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Not According to Rule: Women, the Dead Sea Scrolls and Qumran*

SIDNIE WHITE CRAWFORD

Until very recently, the juxtaposition of the words “women,” “Dead Sea Scrolls” and “Qumran” in the same title would have seemed like an oxymoron. From the beginning of Dead Sea Scrolls research, the people who lived at Qumran and stored the manuscripts in the eleven surrounding caves were identified with the ancient Jewish sect of the Essenes.¹ This identification was based on the descriptions of the Essenes provided by the ancient writers Josephus, Philo and Pliny the Elder. Philo (*Apol.* 14) and Pliny (*Nat. Hist.* 5.17) are unequivocal in their description of the Essenes as an all-male, celibate group. Josephus also focuses his description of the Essenes on those members who shunned marriage and embraced continence (*J.W.* 2.120–21). Thus it was almost uniformly assumed that the Qumran site housed an all-male, celibate community. This assumption was aided by the fact that one of the first non-biblical scrolls to be published, the Community Rule or *Serekh ha-Yahad*, contains no references to women.² Further, the ruins of Qumran did not disclose a settlement organized around normal family life, and the graves excavated in the adjoining cemetery had a larger proportion of men than women and children.³ Although it was acknowledged in the schol-

* It gives me great pleasure to dedicate this article to my colleague, mentor and friend Emanuel Tov. It was written during my tenure as a Research Associate in the Women’s Studies in Religion Program at the Harvard Divinity School. I would like to thank the program’s director, Ann Braude, and my fellow Research Associates for their collegial support and helpful comments. I would also like to thank Frank Moore Cross, John Strugnell, Eileen Schuller and Jodi Magness who took the time to read and comment on previous drafts; any mistakes remain my own. Finally, I owe thanks to Jodi Magness, Susan Sheridan, Victor Hurowitz and Gershon Brin for sharing their research with me prior to publication.

¹ The first scholar to do so was E. Sukenik in 1948; see N. Silberman, “Sukenik, El-eazar L.,” in *The Encyclopedia of the Dead Sea Scrolls* (vol. 2; ed. L. Schiffman and J. VanderKam; New York: Oxford University Press, 2000), 902–03.

² With the exception of the formulaic phrases לְבֵן אִמְתְּכָה, “for the son of your handmaid” (1QS XI.16) and וְיִלְוֵד אִשָּׁה, “and one born of woman” (1QS XI, 21), which are actually variant ways to describe a male human being.

³ R. de Vaux, *Archaeology and the Dead Sea Scrolls* (London: Oxford University Press, 1973), 45–48, 57–58.

arly literature that Josephus describes a second group of Essenes that practiced marriage for the sake of procreation (*J.W.* 2.160–61) and that many of the Qumran scrolls, e.g. the Damascus Document, in fact do contain material concerning women, the picture of Qumran as a celibate, quasi-monastic community dominated the first forty years of research.⁴

This situation began to change in the early 1990's through the work of such scholars as H. Stegemann, L. Schiffman, E. Qimron and especially E. Schuller.⁵ The change came about not so much because new evidence came to light, although certainly the pool of evidence became deeper and wider as more and more manuscripts were published, but because these scholars broadened their focus to take in the references to women and to try to understand these references in the wider context of Dead Sea Scrolls scholarship.

In this paper I will attempt a somewhat systematic look at what information the Qumran Scrolls can give us about women. This attempt is fraught with several methodological difficulties. First, the corpus of the Qumran Scrolls is not in itself coherent. Rather, the scrolls are the fragmentary remains of what I understand to be the collection or library of the group of Jews that inhabited Qumran from the late second century B.C.E. until its destruction by the Romans in 68 C.E.⁶ The fact that I identify it as a collec-

tion or a library indicates a certain coherence, and these scrolls are a deliberate collection that betrays a particular group identity within the Judaisms of the period. First, it is mainly a collection of religious documents. There are very few personal business documents that have so far surfaced among the scrolls stored in the caves, as there were at Masada, Naḥal Ḥever or Wadi Murabba'at.⁷ These were not refugee caves, but storage caves. Second, the majority of the non-biblical scrolls, and particularly the compositions that were unknown prior to the discoveries at Qumran, betray certain traits and biases that identify them as the property of a particular Jewish group, not a random sampling of the different Judaisms of the period. These include an adherence to the solar calendar, a particular style of biblical interpretation, a distinctive vocabulary, and a distinct set of legal regulations. Further, the collection is also defined by what is not there: there are no works identified as Pharisaic (e.g. Psalms of Solomon), no "pagan" compositions,⁸ and no early Christian works.⁹ Thus there is an intentional collection to examine. But the fact that it is fragmentary means that at best we have only a partial picture, and the picture we do have is an accident of preservation.

Another methodological peril is the fact that we are dealing with a literary corpus. The literature within this corpus is written (composed, redacted, copied) by men for a male audience; therefore what they do have to say about women is primarily prescriptive and presents what is to them the ideal situation. It may have very little to do with the reality of women's lives in the Second Temple period.¹⁰ It is also important to bear in mind the social location of this literature. It is the collection of a Jewish group that had the

⁴ For the former position, see e.g. G. Vermes, *The Dead Sea Scrolls: Qumran in Perspective* (Philadelphia: Fortress Press, 1981), 96–97, 128–30; for the latter, see Edmund Wilson, *The Scrolls from the Dead Sea* (London: W. H. Allen, 1955).

⁵ H. Stegemann, *The Library of Qumran: On the Essenes, Qumran, John the Baptist and Jesus* (Grand Rapids, MI: Eerdmans, 1998); L. Schiffman, "Women in the Scrolls," in *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity, the Lost Library of Qumran* (Jerusalem/Philadelphia: Jewish Publication Society, 1994), 127–43; E. Qimron, "Celibacy in the Dead Sea Scrolls and the Two Kinds of Sectarians," in *The Madrid Qumran Congress. Proceedings of the International Congress on the Dead Sea Scrolls Madrid 18–21 March, 1991* (vol. 1; ed. J. Treballe Barrera and L. Vegas Montaner; Leiden: E. J. Brill, 1992), 287–94; E. Schuller, "Women in the Dead Sea Scrolls," in *Methods of Investigation of the Dead Sea Scrolls and the Khirbet Qumran Site: Present Realities and Future Prospects* (ed. M. Wise et al.; New York: New York Academy of Sciences, 1994), 115–31; idem, "Women in the Dead Sea Scrolls," in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (vol. 2; ed. P. Flint and J. VanderKam; Leiden: E. J. Brill, 1999), 117–44; E. Schuller and C. Wassen, "Women: Daily Life," in *Encyclopedia of the Dead Sea Scrolls* (vol. 2; ed. L. Schiffman and J. VanderKam; New York: Oxford University Press, 2000), 981–84.

⁶ M. Broshi, "Qumran: Archaeology," in *Encyclopedia of the Dead Sea Scrolls* (vol. 2; eds. L. Schiffman and J. VanderKam; New York: Oxford University Press, 2000), 733–39 (737).

⁷ For a survey of economic or business documents found at Qumran, see H. Eshel, "4Q348, 4Q343 and 4Q345: Three Economic Documents from Qumran Cave 4?" *JJS* 52 (2001): 132–35.

⁸ H. Stegemann, "The Qumran Essenes—Local Members of the Main Jewish Union in Late Second Temple Times," in *The Madrid Qumran Congress. Proceedings of the International Congress on the Dead Sea Scrolls Madrid 18–21 March, 1991* (vol. 1; eds. J. Treballe Barrera and L. Vegas Montaner; Leiden: E. J. Brill, 1992), 83–166 (99).

⁹ Pace O'Callaghan and Thiede, who identify fragments from Cave 7 as belonging to the Gospel of Mark. J. O'Callaghan, "New Testament Papyri in Qumran Cave 7?" *Supplement to the Journal of Biblical Literature* 91 (1972): 1–14; C. P. Thiede, *The Earliest Gospel Manuscript? The Qumran Papyrus 7Q5 and its Significance for New Testament Studies* (Exeter: Paternoster Press, 1992).

¹⁰ Bernadette Brooten warns against this methodological pitfall in her programmatic essay "Early Christian Women and Their Cultural Context: Issues of Method in Historical Reconstruction," in *Feminist Perspectives on Biblical Scholarship* (ed. A. Y. Collins; Chico, CA: Scholars Press, 1985), 65–92 (67–73).

time and means to write about, meditate on and practice a particular way of life without, evidently, concerns about day-to-day existence. Further, it presupposes an androcentric social order. In other words, it is the product of a social elite. So the slice of Jewish life in the Second Temple period that we are investigating through this literature is a very narrow slice. However, with these problems in mind we may at least begin to sketch in the presence of women described by the Qumran Scrolls, from which they have been so glaringly absent.

We will begin first with the legal texts dealing with marital relations and women's biology and sexuality. Following this we will examine those texts which either discuss or assume the participation of women in the ritual and/or worship life of the community, paying particular attention to the roles that women could play and the rank, if any, that they could attain.¹¹

The second major section of the paper will investigate the archaeology of Qumran, especially the small finds and the gender of the skeletons in the excavated graves, for evidence of the presence of women in that particular place during the approximately two centuries in which the settlement at Qumran existed. Finally, I will attempt to put all this evidence in a wider context, and in particular attempt to resolve the question of the identification of the Qumran community with the Essenes.

There are a large number of manuscripts that deal with legal prescriptions, in one way or another. For our purposes "legal prescriptions" or "regulations" refer to legislation that usually has a strong scriptural base, is generally applicable to all Jews (whether or not all Jews followed the particular regulation), and does not refer to a specific organized community structure.¹² For example, legislation in the Qumran scrolls concerning Sabbath observance (binding on all Jews) would fall under the rubric "legal prescription," while the initiation procedure for entrance into the community would not.

¹¹ There are two sources of texts about women in the Qumran Scrolls that we will not be able to discuss owing to space constraints. The Wisdom compositions portray in more general, less prescriptive terms Jewish society and women's place within it. The "literary" compositions (e.g. the Genesis Apocryphon) present a fictionalized view of women and are therefore only marginally relevant to determining the actual place of women in the community portrayed in the Qumran corpus.

¹² This definition follows that of Charlotte Hempel, *The Laws of the Damascus Document: Sources, Traditions and Redaction* (Leiden: E. J. Brill, 1998), 25–6.

One difficulty that arises concerns the distinction that is usually made between sectarian and non-sectarian documents.¹³ For example, the book of Deuteronomy was found at Qumran in multiple copies; however, it is not considered to be the exclusive property of the community there, proclaiming their own distinct ideology, but to be an authoritative book for all Jews of the period. On the other hand, most scholars agree that the Community Rule is the exclusive property of the Qumran community, proclaiming its distinct ideology over against other Jewish groups of the period. Thus, the question of "sectarian" vs. "non-sectarian" is important in determining the particular stance of the Qumran community, concerning women or anything else. Since I view the Qumran scrolls as a deliberate and particular collection, my assumption is that overall the scrolls are ideologically in agreement (although it is always possible to discover internal contradictions). Happily, the legal texts are largely compatible with each other and do betray a bias of interpretation that often contrasts with that found in other legal systems, most prominently that of the later rabbis.¹⁴ Therefore it is methodologically appropriate to treat them systematically.

As might be expected, much of the legislation that specifically applies to women has to do with marriage, sexuality, and women's biological functions that impinge on ritual purity (e.g. menstruation and childbirth). We will begin with the regulations concerning marriage.

It is important to emphasize from the beginning that the texts containing regulations concerning marriage regard marriage as a normal state for both men and women. The Damascus Document, which contains the majority of the marriage regulations, states, "And if they live in camps, according to the rule of the land, taking wives and begetting children, they shall walk according to the Law . . ." (CD VII, 6–7). This passage, which begins with the adversative clause $\square\aleph\aleph$ ("and if"), seems to distinguish those who dwell in camps, marry and have children from others who do not; that is, marriage does not seem to be considered the only legitimate path to follow. This would imply

¹³ For a good discussion see Carol Newsom, "'Sectually Explicit' Literature from Qumran," in *The Hebrew Bible and its Interpreters* (ed. W. Propp, B. Halpern, D. N. Freedman; Winona Lake, IN: Eisenbrauns, 1990), 167–87.

¹⁴ See H. K. Harrington, "Purity," in *The Encyclopedia of the Dead Sea Scrolls* (vol. 2; ed. L. H. Schiffman and J. VanderKam; New York: Oxford University Press, 2000), 726.

that there are those who choose not to marry.¹⁵ For those who do marry, the Damascus Document declares that marriage should be governed according to the Torah. In another example, the Rule of the Congregation specifies that a man is eligible to marry at the age of twenty,¹⁶ although no comparable age is given for the female partner.

The legal regulations do, however, place restrictions on marriage. There are forbidden unions outside of those enumerated in the Torah. 4QMMT B 48–49 enjoins male Israelites to shun “any forbidden unions” (ה[גבר] [המקרה] and be full of reverence for the sanctuary (המקדש).¹⁷ The Damascus Document (CD V, 9–11; 4QD^e 2 ii 16), 4QHalakhah^a (frag. 12) and the Temple Scroll (11QT^a LXVI, 15–17) forbid uncle-niece marriage; the prohibition is based on Lev 18:12–14, in which sexual relations between a nephew and his aunt are forbidden. The exegetical position of the three documents cited above is that “the commandment concerning incest, written for males, is likewise for females” (CD V, 9–10). Therefore a niece is prohibited from marrying her uncle.¹⁸ The Damascus Document (4QD^f 3, 9–10) also contains the statement that a woman’s father should not give her “to anyone who is not fit for her,” evidently referring to forbidden degrees of marriage, or perhaps some overt incompatibility. The regulation is based on Lev 19:19, which forbids “mixing” (כלאים) improper kinds of animals, seeds or cloth. This prohibition of “mixing” is also used to condemn marriage between the

¹⁵ See Qimron, “Celibacy,” 289–91, who argues that “those who walk in the perfection of holiness” (CD VII, 5) abstained from sexual relations because of purity concerns. See also C. Hempel, “The Earthly Essene Nucleus of 1QSa,” *DSD* 3 (1996) 253–69 (266), who states “the protasis clearly presupposes that an alternative lifestyle from the one in the camps with wives and children did exist.”

¹⁶ *Contra* Talmudic law, in which twenty is the *terminus ante quem* for marriage (*b. Qidd.* 29b).

¹⁷ J. Strugnell, “More on Wives and Marriage in the Dead Sea Scrolls: (4Q416 2 ii 21 [Cf. 1 Thess 4:4] and 4QMMT B),” *RevQ* 17 (1996) 537–47 (541). The tie between proper marriage (= sexual purity) and reverence for the sanctuary is a theme that recurs in the Temple Scroll and the Damascus Document.

¹⁸ This ruling is in active contrast to the rabbis, who promoted uncle-niece marriage. See Tal Ilan, *Jewish Women in Greco-Roman Palestine* (Tübingen: Mohr/Siebeck, 1995), 76. The exegetical principle explicated by the Damascus Document, that what is written concerning males likewise applies to females, opens many doors for women to obey Torah prescriptions written from a male perspective. Unfortunately we do not have any other specific example from Qumran of another legal regulation which applies this exegetical principle.

priestly and lay orders (4QMMT B 80–82). All of these statements about forbidden unions appear to be polemical; that is, they are inveighing against the practices of other Jewish groups of the period.

The Qumran documents also betray a strict attitude toward polygamy and divorce. Both polygamy and divorce are allowed according to the Torah (Deut 21:15–17; Deut 24:1–4). However, according to the Damascus Document, polygamy is a form of זנות (usually translated as “fornication”):

The ‘builders of the wall’. . . are caught twice in fornication: by taking two wives in their lives, even though the principle of creation is ‘male and female he created them’ and the ones who went into the ark ‘went in two by two.’ And concerning the prince it is written ‘he shall not multiply wives for himself. . .’ (CD IV, 19–V, 2).

The prohibition of polygamy is made by reference to the stories of creation and the flood, as portrayals of God’s real intentions for humanity, and capped by the citation from the Law of the King (Deut 17:17).¹⁹ The Temple Scroll also prohibits polygamy for the king (11QT^a LVII, 17–19).

The evidence on divorce is more mixed. There are various statements that indicate that divorce was tolerated (e.g. 4QD^a 9 iii, 5; 11QT^a LIV, 4). However, the “Law of the King” in the Temple Scroll prohibits divorce for the king:

and he shall take no other wife in addition to her for she alone will be with him all the days of her life (11QT^a LVII, 17–18).

It does permit remarriage after the wife’s death. This passage, however, only applies to the king; it is possible that it should be extrapolated to apply to all Jews, but that may be a risky assumption. The passage from the Damascus Document discussed above may also be understood to prohibit divorce, but it may simply support serial monogamy. The interpretation of the passage hinges on the understanding of the word בתייהם (“in their lifetime”) which, with a 3mpl suffix, refers to men. Are men prohibited absolutely from having more than one wife (thus precluding any second marriage, including one following divorce),²⁰ or does it only prohibit having two wives at the

¹⁹ G. Vermes, “Sectarian Matrimonial Halakhah in the Damascus Rule,” *JJS* 25–26 (1974–75): 197–202 (200).

²⁰ A. Isaksson, *Marriage and Ministry in the New Temple* (Copenhagen: C. W. K. Gleerup Lund, 1965), 59–60.

same time?²¹ The most that can be said is that divorce is nowhere forbidden for all Israelites, although (in light of the prohibition of divorce for the king) it may have been less frequent among the Qumranites than among Jews outside the community.²² This is, however, speculation.

The impact of these marriage regulations on the actual lives of women is difficult to gauge, but the regulations, if followed, would have resulted in fewer marriage partners for women, since more types of marriage (including polygamy) were forbidden. There is not, to my knowledge, any specific discussion of the duty of levirate marriage²³ in the Qumran scrolls, but the prohibition of polygamy would have made its fulfillment more difficult.

Closely related to the regulations concerning marriage are the rules concerning sexual relations, since for all Jews in this period marriage was the only legitimate venue for sexual intercourse. Many of the statements in the Scrolls concerning sexuality reflect general Jewish morality at the time: women must be virgins at the time of their first marriage, sexual activity for women outside of marriage was forbidden, with adultery considered especially heinous, and the main purpose of sexual activity was procreation. However, the Qumran scrolls do betray a stricter attitude toward sexual activity even within marriage. The Damascus Document declares: “And whoever approaches his wife for זנוה (“fornication”), which is not according to the rule, shall leave and not return again” (4QD^b vi, 4–5; 4QD^c 7 i, 12–13). The meaning of זנוה in this context is enigmatic; does it mean intercourse during pregnancy or menstruation, some form of “unnatural” sexual activity such as anal or oral intercourse, or simply sex for pleasure?²⁴ The Damascus Document elsewhere specifically prohibits intercourse during pregnancy (4QD^c 2 ii, 15–17; the prohibition also includes homosexual intercourse). It is possible that the Damascus Document (4QD^c 2 i, 17–18) also forbids intercourse on the Sab-

bath (reading [השבת] ביום as restored by Baumgarten) or perhaps during the daylight hours.²⁵ Both the Damascus Document (CD XII, 1–2) and the Temple Scroll (11QT^a XLV, 11–12) forbid sexual intercourse within the city of the Temple for purity reasons.²⁶ Thus the legal regulations of the Qumran scrolls places restrictions on sexual expression for both women and men that are more severe than those of the Torah. These rules, combined with the greater restrictions on marriage, polygamy and possibly divorce, may have resulted in a greater proportion of unmarried persons in the community at any given time; marriage may not have been so attractive or easy to contract for this group.²⁷

Purity regulations are of great significance for anyone who wishes to investigate legal regulations concerning women in the Qumran Scrolls. Since many of the purity regulations concern bodily secretions, women (who experience the regular flow of menstruation as well as the secretions of childbirth) are particularly subject to the rules of purity.

4QPurification Rules A places stringent restrictions on a menstruating woman or one with abnormal bleeding. They are not to “mingle” in any way because they contaminate others; anyone who touches another who is impure through bodily flows likewise contracts impurity for the full seven days (see also 4QD^a 6 ii, 2–4). This extends the commandment in the Torah, in which the person who is touched becomes impure only until sundown (Lev 15:21–23). The practical implications of the heightened consequences of touching an impure person are seen in the Temple Scroll, which calls for special quarantine areas for menstruants and postpartum women (as well as those men with genital flux or anyone with skin disease) outside every city in Israel (11QT^a XLVIII, 14–17),²⁸ and in the War Scroll, where women (and children) are banned from the war camp in order to prevent impurity due to

²¹ Vermes, “Sectarian Matrimonial Halakhah,” 197.

²² Although it is beyond the scope of this paper, it should be noted that the gospels record a legion of Jesus prohibiting divorce and remarriage (Matt 5:32 [except for fornication], 19:9; Mark 10:11–12; Luke 16:18). Paul likewise prohibits divorce and remarriage (1 Cor 6–7).

²³ The duty of a deceased husband’s brother to marry a childless widow in order to produce an heir for the dead husband’s estate (Deut 25:5–10).

²⁴ J. M. Baumgarten, *Qumran Cave 4.XIII: The Damascus Document (4Q266–273) (DJ)D XVIII*; Oxford: Clarendon, 1996), 164–65.

²⁵ Understanding ביום as an absolute; so G. Brin, *The Concept of Time in the Bible and the Dead Sea Scrolls* (Leiden: Brill, 2001), 366. *Jub.* 50:8 forbids intercourse on the Sabbath; *Jubilees* was an important text in the Qumran collection and especially for the Damascus Document, which cites it by name (CD XVI, 3–4).

²⁶ See above 4QMMT B 48–49, which enjoins reverence for the sanctuary within the context of forbidden marriages.

²⁷ E. Qimron, “Celibacy,” 287–94; H. Stegemann, *The Library of Qumran*, 193–98.

²⁸ The עיר המקדש (“city of the sanctuary”) does not have these quarantine areas because menstruating and postpartum women were barred from the Temple City all together. See S. Crawford, *The Temple Scroll and Related Texts* (Sheffield: Sheffield Academic Press, 2000), 47–49.

ejaculation in sexual intercourse,²⁹ and the impurity of menstruating women (1QM VII, 3–4; based on Num 5:1–3).

Although pregnancy itself does not cause ritual impurity, the death of a fetus *in utero* did, according to the Temple Scroll.

And if a woman is pregnant and her child dies within her womb, all the days which it is dead within her she shall be impure like a grave; every house which she enters will be unclean with all its utensils for seven days; and everyone who comes into contact with her shall be impure up to the evening . . . (11QT^a L, 10–12).

This ruling comes from an analogy: if a person finds a human bone in an open field or a grave, they become impure; a woman is like an open field or a grave, therefore the dead thing inside her conveys corpse uncleanness.³⁰ All of these purity regulations would have placed a heavier burden on women in the community than would adherence only to the injunctions of the Torah.

We have been dealing with legal regulations that, while found only in the Qumran Scrolls and betraying their exegetical position, were meant to apply to all Jewish women. The Scrolls also present us with statements concerning women's participation in the life of the community that presumably adhered to those legal regulations.

There are several texts that preserve prayers and blessings applicable only to women, indicating that women participated in the ritual life of the community, at least in a limited way. 4QPurification Liturgy (4Q284) contains a purification ritual for a woman following menstruation (figs 2, col. ii and 3). The text mentions “food” and “seven days”; presumably the woman abstained from the pure food of the community during her period. Following mention of sunset on the seventh day (the time of the ritual bath), frg. 2, ii, 5 preserves the beginning of a blessing evidently spoken by the woman: “Blessed are you, God of Israel . . .” Frg. 3 contains a response from a male officiant (a priest?).³¹

²⁹ Men rendered impure through involuntary ejaculation are also banned from battle (1QM VII, 6).

³⁰ This ruling is in direct contradiction to the rabbinic ruling in *m. Hul.* 4.3, which states that the womb makes the fetus a “swallowed impurity”; that is, it does not convey corpse uncleanness until it leaves the womb. See Crawford, *The Temple Scroll*, 45.

³¹ 4Q512, another purification liturgy, contains a series of blessings spoken by a male thanking God for purification after various types of uncleanness. However, frg. 41, 2 inserts above the line שׁוֹשׁוּן אֵשׁוּר , thus implying that women as well as men participated in these rituals.

4Q502 is an intriguing text belonging to the Qumran community that its editor identified as a Ritual of Marriage,³² although others have suggested that it is a “golden age ritual” or a New Year festival.³³ In it, men and women are paired together by age group, and the names assigned to these age groups at least sometimes have the function of titles, such as “daughter of truth,” (frg. 2, 6), which is parallel to the epithet “sons of truth” in 1QS IV, 5–6; “adult males and adult females,” (frg. 34, 3); “brothers,” (frg. 9, 11); “sisters,” (frg. 96, 1); “male elders,” (frg. 19, 5); “female elders,” (frg. 19, 2, frg. 24, 4); “virgins,” (frg. 19, 3); and “young men and young wo[men],” (frg. 19, 3). The ritual is a community rite which thanks and praises God. In frg. 24, 4 a woman is described as follows: “[and] she will stand in the assembly of male elders and female elde[rs?] . . .,” thus clearly identifying “female elder” as a title for certain women in the community.³⁴ Whatever the true purpose of this ritual, it describes women participating in the worshipping life of the community, and belonging to particular defined groups within the community.

Another defined group of women appears in the Cave 4 fragments of the Damascus Document, which indicates that at least some women in the community were given the honorific title “Mothers.” The text in question reads “[and whoever murmu]rs against the Fathers (אֲבוֹתָא) [shall be expelled] from the congregation and never return, [but if] it is against the Mothers (אִמֵּינָא), he will be punished te[n] days, because the Mo[th]ers do not have authority (?) (רְבוֹתָא)³⁵

³² M. Baillet, *Qumran grotte 4, III (4Q482–4Q520) (DJD VII)* (Oxford: Clarendon Press, 1982), 81–105, pls. XXIX–XXXIV. 4Q502 is certainly a sectarian text, since it contains a passage from the sectarian “Treatise Concerning the Two Spirits” found in the Community Rule (1QS IV, 4–6).

³³ J. M. Baumgarten, “4Q502, Marriage or Golden Age Ritual?” *JJS* 34 (1983): 125–135; M. L. Sadlow, “4Q502 A New Year Festival?” *BSD* 5 (1998): 57–68. See most recently J. Davila, *Liturgical Works* (Grand Rapids, MI: Eerdmans, 2000), who argues that the work's identification as a wedding ritual is the “least speculative” of the three (184).

³⁴ Davila, *Liturgical Works*, 197. “Male elders” (אֲנִינִי) is used as a title for a distinctive group elsewhere in Qumran literature. See 1QS VI, 8–9, where the אֲנִינִי are ranked behind the priests, or CD IX, 4, where the אֲנִינִי function as judges. If the אֲנִינִי are a distinctive group, it is reasonable to suppose that the אֲנִינִי were as well. See also Josephus' and Philo's use of the term *προσβυτεροι* as honored members of the Essene community (*J.W.* 2:146; *Prob.* 87).

³⁵ Translations of רְבוֹתָא vary; the root רָבַע means “variegated, multi-colored,” and the noun form usually means “embroidery” or “multi-colored fabric.” It occurs elsewhere in the Qumran literature with that meaning (e.g. 4QShirShabb, 1QM, 4QpIsa^a). That meaning does not appear to fit the context here; hence the variety of translations

in the midst [of the congregation]” (4QD^f 7 i, 13–15). Two things are clear from these lines: women could attain the status of “Mother,” and that status, although acknowledged and honored, was of less consequence than the status of “Fathers.”

Women also had particular roles to play within the life of the community. The Damascus Document gives women the responsibility of examining prospective brides whose virginity prior to marriage had been questioned. These “trustworthy and knowledgeable” women were to be selected by the Overseer (מבקר), the chief officer of the community (4QD^f 3, 12–15). According to the Rule of the Congregation (1QS^a), after marriage a woman “shall be received to bear witness (תקבל לעיד) concerning him (about) the commandments of the Torah . . .” (1QS^a I, 11). Although there is dispute about the precise nuances of the woman’s responsibility,³⁶ it is clear that women were considered eligible after marriage to give testimony.

in the literature. George Brooke has recently argued that the primary meaning of the root מקר should be taken seriously, so that מקרה would denote a tangible thing, possibly “a piece of embroidered cloth associated with priestly status” (G. Brooke, “Between Qumran and Corinth,” Dead Sea Scrolls conference at the University of St. Andrews, June 26–28, 2001). J. F. Elwolde, on the other hand, has focused on the Septuagint rendering of two words from the root מקר in Ezek 17:3 and Ps 139:5, where the Greek words ηγεμα (“leadership”) and “ουστασις” (“essence”) are used respectively. Thus he argues for a secondary meaning of מקר as “essential being,” “authority,” or “status,” based on “the metonymy of expensive clothing/covering and the power represented by it.” (J. F. Elwolde, “*rwqmh* in the Damascus Document and Ps 139:15,” in *Diggers at the Well. Proceedings of a Third International Symposium on the Hebrew of the Dead Sea Scrolls and Ben Sira* [ed. T. Muraoka and J. F. Elwolde; Leiden: E. J. Brill, 2000], 72). Finally, in a recent article, Victor Hurowitz proposes that the מקרה found here has nothing to do with the מקרה meaning “embroidery,” but instead comes from the Akkadian word *rugummû*, which means “legal claim.” This would involve a *qof/gimel* interdialectal interchange. V. Hurowitz, “מקרה in Damascus Document 4Qd^e {4Q270} 7 I 14,” forthcoming in *DSD*. Elwolde’s argument appears most convincing to the present author, hence the translation given above.

³⁶ The history of the interpretation of this phrase is in itself a lesson in gender bias. The original editors took it at face value, understanding it to mean that women could give testimony (D. Barthelemy and J. T. Milik, *Qumran Cave I [DJD I]*; Oxford: Clarendon, 1955), 112). A second generation of (male) scholars, however, proposed emending the text to a masculine verb, on the grounds that women in Judaism could not give testimony (J. M. Baumgarten, “On the Testimony of Women in 1QS^a,” *JBL* 76 [1957]: 266–69). Most recently the text as it stands is generally accepted without emendation (E. Schuller, “Women in the Dead Sea Scrolls,” in *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment* [vol. II; ed. P. Flint and J. VanderKam; Leiden: E. J. Brill, 1999], 133).

However, she is not eligible to give testimony generally, but only concerning her husband.³⁷ This would imply that the testimony concerned matters that were private between a husband and wife. Perhaps her responsibility lay in the area of sexual purity, in which a woman would by necessity need to be fully instructed.³⁸

Several texts indicate that women were expected or allowed to be present during the rituals of the community, and to participate in its daily life. The Rule of the Congregation I, 4–5 gives instructions for the assembly of the congregation: “When they come they will assemble all who come, including children and women, and they will recite in [their hear] ing [a]ll the statutes of the covenant and instruct them in all their commandments lest they stray in their errors.” I understand the Rule of the Congregation to be describing actual assemblies during the history of the community and not merely an assembly at some projected “end of days.”³⁹ Therefore I would argue that women and children participated in these assemblies, as they did also in the public liturgy in 4Q502.

Finally, we should be mindful of falling into the trap of silence. Just because a text does not specifically mention women, or portray women as participating in particular aspects of community life does not mean that they were not there. As Schuller states, “many regulations, though expressed in the masculine, apply also to women, and in that sense form part of the corpus of texts about women.”⁴⁰ If we “shift our focus”⁴¹ to include women in the life of the community described in the Qumran Scrolls, our picture of that community is radically changed.

To summarize the evidence of the texts: women were present in the community life regulated by the legal prescriptions in the Scrolls. This is indicated by the number of regulations pertaining to women, especially in the areas of marriage, sexual conduct, and biological causes of impurity. That these

³⁷ P. Davies and J. Taylor, “On the Testimony of Women in 1QS^a,” *DSD* 3 (1996): 223–35 (227).

³⁸ Isaksson, *Marriage*, 57, notes a rabbinic saying that a wife can be heard on sexual matters concerning her husband, e.g. impotence.

³⁹ See Hempel, “Earthly Essene Nucleus,” 254–56, who argues that 1QS^a I, 6–II, 11a refers to actual, not eschatological, community legislation. She also suggests that that community legislation emerges from the same social situation as the Damascus Document.

⁴⁰ Schuller, *The Dead Sea Scrolls After Fifty Years*, 122.

⁴¹ To borrow Brooten’s phrase, “Early Christian Women,” 65.

prescriptions were not simply the general laws in force in Judaism at this time and thus can tell us nothing about this particular community is evidenced by the fact that some of them embrace positions in opposition to other groups within Judaism of the period (e.g. the bans on uncle-niece marriage and polygamy). The regulations for community life also indicate the presence of women; in fact, women had particular roles to play in the governance of community life, and could attain special honored positions (e.g. “Mothers”). Finally, although the hierarchy of the community was male-dominated and the viewpoint of the Scrolls androcentric, there is nothing in the Scrolls themselves that indicates that women were deliberately excluded or that this was a male-only community.

Let us now turn to the site of Qumran itself, in the vicinity of which the Scrolls were found. At Qumran’s lowest level its excavator, Roland de Vaux, discovered a small Iron Age II settlement, but the more important settlement was dated to the late Second Temple period. De Vaux distinguished three phases of the Second Temple period settlement: Period Ia, which began c. 135 B.C.E., Period Ib, which was a seamless outgrowth of Period Ia, and Period II. Period II ended when Qumran was destroyed by a Roman legion in 68 C.E. A short period followed during which the site was used as a Roman army camp.⁴² Although there have been refinements made to de Vaux’s chronology, and in particular the existence of a separate Period Ia and a long break in the habitation between Periods I and II have been questioned, de Vaux’s essential chronology of a settlement existing from the late second century B.C.E. to 68 C.E. still stands.⁴³

De Vaux’s excavations revealed an anomalous site from the Herodian period. In de Vaux’s own words,

Khirbet Qumran is not a village or a group of houses; it is the establishment of a community. We must be still more precise: this establishment was not designed as a community residence but rather for the carrying on of certain communal activities. The number of rooms which could have served as dwellings is restricted as compared with the sites designed for group activities to be pursued . . . there is only a single large kitchen, a single large washing-place, and one stable. There are several workshops and several assembly rooms (10).

⁴² De Vaux, *Archeology*, 1–45.

⁴³ See J. Magness, “The Archaeology of Qumran,” *QC* 8 (1998): 49–62 (59–60) and “The Chronology of the Settlement at Qumran in the Herodian Period,” *DSD* 2 (1995): 58–65.

De Vaux found at Qumran evidence for a communal lifestyle, including a common dining hall and a “scriptorium,” a room in which he claimed manuscripts were copied. There was also a large cemetery, separated from the buildings by a low wall, which contained approximately 1200 graves. The graves had an unusual orientation, with the corpses buried in a north-south direction, rather than the usual east-west direction.⁴⁴ Finally, de Vaux connected the Scrolls found in the eleven caves with the site of Qumran on the basis of the paleographic date of the manuscripts, the date and type of pottery found in the caves and in the ruins, and the proximity of the caves, especially Caves 4–10, to the site of Qumran.⁴⁵ Although in recent years there have been many challenges to de Vaux’s interpretation of the archaeological remains,⁴⁶ none of these theories have gained more than a handful of adherents. The scholarly consensus still centers on de Vaux’s interpretation of Qumran as a site inhabited by a particular group of Jews, pursuing a communal lifestyle, who collected and preserved (and copied at least some of) the Qumran Scrolls and hid them in the caves before the site was destroyed by the Romans in 68 C.E.⁴⁷

With that context in mind we may turn to the evidence for women at the site of Qumran. On the face of it this question is a strange one. Women make up half of the human race, and most archaeological remains are gender neutral; that is, architectural remains such as buildings are used by both sexes, and the same is true for most small finds, objects like lamps, coins or cups. Therefore the evidence for the presence of women at any given archaeological site should be the same as that for men. But Qumran, as stated above, is an anomalous site. First of all, the architectural configuration of the site does not support the normal features of family, village or city life in the Second Temple period. If women were living at Qumran, they were not living in the usual family arrangements presumed as the norm by the vast majority of Second Temple literature (and supported by archaeological investigations), including the Qumran documents themselves. Further, the archaeological remains (aside from the buildings) indicate that if women were at Qumran, they were there in much smaller numbers than men. The evidence for that statement comes from a study of the small finds and the excavated graves.

⁴⁴ De Vaux, *Archeology*, 46–48.

⁴⁵ De Vaux, *Archeology*, 97–102.

⁴⁶ See Broshi, “Qumran: Archeology,” 737–39, for a summary of these views.

⁴⁷ J. Magness, “Qumran Archaeology: Past Perspectives and Future Prospects,” in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (vol. 1; ed. P. Flint and J. VanderKam; Leiden: E. J. Brill, 1998), 47–98 (53–57).

The term “small finds” refers to objects that were used or owned by individuals. Most of these are “gender neutral”; that is, we cannot determine the gender of the user from the object itself (e.g. coins or lamps). However, women used certain special objects in the Second Temple period: combs, mirrors, cosmetic containers, jewelry and objects associated with spinning, such as spindle whorls.⁴⁸ A “male-gendered” object would be something used only by men, such as a phylactery case.⁴⁹ A survey of the records of the small finds at Qumran yields a startling discovery: there is one spindle whorl (found in locus 7, the stratum of which is unrecorded) and four beads.³⁰ Recall that these finds cover a period of almost two hundred years! Further, the caves in which the Scrolls were found yielded three beads and two fragments of a wooden comb.⁵¹ This compares, for example, with the Cave of Letters at Naḥal Ḥever, inhabited by refugees during the Bar Kokhba Revolt in 132–135 C.E. In this cave there were found balls of linen thread, two mirrors, five spindle whorls, comb fragments, eighteen beads, a cosmetic spoon, a cosmetic box and a hairnet.⁵² The differential between these finds, coming from a period of months, and those at Qumran, coming from a period of two hundred years, is striking. However, we must be careful of how we interpret this “small find” evidence; to claim that the lack of female-gendered objects shows that women were *not present* at Qumran is to make an argument from silence. The lack of female-gendered objects does not positively prove that women were absent from Qumran, but it does make their presence more difficult to prove. One other possible avenue of positive evidence is the gender of the corpses exhumed in the cemetery. Let us now turn there.

⁴⁸ J. Taylor, “The Cemeteries of Khirbet Qumran and Women’s Presence at the Site,” *DSD* 6 (1999): 318.

⁴⁹ The supposition that only men used phylacteries is based on later Jewish practice. We do not actually know whether or not women in the Qumran community used phylacteries. Tal Ilan notes that *Mekhilta de-Rabbi Ishmael* states that women are exempt from wearing phylacteries, but mentions a woman by the name of Mikhal b. Kushi who did don phylacteries. Ilan, “The Attraction of Aristocratic Women to Pharisaism During the Second Temple Period,” *HTR* 88 (1995): 1–33 (27).

⁵⁰ J. Magness, “Women at Qumran?” Paper presented in the Qumran section of the Society of Biblical Literature Annual Meeting; Nashville, TN, November, 2000; 11, 13. Taylor (318, “The Cemeteries,” n. 117) notices a spindle whorl found in locus 20, but locus 20 is only from the period III Roman encampment. Her identification of the so-called sundial as a spindle whorl is not convincing (see also Magness, 11).

⁵¹ Magness, “Women,” 13.

⁵² Y. Yadin, *The Finds from the Bar-Kokhba Period in the Cave of Letters* (Jerusalem: Israel Exploration Society, 1963), as cited by Magness, “Women,” 17–18.

Of the ca. 1200 graves in the cemetery, de Vaux excavated only forty-three. S. Steckoll excavated nine more graves in 1966–67, but the remains have apparently disappeared.⁵³ The parts of the skeletons preserved from de Vaux’s excavations are now housed in Munich, Paris and Jerusalem.⁵⁴ O. Röhrer-Ertl identified the twenty-two skeletons in the Munich collection as nine males, eight females and five children.⁵⁵ The remains of the Paris and Jerusalem collections have been identified by S. Sheridan et al. as sixteen males, one female (Tomb A), and one male with a question mark.⁵⁶ Further, J. Zias has challenged the antiquity of some of the skeletons from the Munich collection, arguing that six of the female skeletons (T32–36, South T1) and all of the children (South T2–4) are recent Bedouin burials and not from the period of the Qumran settlement at all.⁵⁷ While I cannot comment on his anthropological arguments, his archaeological evidence seems compelling: five of the tombs (T32–36) were oriented along an east-west axis, in accordance with Muslim burial practice;⁵⁸ the graves were particularly shallow; and the grave goods found in T32–33 and South T1 are anomalous in the Qumran cemetery.⁵⁹ If Zias is correct,⁶⁰ that would reduce the number of positively identified females buried at Qumran in the Second Temple period to three (Tombs A, 22, and 24II). It is important to emphasize that forty-three (or

⁵³ Steckoll identified five of the burials as male (G3, 4, 5, 9 and 10), three as female (G 6, 7, 8), and one as a child (G6, buried together with the female). Steckoll, “Preliminary Excavation Report in the Qumran Cemetery,” *RevQ* 6 (1968): 323–52 (335).

⁵⁴ For a history of the post-mortem journeys of these skeletons, see Taylor, “The Cemeteries,” 296, n. 38 and 298.

⁵⁵ O. Röhrer-Ertl, F. Rohrhirsch, and D. Hahn, “Über die Grabfelder von Khirbet Qumran, insbesondere die Funde der Campagne 1956, I; Anthropologische Datenvorlage und Erstauswertung aufgrund der Collection Kurth,” *RevQ* 19 (1999): 3–46.

⁵⁶ S. Sheridan, J. Ullinger, J. Ramp, “Anthropological Analysis of the Human Remains from Khirbet Qumran: The French Collection,” forthcoming, Table 5.

⁵⁷ J. Zias, “The Cemeteries of Qumran and Celibacy: Confusion Laid to Rest?” *DSD* 7 (2000): 220–53.

⁵⁸ F. M. Cross, *The Ancient Library of Qumran and Modern Biblical Studies* (Garden City, NY: Doubleday, 1958), comments that the north-south orientation of most of the graves at Qumran caused the Bedouin who were excavating there with de Vaux in the 1950’s to identify them as non-Muslim.

⁵⁹ Zias, “The Cemeteries,” 225–230. Zias argues that the jewelry found in those tombs resembles that found in Bedouin burials that have been identified with certainty.

⁶⁰ For a critique of Zias’s arguments, see J. Zangenberg, “Bones of Contention. ‘New’ Bones from Qumran Help Settle Old Questions (and Raise New Ones)—Remarks on Two Recent Conferences,” *QC* 9 (2000): 52–76.

even fifty-two, including Steckoll's tombs) graves out of 1200 are not a statistically compelling sample. We are left again with an argument from silence: the percentage of women from the exhumed graves from the period of the Qumran settlement is not as large as we would otherwise expect.⁶¹

What conclusions can be drawn from this scanty evidence? I think the argument can be made that the demographic profile of the Qumran settlement, based on the available evidence, was overwhelmingly male. If women were present there, it was only in small numbers and for short periods of time. That is, individual women may have been there long enough to die there, but women as a group were not there in large enough numbers or for a long enough period of time to leave discernible evidence in the archaeological record. Thus the evidence of archaeology seems to be at odds with the textual evidence presented above. I will propose a solution to this problem in the final section.

Sukenik's early proposal, subsequently adopted by Cross, Milik et al.,⁶² that the community that collected the Qumran Scrolls should be identified with the ancient Jewish sect of the Essenes, became the consensus position in Dead Sea Scrolls scholarship for the following reasons. 1. The location of Qumran fits with the information of Pliny the Elder, who locates the Essenes "on the west side of the Dead Sea ..." and to the north of the oasis of Engedi (*Nat. Hist.* 5.73).⁶³ 2. Several of the theological concepts that Josephus and Philo attribute to the Essenes appear in the Qumran Scrolls, such as determinism and a belief in the afterlife. 3. Essene practices as described by Josephus, Philo and Pliny seem to be reflected in both the Qumran Scrolls and the archaeological record, e.g. communal property, common meals, particular initiation procedures and special purity regulations.⁶⁴ Further, it is clear

⁶¹ Magness, "Women," 6.

⁶² See Cross, *ALQ*, and J. T. Milik, *Ten Years of Discovery in the Wilderness of Judaea* (London: SGM Press, 1959).

⁶³ Pliny's use of the term *infra hos* has been the cause of some controversy. Pliny could mean that the Essene settlement was located in the hills looking down over the oasis of Ein Gedi (hence "above"). However, Pliny is naming towns and settlements along the shores of the Dead Sea beginning in the north and proceeding southwards: Jerusalem/Jericho > Essenes > Ein Gedi > Masada. Thus, the Essenes would be located to the north of ("above") Ein Gedi. This is the way in which I understand Pliny's description. See T. Beall, *Josephus' Description of the Essenes Illustrated by the Dead Sea Scrolls* (Cambridge: Cambridge University Press, 1988), 5.

⁶⁴ J. VanderKam, *The Dead Sea Scrolls Today* (Grand Rapids, MI: Eerdmans, 1994), 71–87.

from the descriptions in Josephus, Philo, rabbinic literature and the New Testament that the Scrolls do not reflect Pharisaic beliefs and practices. Finally, although some of the legal positions embraced by the Scrolls are the same as those attributed to the Sadducees in rabbinic literature, and the "sons of Zadok" are an important leadership group in the Scrolls,⁶⁵ the group who collected the Scrolls is not identical to the aristocratic Sadducees who controlled the Temple and the High Priesthood in the late Second Temple period.⁶⁶ Thus, the identification of the Qumran group with the Essenes (understanding the Essenes as originating in a Zadokite or "proto-Sadducee" movement) has much merit.

There are, however, difficulties with this Essene identification. The evidence of Josephus and Philo and the information attainable from the Scrolls do not always line up precisely. For our purposes the greatest difficulty with the Essene identification is that Philo and Pliny both declare that the Essenes were celibate. Josephus' evidence is more nuanced; however, he does say in his main discussion concerning the Essenes that "they disdain marriage for themselves" (*J. W.* 2.120) and "they take no wives" (*Ant.* 18.21). Philo says "they banned marriage at the same time as they ordered the practice of perfect continence" (*Apol.* 14); and Pliny states that they are "without women, and renouncing love entirely ... and having for company only the palm trees" (*Nat. Hist.* 5.73).⁶⁷ As we have seen above, although the Scrolls ban polygamy, only tolerate divorce, expand the number of forbidden marriages, and evidently restrict the expression of sexual intimacy within marriage, *nowhere do they advocate celibacy*. This is a seemingly irreconcilable contradiction.

However, we also noted above that according to the archaeological evidence women lived at Qumran in very small numbers, if at all. Pliny is the only ancient source who places the Essenes at a specific geographical location

⁶⁵ Schiffman, *Reclaiming the Dead Sea Scrolls*, 83–9.

⁶⁶ Schiffman, *Reclaiming the Dead Sea Scrolls*, 73–6.

⁶⁷ Both Philo and Josephus claim that the Essenes avoid marriage for misogynistic reasons, considering women to be "selfish, excessively jealous, skilful in ensnaring ... and seducing..." (*Apol.* 14) and being "convinced that none of them is faithful to one man" (*J. W.* 2.121). This misogyny betrays the bias of Philo and Josephus and may not at all reflect the Essene attitude. Pliny makes no such claim, only remarking that the Essenes' sexual abstinence is "admirable" (*Nat. Hist.* 5.73). The classical sources' emphasis on Essene celibacy may stem from a desire to present them as if they were similar to Hellenistic associations such as the Pythagoreans, who also practiced sexual self-restraint. G. Vermes and M. Goodman, *The Essenes According to the Classical Sources* (Sheffield: JSOT Press, 1989), 13.

(a location that seems to fit the site of Qumran); Josephus and Philo locate them more generally in the towns and villages of Judaea.⁶⁸ Further, as mentioned in the introduction, Josephus also states that “there exists another order of Essenes who, although in agreement with the others on the way of life, usages, and customs, are separated from them on the subject of marriage. Indeed, they believe that people who do not marry cut off a very important part of life, namely the propagation of the species; and all the more so that if everyone adopted the same opinion the race would very quickly disappear” (*J. W.* 2.160). In other words, some of the Essenes married. Josephus goes on to say that this group of Essenes eschewed intercourse with their pregnant wives, a practice that accords with the legal regulations from the Damascus Document discussed above. Although Josephus presents the “marrying Essenes” almost as an afterthought, his notice may give us the clue we need to reconcile the seeming contradictions of the various sources.

If one removes the word “celibacy” from the discussion concerning the identification of the Qumran community with the Essenes, then it is possible to suggest that most Essenes married and lived a family life, but that some Essenes avoided marriage primarily for purity reasons.⁶⁹ Qimron has proposed that the phrase in the Damascus Document “those who walk in the perfection of holiness,” (CD VII, 4–6), describes community members who avoid marriage for purity reasons.⁷⁰ These community members are contrasted with ordinary community members, who pursue marriage: “*And if* (אם) they reside in camps in accordance with the rule of the land, and take wives and beget children . . .” (CD VII, 6–7; emphasis mine). The adversative clause indicates a demarcation of those described in the previous lines and those described in the following lines; in other words, two groups, one of which married, the other of which did not. It is possible that the latter group included the widowed and/or divorced, as well as those who either chose not

to marry or could not find suitable marriage partners; therefore abstention from marriage would not necessarily have been a lifelong choice, but more limited in scope.⁷¹ This proposal accounts for Josephus’ evidence regarding the two groups of Essenes. Could women become members of the Essenes through marriage? While it is clear from Josephus and Philo that men took the leading roles in the community, Josephus notes that before marriage “they observe their women for three years. When they have purified themselves three times and thus proved themselves capable of bearing children, they then marry them” (*J. W.* 2.161). The two halves of the last sentence have both been taken to refer to proving a woman’s fertility before marriage.⁷² However, the time frame in that regard makes no sense. The women “purify themselves three times”; this must refer to three menstrual cycles, a matter of months, not years! To what then do the “three years” refer? It would seem to be a period of initiation, similar to that undergone by men.⁷³ In fact, according to Josephus elsewhere, the Essene initiation process took three years. Perhaps only married or betrothed women were eligible to join the community;⁷⁴ certainly women could not attain the same status as men in the organization. That is, they could not serve as judges or other officers, or take part in the deliberations of the community; they could only serve as witnesses in the limited way described in the Rule of the Congregation (see above). But it is plausible that women were admitted to some form of membership. In fact, Josephus goes on to say “the women bathe wrapped in linen, while the men wear a loincloth. Such are the customs of this order.” This statement seems to presume that the women of the group observed the same purification rituals as the men (as witnessed by 4QPurification Liturgy discussed above), implying membership in the order.

⁷¹ Baumgarten, “Qumran-Essene Restraints,” 19, has suggested that the community contained those who never married or at a later stage in life renounced sexual relations in an effort to “walk in the perfection of holiness.”

⁷² A. Dupont-Sommer, *The Essene Writings from Qumran* (Gloucester: Peter Smith, 1973), 35, n. 3; Beall, *Josephus’ Description of the Essenes* 112. M. Kister, “Notes on Some New Texts from Qumran,” *JJS* 44 (1993): 280–90 (281), suggests that the three-year period of observation took place after marriage, to see if procreation would occur. If no pregnancy resulted from the marriage, presumably it would be dissolved.

⁷³ Schuller and Wassen, “Women: Daily Life,” 983.

⁷⁴ Davies and Taylor, “On the Testimony of Women,” 226–27, suggest that women could only be part of the community by virtue of attachment to a man, specifically a husband.

⁶⁸ Philo, *Prob.* 76: “fleeing the cities . . . they live in villages.” *Apol.* 1: “They live in a number of towns in Judaea, and also in many villages and large groups.” There is an internal contradiction in Philo. Josephus, *J. W.* 2.124: “They are not in one town only, but in every town several of them form a colony.”

⁶⁹ This solution was first proposed by R. Marcus, who suggested that Josephus reversed the actual situation of the Essenes, in which most were married, but a few were celibate. As cited by Cross, *Ancient Library of Qumran*, 71, n. 101.

⁷⁰ E. Qimron, “Celibacy,” 289–90. See also J. Baumgarten, “The Qumran-Essene Restraints on Marriage,” in *Archaeology and History in the Dead Sea Scrolls* (ed. L. Schiffman; Sheffield: Sheffield Academic Press, 1990), 23, n. 23.

The proposal concerning two groups of Essenes also helps to account for the paucity of evidence regarding women's presence at Qumran. Stegemann has observed that although Pliny limits the Essenes to one geographical location, Philo and Josephus do not,⁷⁵ but instead locate them in settlements throughout Judaea. Josephus, in fact, implies a community of Essenes in Jerusalem itself (*J.W.* 5.145). How can these contradictions be reconciled? If Qumran is understood as a study center or retreat for the Essenes,⁷⁶ then the settlement of Essenes Pliny describes can continue to be identified with Qumran, while positing other groups of Essenes living among the Jewish population of Judaea. Pliny, who was a non-native and used sources when composing his work, simply had no awareness of other Essene settlements. Josephus and Philo, who were both Jewish, had better information. It can also be argued that as a study center Qumran would have housed a large collection of manuscripts and would have been populated mainly by males, although it is possible that a very small number of women lived there as well. Thus, to outsiders, the community would have indeed looked "celibate."⁷⁷ The dwellers at Qumran, whether they lived there permanently (a small number) or temporarily, would have adhered to a rigorous degree of purity, the same degree required for the Temple in Jerusalem.⁷⁸ If this is correct, it would be impossible for women in their childbearing years or for married women or men to reside permanently at Qumran, since those groups are periodically rendered impure by bodily flows. Thus, only men abstaining from marriage (and perhaps old women; the "Mothers"?) could reside permanently at Qumran. This would account for the disproportionate number of males in the excavated graves, but also leave space for a small percentage of women.

This proposal also solves another dilemma of Scrolls scholarship, the relationship of the Damascus Document and the Community Rule. Both docu-

⁷⁵ Stegemann, "The Qumran Essenes," 84.

⁷⁶ Stegemann, "The Qumran Essenes," 161.

⁷⁷ Qimron, "Celibacy," 288.

⁷⁸ J. Magness, "Communal Meals and Sacred Space at Qumran," in *Shaping Community: The Art and Archaeology of Monasticism* (ed. S. McNally; *BAR International Series 941*, 2001), 15–28. Magness has argued that the archaeological layout of the Qumran settlement indicates that the inhabitants organized their space into ritually pure and impure zones. She sees a parallel between the layout of Qumran and the purity regulations of the Temple Scroll, which bar the ritually impure (including menstruants) from the sacred zone of the Temple City.

uments exist in multiple copies at Qumran, legislate for a particular community, betray evidence of editing and redactional growth, and mutually influence one another, e.g. in the parallel sections of their penal codes.⁷⁹ However, there are also clear differences in the type of community for which they legislate, the most pertinent difference being that the Damascus Document legislates for women, while the Community Rule has no overt information about women. I propose that the Damascus Document is the rule for all Essenes living throughout Judaea, while the Community Rule applies only to those permanent dwellers at Qumran, who have chosen to pursue "the perfection of holiness." Thus the two documents existed side by side, because the two groups of Essenes existed at the same time. These groups would not have been separate or isolated, but in constant dialogue and communication.⁸⁰ This would account for the mutual influence of the Damascus Document and the Community Rule on one another, as evidenced by the 4Q copies of the Damascus Document penal code, and documents like the Serekh Damascus, which combines material from the Community Rule and the Damascus Document. Baumgarten points out that an "extensive pericope" from the 4QD penal code closely parallels that of 1QS. However, the 4QD penal code includes offenses such as נרן with a wife and murmuring against the Mothers, which presume the presence of women in the community. The Community Rule does not contain these offenses (either in 1QS or in the 4QS manuscripts), which points to a community without women.⁸¹ I am suggesting that Qumran housed this special Essene community.

To summarize, the Qumran documents are the library or collection of the Jewish Essenes in the late Second Temple period. The Essenes included women, and its members married, but a subgroup within the Essenes es-

⁷⁹ See Hempel, Laws, and S. Metso, *The Textual Development of the Qumran Community Rule* (Leiden: E. J. Brill, 1997).

⁸⁰ The idea that the ascetic desert community (קת) and the less ascetic communities throughout Judaea were contemporaneous is also suggested by Cross in the third revised edition of *Ancient Library at Qumran* (Minneapolis: Fortress, 1995), 186.

⁸¹ The relation between the penal codes of the Damascus Document and the Community Rule is more complex than I am able to discuss here. See J. Baumgarten, *The Damascus Document (4Q266–273)*, P. Alexander and G. Vermes, *Qumran Cave 4: XIX: Serekh Ha-Yabad and Two Related Texts in DJD XXVI* (Oxford: Clarendon Press, 1998), and C. Hempel, "The Penal Code Reconsidered," in *Legal Texts and Legal Issues. Proceedings of the Second Meeting of the International Organisation for Qumran Studies, Cambridge, 1995* (ed. M. Bernstein, F. Garcia Martinez, J. Kampen; Leiden: E. J. Brill, 1997), 337–48.

chewed marriage for purity reasons.⁸² Qumran was a study center for the Essenes, inhabited mostly by males pursuing a rigorous standard of purity and adhering to the Rule of the Community, but the majority of the Essenes lived throughout Judaea, following the regulations of the Damascus Document. This thesis allows us to place women back into the frame of Qumran studies, and resolves the question of so-called Essene “celibacy.”

⁸² Cross, *Ancient Library of Qumran*, 72, suggests that this sexual abstinence was also rooted in the rigorous rules of Holy War, to which the Essenes adhered because of their apocalyptic expectations. J. Collins notes in the same vein that the community believed that they were companions to the heavenly host, and that “sexual activity would be difficult to reconcile with the angelic life.” “Powers in Heaven: God, Gods, and Angels in the Dead Sea Scrolls,” in *Religion in the Dead Sea Scrolls* (ed. J. Collins and R. Kugler; Grand Rapids, MI: Eerdmans, 2000), 24.