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WAS JESUS ILLEGITIMATE?
THE EVIDENCE OF HIS SOCIAL INTERACTIONS

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ABSTRACT

This article examines the social status of the historical Jesus in relation to recent studies that place Jesus into the social category of an illegitimate child. After surveying the evidence with respect to the situation of such individuals in first-century Mediterranean and Jewish society, we shall proceed to examine whether Jesus' implied social status (as evidenced by accounts of his adult social interactions) coheres with what one would expect in the case of someone who bore the stigma of that status. Our study suggests that the scandal caused by Jesus' association with the marginalized clearly implies that he did not himself fall into that category.

Key words: adultery, birth and infancy narratives, Celsus, family of Jesus, historical Jesus, illegitimacy, Joseph, labeling, *mamzer*, marginalization, Mary, reputation, social status, son of David

The topic of Jesus' illegitimacy has become the focus of much attention in recent years, including more than one book-length study. The coincidence of the existence of accusations of illegitimacy in relatively early anti-Christian polemic, and the earliest Christian descriptions of the birth of Jesus as involving something out of the ordinary, lends a certain immediate plausibility to this viewpoint. Furthermore, the close proximity of Nazareth to Sepphoris, and the fact that Roman soldiers swept through the area around the time Jesus is thought to have been born, raises rape not just as a theoretical but as a historical possibility.¹ On the other hand, readers of this article may have been recipients at some point in their life of insults that impugned the honor of their mothers and the legitimacy of their birth, without those insults being either true or based on

1. Marianne Sawicki, *Crossing Galilee* (Harrisburg, PA: Trinity Press International, 2000), pp. 192-94; Robert J. Miller, *Born Divine* (Santa Rosa, CA: Polebridge Press, 2003), pp. 220-21.

some knowledge of irregularity with regard to their parentage. For this reason, investigations of this topic require a methodological approach capable of distinguishing between mere invective and genuine allegations.

Many discussions of the social status of Jesus and the question of his legitimacy begin with the infancy narratives, which assert outright that Jesus was *not* the son of his purported father, Joseph. This seems problematic, however, for several reasons. First, if one considers the Greco-Roman stories about divinely-conceived emperors and heroes, such claims were not always felt to be incompatible with the individual in question being the legitimate son of his father (although sometimes they were). The fact that the Gospels that include birth stories also provide genealogies should give us pause. Second, and more importantly, the infancy stories are problematic (to say the least) from a historical perspective. For this reason, a preferable approach would be to consider the implicit social status and standing of Jesus based on details found in plausible accounts of events in his *adult* life. The adult life of Jesus is far more readily accessible to the tools of historical inquiry than his infancy, much less his conception. Because of the stigma associated with illegitimacy, we should be able to ascertain from stories about his adult social interactions what his social status was, and thus whether he is likely to have had a reputation that was tarnished in this way. Scot McKnight is right to suggest that both logic and social-scientific data direct us towards the conclusion that *if* Jesus was of questionable birth, *then* his social status as an adult would be affected.² But clearly the best way to proceed is from the certain to the uncertain. The infancy stories are highly mythologized, and certain passages that are at times taken as implying illegitimacy may be capable of other interpretations. The way to proceed, then, is to begin with Jesus' adult interactions, inasmuch as we have reliable information about them, and on that basis to determine the implied social status he had. Any other procedure is likely to allow predetermined hypotheses to skew the data one way or the other.

Bruce Chilton is to be appreciated for bringing the rabbinic *mamzer* material to our attention in this context, and for showing how one might creatively use such ancient categories of social status to elucidate the Jesus tradition.³ The rabbinic definition of a *mamzer* appears to have included not only those born out of wedlock (and thus corresponding to modern terminology of illegitimacy), but also those born of mixed or prohibited marriages (and thus also overlapping

2. Scot McKnight, 'Calling Jesus Mamzer', *Journal for the Study of the Historical Jesus* 1.1 (2003), pp. 73-103 (here p. 98).

3. Bruce Chilton, 'Jésus, le mamzer (Mt 1.18)', *NTS* 46 (2000), pp. 222-27; *idem*, *Rabbi Jesus* (New York: Doubleday, 2000), pp. 5-22; see also his online article 'The Mamzer Jesus and His Birth', http://www.bibleinterp.com/articles/Chilton_Mamzer_Jesus_Birth.htm.

with the ancient Greek category of *nothos*).⁴ In evaluating current scholarship on the birth and pedigree of Jesus, it is certainly important to broaden our consideration so as to reflect the categories of that time. Nevertheless, our primary focus in this study is on the question of whether Jesus was thought to have been a *mamzer* in the more restricted sense in which it was often used, in reference to someone who was either conceived out of wedlock, or the son of someone other than his mother's husband, with all the implications this would have had for that individual's standing in society.

Before we can ask whether Jesus had the social status of someone of illegitimate birth, we must ask what the status of such individuals was in that historical and cultural setting, and indeed whether we know enough to be able to make a clear determination. Although there has been some debate on this subject, with a few suggesting that *mamzers* were affected only by restrictions on their marital eligibility, in the context of this ancient Mediterranean honor–shame culture, it seems inevitable that one's social status would be affected more generally.⁵ But just *how much* was their status affected? Is Bar-Ilan correct when she writes: 'Mamzerim inhabited the fringe of this society, for they did not meet the social criteria for full-fledged membership'?⁶

What evidence there is suggests that, while some rabbis in the post-70 period may have preferred leniency in the application of the laws regarding such cases, there is a consistent set of evidence indicating that stigma and dishonor were associated with being illegitimate or of uncertain birth. Evidence that the social status, honor, and thus participation in everyday life of such individuals was affected can be seen, for example, in Origen, *Contra Celsus* 1.32-33; Wis. Sol. 3.16-19; 4.3-6; Sirach 23.22-26; Midrash Rabbah–Leviticus 32.7.⁷ The first of the aforementioned passages reads:

But children of adulterers will not come to maturity, and the offspring of an unlawful union will perish. Even if they live long they will be held of no account, and finally their old age will be without honor. If they die young, they will have no hope and no consolation in the day of decision. For the end of an unrighteous generation is grievous (Wis. Sol. 3.16-19).

The other passages mentioned similarly indicate that shame and dishonor were attached to the children born of such adulterous unions. Bar-Ilan concludes

4. See further Elaine Adler Goodfriend's article 'Adultery' in the *Anchor Bible Dictionary*. On Greek *nothoi* see Daniel Ogden, *Greek Bastardy in the Classical and Hellenistic Periods* (Oxford: Clarendon Press, 1996); also Mary Ebbott, *Imagining Illegitimacy in Classical Greek Literature* (Lanham, MD: Lexington Books, 2003).

5. Cf. McKnight, 'Calling Jesus Mamzer', p. 87, and his interaction with Schereschewsky on this topic.

6. Meir Bar-Ilan, 'The Attitude towards *Mamzerim* in Jewish Society in Antiquity', *Jewish History* 14 (2000), pp. 125-70 (here p. 125).

7. See also *b. Yeb.* 78b; *b. Ket.* 14b.

in light of the rabbinic evidence that *mamzerim* were socially ostracized, while Jeremias goes further still and says that *mamzerim* were 'the excrement of the community'.⁸ Yet he also rightly observes that we have next to no information specifically about those whose father was unknown, although one may presume that in many cases of adultery or suspected adultery the identity of the father was unknown.⁹ It thus seems clear that there were, *at the very least*, prohibitions regarding such individuals marrying, since they could be children of Gentiles or inadvertently marry a close relative. The rabbinic literature, however, goes beyond that, to the point of suggesting that people would whitewash the homes or shave the heads of *mamzerim*.

An obvious question to ask is whether these latter statements made in rabbinic sources reflect actual practice in the community, or were idealized expressions of what at least some rabbis would have liked to see carried out in an ideal world.¹⁰ On the one hand, some details could be regarded as a statement of an ideal rather than a customary practice, and it is important to recall there were differing views among the rabbis about both the definition of a *mamzer* and the consequences.¹¹ On the other hand, the consistency of *interest* running from Deuteronomy through the Dead Sea Scrolls to the rabbinic literature suggests that such matters were of ongoing importance and interest in Jewish society over a long period, and were treated with seriousness and severity.¹²

The most frequently quoted evidence to the contrary is *m. Horayoth* 3.4, which says 'A *mamzer* who is learned takes precedence over a High Priest who

8. Bar-Ilan, 'Attitude towards *Mamzerim*', p. 139; Joachim Jeremias, *Jerusalem in the Time of Jesus* (London: SCM Press, 1969), p. 337. Bar-Ilan draws attention to *m. Kidushin* 4.1, which specifies that '[c]onverted, liberated slaves, mamzer, netini, shetoki, and asufi are all permitted to intermarry' (p. 128). While she is certainly correct that this Mishnah, like the later Talmudic and other sources, presents an idealized and 'mythologized' account, it nevertheless seems to indicate an ideal held in prior generations, although it is impossible to determine precisely how early and how widely this viewpoint was found. It nevertheless seems highly probable that a marriage prohibition was the custom, if not indeed the law, in the time of Jesus.

9. Jeremias, *Jerusalem in the Time of Jesus*, p. 343. On the need to avenge the dishonor in such cases, see Bruce Malina, *Windows on the World of Jesus* (Louisville, KY: Westminster John Knox, 1993), pp. 11-12.

10. The rabbis engaged in this discussion appear to be the first to attempt to turn this word from Deuteronomy into a very specific legal category (see McKnight, 'Calling Jesus Mamzer', pp. 89ff.). The mention of rabbis such as Akiba in no way guarantees that these categories authentically go back to such figures. McKnight (pp. 84-85) notes the need to avoid simply assuming that the rabbinic definition of *mamzer* was universally accepted and applied, or conversely, to avoid simply assuming that it wasn't.

11. Bar-Ilan, 'Attitude towards *Mamzerim*', e.g. p. 133.

12. On the likely exclusion of *mamzerim* from the Qumran community see Bar-Ilan 'Attitude towards Mamzerim', pp. 133-34. On legendary claims that *mamzerim* were excluded from entering Jerusalem and from learning Torah, see pp. 134-35.

is an *ignoramus*' (see also *t. Horayoth* 2.6). But this saying must be counter-balanced with the statements that a *mamzer* is not allowed to study Torah. In view of the contradiction, the simplest solution is to regard the statement in *m. Horayoth* 3.4 as simply hyperbolic—learning matters more than having even the highest possible status and ritual purity. However, this hyperbolic saying does not negate the wealth of material suggesting that rabbis *did* consider ritual status important, and thus the saying cannot be taken at face value as reflecting actual practice. To put it another way, this statement in *m. Horayoth* 3.4 seems intended to insult *ignoramus* high priests, rather than to emancipate *mamzers*.

Bar-Ilan summarizes her understanding of the situation of the *mamzer* as follows: 'In antiquity mamzerim were segregated from birth from the general Jewish society in many areas: dwellings, studies, marriage, etc. Society saw these people as outcasts because of the sin of their parents: consequently mamzerim could not be integrated in society in any way'.¹³ A comparative survey of honor–shame cultures over a vast range of geography and history would turn up consistently similar results. This being the case, it would seem safe to conclude that being a *mamzer* would have an impact on one's adult life. It is these 'symptoms' of mamzerhood that we should look for in stories about Jesus' adult life. We shall argue in what follows that some aspects of the *mamzer* status Chilton attributes to Jesus appear to be at odds with things that Jesus is said to do in the Gospels (and in Chilton's own book as well).¹⁴ We shall also have reason to question the appropriateness of the term *mamzer* as a designation of the precise situation Chilton envisages with respect to the parentage of Jesus.

Before proceeding further, however, we need to ask whether one could escape one's status by simply moving to a new geographical area. In many societies today one can simply uproot oneself, move to a large city and 'blend into the

13. Bar-Ilan, 'Attitude towards Mamzerim', p. 144. The increasing tendency to be more lenient she attributes primarily to factors of the post-70 period.

14. It is important in this context to consider the cross-cultural social-scientific data available on shamans and healers and their social status. Honor (whether acquired or achieved) resulting from one's reputation as a healer is but one aspect of status, and would not automatically counteract other negative elements of one's social standing. The attempt of someone to gain honor through healings and exorcisms could be countered by labeling the person as demon possessed or a practitioner of black magic, as indeed was done to Jesus by opponents. In other words, Jesus' reputation as miracle worker could boost his status for a particular group or movement, or even in society as a whole, but to the extent that it puts him in competition for honor with others, one would still expect any issues relating to his hereditary status to surface. At any rate, the reactions to Jesus' interaction with outcasts seems to presuppose a crossing of the line of his inherited honor, rather than of honor acquired through his status as a healer. On this subject see further Jerome Neyrey's article 'Miracles, in Other Words', <http://www.nd.edu/~jneyrey1/miracles.html>, especially section 5.2; Stanley C. Krippner, 'Conflicting Perspectives on Shamans and Shamanism', http://www.stanleykrippner.com/papers/conflicting_perspectives.htm.

crowd'. The evidence we have regarding the ancient world, and modern cultures that are similar, suggest that anonymity was not possible unless one wanted to simply disappear and enter the absolutely lowest classes of society—in other words, one could move, but it would not aid one's social status. Normally, geographical relocation involved reliance on a network of family, friends and acquaintances.¹⁵ If someone arrived whose family background was unknown, people would have assumed the worst; and without some connection to a network of relationships, one could not do much. In all likelihood, however, in any major city that one might go to, there would be someone connected to one's hometown. Had Jesus disappeared into the crowd as a young boy in Jerusalem, as Chilton suggests, he would have become a street urchin.¹⁶ Had he done this as an adult, he would have either become a homeless itinerant nobody, or he would have made use of acquaintances and people from his native region in the city in order to get by, and thus would not have been able to remain anonymous.¹⁷

How does this relate to the Jesus tradition and to the *mamzer* hypothesis as put forward in particular by Chilton? According to Chilton, we are supposed to believe that Jesus moved to Capernaum, where his *mamzer* status would not be known, and yet that he faced accusations relating to his *mamzer* status as far away as Jerusalem.¹⁸ We are also asked to believe that Jesus, having fled his status in Nazareth, takes his disciples back there so that they can learn of it first hand.¹⁹ Furthermore, had Jesus run off in Jerusalem as a young boy, we can scarcely imagine the reaction in the synagogue in Nazareth being anything remotely like that depicted in Mark 6 and parallels. Discipline of rebellious wayward children in this cultural context was a communal matter and not merely a personal or familial one.²⁰ In short, one could not escape one's *mamzer* status by moving, and this must be kept in mind in considering the hypothesis that Jesus was a *mamzer* and yet did the things described in our available sources.

15. The most familiar example to scholars of the New Testament is the practice of the apostle Paul, which appears to be typical of the time. See Wayne A. Meeks, *The First Urban Christians* (New Haven: Yale University Press, 1983), pp. 16–18, 29.

16. Chilton, *Rabbi Jesus*, pp. 32–36.

17. On status as something *visible* in a person's manners, dress and speech in ancient cities, see Gideon Sjoberg, *The Preindustrial City* (New York: Free Press, 1960), pp. 125–37. On the rarity of social mobility in such contexts see Sjoberg, pp. 138–42; Meeks, *First Urban Christians*, pp. 19–20; John E. Stambaugh and David L. Balch, *The New Testament in its Social Environment* (Philadelphia: Westminster Press, 1986), pp. 113–16; Bruce Malina, *The New Testament World* (Atlanta: John Knox, 1981), pp. 71–90.

18. Chilton, *Rabbi Jesus*, pp. 95, 121.

19. See the similar point made by McKnight, 'Calling Jesus Mamzer', p. 100.

20. See Kenneth Bailey's discussion in relation to another runaway son in his *Poet and Peasant* (Grand Rapids: Eerdmans, 1976), pp. 158–206.

Now we turn to the question of whether Jesus was in fact accused of being illegitimate. McKnight helpfully sets the *mamzer* question in the context of other accusations of deviance in the Jesus tradition, noting the social-scientific evidence regarding the potential effect of being successfully so labeled.²¹ Yet nothing is said about how the impact of labeling relates to the *actual status* of the individual in question. In other words, was it the same thing for an outcast to be labeled a deviant as for a respected member of society? In fact, the labeling Jesus received itself seems to undermine the claims found in the labels that were used. No such labeling was needed in the case of one who was already marginal, an outcast, a nobody. Honor–shame ripostes are only elicited by interactions between social equals.²² Insults between equals were common; insults at nobodies were normally unnecessary, and generally have a different character, being more dismissive than accusatory. As regards the specific label *mamzer*, the evidence suggests that calling someone a ‘bastard’ was no less common an insult in the Greco-Roman period than it is today.²³ And so being called such names really tells us nothing; it is the way a person is so maligned, and the implicit status of the person in question, that is the real issue. We shall treat the former topic (the question of name calling) only briefly, so that we may focus more attention on the latter (the question of Jesus’ implied status).

That Jesus was called names is clear. The prolonged polemic and catena of insults against Jesus attributed to his opponents seems to imply that they regarded him as someone who could not simply be ignored—he was not, in other words, a ‘nobody’. But was he ever called a ‘*mamzer*’ as far as we can tell in our early written sources? Some would say yes, and Mark 6.3 is perhaps the text most frequently so interpreted.²⁴ McKnight assumes that the designation ‘Yeshua bar Miriam’ was ‘scurrilous’.²⁵ A recent study of Greek forms of address does not

21. McKnight, ‘Calling Jesus Mamzer’, pp. 73–76.

22. See e.g. Malina, *The New Testament World*, p. 36.

23. Ebbott, *Imagining Illegitimacy*, p. 45 n. 119, notes that every hero in Greek literature has their birth called into question at some point. For the commonality of this insult across a broad range of cultures see Nicholas Ostler, *Empires of the Word* (New York: HarperCollins, 2005), p. 197 n, where it is stated that *dāsyah putrah* (meaning ‘whoreson’) was ‘one of the most routine Sanskrit insults’. Within the New Testament see John 9.34. Indeed, Bruce J. Malina and Jerome H. Neyrey, *Calling Jesus Names* (Sonoma, CA: Polebridge Press, 1988), p. 46 note that even Jesus uses this tactic in calling his opponents an ‘adulterous generation’. It is nonetheless less than straightforward to gather this data through a simple word search—then as now, people found all sorts of creative ways to insinuate illegitimacy. For ‘bastard’ as an insult (as if its offensive nature could be disputed) see for example Plutarch, *Alexander* 9.4.

24. See for example the way this is simply assumed by Chilton (*Rabbi Jesus*, p. 6).

25. McKnight, ‘Calling Jesus Mamzer’, p. 77. Ethelbert Stauffer’s article ‘Jeschu ben Mirjam’, in E. Earle Ellis and Max Wilcox (eds.), *Neotestamentica et Semitica* (Edinburgh: T&T Clark, 1969), pp. 119–28, is of little use, since it simply creates a catena of evidence from a much later period and then declares the matter of Jesus’ parents settled.

confirm this claim,²⁶ and recent work on Jewish customs seems to positively disprove it.²⁷ But even were we to concede for the sake of argument that the rabbinic dictum 'a child called by his mother's name is a *mamzer*' existed in the first century, it is to be noted that Jesus is *nowhere* formally referred to or addressed as 'Yeshua bar Miriam'. He is normally referred to as Jesus of Nazareth, using the place he was from rather than his parent for identification, as was quite common and widely acceptable. He is also at times referred to as 'the son of Joseph' or 'the son of the carpenter' in slightly later strata of the tradition.²⁸ What evidence there is indicates that it was *not* insulting to *mention* that a child was his mother's son when not using that as an official designation.²⁹ In conversation, one could easily ask a question like 'Isn't that your sister's son?' without suggesting the child in question was illegitimate. It is only phrases such as 'Isn't that Joe's wife's son?' that served as insults, since they explicitly suggest that the child in question is not the child of the husband. We have no record of precisely this form of question being asked about Jesus.

The use of 'Mary's son' in Mark 6 is capable of more than one explanation. The narrative suggests that Mary was alive and present, while Joseph may not have been. It may also be the case that Mary was better known to the people of Nazareth, perhaps because Joseph was originally from elsewhere.³⁰ It was also the norm rather than the exception for men to marry more than once, and a reference to a child's mother could at times be used to distinguish the children of the same father but different mothers.³¹ There is, of course, a church tradition

26. Eleanor Dickey, *Greek Forms of Address from Herodotus to Lucian* (Oxford: Clarendon Press, 1996), p. 52, concludes only that when a child is named as son of his mother rather than his father, 'there is usually a special reason why the father's name would be less appropriate in context'. In a wider Greek context at least, one cannot assume that addressing an individual in this way was by definition insulting.

27. Tal Ilan, "'Men Born of Women...'" (Job 14.1): The Phenomenon of Men Bearing Metronymes at the Time of Jesus', *NovT* 34 (1992), pp. 23-45.

28. The statement 'Isn't this the carpenter/carpenter's son?' suggests something about status—but what? It can be read in more than one way: (1) As indicative that the locals 'know' something about him, such as suspected illegitimacy. Yet this does not fit well—what relevance would it have to mention that his sisters/brothers are there too? (2) As simply a statement that 'this person is known to us, we watched him grow up, who does he think he is coming and teaching us?' This is the more common way of interpreting it, and it is likely to be correct, but what does it suggest about Jesus' social status? Is it implicit that Jesus' social status is *lower* than a typical teacher in the synagogue? Or is the statement simply an expression of wonder that an individual who has not trained as a teacher should speak as though he had?

29. Ilan, 'Men Born of Women', p. 45.

30. A scenario that Chilton himself entertains in *Rabbi Jesus*, pp. 8-14.

31. Harvey K. McArthur, 'Son of Mary', *NovT* 15 (1973), pp. 38-58 (here pp. 39-40), notes instances of references to a child's mother, and in each case the father seems to have had more than one wife.

which in fact says that Joseph was a widower, with Mary his second wife, in which case Jesus' brothers were technically half-brothers, the children of Joseph's prior marriage. The fact that the church tradition arose from theological motives should not cause us to ignore the possibility that it might nevertheless be correct, even if by accident. If this were to be the case, then the reference to Jesus as having siblings would assume his legitimacy, since they would be siblings via Joseph but not Mary. But even if this was not the case, it is unlikely that Jesus' siblings would be referred to in this way, or that Jesus would have a clearly recognizable trade or profession, had he been illegitimate and generally known to be such. At any rate, there are too many possible alternative reasons for the reference to him as 'Mary's son' for one to make much of it.³² The overall tenor of the crowd's comment seems to represent a complaint about Jesus' *ordinariness*, not his tainted status.³³ Their complaint, and Jesus' reply, focus on the scandal of a familiar figure speaking prophetically or authoritatively. The reaction of the crowds does not seem to relate to questioning his legitimacy.

There is also a text-critical issue. In Mark 6.3, our earliest witness P45 has the same reading as Matthew, namely 'the son of the carpenter and of Mary'. This reading is confirmed by Origen, who writes that Jesus is not called a carpenter anywhere in the Gospels. Over against these third-century witnesses we have but one fourth-century witness to the reading 'son of Mary', plus several from the fifth century. There are also much later manuscripts attesting to both readings. A good case can thus be made on the basis of manuscript evidence alone for this minority reading.³⁴ In order to decide the matter, however, other factors need to be considered, such as the more likely direction in which a change might have been made.

It seems unlikely that the reading in P45 would arise as a slip in the third century, when the doctrine of the virgin birth was well known. More plausible is the suggestion that the standard text is a result of an attempt to introduce the virgin birth into Mark's Gospel, which otherwise lacks it.³⁵ That a later scribe

32. On naming customs in this period, see Rachel Hachlili, 'Hebrew Names, Personal Names, Family Names and Nicknames of Jews in the Second Temple Period', in Jan Willem van Henten and Athalya Brenner (eds.), *Families and Family Relations as Represented in Early Judaism and Early Christianity: Texts and Fictions* (Leiden: Deo, 2000), pp. 83-115.

33. See further Miller, *Born Divine*, p. 212; Hugh Anderson, *The Gospel of Mark* (Grand Rapids: Eerdmans, 1976), p. 159.

34. Cf. Vincent Taylor, *The Gospel According to St. Mark* (London: Macmillan, 1952), p. 300. See also the balanced discussion in Morna Hooker, *The Gospel According to St Mark* (London: A&C Black, 1991), pp. 152-53, although she draws a different conclusion.

35. C.E.B. Cranfield, in *The Gospel According to St. Mark* (Cambridge: Cambridge University Press, 1959), p. 195, suggests that a change for this reason would have been 'stupid', since Jesus was Joseph's son legally even if not biologically, as Matthew and Luke themselves indicate. In defense of the plausibility of a scribal change in the direction and with the motives I

would remove the reference to Jesus as Mary's son and make him Joseph's son once the doctrine of the virgin birth was well known seems hard to believe. It is also difficult to imagine that Mark presented Jesus as being accused of being illegitimate without providing any response whatsoever to these scandalous claims.³⁶ The verse as it now stands in the majority of manuscripts should therefore be regarded as an alteration of the earliest reading attested in P45.³⁷

One major reason often given for assuming that the reference to Jesus as 'the carpenter, the son of Mary' was scandalous is the fact that Matthew changes it. This can quickly become a circular argument. The fact that both Matthew and Luke at this point mention Jesus' father can be considered evidence that Mark here originally read as P45 does. It seems hard to imagine Matthew adding the story of the virgin birth to his Gospel and then deliberately changing Mark to include a reference to Jesus as Joseph's son. Scholars who regard both of these components of Matthew's story as responses to charges of illegitimacy do not explain why Matthew would use two contradictory arguments for this purpose, when either would be more convincing on its own. Be that as it may, if Matthew *did* change Mark here, this was not necessarily because 'son of Mary' was scandalous. It may be because the trade of carpenter seemed too ordinary to attribute to the son of God.

At any rate, as relates to the question of Jesus' family and the illegitimacy of Jesus in Mark 6, there are two major options if one opts for the originality of the majority reading. One is that Mary was Joseph's second wife, in which case the reference to Jesus as Mary's son is explicable. The other is that Mary was his first wife, in which case James and siblings are also Mary's children. The reference to Jesus' brothers and sisters suggests that they all share the same parent or parents and are all equally legitimate.³⁸ The fact that Jesus is referred to as having a trade, one elsewhere associated with his purported father, also indicates his legitimacy, since a father did not pass on his trade or family business to a child

am proposing, I will simply point to the existence of many other textual changes made by scribes for similar reasons, and which can all presumably equally well be grouped under the rubric Cranfield proposes.

36. McArthur, 'Son of Mary', p. 53; James D.G. Dunn, *Jesus Remembered* (Grand Rapids: Eerdmans, 2003), pp. 346-47. See also Malina, *The New Testament World*, p. 31; *Windows on the World of Jesus*, pp. 122-23.

37. Raymond Brown, in *Birth of the Messiah* (London: Geoffrey Chapman, 1993), pp. 538-39, suggests that the differences in Luke indicate that there was a separate independent tradition of this incident, and thus the version in Matthew and Luke need not be regarded as *changing* 'son of Mary' in Mark out of scandal, but simply harmonizing with another tradition. On other changes of this sort evidenced in the manuscript tradition see Bart Ehrman, *The Orthodox Corruption of Scripture* (New York: Oxford University Press, 1993), pp. 54-61.

38. Had Jesus been illegitimate as a result of his mother's infidelity, this stigma would have had a knock-on effect on Joseph's other children with the same woman. Cf. Gillian Clark, *Women in Late Antiquity* (Oxford: Oxford University Press, 1993), p. 36.

whom he did not recognize as his son. In other words, no matter how one approaches it, the text in Mark 6 confirms rather than denies Jesus' standing in the community as being that of someone of legitimate birth.

The other New Testament text that is sometimes taken as indicating a knowledge of something untoward with regard to Jesus' birth is John 8.41. The first thing that must be noted in placing these words in context, however, is that *Jesus* is the one who fires the first shot in this exchange of insults. Just as in the Synoptic tradition (Mk 8.38; Mt. 12.39; 16.4) Jesus calls his contemporaries an *adulterous* generation, in the Fourth Gospel Jesus is depicted as questioning whether his interlocutors are really Abraham's offspring. In John 8.41, the alternative to being illegitimate is having a single father, namely *God*. The primary reference is thus to *spiritual* legitimacy. Be that as it may, responding to an accusation of this sort with an emphatic pronoun that seeks to cast the insult back onto the one who first issued it seems not to be limited to one particular culture or time in history. To treat this common sort of retort as evidence of actual knowledge on the part of those speaking to Jesus in Jerusalem on this occasion seems rather far fetched.³⁹ And of course, it is far from certain that John's Gospel offers an accurate depiction of an event in the life of the historical Jesus at this point. In short, the alleged evidence from John does not naturally lead one to question the legitimacy of Jesus. One must read it with that presupposition already in mind in order for the text to take on such overtones, and the question of whether such polemic existed at this stage is precisely the point at issue. That scholars are reading illegitimacy into these texts, rather than finding it there, seems to be confirmed by the fact that the reference to Jesus as Mary's son and the references to him as Joseph's son are both taken by those of this viewpoint to be indicative that the Gospel authors were aware of his illegitimacy.

Mention also needs to be made of the polemical statements in later Jewish sources, and in particular the rabbinic references (attested by Celsus in the second century) to Jesus as the son of someone named Panthera, since here we do have a clear reference to someone named Jesus being called the son of someone other than Joseph. It does seem clear that later rabbis identified this individual with Jesus of Nazareth. However, it is equally clear that the individual in question was not originally so understood.⁴⁰ There is absolutely no precedent for an individual who was born out of wedlock to be officially referred to as the child of a suspected father. Alleged fathers of the children of unmarried women are not designated in the child's patronymic, unless the parents later wed and the

39. As noted by Dunn, *Jesus Remembered*, p. 347. Robert Miller makes a similar point in relation to the second-century and later evidence (*Born Divine*, p. 219).

40. John of Damascus mentions Panther as an ancestor of Mary's, but this is probably a Christian response to Jewish polemic. Cf. James B. Bell, *The Roots of Jesus* (Garden City: Doubleday, 1983), pp. 135-36.

father recognized the child as his own.⁴¹ At any rate, several possible explanations of the origins of the designation are possible, among which the most plausible is that this was a separate individual conflated with Jesus, to which one must add the possibility that the identification of the two originated as a piece of satire on Christian doctrine, noting the similarity between *Panthera* and *parthenos*.⁴² But it remains beyond doubt that the designation would not have arisen as a way of referring to an individual who was illegitimate, and thus the origin of the name Yeshua ben Panthera must pre-date the association of it with accusations of illegitimacy.⁴³

As for other references to Jesus as illegitimate in rabbinic sources, these all date from much later, and are unreliable as sources of historical information. For example, the allegations in the Babylonian Talmud (*b. Šabb.* 104b and *b. Sanh.* 106a) reflect the views of (and are explicitly attributed to) Babylonian Jews of a later time. The viewpoint attributed to the Palestinian Amora reputed to have compiled that Tosefta in *Pesiq. R.* 21.6, even if it were authentic, would bring us back to the time of the compilation of the Tosefta, and we already know from Celsus that these sorts of polemics existed in at least some circles earlier than

41. When one combines these considerations with the fact that the Jesus in question is said in the Talmud to be the son of one Pappos ben Yehudah, who lived in the time of Rabbi Akiba, it becomes even more plausible that this was a different person, who was conflated with Jesus of Nazareth at a later time, presumably in the third century in the Diaspora, in which context Celsus appears to have come into contact with it. Cf. John P. Meier, *A Marginal Jew* (New York: Doubleday, 1991), I, pp. 223-24. See also the article S. Krauss *et al.*, 'Jesus of Nazareth', in Isidore Singer *et al.* (eds.), *Jewish Encyclopedia*, VII (New York: Funk & Wagnalls, 1912), p. 170, for the same conclusion. By the time the Talmud is written the rabbis are clearly attempting to combine multiple Jesuses, and also conflate Mary the mother of Jesus and Mary Magdalene in the process.

42. On the latter possibility see p. 24 of Laible's essay in Gustaf Dalman's *Jesus Christ in the Talmud, Midrash, Zohar, and the Liturgy of the Synagogue* (New York: Arno, 1973).

43. For further discussion of Jesus in Jewish tradition see Morris Goldstein, *Jesus in the Jewish Tradition* (New York: Macmillan, 1950), which nevertheless is prone to take accounts at face value and not ask more critical questions about authenticity and date. The rabbinic identification of Jesus of Nazareth, Jesus ben Pandera, and ben Stada is late (from the Amoraic period). Against identifying Jesus and ben Stada see in particular Goldstein, *Jesus in the Jewish Tradition*, pp. 57-62. What we witness in later rabbinic works is simply the tendency to conflate heretics and to attribute current heresies to past heretics (as we also see in the case of Aher). The conflation of Jesus of Nazareth and Jesus ben Pandera can, on the basis of Celsus' reference, be dated to the second century CE. The traditions of impropriety that appear in this time are, in essence, slander. Whoever began such rumors would be pleased to know that, almost 2000 years later, their claims were still circulating. But from a historian's perspective, it seems that such claims can be laid to rest. On both the Panthera tradition (as possibly representing a genuine family name of Jesus) and on the rabbinic references to a Jesus living some 150 years earlier than Jesus of Nazareth, see Goldstein, *Jesus in the Jewish Tradition*, pp. 32-39 and 73-77 respectively.

that.⁴⁴ The key issue in assessing this material in relation to the historical Jesus is one of consistency. Most scholars treat with appropriate skepticism the historical reliability of positive assertions made about Jesus by Christians within a century of Jesus' lifetime. The polemical insults of opposing viewpoints from an additional full century or more later should be treated with at least as much skepticism, and the initial assumption in both cases is that writings *tell us about the time in which they were written unless a strong case can be made for the authenticity and antiquity of the material*. The mere existence of this rabbinic polemic, therefore, has no direct bearing on the historical Jesus, but only confirms what is already well known, namely that Jesus was said to be illegitimate by non-Christian Jews beginning at some point in the second century.

Returning to our earliest witness to this tradition, the evidence from Celsus (preserved by Origen), what is immediately obvious is that the story as told is clearly derived from, and an attempt to parody, the story found in Matthew's Gospel. Each element inverts a detail specific to the Matthean infancy story, and may even have done so in the Matthean order.⁴⁵ This may be demonstrated most clearly by setting the details of Celsus' polemical story side by side with Matthew's story.

<i>Matthew</i>	<i>Celsus</i>
Jesus is included in the royal line of David	Jesus' mother was a poor country woman
Mary's pregnancy is not exposed	Convicted of adultery
Mary is not divorced	Driven out
The child is the son of God	Father was a soldier Panthera
Jesus' birth is heralded	Jesus born secretly
The family flees to Egypt	Jesus hires himself out in Egypt
Jesus performs miracles	Learns magical powers

There is clearly no valid reason for suggesting that the Celsus story comes first, and that Matthew is attempting to refute it. Not only is Matthew's story at least half a century earlier, but specific details that have no obvious significance in and of themselves for Celsus (such as the mention of Egypt) are integral parts of Matthew's emphasis on Jesus as a new Moses and as recapitulating the story of Israel in his own life. The reference to Jesus claiming to be God also shows knowledge of developments beyond those found in Matthew's Gospel. The evidence not only of the dates of the relevant sources, but also of the most plausible

44. Roger David Aus, *Matthew 1-2 and the Virginal Conception* (Lanham, MD: University Press of America, 2004), pp. 76-79.

45. Jane Schaberg, *The Illegitimacy of Jesus* (San Francisco: Harper & Row, 1987), p. 166; Origen, *Against Celsus* 1.32, 38. See also the reconstruction of the birth story in Celsus provided by Brown, *Birth of the Messiah*, p. 535.

direction of development, suggests that Matthew's story is the *basis* for the polemical account found in Celsus, rather than a response to it.

Hopefully it has become clear why these polemical accusations are a problematic basis on which to make judgments about the historical figure of Jesus. As we now turn to the implied social status of Jesus as evidenced by his adult interactions, let us begin with the references in the tradition to Jesus associating with tax collectors and sinners. As E.P. Sanders notes, although there may be a number of sayings relating to this theme that can be suspected of being church creations, they seem to be developments based on an authentic historical motif.⁴⁶ One of the twelve is, after all, recalled to have been a tax collector. The doubts expressed by John the Baptist (which can scarcely have been made up by Christians) also seem to result from Jesus associating with sinners rather than bringing judgment upon them as John appears to have expected. Whether the designation 'sinners' here means the notoriously immoral or those of lax purity standards need not detain us in this context. It is clear that Jesus is thought to be associating with individuals that are considered unworthy of the attention of the religiously and/or morally respectable.

The stories told regularly depict the religiously respectable as scandalized by Jesus' behavior. The implications of this for Jesus' status, however, have been overlooked in recent discussions of whether Jesus was illegitimate. The probable reaction of respectable citizens to a person born out of wedlock doing such things would be 'Well, what did you expect?'—if indeed they even bothered to comment on the subject.⁴⁷ The surprise and perplexity expressed assumes Jesus is of a status that made such interactions inappropriate. This has generally been recognized at least implicitly by those writing on these passages. For example, Carolyn Osiek and David Balch write that Jesus 'was frequently depicted in story in the act of *compromising his status* by voluntary association with tax collectors, sinners, and the like'.⁴⁸ And so, when McKnight proposes a possible connection between Jesus' inclusion of outcasts and his *mamzer* status, this crucially ignores the fact that an outcast associating with other outcasts will cause no scandal and challenge no social mores!⁴⁹ For Jesus' action to be provocative, his standing must have differed from that of 'tax collectors and sinners'. One should also note the absence of any suggestion in the Jesus tradition that anyone was

46. E.P. Sanders, *Jesus and Judaism* (London: SCM Press, 1985), pp. 174-75.

47. Cf. Stambaugh and Balch, *The New Testament in its Social Environment*, p. 114.

48. Carolyn Osiek and David Balch, *Families in the New Testament World* (Louisville, KY: Westminster John Knox, 1997), p. 91 (emphasis added), citing as examples Mt. 9.10 and parallels; 11.19; 15.1-2; Lk. 7.37; 15.1. They make this remark in the context of observing that most of the early Christians were not completely without social status, although they clearly were on the 'ordinary' end of the spectrum as part of the majority, as opposed to the elite noble minority.

49. McKnight, 'Calling Jesus Mamzer', pp. 102-103.

scandalized by Pharisees or other respectable citizens associating with him. Some are depicted as expressing disdain at his Galilean origins, or at his choice of associates, but not at his social status per se. This implicit evidence runs throughout much of the Jesus tradition, and its importance for our present topic is impossible to exaggerate. The ongoing custom of the Church in transcending social barriers seems to strongly suggest that Jesus did something of this sort, and the reactions of the respectable to Jesus' practice implies something about his social status.

We may also note that the Pharisees are depicted as interacting with Jesus even though he clearly flouts purity concerns. If Jesus were a person of questionable birth, and he showed disregard for ritual purity, why would they not simply have shunned or ignored him? It seems improbable that the tensions depicted between Pharisees and Jesus are all simply retrojections of later conflicts in the period of the Church. Why, we may then ask, should teachers of the Law or other prominent citizens have been willing to interact with Jesus and discuss the Law with him? The earliest pre-Easter movement surrounding Jesus does not appear to have been particularly large or numerically significant—had it been, it is unlikely that the authorities would have been content to apprehend Jesus and leave his followers unmolested. And so presumably they interacted with him because he was someone in the same social stratum as themselves, and who could in his own right not simply be ignored. The social-scientific research that has been done on honor-shame societies clearly indicates that one did not need to engage in controversy with someone who was considered beneath oneself—one's honor had nothing to suffer. And so if even a few of the ripostes between Jesus and teachers of the Law are based on authentic historical reminiscences, then this suggests that Jesus had a social standing above that of a *mamzer*.

Jesus' public role in the synagogue also provides evidence regarding Jesus' status. Chilton claims that Jesus was excluded from the synagogue, yet McKnight rightly observes that the Gospel evidence, even some that Chilton himself relies on, indicates that Jesus was not 'silenced in the congregation'.⁵⁰ The evidence for Jesus not merely entering but teaching in synagogues is found throughout the Gospel tradition, including passages like that in Mark 6 where the audience is less than enthusiastic. These stories are unlikely to have been created from scratch by Christian authors, and therefore are likely to have a historical core, however slim.⁵¹ It is noteworthy that the book of Acts presents only Paul among

50. McKnight, 'Calling Jesus Mamzer', pp. 99-100. Other historians who conclude that Jesus taught in synagogues include: E.P. Sanders, *The Historical Figure of Jesus* (London: Penguin, 1993), pp. 98-101; Gerd Theissen and Annette Merz, *The Historical Jesus* (Minneapolis: Fortress, 1998), p. 569.

51. Jesus' parables seem modeled on a rabbinic type with which he presumably became familiar in the synagogue. So Theissen and Merz, *The Historical Jesus*, p. 317 n. 1.

the apostles as teaching in the synagogue, which fits well with his status as a Pharisee/rabbi. The setting of Jesus' teaching in synagogues is thus unlikely to be a projection back onto Jesus of a typical later Christian practice. On the contrary, Jesus appears to have had an access to the synagogue pulpit that most of his followers did not. The conclusion to be drawn from this is *not* that *mamzerim* were therefore allowed to speak in the synagogue, since it has not been demonstrated that Jesus had this status.⁵² It would be far more natural to surmise on the basis of this evidence that not only was Jesus not a *mamzer*, but that he was somewhere significantly further up the social hierarchy in terms of his status.

This brings us nicely to our next point, the tradition that Jesus was a descendant of David. Schaberg claims that 'The earliest record does not name Joseph as Jesus' father'.⁵³ It *does* however identify Jesus as descended from David. The 'son of David' tradition is already traditional by the time Paul wrote to the Romans (1.3-4).⁵⁴ In the version given there, this earthly descent is already contrasted with a spiritual 'something more' about Jesus that is connected with his resurrection.⁵⁵ Given the increasing tendency of the Church to regard 'son of David' as an inadequate assessment of Jesus, and given Paul's reference to it in passing, this strikes the historian as something that must have been widely known and largely undisputed. The prominent presence of the family of Jesus in the early Christian movement would have allowed for some confirmation of the claim, and it is interesting that it never seems to have been disputed.

In our earliest Patristic evidence, we find Ignatius simply placing the two traditions side by side, as indeed Matthew did: the seed of David/born of a virgin. Justin Martyr is the first to attempt to reconcile the two by making Mary a descendant of David.⁵⁶ But it seems clear that if Jesus was widely known or suspected of being illegitimate, then that would completely invalidate the 'son of David' tradition, since there was no value in the context of that time to being the son of an unknown father and a mother of Davidic descent.⁵⁷ The shift to

52. McKnight, 'Calling Jesus Mamzer', p. 101.

53. Schaberg, *Illegitimacy*, p. 176.

54. See on this topic Pierre-Antoine Bernheim, *James, Brother of Jesus* (London: SCM Press, 1997), pp. 36-40. Chilton, in 'The Mamzer Jesus and His Birth', acknowledges both that descent from David can only have been mediated through Jesus' father, and that the view of Jesus as the legitimate descendant of Joseph (and David) is more broadly supported by the New Testament evidence.

55. This would get pushed back earlier and earlier into the life of Jesus, until it led to the doctrine of pre-existence. When this 'pushing back' of the spiritual 'specialness' of Jesus reached his birth, the virginal conception was produced. Cf. Aus, *Matthew 1-2 and the Virginal Conception*, pp. 8-10.

56. Schaberg, *Illegitimacy*, p. 185.

57. On this point (and on the Son of David tradition in the New Testament more generally) see further Cristoph Burger, *Jesus als Davidsohn* (Göttingen: Vandenhoeck & Ruprecht, 1970) p. 133 and *passim*.

Davidic descent through Mary is an *ad hoc* attempt to reconcile statements in various sources, and it is only as Christianity moved beyond its original Jewish matrix, and the virgin birth begins to take priority over Davidic origins, that this shift occurred. At any rate, Justin knows of Jewish Christians who do not hold to the virgin birth, and some Gnostics concurred.⁵⁸ The easiest solution is to regard this as the earliest form of the tradition, since in both Matthew and Luke the idea of a virginal conception is at odds with these earlier motifs of Davidic descent, of which both these Gospel authors were aware. In other words, before the idea of a virginal conception became prominent in Christianity, the idea that Jesus was descended from David was already widely accepted. This would have referred by definition to descent on his *father's* side. There is scarcely a way that one can imagine the label 'son of David' coming to be attached to someone of *mamzer* status.

To summarize, then, the son of David tradition can be traced back earlier than the miraculous birth tradition, to the letters of Paul. It is inconceivable that this tradition could have arisen around someone who was the child of a single mother, or who was generally suspected of being the child of someone other than his purported father. Jesus thus had the status associated with being 'descended from David'. This does not necessarily mean that he *really* was. History abounds with examples of families that believed or claimed they had noble roots, without there being any basis in fact for those claims. Whether Jesus had David as a genetic ancestor we cannot ever hope to ascertain. But the evidence does support Jesus and his family having the *reputation* of being descended from David, and this is all that matters for the purpose of our present study.⁵⁹ This status was presumably connected with the whole family, since Jesus' brother James is also depicted by Josephus as being highly regarded in Jerusalem in his time, and Eusebius records further information about other relatives of Jesus recognized some generations later as descendants of David.⁶⁰

We have thus found reason to question whether, in the earliest historical traditions we have, Jesus is depicted as having the status of a person of illegitimate birth. We further saw in the previous section that the alleged evidence that he was publicly accused of being illegitimate is capable of other interpretations. Jesus is, nevertheless, called other insulting names in our earliest sources. But the fact that important individuals took the time to call Jesus names indicates that he *had* status rather than he *lacked* status. Note for example the statement

58. Schaberg, *Illegitimacy*, pp. 178-79, makes the interesting suggestion that the language which the Gnostics used for Sophia and for the generation of the redeemer might somehow have given birth to the more literal understanding of virginal conception found in Matthew and Luke.

59. How much this reputation counted probably depends on how many of the thousands of descendants of David that were probably alive then were aware of their ancestry and drew attention to it.

60. Eusebius, *History* 3.19-20, citing Hegesippus.

by Malina and Rohrbaugh: 'In antiquity, all persons (Jesus, Paul) who acted contrary to the expectations of their inherited social status or role were suspect and had to be evaluated'.⁶¹ What elicits surprise is not that Jesus thinks himself able to interact with respectable people when he is not worthy. What elicits surprise is that he associates with tax collectors and sinners. The assumption those expressing surprise clearly have is that such people are not worthy of Jesus' time and respect, because Jesus is of a higher status.⁶²

Let us now turn our attention to the infancy narratives, both of which present Joseph as publicly recognizing Jesus as his son by taking Mary as his wife and by naming Jesus. Both stories depict Jesus as having been born as the result of a miraculous conception, but these traditions are not older than the one that regards Jesus as descended from David. The miraculous birth stories, like so many similar stories in the ancient world, aim to *increase* Jesus' status. Jesus, this tradition claimed, was the Son of God in a fuller sense than any other. But as often happened, in so claiming they made the child of the deity technically a *nothos* or *mamzer*.

McKnight states that it is indisputable that Mary was found to be pregnant before her marriage to Joseph.⁶³ Even if we were to grant this, it would not prove much. Once Joseph accepted the child as his own, the explanation would be clear: Joseph and Mary had not waited until after the wedding to consummate their relationship. This was frowned upon, but would have had no significant impact on the life or status of parents or child, as McKnight himself acknowledges.⁶⁴ The issue here is not who *really* was the father, but that Joseph acted so

61. Bruce J. Malina and Richard L. Rohrbaugh, *Social-Science Commentary on the Synoptic Gospels* (Minneapolis: Fortress, 1992), p. 80. One finds a similar point made in Malina and Neyrey, *Calling Jesus Names*, p. 28, where it speaks of the denigration of rivals to one's own power, and p. 42, where it refers specifically to the threat to the elite of Jesus' 'increased honor'. See also Philip F. Esler, *The First Christians in their Social Worlds* (New York: Routledge, 1994), pp. 27-29; and part II.3 of Jerome Neyrey's article 'Witchcraft Accusations in 2 Cor 10-13' at <http://www.nd.edu/~jneyrey/1/2CorWitch.htm>.

62. McKnight, 'Calling Jesus Mamzer', p. 86, rightly criticizes van Aarde for not examining the *status* implied by his claim that Jesus was the child of a single parent. McKnight needs to do the same thing for his own and Chilton's viewpoint. It should further be noted that van Aarde fails to provide anything more than a string of suppositions, which leave one wondering whether Jesus' message could not equally be accounted for on the basis of his being a eunuch or a hermaphrodite (cf. Andries van Aarde, 'Jesus as Fatherless Child', in Wolfgang Stegemann, Bruce J. Malina and Gerd Theissen [eds.], *The Social Setting of Jesus and the Gospels* [Minneapolis: Fortress, 2002], pp. 65-84; *Fatherless in Galilee: Jesus as Child of God* [Harrisburg, PA: Trinity Press International, 2001]).

63. McKnight, 'Calling Jesus Mamzer', p. 78.

64. McKnight, 'Calling Jesus Mamzer', pp. 80-81 n. 27. See also Burger, *Jesus als Davidssohn*, p. 104. The evidence cited by Chilton in 'The Mamzer Jesus and His Birth' would at best

as to safeguard the honor of Mary and Jesus. The stories assume that no one was told otherwise than that Joseph was the father.⁶⁵ Whether Jesus really was legitimate no historian can ever hope to answer. But the question of his *status*, of the reputation he had, seems to be settled by the available evidence, and the infancy narratives concur. If anything unusual happened, it was not made public.

Chilton's use of the category *mamzer* in this context is therefore incorrect. He assumes that Joseph was the father, but that Jesus was conceived prior to the wedding. This would not make him a *mamzer*, since as McKnight notes, if a child could plausibly be that of the husband-to-be, and the husband-to-be acknowledged the child, then everyone proceeded on the assumption that the child was his.⁶⁶ McKnight nonetheless claims that Joseph was widely known or suspected of not having been the father, without explaining why this was publicly divulged, and how it failed to affect the status of the adult Jesus.

We ought to treat this matter with the same historical skepticism we apply to other elements in the Jesus tradition. Is it really likely that this incident was remembered and the story was retold often enough that it became the basis for an accusation a generation later? Is it not more likely that an accusation of illegitimacy in Antioch or wherever Matthew's Gospel was written was simply fabricated? Note that in Matthew's Gospel, the only one in the canon that has Mary *discovered* to be pregnant before their marriage, Joseph is still thinking about what to do when an angel appears. Implicit in the story is that Joseph did not cause a public scandal, and that everyone assumed him to be the father. This story, rather than showing Mary to have been found out, clearly indicates that she was not. If Matthew was writing to explain a public incident, he would presumably have told the story in a very different way. Furthermore, a claim to virginal conception birth is not a particularly effective way of countering accusations of illegitimacy.⁶⁷ In short, the story in Matthew assumes people think of Joseph as the father, and seems to be an attempt at heightening Jesus' status—not from

show that in Galilee, had Joseph wished to divorce Mary after she became pregnant during their betrothal, he could have done so legally (although he in fact disputes the interpretation of this Talmudic evidence put forward by Brown). But it clearly does *not* in any way suggest that, once Joseph implicitly but publicly acknowledged the child as his own, there would be further negative legal or social consequences.

65. Joseph's public recognition of Jesus as his child is precisely the sort of action typically denied in Greek bastardy accusations, namely the public, ceremonial acknowledgement of son by father. Cf. Ogden, *Greek Bastardy in the Classical and Hellenistic Periods*, p. 97.

66. McKnight, 'Calling Jesus Mamzer', pp. 93-95; Schaberg, *Illegitimacy*, p. 60. Note also the practice in later times of a child being subsequently 'legitimated' by its parents' marriage.

67. Although it must be acknowledged that this did not stop unwed mothers in the ancient world from trying. Cf. Ebbott, *Imagining Illegitimacy*, p. 78.

illegitimate to legitimate child (since Matthew's story clearly would not accomplish that), but from legitimate child of David to supernatural child of God.⁶⁸

In other words, if we are right to regard the virgin birth tradition as an addition to an earlier tradition that regarded Jesus as a legitimate descendant of David on his father's side, the story served not to cover his shame, but to increase his honor. Jesus is not merely son of David, with son of God as a metaphor. He is son of God, with son of David as the less important and less literal. The virginal conception is added alongside an earlier tradition that remembered and/or created genealogies for Joseph that were of no relevance unless he was the father in some real sense.

Our aim in this study was not to determine whether Jesus was in fact illegitimate, something that cannot be achieved from our standpoint in history. Our goal was the more modest one of assessing whether Jesus' adult interactions imply that he had inherited the social *status* of a person of questionable birth. The evidence seems clearly to indicate that he did not. While there is a small number of texts that one can read as reflecting an early tradition about Jesus' legitimacy if one assumes the existence of such a tradition, none of them *requires* the existence of such a tradition in order to be understood.

What was the social status of Jesus? He appears to have come from a respected family. He was poor by our standards, but John P. Meier puts this in perspective nicely: 'Jesus was probably no poorer or less respectable than almost anyone else in Nazareth, or for that matter in most of Galilee. His was not the grinding, degrading poverty of the day laborer or the rural slave'.⁶⁹ These conclusions are important, because so much of the seemingly authentic traditions we have about Jesus relate to the renunciation of status, of family, of possessions. One cannot renounce what one does not have. And so it seems that we must choose between the hypothesis of Jesus as an illegitimate child, who had no status to speak of, or the authenticity of those many stories and sayings indicating that he had status and showed little concern for maintaining it in traditional cultural ways. The former we have hopefully shown in this study to be problematic, while the latter seems to have a weight of evidence in support of it. The conclusion which does best justice to the evidence is to regard Jesus as one who was born into a respectable family and assumed to be the son of his purported father.⁷⁰

68. This is hinted at, but not elaborated, by Esler, *The First Christians in their Social Worlds*, p. 25.

69. Meier, *A Marginal Jew*, I, p. 282.

70. The author is grateful to the Historical Jesus section at the 2005 SBL Annual Meeting for the opportunity to present an earlier draft of this paper and to receive extensive feedback on it.