

# **Women and Conversion in the Dead Sea Scrolls: Finding a Viable Marker of Intent Where There Is No Circumcision**

**Carmen Palmer**

Stetson University | cpalmer4@stetson.edu

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## **Abstract**

The matter of the circumcision of women, or more accurately, the lack thereof, is approached variably by authors in ancient Judaism. Within the Dead Sea Scrolls, both female and male enslaved gentiles may enter the “covenant of Abraham,” according to the Damascus Document (CD XII, 10–11). For the male, this entrance would mean circumcision, in light of Abraham’s circumcision on “the day of his knowledge” in CD XVI, 6, but what would this covenantal entrance entail for the enslaved woman? The present essay argues that within certain Dead Sea Scrolls (Temple Scroll and 4QDamascus fragments), the gentile enslaved woman enters through marriage and a seven-year process of timed integration. This process calls to mind the maintaining of a Hebrew enslaved woman in the seventh year upon her expressed intent to remain in service, as found in Deut 15:17. The essay proposes that for female gentile converts in the sectarian movement, this seven-year process is chosen as a marker of “conversion” because it is considered the only viable expression of her intent to turn away from idolatry, as physical circumcision is not an option for her.

## **Keywords**

Circumcision, Conversion, Enslavement, Women, Dead Sea Scrolls, Deuteronomy, Roman Law

## **1. Introduction**

The circumcision of women, or more accurately, the lack thereof, is approached variably by authors in ancient Judaism. For example, it is thought that Philo saw women as inferior to men and therefore the absence of a covenantal mark on

their bodies would be natural.<sup>1</sup> Josephus, for his part, is argued to indicate that female converts to Judaism are only “doing” like Jews due to their lack of circumcision.<sup>2</sup> As one last example, it is also unclear whether Aseneth’s conversion in Joseph and Aseneth centers on the abandonment of idols,<sup>3</sup> or, whether Aseneth’s eight-day transformation process parallels male circumcision on the eighth day after birth and is thus legitimized through that means.<sup>4</sup> What about female converts in the sectarian movement affiliated with the Dead Sea Scrolls? Both female and male enslaved gentiles enter the “covenant of Abraham,” according to the Damascus Document (CD XII, 10–11).<sup>5</sup> For the male, this entrance would mean circumcision, in light of Abraham’s circumcision on “the day of his knowledge” in CD XVI, 6, but what would this covenantal entrance entail for the enslaved woman? In order to ensure adherence to purity requirements to keep apart from gentiles, such as evidenced in CD XI, 14, regulating to keep away from gentiles on the Sabbath, some sort of transformation through conversion would be required.

The present essay argues that within certain Dead Sea Scrolls (the 11Q19 Temple Scroll and 4QDamascus fragments), the gentile enslaved woman enters through a seven-year marriage process and timed integration. This process calls to mind the maintaining of a Hebrew enslaved woman in the seventh year upon her expressed intent to remain in service, as found in Deut 15:17. The essay proposes that for female gentile converts in the sectarian movement, this seven-year process is chosen as a marker of “conversion” because it is considered the only viable expression of her intent to turn away from idolatry, as physical circumcision is not an option for her. For that same reason, in relating seven years to waiving manumission as in Deut 15, only female gentile slaves may convert, not free women.

In terms of method, the essay pursues the present question through both an assessment of examples found within the Dead Sea Scrolls in which female slaves enter the sectarian movement, as well as comparisons to other male and female enslaved individuals who make conversions or citizenship changes in materials from both ancient Judaism and Roman legislation, to see

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<sup>1</sup> Dorothy I. Sly, *Philo’s Perception of Women* (Providence, RI: Brown Judaic Studies, 2020); Shaye J. D. Cohen, “Why Aren’t Jewish Women Circumcised?,” *Gender and History* 9 (1997): 560–578.

<sup>2</sup> Daniel R. Schwartz, “Doing Like Jews or Becoming a Jew? Josephus on Women Converts to Judaism,” in *Jewish Identity in the Greco-Roman World*, ed. Jörg Frey, Daniel R. Schwartz, and Stephanie Gripentrog (Leiden; Boston: Brill, 2007), 93–109.

<sup>3</sup> For example, Judith M. Lieu, “Circumcision, Women and Salvation,” *NTS* 40 (1994): 358–370.

<sup>4</sup> Matthew Thiessen, “Aseneth’s Eight-Day Transformation as Justification for Conversion,” *JSJ* 45 (2014): 229–249.

<sup>5</sup> Unless noted otherwise, English translations of the Dead Sea Scrolls are according to Florentino García Martínez and Eibert J. C. Tigchelaar, *The Dead Sea Scrolls Study Edition*, 2 vols. (Leiden; Boston: Brill, 1997–1998).

what mechanisms and processes are effected to enable their entrance. For the essay, a general understanding of “conversion” as a transformation in elements relating to both kinship and culture is entertained. In other words, “conversion” is not regarded as solely a “religious” affair, but, especially where the sectarian movement affiliated with the Dead Sea Scrolls is concerned, entails a change in identity components relating to kinship, culture (including “religious practice”), and connection to land.<sup>6</sup> In terms of outline, the essay opens with a brief expansion of the examples named above that offer a comparative lens regarding views toward women and their uncircumcision. Then it moves into examples from the Temple Scroll and 4QD fragments regarding the female captive woman. Her period of timed integration will be compared to that of the male slave in rabbinic literature to establish a rationale for Deuteronomy 15 as a scriptural antecedent for the female enslaved woman. The essay will then consider as a point of comparison Roman freedwomen who gain citizenship and what lingering sentiments or duties remain, prior to drawing final conclusions.

## 2. The Presence and Absence of Circumcision: An Overview

We will start with a brief expansion of the “problem” of a woman’s uncircumcision in light of the requirement for a Jewish male’s circumcision, as viewed within the work of Philo, Josephus, and the pseudepigraphical book *Joseph and Aseneth*. While not suggesting that circumcision, or, even more specifically, eighth-day circumcision (per Gen 17:12), was universally upheld among Jewish circles within ancient Judaism, nevertheless, its requirement in general seems to have been the dominant perspective.<sup>7</sup>

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<sup>6</sup> For a summary of scholarship on conversion as a change in full identity within the ancient Mediterranean more broadly and the sectarian movement affiliated with the Dead Sea Scrolls more specifically, see Carmen Palmer, *Converts in the Dead Sea Scrolls: The Gêr and Mutable Ethnicity*, STDJ 126 (Leiden; Boston: Brill, 2018), Section 1.2.2, 23–31.

<sup>7</sup> For example, that Antiochus IV would ban circumcision (1 Macc 1:48) indicates its perception as a normative practice within Judaism. Later Constantinian Roman legislation, too, indicates the ongoing affiliation of Jewish tradition with circumcision, by creating legislation that would make it unfavorable to circumcise a non-Jewish enslaved individual (upon circumcision, the enslaved individual would go free; another rule indicates capital punishment of the owner who circumcises a non-Jewish slave). See Amnon Linder, *The Jews in Roman Imperial Legislation* (Detroit: Wayne State University Press, 1987), 147–151, esp. nos. 10 and 11. One may also consider forced circumcisions in 1 Macc 2:46, though the ultimate motivation may not be for cultic reasons. See Steven Weitzman, “Forced Circumcision and the Shifting Role of Gentiles in Hasmonean Ideology,” *HTR* 92 (1999): 37–59. Whether a gentile man can circumcise or not to convert is an entirely different question relating to stringency regarding the requirement of eighth-day circumcision. For an overview of perceptions within the Dead Sea Scrolls, Jubilees, Philo, and the writings of Paul on the topic of circumcision regulations and the permission or prohibition of adult male circumcisions, see Carmen Palmer,

Where Philo is concerned, while circumcision of the heart is also necessary and required of male converts (*QE* 2.2), physical circumcision is also required, as evidenced in *Migr.* 92:

[N]or because the rite of circumcision is an emblem of the excision of pleasures and of all the passions, and of the destruction of that impious opinion, according to which the mind has imagined itself to be by itself competent to produce offspring, does it follow that we are to annul the law which has been enacted about circumcision.<sup>8</sup>

General scholarly opinion finds in favor of the view that Philo considers physical circumcision to be a necessary act upon entrance into Judaism.<sup>9</sup> Maren Niehoff establishes that for Philo, according to *QG* 3.46, the mind is male, and circumcision of the heart is metaphorical and of the mind. Arguably, then, women can achieve neither physical nor spiritual circumcision, that is, circumcision of the heart. Philo argues that physical circumcision serves as “a symbol of the excision of the pleasures which delude the mind” (*Spec.* 1.9), and Shaye Cohen calls attention to the fact that Philo believes men need their mind-deluding lust to be checked more so than women, according to *QG* 3.47, which is why only men receive physical circumcision. That said, Cohen argues that for Philo, nevertheless, “both males and females need the *lesson* [emphasis added] taught by circumcision,” implying the need to curb lust and pride.<sup>10</sup> Cohen suggests this lesson would be that thing called “spiritual circumcision” by Christians.<sup>11</sup> It is not clear if Cohen distinguishes this spiritual circumcision from something similar to that circumcision of the heart, described by Philo in *QG* 3.48. Either way, I would argue that in light of Niehoff’s framework, women, having neither a male mind nor a male part, simply do not need (and cannot achieve) circumcision of any sort. This conclusion fits hand-in-hand with

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“Circumcision of the Heart in the Dead Sea Scrolls and in the Second Temple Period: Spiritual, Moral, and Ethnic,” in *Dead Sea Scrolls, Revise and Repeat: New Methods and Perspectives*, ed. Carmen Palmer, et al., *EJL* 52 (Atlanta, GA: SBL Press, 2020), 327–351.

<sup>8</sup> English translations from Philo are according to C. D. Yonge, trans., *The Works of Philo: Complete and Unabridged* (Peabody, MA: Hendrickson, 1993).

<sup>9</sup> For example, Maren R. Niehoff, “Circumcision as a Marker of Identity: Philo, Origen and the Rabbis on Gen 17:1–14,” *JSQ* 10 (2003): 89–123 esp. 101; John J. Collins, “A Symbol of Otherness: Circumcision and Salvation in the First Century,” in *To See Ourselves as Others See Us”: Christians, Jews, “Others” in Late Antiquity*, ed. Jacob Neusner and Ernest S. Frerichs, Literary editor Caroline McCracken-Flesher (Chico, CA: Scholars Press, 1985), 163–186 esp. 173–174. For a brief overview of this view that where Philo is concerned, physical circumcision (in addition to the circumcision of the heart, not discussed above) is required, see Palmer, “Circumcision of the Heart,” 341.

<sup>10</sup> Cohen, “Jewish Women,” 565.

<sup>11</sup> Cohen, “Jewish Women,” 565.

Dorothy Sly's conclusion that for Philo, a woman's "spiritual growth" was a moot point in that her function is to serve a man's ends.<sup>12</sup>

Nevertheless, it should be noted that due to this non-necessity for male circumcision, it appears a woman can convert, based on Philo's rendering of Tamar. Here, her conversion is made possible through marriage to an Israelite man, along with idol repudiation, in *Virt.* 220–222:

This nobleness has been an object of desire not only to God-loving men, but likewise to women, who have discarded the ignorance in which they have been bred up, which taught them to honour, as deities, creatures made with hands, ... for Tamar was a woman from Syria Palestina, who had been bred up in her own native city, which was devoted to the worship of many gods, being full of statues, and images, and, in short, of idols of every kind and description. ... [S]he then, at the risk of her life, exerted all her energies to arrive at piety ... and yet she, having married two wicked brothers in turn, ... in the case of the first husband not having left any family, but nevertheless, having preserved her own life free from all stain, was able to attain to that fair reputation which falls to the lot of the good.

The text seems to indicate that the first marriage enabled her to preserve her life "free from all stain." The reference to idols, too, highlights that in addition to marriage, her own deeds also had to align with those required to arrive at "piety," as well.

Where Josephus is concerned, again, circumcision is regarded a necessary step for men to become Jewish: the Roman Metilius judaizes "as far as circumcision" (*B.J.* 2.454).<sup>13</sup> What does Josephus think about women converts and their uncircumcision? Daniel Schwartz makes the case that for the accounts of possible converts Fulvia (*A.J.* 18.82), Helena (*A.J.* 20.34–35), and the women of Damascus (*B.J.* 2.560), Josephus words the accounts so that the women are described to *do* Jewish regulations, to fear God, and to be drawn to the Jewish cult, respectively, but never to *become* Jewish.<sup>14</sup> For example, in *A.J.* 20.34, Schwartz observes that Josephus describes Helena and other women fearing God like (as, ὡς) the Jews.<sup>15</sup> Meanwhile, men, who can circumcise, can become

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<sup>12</sup> Sly, *Philo's Perception of Women*, 223.

<sup>13</sup> Cohen argues that this passage clarifies the point of conversion as opposed to adherence. See Shaye J. D. Cohen, "Respect for Judaism by Gentiles According to Josephus," *HTR* 80 (1987): 409–430 esp. 427. The citation here is from Cohen.

<sup>14</sup> Schwartz, "Doing Like Jews or Becoming a Jew?," 96–98.

<sup>15</sup> Here, Schwartz, "Doing Like Jews or Becoming a Jew?," 97.

Jews, such as Helena's own son in *A.J.* 20.38.<sup>16</sup> Schwartz concludes that for Josephus, circumcision marks a real change in a person such that he can "become" (drawing on the verb "to be," here, εἶναι) Jewish. As women cannot be circumcised, they cannot make this full transformation.<sup>17</sup> Even if one does not take this argument as far as Schwartz, it certainly seems that women are at a disadvantage from a clear qualifier between Godfearer and Jew.

As one final example in which we find both articulations of the requirement of male circumcision in addition to views (even if not explicit) toward women converts and their uncircumcision, we turn to the text of Joseph and Aseneth. While this text is fictive, nevertheless, it may convey relevant sentiments held about circumcision and the necessity for its symbolic, eighth-day representation. In this text, Aseneth the Egyptian undergoes a conversion whereby after seven days of repenting with ashes and fasting, on the eighth day, a heavenly man arrives and causes Aseneth to eat honeycomb, and she is transformed (*Jos. Asen.* 11–18). We know that she has undergone a fundamental conversion: whereas eight days ago, Joseph would not kiss Aseneth, as at that time, she would use her mouth to bless idols (*Jos. Asen.* 8:5–6), now, Joseph will kiss her (*Jos. Asen.* 19:10–11). Matthew Thiessen makes the observation that Aseneth's eight-day conversion process parallels and evokes the circumcision requirement of the Jewish male infant on the eighth day after birth, according to *Gen* 17:14 LXX.<sup>18</sup> Thus, while other elements such as idol repudiation and consumption of honeycomb seem to play a part in the conversion as well,<sup>19</sup> the actual process of eight days seems significant, too.

These three examples highlight different ways that texts and authors dealt with the issue of a woman's uncircumcision, whether it be to conclude that a woman, having neither a male mind nor a male part, cannot and need not entertain male physical circumcision for conversion, or that a woman simply cannot fully transform and convert due to her inability to circumcise, or finally, that a woman must have something that symbolically mirrors eighth-day circumcision for conversion, such as an eight-day period of repentance and transformation. From this point of departure, let us investigate how the Dead Sea Scrolls deal with the matter regarding female converts to Judaism and their uncircumcision.

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<sup>16</sup> Schwartz, "Doing Like Jews or Becoming a Jew?," 98.

<sup>17</sup> See esp. Schwartz, "Doing Like Jews or Becoming a Jew?," 99, 107–108.

<sup>18</sup> See esp. Thiessen, "Aseneth's Eight-Day Transformation," 236–239.

<sup>19</sup> This comment refers to examinations that may or may not use the term conversion, though they describe a transformation process for Aseneth. For example, Lieu, "Circumcision, Women and Salvation," 365; Anthea E. Portier-Young, "Sweet Mercy Metropolis: Interpreting Aseneth's Honeycomb," *JSP* 14 (2005): 133–157.

### 3. Circumcision, Abrahamic Covenant, and Alternatives for Women in the Dead Sea Scrolls

First, one should note that it appears that circumcision is required of sectarian members affiliated with the Dead Sea Scrolls.<sup>20</sup> As we saw above, CD XVI, 4–6 describes Abraham circumcising on the day of his knowing, reworking Gen 17:9–14. We also find a Damascus fragment (4Q266, Frag. 6, II, 6) that describes the regulation for a male child to undergo circumcision on the eighth day after birth, according to Lev 12.<sup>21</sup> Despite this fragment’s specification of infancy, it does seem that for at least the stream of the sectarian movement that followed the Damascus Document, adult male circumcision was nevertheless also permitted, in accordance with CD XII, 10–11, which calls for the male and female slave to enter into the covenant of Abraham. Based on the Damascus Document’s own allusion to Abraham and his circumcision, it seems that an understanding of circumcision is paired with the phrase “covenant of Abraham.” In this sense, then, it appears that some sort of process that either mirrors or replaces male circumcision is required for a female slave’s entrance into this covenant. To that end, we will look at two passages that report such incidents.

#### 3.1 11Q19 Temple Scroll LXIII, 10–15

Whether intended as a descriptor of current realities or idealized rendition to counter current conditions,<sup>22</sup> the Temple Scroll’s reworking of the case of the beautiful female captive in Deut 21:10–14 is nevertheless revealing as to a gentile enslaved woman’s process of conversion into the sectarian movement, when circumcision is not available to her. Deut 21:10–14 describes the process whereby a female captive woman is taken in, goes through a month-long purification process, and becomes the captor’s wife:

When you go out to war against your enemies, and the Lord  
your God hands them over to you and you take them captive,  
11 suppose you see among the captives a beautiful woman

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<sup>20</sup> Sandra Jacobs has argued that circumcision is not a requirement for sectarian members. See Sandra Jacobs, “Expendable Signs: The Covenant of the Rainbow and Circumcision at Qumran,” in *The Dead Sea Scrolls in Context: Integrating the Dead Sea Scrolls in the Study of Ancient Texts, Languages, and Cultures*, vol. 140/2, ed. Armin Lange, Emanuel Tov, and Matthias Weigold; in association with Bennie H. Reynolds III, VTSup (Leiden; Boston: Brill, 2011), 563–575.

<sup>21</sup> See Palmer, *Converts*, 146–147.

<sup>22</sup> Lawrence Schiffman suggests that the Temple Scroll is a polemic against the current order under Hyrcanus. See Lawrence Schiffman, “The Temple Scroll and the Nature of Its Law: The Status of the Question,” in *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls*, ed. Eugene Ulrich and James VanderKam (Notre Dame: University of Notre Dame Press, 1994), 37–55 esp. 49–51.

(אשת יפת תואר) whom you desire and want to marry, 12 and so you bring her home to your house: she shall shave her head, pare her nails, 13 discard her captive's garb, and shall remain in your house a full month, mourning for her father and mother; after that you may go in to her and be her husband, and she shall be your wife. 14 But if you are not satisfied with her, you shall let her go free and not sell her for money. You must not treat her as a slave, since you have dishonored her.<sup>23</sup>

The narrative indicates that she has become Israelite at this point in time, evidenced by the fact that after the completion of this process, if the husband decides that he is not satisfied with this new bride, she should be released as a free person. This stipulation calls to mind Lev 25:39–46 and the prohibition against selling Israelites as enslaved individuals.

Where the Temple Scroll diverges most noticeably from the Deuteronomic account is what happens following the marriage.

When you go out to war against your enemies and I place them in your hands, and you make prisoners, 11 and you see among the prisoners a woman of beautiful appearance (אשה יפת תואר), and you desire her and you take her as a wife for yourself, 12 you shall bring her into your house, and shave her head and cut her nail/s/, and you shall remove 13 the prisoner's clothes from her. And she will live in your house, and she will weep for her father and her mother a full month. 14 Afterwards you shall enter her, /and/ marry her, and she will become your wife. But she may not touch your purities (טהרה) for 15 seven years, nor may she eat the peace offering (זבח שלמים) until seven years pass; afterwards she may eat. (11Q19 LXIII, 10–15)

Here, following the month of purification and marriage, the woman entertains a subsequent seven-year period of purification during which she cannot consume the pure food nor the peace offering until this period is completed. This process calls to mind a two-year period of graduated entry for male admittands into the sectarian movement, who can only consume pure food after one year and pure drink after two years:

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<sup>23</sup> English translation of the Masoretic Text is according to the NRSV. Emanuel Tov specifies that thirty-five percent of the “biblical” corpus of the Dead Sea Scrolls make use of a proto-Masoretic text, permitting the use of the Masoretic Text as a point of comparison to examples of scriptural rewriting in the Dead Sea Scrolls. See Emanuel Tov, *Textual Criticism of the Hebrew Bible*, Second Revised ed. (Minneapolis; Assen: Fortress Press; Royal Van Gorcum, 2001), 22–39, esp. 115.



When he is included in the Community council, he must not touch the pure food (טהרת) of 17 the Many until they test him about his spirit and about his deeds, until he has completed a full year; ... 20 ... He must not touch the drink (משקה) of the Many until 21 he completes a second year among the men of the Community. (1QS VI, 16–21 excerpts)

We take “pure food” to mean a kind of food consumed on special ritual occasions, and not quotidian fare.<sup>24</sup> That the woman can eat of pure food indicates her more complete entrance into the group, in addition to her consumption of peace sacrifices, to be divided according to Lev 7:11–35, among the Lord, the priests, and the children of Israel. This captive woman has truly become Israelite and entered the cultic practices of the group, qualifying as the markers of kinship and culture involved in a conversion, presumably into the “covenant of Abraham.”

Highly noticeable, of course, is the fact that her purification period endures a full seven years. This notion of seven years in the Temple Scroll is not an outlier and a one-off oddity. We find another fragmentary text within the Damascus fragments that also seems to draw on a similar time frame.

### 3.2 4Q270 Frag. 4, lines 14–16 and 4Q266 Frag. 12, lines 6–8

While fragmentary, when combined, 4Q270 Frag. 4, lines 14–16 and 4Q266 Frag. 12, lines 6–8, create the following regulation:

Regular script = 4Q270; *italics* = 4Q266; underline = overlap 4Q266 and 4Q270

13 [...*let no*] *ma*[*n*] lie with a woman

14 [...] the slave-woman who was designated (השופחה החרושה)

15 [...*seven ye*[*ars*...]] שבע שנים) he said, (you shall) not t[...]

16 [...he shall] take her or (assign her) for [his] so[n...]] (י)קחנה או לב[נו])<sup>25</sup>

<sup>24</sup> Contra Hannah Harrington, who argues for this pure food to represent quotidian fare and that the Temple Scroll’s seven-year restriction is farcical. Hannah Harrington, “Intermarriage in Qumran Texts: The Legacy of Ezra–Nehemiah,” in *Mixed Marriages: Intermarriage and Group Identity in the Second Temple Period*, ed. Christian Frevel, LHBOTS 547 (London; New York: T&T Clark, 2011), 251–279, esp. 267. The fact that male admittands in 1QS VI, 17 cannot eat pure food until the completion of one year, however, in addition to the reference to a peace offering in 11Q19 LXIII, 15, suggests that this food is a special food consumed under specific ritual circumstances.

<sup>25</sup> Text and English translation for these passages from 4QD are according to Joseph M. Baumgarten, “Damascus Document,” with James. H Charlesworth, Lidija Novakovic, and Henry W. M. Rietz, in *Damascus Document II, Some Works of the Torah, and Related Documents*, in *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations*, ed. James H.

The passage combines reworkings of both Lev 19:20 and Exod 21:9. Would this enslaved woman have been regarded to be gentile or Jewish, according to the Damascus rule fragments? In terms of the passages reworked, Lev 19:20 itself is ambiguous, though rabbinic interpretation veers toward understanding the woman as gentile.<sup>26</sup> On the other hand, Exod 21:9 refers to an Israelite enslaved woman.<sup>27</sup> Finally, though, the newly added reference to seven years seems to bring the full passage in line with the Temple Scroll's regulation for the gentile captive woman. It appears that here we have again a situation whereby a female gentile enslaved woman enters into the sectarian movement through presumed marriage and a seven-year period of what one may identify as "timed integration."

Are we to consider this conclusion of seven years as a greatly multiplied corollary to the seven days a male infant must wait prior to his circumcision on the eighth day or the seven days of repentance as experienced by Aseneth? While feasible, I would suggest that something in addition is also taking place that links the element of time with expressed *intention*.

#### **4. Circumcision and Timed Integration as Mechanisms of Authentic Intention to Convert**

In the passage from the Rule of the Community (1QS) used above as comparison, at the end of the first year, the male admittand is tested about his spirit and his deeds. The implication is that time is required not only to "learn the ropes" of the particular halakic regulations to follow (his deeds) but also to gauge the newcomer's inner motivations and intent in joining (his spirit). The element of patiently awaiting the passage of time to achieve partial and then full status becomes a visible marker of the admittand's proper intent. Where the Rule of the Community is concerned, this free and autonomous individual would be Jewish and circumcised already: no circumcision is mentioned along with the tiered permissions of touching pure food and drink, indicating it is an assumed and completed expectation. The rituals of testing and timed integration, requiring waiting certain periods of time on the sidelines prior to

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Charlesworth, asst ed Henry W. M. Rietz, PTSDSSP 3 (Tübingen; Louisville: Mohr Siebeck; Westminster John Knox Press, 2006), 1–185.

<sup>26</sup> Here, see Schiffman, who outlines the opposing views of Rabbi Akiva versus Rabbi Ishmael on whether the woman is a "Canaanite handmaiden." Lawrence H. Schiffman, "Laws Pertaining to Women and Sexuality in the Early Stratum of the *Damascus Document*," in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference Held at the Israel Museum, Jerusalem (July 6–8, 2008)*, ed. Adolfo R. Roitman, Lawrence H. Schiffman, and Shani Tzoref, STDJ 93 (Leiden; Boston: Brill, 2011), 547–569, esp. 561–562.

<sup>27</sup> The Exod 21:9 allusion leads Schiffman to conclude that this enslaved woman is Israelite, not gentile. Schiffman, "Women and Sexuality in the *Damascus Document*," 561–562.

accessing pure food and drink, offer signs of intent apart from that of circumcision.

In other instances, where the matter is that of a gentile male entering, such as the male slave of CD XII, 10–11, there, circumcision would be the sign, or the final sign, of commitment and intent.<sup>28</sup> Think back on Josephus’s claims for Metilius, who Judaizes *to the point of* circumcision. This description indicates that Godfearing is one thing, and circumcision is another. To continue with this idea, in the rabbinic text b. Yebam. 48b, we find an interesting combination of both elements of circumcision and intent: purchased enslaved males are permitted twelve months to consider whether they want to be circumcised or not; if not, they are resold.

Said R. Joshua b. Levi, “He who acquires a (male) slave (עֶבֶד) from a gentile and he (the slave) does not consent (וְלֹא רָצָה) to be circumcised, he may bear with him for twelve months (כ"ב חֳדָשׁ). If not circumcised (by that time) he returns and sells him to gentiles.”<sup>29</sup>

The point is that the waiting period is somehow indicative of intent, demonstrated through time spent in contemplation and learning the ropes of what, exactly, is expected as an in-group member.

Thus, for the female enslaved woman, how will she show her intent, if not through physical circumcision? It seems that a lengthy period of waiting is part of the equation—seven years of waiting, in fact. One may question the significance of this particular amount of time. It is here that we turn to Deut 15:12–17 as a possible source of inspiration. In this passage, if a male or female slave completing a period of six years of indentured slavery decides not to be manumitted in the seventh year, they may carry on as an enslaved individual in perpetuity.

12 If a member of your community, whether a Hebrew man or a Hebrew woman, is sold to you and works for you six years, in the seventh year you shall set that person free. 13 And when you send a male slave out from you a free person, you shall not send him out empty-handed. 14 Provide liberally out of your

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<sup>28</sup> Here, no extant passages indicate whether the act is considered authentic depending on the individual’s agency in the circumcision. This leads me to imagine that circumcision alone, regardless of “agency,” is adequate when combined with proper adherence to the community’s regulations. See, for example, Katell Berthelot’s reflections on various ancient interpreters and their views regarding forced or voluntary circumcisions in Katell Berthelot, “La notion de גָּר dans les textes de Qumrân,” *RevQ* 19 (1999): 171–216, esp. 211–212, and n. 142.

<sup>29</sup> English translation is that of the present author.

flock, your threshing floor, and your wine press, thus giving to him some of the bounty with which the Lord your God has blessed you. 15 Remember that you were a slave in the land of Egypt, and the Lord your God redeemed you; for this reason I lay this command upon you today. 16 But if he says to you, “I will not go out from you,” because he loves you and your household, since he is well off with you, 17 then you shall take an awl and thrust it through his earlobe into the door, and he shall be your slave forever. You shall do the same with regard to your female slave.

In the 11Q19 Temple Scroll LXIII, it is most likely that the enslaved woman has already become Jewish at least to an initial degree, after her marriage. The marriage would function as part of the conversion, as in the case of Tamar in Philo’s reworking of Gen 38 in *Virt.* 220–222, and also the beautiful captive woman’s newfound Israelite status in Deut 21:10–14. It seems unlikely that the beautiful captive woman could have functioned on a day-to-day basis within the community, if she were deemed gentile, at least certainly if regulations within CD that caution keeping distance from gentiles on the Sabbath (CD XI, 14–15) are at all similarly adhered within the worldview of Temple Scroll authorship. Nevertheless, certainly, it is a status that is not complete. Is the extended period of seven years intended to mirror the idea that it is only in this way that she can show her intent to abandon idols? This time mirrors the occasion of the Hebrew enslaved woman naming her intent to remain.

Of course, there is another point to be made, which is that this woman does not have a choice—which is exactly part of the issue. Has she even been freed over the course of these seven years? The reference to avoiding reselling the woman as a slave from Deut 21:14 is not in evidence in the Temple Scroll reworking. If the base issue at hand is that seven years are required for any gentile woman to join, then perhaps only enslaved women can join, either because the relevant scriptural passage serving as antecedent involves an enslaved woman, or because it is only under those conditions that one would wait seven years to partake in the consumption of pure food. Or, possibly, in theory, any gentile woman could join if she agreed to wait seven years, but the instance is that no woman of free status could be guaranteed to wait such a lengthy period of time to ensure the abandonment of idols. To weigh among these possibilities, another point of comparison may be drawn.

### **5. The Additional Role of Enslavement in a Woman’s Conversion in the Dead Sea Scrolls**

To address these questions of the possible additional role or necessity of enslavement as a part of the female captive woman’s conversion, we might look to Roman tradition as a point of comparison. Yael Wilfand has observed the

manner in which certain rabbinical materials appear to mirror Roman regulations concerning concepts of membership granted upon manumission. Freedmen of Roman citizens would receive Roman citizenship after manumission: in parallel, argues Wilfand, tannaitic texts suggest that for non-Jewish slaves, upon manumission, conversion is complete. In other words, according to Wilfand, “servitude was considered an avenue for non-Jews to join Judaism.”<sup>30</sup> One could ask then, when looking at the case of the beautiful captive woman, whether a look at Roman texts may hint at the status of non-Jewish enslaved women who are taken into the movement through the initial act of marriage.

Matthew Perry has observed that according to Roman law, women slaves could be manumitted for free if the purpose of the manumission were to marry the Roman owner:

Slaves manumitted under the age of thirty should not become Roman citizens unless their manumission were *vindicta*, and upon adequate cause approved by the council. There is such adequate cause when, for instance, in the presence of the council, a man manumits his natural child, brother, or sister, or his foster-child, his children’s instructor, a slave that he means to make his procurator, or a woman-slave whom he means to marry. (Gaius, *Inst.* 1.18–19)<sup>31</sup>

In other words, she could be freed in order to become a wife, and her freedom represented both “reward” and the “foundation” for a new relationship.<sup>32</sup> Furthermore, manumission could be perceived to necessitate citizenship, as freedom, citizenship, and meritorious service became connected.<sup>33</sup> Nevertheless, there was the assumption that there was still obligation on the part of the woman, in terms of her marriage.<sup>34</sup> Her freedom was not complete.

Using this comparison, could we correlate the Roman freedwoman’s manumission and gained citizenship for the sake of marriage to the beautiful

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<sup>30</sup> Yael Wilfand, “Roman Concepts of Citizenship, and Rabbinic Approaches to the Lineage of Converts and the Integration of Their Descendants into Israel,” *JAJ* 11 (2020): 45–75, esp. 52. One might also consider here b. Hor. 13a, in which one finds that a proselyte precedes a freed slave in terms of hierarchy, implying that the freed slave is also a convert.

<sup>31</sup> English translation is according to James Muirhead and Studemund Wilhelm, *The Institutes of Gaius and Rules of Ulpian: The Former from Studemund’s Apograph of the Verona Codex* (Edinburgh; London; New York: T&T Clark, 1880), 6–7.

<sup>32</sup> Matthew J. Perry, *Gender, Manumission, and the Roman Freedwoman* (Cambridge: Cambridge University Press, 2014), 54.

<sup>33</sup> Perry, *Gender*, 61. Perry cites as example Cicero, *Balb.*, 24.

<sup>34</sup> Perry, *Gender*, 56.

captive woman's marriage and seven-year process leading to fuller membership, evidenced in the consumption of pure food? Could her Jewish sectarian membership correlate to Roman citizenship, and thus also imply that manumission takes effect?<sup>35</sup> Or, is the Roman freedwoman's continued expectation of obligation to her spouse the key point—that despite marriage and membership (corresponding to citizenship), she does not gain full freedom. The trouble with the case of the beautiful captive woman is that unlike manumission preceding marriage for the (soon-to-be) Roman freedwoman, marriage happens first—she is already a wife prior to full membership after a wait of seven years. In other words, manumission is not a prerequisite to marriage.

However, here we do find an interesting question to pursue—whereas the enslaved woman in Roman law becomes manumitted in order to be married, the inverse happens with the Temple Scroll's rewriting of the beautiful captive woman. It appears that she *needs* to be an enslaved woman in order to marry the community member. Indeed, the only articulation of a female gentile's conversion and entrance into the group is that of an enslaved woman. Meanwhile, 11Q19 Temple Scroll LVII, 15–17 articulates a prohibition against marriage to a (presumably free) gentile woman: “And he shall not take a wife from among all the daughters of the nations, but instead take for himself a wife from his father's house, from his father's family.” Certainly, the individual to whom the prohibition applies is the king and not an average layperson. Through the omission of an actual prohibition of a lay Israelite's marriage to a free gentile woman, could this indicate that such a marriage and conversion could be entertained? It seems unlikely, especially in light of another intertextual observation made by Hannah Harrington, this time regarding 11Q19 Temple Scroll II, 12–15.<sup>36</sup> This passage warns against idol worship arising from marriage to a foreign spouse, in a reworking of Exod 34:15–16:

Take care not to make [a covenant with the occupants of] 13 [the land, they whore] after [their] go[ds and] make sacrifices to t[hem, lest they entice] 14 [you and you eat (part) of their sacrifices and acc]ept [their daughters for your sons,] 15 [and their daughters will whore after their gods.... (11Q19 II, 12–15)

It appears that only an enslaved gentile woman may marry and enter the

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<sup>35</sup> Here again we may consider the close rapport between “citizenship” and “sectarian membership,” when thinking of conversion as a kind of change in “citizenship” that comprises all aspects of an individual's ethnicity, meaning the individual's full identity, including elements of homeland, sacred texts, and customs, in other words, concepts of kinship and culture. See Steve Mason, “Jews, Judaeans, Judaizing, Judaism: Problems of Categorization in Ancient History,” *JSJ* 38 (2007): 457–512, esp. 491–492.

<sup>36</sup> Harrington, “Intermarriage,” 266.

movement as a kind of “convert.” In the case of a woman, she must literally be a gentile slave in order to enter the movement, mirroring the fact that it is through an ongoing enslaved status that the woman of Deut 15:17 shows her intent to remain. And what about after her marriage? Does she attain freedom, then? Here, in the hopes of finding an answer, we should turn again to the unusual duration of seven years required prior to eating the community’s pure food. It seems that we have two possibilities: as a first possibility, she is freed in the seventh year, as in Deut 15:12, but with the ongoing “expectation” of service, as with the Roman freedwoman. This outcome would sit well with Lev 25:39’s requirement that Israelites may not keep fellow Israelites as slaves. As she is fully converted, and this conversion includes a change in kinship, she has become Israelite and could be in contravention of the requirement of Lev 25:39 if not freed.

As a second possibility, she decides not to be manumitted in the seventh year and instead decides to carry on as an enslaved individual in perpetuity, as in Deut 15:16–17. In this regard, Deut 15:16–17 seems to counter Lev 25:39, making the ongoing enslavement now a possibility due to her “intent” to join. Furthermore, we recall that 11Q19 Temple Scroll LVII prohibited marriage to a free gentile woman, thus excluding free female converts in general.

If so, it appears that a gentile woman must be enslaved in order to enter the movement as a convert, and is either manumitted but with the understanding of ongoing service obligation, or offers express intent to join through “waiving” her right to manumission. For the female convert, her servitude is ongoing and literal.

## **6. Conclusions and Thoughts for Ongoing Exploration**

We draw this essay to a close by circling back to where we began and compare the manner in which the Dead Sea Scroll passages from the Temple Scroll and Damascus Document fragments respond to gentile women entering the community and their uncircumcision with those other texts we assessed briefly.

In the case of Philo women are not capable of spiritual growth and, therefore, have no need for circumcision. In this case, a notion of spiritual growth and development is connected to the act of circumcision. Nevertheless, women can convert through marriage and idol repudiation, which also requires a kind of cultic decision-making. Philo thus seems conflicted on the matter. Where Josephus is concerned, a woman’s uncircumcision means that she can act like a Jew, but cannot become Jewish. Here, too, she can follow the laws, but that alone is not enough. In the case of Joseph and Aseneth, Aseneth can indeed convert, as readily available to her are both the ability to integrate correct practices, and also the ability to have an inner transformation, through a sort of symbolic circumcision, expressed in eight days of repentance and reflection.

Where does that leave women converts of the Dead Sea movement? First, it seems that no mechanism is available to free, gentile women. However,

certain enslaved women will enter the community, and purity regulations necessitate some sort of mechanism for their conversion, despite their uncircumcision. One constant across the board is that simply repudiating idols and following laws is not enough on their own to constitute a gentile woman's conversion. However, for the Dead Sea movement, neither is marriage combined with following the laws adequate, as it appears to be for Philo. There must be a way for the woman to show her intent, or, said differently, to have her spirit be examined, to borrow the language from the Rule of the Community. This intent is demonstrated through marriage and a subsequent period of waiting seven years prior to consuming the community's pure food, mirroring the account in Deut 15 of the seven years an enslaved Hebrew woman endures prior to waiving away her manumission forever if she so chooses. A comparison to the case in Roman law of the marriage of a female slave to her owner serves as a further argument that the woman of the Temple Scroll remains enslaved: unlike her Roman counterpart, she is not freed prior to marriage. In this regard, the moment at which full membership of the beautiful captive woman is granted is a true contradiction: she has gained cultic freedoms, or freedoms of the "spirit," as a full member and convert, but also, she remains, seemingly, an enslaved woman forever.