposal about the Scrolls and the archaeological site.**

D. The de Young Museum conceals from the viewing public the present status of the controversy over the freeing of the Scrolls, instead mendaciously inculcating the view that the controversy is past history and that scholars may now freely study and publish these texts.

a pottery, remnants of a surrounding wall, and a fortified tower. The site had clearly been stormed by Roman soldiers after a prolonged battle shortly before or after 70 A.D.—a fact shown by numerous arrowheads, Roman as well as Jewish coins with dates, and the clear indications of undermining of the encircling walls and burning of the complex. Khirbet Qumran had obviously been of a military nature, defended by an armed force at the time it was stormed by the Romans. And yet Philo said that the Essenes were the most peaceful of men and bore no arms, while Josephus described them only as carrying defensive arms in the course of travel. Pliny, on the other hand, said nothing about his celibate Essenes of the Dead Sea shore forming an armed troop, but that they had 'only the palm-trees for company.'"

In the folder distributed to viewers at the entrance to the exhibit, the statement is made that "there is the issue of access to the scrolls. The legality and ethics of the way in which the exclusive international research team *kept* the scrolls from widespread study has provoked intense debates over freedom of information among scholars worldwide." The actions of the international team in question are thus put in the past tense, as though they are not continuing, and this is the impression gained from the statement in *Triptych* (No. 68, page 26) that the official team "lost its hold" on the Scrolls. A yet more telling treatment of the controversy is presented in the audio guide. Here we are first told (MacNeil, Transcript, p. 2, lines 36–38) that "delays in publication [of the Scrolls] led to harsh criticism of the committee in charge, particularly by those who felt that the scrolls should be accessible to a larger group of scholars." Later in the presentation (MacNeil, Transcript, p. 11), aspects of the effort to free the Scrolls are described, and the statement is made that after the unauthorized edition of various texts and publication of photographic facsimiles of many of them in 1991, "the drama over access and publication *is now history*. But the Dead Sea Scrolls still continue to spark public interest and even to attract fanatics and crackpots who claim that these ancient manuscripts can predict the future or solve life's mysteries." (MacNeil, *ibid.*, p. 11, lines 16–18.) The salient assertion made, that this struggle over the freeing of the Scrolls is now merely past history, is almost lost by introduction of the humorous sentence that follows and the moderator's subsequent invitation to viewers to enjoy the cartoons in one of the nearby displays; just enough is said about the matter for it to rest in the viewer's mind without thinking about it too deeply.

And yet the statement is fallacious and the truth about the matter known to many Scroll scholars, particularly those who formed the monopoly to begin with as well as those of independent mind who have attempted to engage on their own in publication of some of the more interesting Scrolls. Although the editor-in-chief of the official publication project, Dr. Emanuel Tov, was described in the international press as announcing at the 1991 meeting of the Society of Biblical Literature that, by agreement of the Israel Antiquities Authority, no obstacle would thenceforth be placed in the way of scholars seeking to publish their own independent editions of individual texts, the policy was rescinded soon after he made that statement, and scholars once again find themselves intimidated when attempting to give reports or write articles on unpublished Scrolls. When I inquired of Dr. Tov why the Antiquities Authority did not issue a press release announcing a retraction of its previous statement of policy, which had brought such relief to the world of scholarship and to the public, his reply to me was somewhat less than satisfactory. After a judge in Jerusalem had upheld a local Scroll scholar's copyright to his restorations of certain words in one of the Scrolls (in a case which is now on appeal to the Israel Supreme Court), Dr. Tov was quoted in the *New York Times* as follows: "This will serve as a precedent for the future. It justifies the work of our team, and I hope that other people planning to make improper use of our group's material will now think twice." This statement was published on March 31st, 1993, and since then several independent scholars have been intimidated by representatives of the official team in its efforts to prevent the generality of Scroll scholars from publishing their own editions of these texts. The authors of the audio guide script, being very close, on the evidence of the contents of the guide, to the Antiquities Authority, could hardly be unaware of these facts; but even if for some reason they were ignorant of

them, it was still the responsibility of the de Young Museum principals to ascertain the truth in this matter before allowing such a misleading and fallacious statement as appears in the guide to be announced by Mr. MacNeil to the public. By allowing this statement to stand in the guide, the museum, while feigning indignation over what it claims to be a past course of action, in effect gives comfort to the present cynical and restrictive policy of the Antiquities Authority.

E. *The de Young Museum gives comfort to the restrictive policy of the Israel Antiquities Authority regarding scholarly access to the Scrolls by punitively refusing to offer for sale the writings of those scholars most prominently connected with the effort to free the manuscripts earlier in this decade, and by otherwise concealing their contributions.*

According to the audio guide, the disclosures about a particular manuscript and its importance “seemed to stir up criticism over the long delays in publication and eventually led to a full-blown campaign to free the scrolls, headed by Hershel Shanks and the *Biblical Archaeology Review*.” (MacNeil, Transcript, p. 11, lines 4–6.) The guide goes on to state that stepped-up efforts of the publication committee came too late, and mentions “three separate events [that] made the unpublished texts of the scrolls available for all the world to examine.” (Ibid., lines 8–9.) The guide cites the computer-generated reconstructions by “two scholars at Hebrew Union College in Cincinnati,” The Huntington Library’s offer to make their photographs of the Scrolls available to scholars, and that “finally, *the Biblical Archaeological Society* printed complete photographs of the unpublished scrolls without revealing the source of the photographs.” (Ibid., p. 11, lines 9–15.)

Upon first hearing the audio tape, I thought that the failure to mention the names of the actual *editors* of the photographic repertory, who had been the ones first to secure the photographs—i.e., Professors Robert Eisenman and James Robinson—was a mere oversight, although it seemed strange that the guide made specific mention of the campaign to free the Scrolls by the lay editor Hershel Shanks, and not of the independent struggle of Professor Eisenman, carried on for several crucial years, to achieve the same result. Afterwards, however, I read the article on the Scrolls by Ms. Leventon appearing in the *Triptych* (No. 68, pp. 23–26), where the freeing of the Scrolls is also discussed (ibid., p. 26). Here the statement is made that “the race came to a head when Ben-Zion Wacholder and Martin Abegg of Hebrew Union College in Cincinnati published an unauthorized computer reconstruction of the scrolls, and William Moffett, Director of the Huntington Library...announced that he would make its microfilmed photographs of the scrolls freely available to all scholars. The official team had lost its hold on the scrolls.” Nothing more is said in this article about the release of the Scrolls—even though, for practical purposes of scholarship, it was the action taken by Eisenman and Robinson in securing copies of the Scrolls and getting them published that was the most important step in the process, since scholars were immediately able to purchase the two-volume set of photographs, carefully arranged and numbered, and set to work on them at once. The decisive step taken by the Israel Antiquities Authority to announce unrestricted access to the Scrolls, and to promise that they would not interfere with the efforts of scholars to study and publish them (an announcement that, however, was quietly rescinded by the Authority several months later,

as indicated in Section D above), was only taken after the photographic edition by Eisenman and Robinson had appeared. It was thus clear, from the content of the audio guide and the *Triptych* article taken together, that the omission of the names of the editors, and the failure to mention Eisenman's important role in the successful effort to free the Scrolls, were hardly accidental happenings.

What is more, during my visit on March 4th to the special book store installed next to the exhibition, I looked for the work, published late in 1992, by Professor Eisenman and by Professor Michael Wise, (who is my colleague here at the University of Chicago) entitled *The Dead Sea Scrolls Uncovered*. This work caused a great sensation when it first appeared, as it contained editions and translations of many new Scroll fragments. Because of its interest to laymen and scholars alike, whether Hebraists or not, this book has sold very well indeed both here and abroad, and is not by any means out of print. I inquired whether the volume was available for sale in the de Young's special book shop, and was told that it was not; and when some days later several California friends of mine asked book store personnel whether you intended to carry it, they were told that you did not. I also could not find the two volumes of the computer reconstruction of various texts by Wacholder and Abegg on the shelves, but assumed that was due either to the fact that I simply couldn't locate it or to the fact that it contained no translations, only the Hebrew texts, and therefore might not have been considered suitable for sale to a lay audience by the Museum Stores manager. But then I recalled that the de Young principals, over a period of more than six weeks, had also failed to respond to my offer to supply you, at cost, with copies of my *American Scholar* article of 1989 explaining, to an intelligent lay audience, why the accumulating evidence seemed to point to Jerusalem as the original home of the Dead Sea Scrolls.

Let me now review the pertinent details relevant to that and related matters touched on earlier in this letter. I emphasize the importance of doing so particularly in view of certain statements made by Ms. Leventon in her response to me sent in the wake of the appearance of the *San Francisco Chronicle* article and dated February 28th. Referring to my overnight letter to you of Jan. 14th, the curator states as follows: "Had you chosen to contact us earlier—even a month or two earlier—we could probably have incorporated into the exhibition some of the points you raise." However, I had been invited, some time earlier, to deliver a lecture, entitled "Science, Scholarship, and the Dead Sea Scrolls," at the IBM Almaden Research Center in San Jose on December 17th, and on December 6th, i.e., ten days before flying to the west coast, faxed a message to my IBM host, Dr. James Kaufman, asking him to invite you and Ms. Leventon to attend this slide-illustrated presentation. He notified me a few days later that he had invited you both, by telephone, to attend, and that you had indicated you would be happy to be present. I saw this, and assumed you saw this as well, as a good opportunity to discuss together some of the basic issues raised by the earlier exhibits, which I had attended and which, by mid-December, you could hardly have failed to know I had rather severely criticized. However, to the best of my knowledge neither of you in the end attended this lecture, and when I subsequently left word with your secretary as to where I could be reached in San Francisco during the following several days, I received no word from you offering to discuss your planned

exhibition. I took this as an indication that you had been discouraged by those involved in bringing the exhibition to the States, and possibly by others close to them, from having contact or discussion with me concerning your own impending exhibit—and it was in that context, having found myself unable to communicate with you in a less formal way, that I then sent you my letter of January 14th.

Now in that letter I not only detailed various inappropriate statements about the Scrolls and their interpretation made in the official catalogue and in the earlier exhibitions, but also offered to make available to you, “at cost [and] with no personal profit whatever accruing to me,” copies of my *American Scholar* article. I asked you only to be so good as to “send me the name of your bookshop manager” so that I could deal directly with him about the matter, and supplied you with both my telephone and fax numbers. You received this request on January 15th, and a silence of six weeks then ensued, stretching beyond the opening of the exhibit and, quite obviously, resulting in my not being able to place an order with the printer for the appropriate number of copies of the article in time to send them on to you for the opening of the exhibit. With respect to my offer and request for the name of the bookshop manager, Ms. Leventon in her letter dated February 28th states that her failure to pass it on to the bookshop manager was an “oversight.”

However, not having received a response from you or Ms. Leventon by January 31st, I finally managed to secure the name of the bookshop manager by myself, and wrote him directly about the matter at issue on February 1st. In this letter, also sent by overnight mail, I made the same offer that I had to you earlier, pointing out to Mr. Payne that the article “was successfully sold in considerable numbers both at the Library of Congress and the New York Public Library during their recent exhibitions of the Scrolls.” It was obviously in this context that I gave Mr. Payne the approximate cost of printing either one hundred or two hundred copies of the article. By simply calling either me or the bookshop managers of the earlier exhibitions, Mr. Payne could easily have ascertained that (a) one hundred copies of the article had been sold *in a single month* at the Library of Congress and then again in the same length of time at the New York exhibition, and (b) that upon being asked I had simply informed the bookshop managers of both exhibitions that they could return any unsold copies to me without obligation after their respective exhibitions had closed.

The one point that I insisted on in dealing with the other managers was that copies of the article be displayed as prominently as the other writings on the Dead Sea Scrolls being offered for sale, and that it be shown in the same area as those other writings. It was on this basis that a relatively large number of copies was sold in each exhibit during a single month.

These few technical matters could easily have been worked out between me and Mr. Payne if they had been of concern to him. By selling even a hundred copies of the article for, let us say, twice the cost of printing, or approximately \$8.00 per copy, the de young Museum would have profited in the sum of about \$400.00, or twice that if double that number had been offered for sale during, e.g., the three month period of the exhibition. This sum would not have been reduced by any payment to me, and I’m sure that museum

bookstore managers are not reluctant to secure profits of this order so easily for the benefit of the institutions they serve.

But instead, Mr. Payne betrayed a huge reluctance to get involved with the sale of this article to the public. My letter to him *also* went unanswered for a period of six weeks, and, once again, was only answered in the wake of publication of the Bay Area news articles. Mr. Payne acknowledges in his letter of 14 March that he did receive mine of February 1st, and states that the reason for his lack of response “has to do with time and interest and nothing to do with a conspiracy to exclude your views.” However, in my letter to him, a copy of which I trust you now have, I said nothing about conspiracies, only offering my article on the above-mentioned basis and adding the hope that, despite the fact that the views expressed in it were in conflict with those in the official catalogue of the exhibition, it would be offered for sale to the public “in keeping with the spirit of fair play that I’m sure the Museum endorses.” There was no suggestion at all in my letter about conspiracies. Mr. Payne adduces “time and interest” as the reason for not responding to me, but surely that cannot be why he failed, during the entire month leading up to the exhibition, to as much as call me in order to work this matter out, particularly since the element of an easily-gained profit to the museum was obvious. The claimed “oversight” by Ms. Leventon is merely matched by Mr. Payne’s vague invocation of “time and interest” as the reason for not responding.

The claim of the Museum Stores manager that he is not aware of exhibition visitors seeking to purchase copies of my *American Scholar* article is equally puzzling. I have given lectures before very large audiences in the Bay Area and am known as a critic of the current exhibition to readers of both the *Chronicle* and the *Mercury News*; there is keen interest generally on the west coast in the subject of the Scrolls—more so than in any other area of the country; and the record of sales of the article at both the Washington and New York exhibitions speaks for itself. The manager’s belated suggestion to offer for sale twelve copies at a time on a consignment basis would, as he well knows, drastically reduce the number of potential purchasers of the article. If Mr. Payne had been serious about offering the article for sale to the generality of visitors to the exhibit, why did he not simply offer to take one or two hundred copies on a *consignment* basis? This condition was stipulated at the previous exhibits without any harm whatever to the finances of the host institutions.

The nature of the responses of the curator and Museum Stores manager, as well as your own reluctance to deal with me directly in this matter—doubly emphasized by your hesitation for over three weeks even to send me the transcript of the audio tape or information about its authorship—tell an entirely different story, particularly in conjunction with the fact that neither the volume of Eisenman and Wise, nor those of Wacholder and Abegg, are on the shelves of your special book shop adjacent to the exhibition halls. The publications in question infuriated the principals of the Antiquities Authority upon their appearance. In the case of the 1991 Wacholder/Abegg volume, the Authority threatened legal action, but the reaction of William Safire and other journalists was so strong that the Authority was forced to withdraw its threat and, after the appearance a few months later of the two volumes of photographic facsimiles whose principal mover was Eisenman, to announce that there would no longer be any restrictions

on scholarly use of the Scrolls (i.e., the action subsequently rescinded by them without public announcement).

My own role in the freeing of the Scrolls consisted, *inter alia*, in the writing of letters to the *Washington Post*, the *Jerusalem Post*, and the *London Times* raising questions about the restrictive policies being pursued by the Antiquities Authority in this matter, and in giving public lectures that emphasized the same problem. It was my letter to the *London Times* of July 10, 1991 that moved Dr. Moffett of the Huntington Library toward the library's decision of the autumn of 1991 to allow access to its own Scroll photographs by all scholars of the subject. The *London Times* letter and its aftermath greatly angered the Antiquities Authority, and the chairman of its Scrolls Oversight Committee, Mr. Magen Broshi—who is also the curator of the Shrine of the Book, where the most important Scrolls are housed—issued an embarrassingly slanderous denunciation of me that was published in the *Haaretz* newspaper and thereafter, in part, in the *Biblical Archaeology Review*, whereby the slurs became widely known to American and English readers. And now, after all that, the de Young Museum shows this huge reluctance to carry my *American Scholar* article—precisely as did the personnel at the New York Public Library until I was forced to complain about the matter directly to the library's central administration.

I thus infer from all the facts now available to me that it was Mr. Broshi and/or others connected or associated with the Antiquities Authority, and supporting its restrictive policies, who had a hand in your decision not to include, among the writings being offered by you for sale, those of the very scholars who played the major role in the freeing of the Scrolls in 1991. I also necessarily draw the somewhat larger conclusion, from the quite massive amount of evidence presented in the above pages, that your exhibition for the most part faithfully reflects the wishes of the Antiquities Authority regarding how the Scrolls and the Khirbet Qumran site should be interpreted and portrayed to the general American public. **Thus, while performing a modicum of lip service in the cause of freedom of scholarly access to ancient manuscripts, the de Young Museum in actuality and point of fact condones the restrictive policies of the Antiquities Authority and, by untruthfully claiming in its publications that those policies are merely something of past history and not a present reality, misleads the public on an issue of vital cultural importance; and this it does while showing unfair partisanship toward one particular interpretation of Scroll origins, and doing so by the omission of contradictory evidence and the use, *inter alia*, of demonstrably fallacious assertions.**

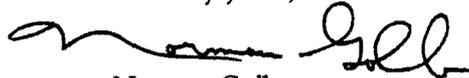
I close by calling to your attention certain principles of museum conduct elicited by the American Association of Museums in its 1992 report entitled *Excellence and Equity: Education and the Public Dimension of Museums*. Appropriately defining museums as institutions of public service and education—a definition that applies with particular force to municipal museums supported by the money of taxpayers—the report emphasizes that the “public educational responsibility of museums has two facets: excellence and equity” (p. 6). It asserts that, by “making a commitment to excellence in public service, museums can assure that decisions about collecting, exhibitions, programs and other activities are supported *both by rigorous scholarship and by respect for the many cultural and intellectual*

viewpoints that museum collections stand for and stimulate.” (Ibid.) In developing these principles, the report states that the pursuit of knowledge concerning exhibitions “should be carried out in an atmosphere of intellectual rigor. Scholarship must include the fair and serious treatment of cultural perspectives....Also critical to scholarship in museums are an appreciation *for the cultural and intellectual complexity of objects and an active interest in communicating the products of scholarship to visitors*” (p. 18). And it adds that

Divergent points of view as well as different cultural perspectives can be given voice in the interpretive process. Fearing that the neutrality of the institution might be compromised, many museums are reluctant to present informed but differing viewpoints. Yet debate, even controversy, is integral to the scholarly endeavor, and it can stimulate a balanced interpretive message that can challenge the visitor to discover ideas and form opinions. (Ibid., p. 19; all above italics mine.)

The Association’s Task Force responsible for the above-quoted report thus appropriately and wisely applies to American museums that fundamental principle enunciated well over a hundred years ago by John Stuart Mill, which has served as a touchstone of cultural and intellectual conduct in the West ever since its utterance. I quoted that principle, taken from Mill’s “On Liberty,” in my letter of January 14th, and refer you once again to it on page 19 of the published form of that letter, a copy of which I send you under separate cover.

Sincerely yours,



Norman Golb

Rosenberger Professor of
Jewish History and Civilization

Copy to:

Department of Museum Standards
American Association of Museums, Washington, D.C.