ON THE TESTIMONY OF WOMEN IN 1QSa

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In his recent Reclaiming the Dead Sea Scrolls,¹ L. Schiffman has a chapter entitled “Women in the Scrolls” which deals, inter alia, with the apparently problematic passage in 1QSa 1:11:

The text appears to mean: “and then (or: accordingly) she shall be received to attest the precepts of the torah against/concerning him and to take her place in hearing judgments.” Schiffman comments: “It would be attractive for our argument to be able to claim that women even testified in the sectarian legal system. However, then we would have a text allowing women to testify about one and only one thing: the conduct of their husbands. Imagine what marriages this would have made! Clearly the text has been corrupted through scribal error and must be emended (substituting yqbl for tqbl and ‘lpy for ‘lyw) to read: ‘And at that time he shall be received to testify in accordance with the laws of the Torah’ and to take [his] place in hearing judgments. Those familiar with how limited women’s roles were in ancient Jewish and general legal proceedings would understand why this emendation makes more sense.”²

¹ Lawrence H. Schiffman, Reclaiming the Dead Sea Scrolls (Philadelphia and Jerusalem: Jewish Publication Society, 1994) 127-43. For the more detailed treatment on which his discussion is based see his Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code (Chico: Scholars Press, 1983) and The Eschatological Community of the Dead Sea Scrolls: A Study of the Rule of the Congregation (SBLMS 38; Atlanta: Scholars Press, 1989).
² Reclaiming, 134-5.
This treatment of an ancient text is methodologically dubious. First, imagining what marriages this sort of ruling might have made is a poor argument against simply reading from ancient texts what actually has been set down and then attempting to understand it. Second, textual corruption is not “clear” unless the text makes no grammatical or syntactic sense otherwise. Where the text does make sense, emendation is hazardous. It is not adequate to claim support for an emendation purely on the grounds that the text then says what you think it should. Third, the emendation proposed is hardly to be ascribed to a “scribal error.” Conceivably a scribe might err in writing a taw for a yod, though it is not clear why such a slip should be made. But to compound this by continuing to write instead of פֶּלֶךְ לְפִתָּחֵי does not look like a scribal error. If the text had been deliberately altered, then the present reading, of course, has to stand as what was ultimately intended. Finally, to appeal to “how limited women’s roles were” is to imply not only that we know enough about women in the ancient world to be able to pontificate about what they may or may not have been allowed to do in individual cases, but also to deny the possibility that women’s roles must always conform to some reconstructed cultural norm.

This is an inadequate way to deal with ancient texts that appear to challenge scholarly conceptions. Our approach is rather to accept what this statement says (with a number of earlier scholars) and to explain the reasoning behind it on the basis of other relevant texts. If we can provide a plausible account of the text, there seems no further cause to suspect the reading. What is more, we shall have added to our understanding of the ideology behind the legal stipulations in 1QSa.

In the editio princeps, D. Barthélemy had already noted the peculiarity of the ruling about women’s testimony, but suggested that in a time when the influence of Hellenism was felt, the more traditional and zealous women were charged with keeping an eye on the fidelity of their husbands. However, it is not obvious that marital fidelity is the issue here, for whether in such cases the wife would be in a position

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3 Even though, as Schiffman points out, there are problems with the script of this line, such a phenomenon does not automatically justify changing what is written.
4 A clear example of a scribal error is actually presented in the quotation: there is no Hebrew word פֶּלֶךְ! Rather, Schiffman must have intended פֶּלֶךְ, as his predecessor Baumgarten proposed (see below).