

# MIRIAM, THE JEWESS

By GEZA VERMES

**I**T IS DIFFICULT enough to write about Jesus at a time when many New Testament scholars doubt whether anything can be known about him as a historical person, but to construct a portrait of his mother, Mary the Jewish woman, is well-nigh impossible. Neither the gospels, nor the parallel Jewish literature of that epoch furnish any appropriate material whatsoever.

The truth is that with the exception of an occasional reigning queen — and in the last centuries of the intertestamental era (200 B.C.-A.D. 100) there was only one of them, Salome Alexandra in the first century B.C. — Jewish women played no important rôles. There is not even any literary tradition in the Judaism of that time of edifying stories concerning holy women. Admittedly, there were speculations not only about the patriarchs Abraham, Isaac, and Jacob, but also about the four matriarchs Sarah, Rebecca, Rachel and Leah. Everything good in the history of Israel was attributed to their joint merits. We have accounts, too, of the mother and sister of Moses, of their part in his salvation and in that of the children of Israel in general. But in the post-exilic books of the Bible, in the Apocrypha and Pseudepigrapha, let alone in the Dead Sea Scrolls, very little is heard of women. All this literature was written from a strongly masculine standpoint. An exception occurs in 2 Maccabees where we read of the mother of the seven martyrs who encouraged her sons to face death with courage. But even here it is said that she was fired by a man's spirit (2 Macc 7, 21). Also, among the late books of the Bible we read of Esther, the wife of a gentile king. But once more this whole story appears in the context of a royal decree intended to ensure that women honour their husbands or face the consequences. Again the tale is told in the Apocrypha of Judith and her ploys of seduction, drunkenness and finally murder, all used in bringing about deliverance.

In a climate of such indifference to women, it is not in the least surprising that so little concerning Mary appears in the Synoptic Gospels beyond the birth narrative. (The Fourth Gospel is not a reliable source for the historian in this respect.) The best I can do, therefore, is to try to sketch the life of Jewish womanhood in general in the age, and in the country, of Jesus and his mother. Even this

task presents problems, for although much rabbinic material (compiled between A.D. 200 and 500) deals with women, we cannot be sure, firstly that it reflects first-century customs, and secondly that that which does so, actually represents the galilean way of life.

My former student, Rabbi Dr Nicholas de Lange of Cambridge, has already given a talk to the Ecumenical Society of the Blessed Virgin Mary on the topic 'A woman in Israel'. It will be noticed that there is a certain amount of overlap with what I myself have to say, for example that the aim of a woman in ancient Judaism was primarily to be a wife and mother. Marriage was the usual state. Celibacy, as distinct from self-imposed temporary sexual abstinence, was extremely rare and generally frowned on, the reason being that the very first commandment which God gives in Genesis (1,28) is 'Be fruitful and multiply'. Nevertheless, a few jewish groups practised celibacy, namely the Essenes and the Therapeutae in Egypt. According to the ancient jewish philosopher, Philo of Alexandria, these were male and female, the female Therapeutae being described as aged virgins. In addition, we know of one rabbi who was so busy studying the Bible that he had no time to marry. But, as I say, it was very rare, and I think the only normal reason for a woman to remain single was that she was too poor to acquire a husband.

On the whole, people married young. The rabbinic rule was — and this probably reflects an average age — that a man should be married by the time he was eighteen years old. One text has it that if he is still without a wife at twenty, God is angry with him.<sup>1</sup> A girl, for her part, could wed much earlier, at the age of twelve or less. She was reckoned to come of age at the onset of puberty, or, by legal fiction, at the age of twelve years and one day.

I should point out at this juncture that theoretically jewish marriage was polygamous. Indeed, rabbinic law permits polygamy, that is to say several wives to one man, though it would shudder at the idea of polyandry, several husbands to one woman. The ancient jewish historian, Josephus, who lived in the first century of the christian era, likewise states that 'it is lawful for us to have several wives simultaneously'. But probably only the rich could afford to do so especially when it entailed maintaining two households in two different places. In any case, polygamy appears not to have been very common. In the very large body of stories concerning the ancient rabbis from the first century, say, to the fifth, there is not one single reference to polygamy. By contrast, from time to time we

come across express prohibitions of the practice, in the Dead Sea Scrolls for example, and implicitly in the New Testament.

The purpose of marriage was to raise a large family. So much was this true that childlessness was a cause for divorce.<sup>2</sup> Male children were preferred: blessed is the man with male children, the saying goes, but woe to him who has daughters.<sup>3</sup> Some of you may also be acquainted with the jewish prayer, which is still recited daily, in which the men thank God for not having created them as women.

The first step towards marriage was betrothal, which was ordinarily arranged by the father of the girl if she was a minor below the age of twelve. It seems that she could actually delay her wedding till she had reached her majority. Once she was twelve years old, however, she could decide for herself — though I do not suppose that she was often given the opportunity to do so. The central issue, apart from determining any possible impediments, especially in the case of priests, was financial. It was essential to fix in advance the terms of the projected union. Earlier sources, such as the Book of Tobit and Judith praise endogamous marriages where the groom and bride both come from the same tribe and even the same clan, but in later literature this is not often mentioned except in priestly circles. In Luke, Zacharias and Elizabeth are described as both belonging to priestly families.

As for the betrothal ceremony itself, it was very practical. The young man, often a child, declared the girl, who was also very often a child even younger than himself, to be his betrothed 'according to the law of Moses and Israel' by paying a sum of money. Palestinian custom also included the use of a ring, followed by blessings. The groom then handed over the marriage contract, the so-called *ketubbah*, where his obligations were set out, in particular the amount of money payable to the wife on his death or in the case of divorce. And then, from the moment of *kiddushin* or betrothal, the couple were accounted to be husband and wife. According to judaeen custom, but not to later galilean usage, they could remain together unchaperoned. In that case, the young man lost the right to lodge a complaint before a court on the day following the wedding if the girl turned out not to be a virgin.<sup>4</sup> Also, if the groom died before marriage, the girl was expected to wait the normal three months to prove that she was not pregnant before marrying a second man.<sup>5</sup> That is to say, sexual contact between the young people after betrothal and before marriage was neither unusual nor altogether reprehensible.

At the wedding, the bride — bathed, perfumed, anointed and adorned — was transferred to the husband's house, he meeting the procession to bring his wife into the family home. In the gospels, we have the parable about the bridegroom being late (Mt 25,5). The bridal canopy or *huppah*, still used today in orthodox Jewish wedding ceremonies, is mentioned in the sources without being a firmly established feature of the ritual.

In regard to the duties of husband and wife, those of the husband towards his wife were to provide her with food and clothing. He had also sexual obligations. Various very clear statements occur in early rabbinic sources laying down that if a man's wife should object to his taking a vow of sexual abstinence lasting for more than two weeks, according to one school, and for more than one week according to another, he may only do so on condition that he previously divorce her.<sup>6</sup> The wife's duties towards the husband were the usual domestic tasks, helping with the harvest, looking after the children, and attending to guests. Pregnancy was generally desired, though birth control, strange to say, was permitted in two circumstances: when the wife was still a minor, and when she was still nursing a previous child. Breast-feeding continued for quite a long time, and in order not to stop lactation the husband was more or less obliged to cooperate in avoiding a new pregnancy.

Childbirth itself was considered very dangerous. Indeed, it was thought to be such a threat to life that all the sabbath rules were suspended at those times. Nothing special by way of legislation was involved with name-giving. In the Bible, it is sometimes the mother who chooses the child's name and sometimes the father. Where the baby was a boy, the name-giving was combined on the eighth day with the rite of circumcision. After she had given birth, a mother was considered ritually unclean for seven days followed by another thirty-three days in the case of a boy child, and for fourteen days followed by another sixty-six in the case of a girl. At the end of one or other of these periods, she was expected to offer sacrifice: or rather, sacrifice was offered on her behalf in the Sanctuary. Again, this ceremony is mentioned in the Gospel of Luke (2,22). A mother continued to nurse her child on average for eighteen months to two years, or even longer. In 2 Maccabees (7,27), the mother of the seven martyrs tells one of her sons that she nursed him for three years.

As far as divorce was concerned, no specific provision is made for it in the Old Testament. The only law relating to it appears in

Deuteronomy 24, where it is laid down that when a man decides to divorce his wife, he has to give her a bill of divorce, a *get* in rabbinic Hebrew. If the woman subsequently marries a second time, and this man divorces her also, or else dies, she is in no circumstances to remarry her first husband. It is in this context, as it were incidentally and without explaining either the details or the conditions, that the Old Testament refers to divorce. All the rest is taken for granted. It goes without saying that the right to terminate a marriage belongs solely to the man; a woman could not divorce her husband. Only the man could issue the *get*; and this was literally all that was needed to bring the marriage to an end. Divorce was a private matter; only contested cases came before the courts. A woman could seek justice if she had been ill-treated by her husband and the court could force the man to divorce, thus enabling her in a roundabout way to obtain a divorce for herself. But as I have indicated earlier, sometimes divorce was more or less mandatory, such as when a marriage had remained childless for ten years.<sup>7</sup> The ultimate cause of childlessness, whether the man's or the woman's, was left entirely out of account. But if she did not remarry, she could, if he wished her to, return to her husband's house and become his wife again.

What happened to the wife if her husband died? She could stay in their home and was entitled to his property. Also, a sum of money stipulated in the marriage contract came to her on his death. The remarriage of widows was regarded with favour but she had to wait for a given period to ensure that she was not pregnant and that there would be no complications associated with legal paternity. Major problems arose when a husband died on a journey — who disappeared, that is to say. Jewish law ordains that two witnesses are needed to establish death. Imagine, therefore, the confusion where a whole ship's company perish at sea, unseen by a soul. In such circumstances the woman was not permitted to remarry because no proof existed that her husband had actually died. In effect, rabbinic law endeavoured to mitigate the severity of the legislation by accepting one witness alone, and even by admitting as witnesses people not normally qualified to act as such: women, slaves, Gentiles.

Where a man died without leaving children, the law of Deuteronomy orders that his brother is obliged to marry his widow: this is the famous *leviratic marriage*. But he was entitled to express his unwillingness to do so and she could then marry someone else. This is what generally happened, especially when the brother was married already, but we do find occasional allusion in our sources to widows

who remained unmarried for a long time. Thus Judith at the time of her encounter with Holofernes is said to have been a widow for three years and four months (Jud 8,4) and to have remained so until her death at the age of 105 years (Jud 16,22-23).

Another issue worth discussing here is the relationship of women to Jewish law. In ancient Judaism — and in traditional Judaism through the ages — religion was essentially a submission to God's will revealed on Sinai in the written and oral law, all 613 precepts of it, 248 of them positive and 365 of them negative. All these, with the exception of those applying specifically to women, were binding on men, and the prohibitions were binding on both sexes. In regard to the positive commandments, those determined by a time factor, such as that on the feast of tabernacles one must carry branches or dwell in tents, affect men alone and not women. The same is true of pilgrimages. The pilgrimage to Jerusalem was not compulsory for women but a supererogatory act of piety. Their exemption from this duty was connected also with another matter, namely that a visit to the temple of Jerusalem required cleanness. Since women were considered ritually unclean at regular monthly intervals, their presence in the temple was not permissible at those times. Even when 'pure', they were admitted only to the 'forecourt of the women' and were not allowed to approach the altar, the place of sacrifice. On the other hand, some religious duties were specially assigned to them, such as the kindling of the sabbath light, the setting aside of the dough for the dough offering, the removal of leaven before Passover.

For a woman to engage in the study of religion was nevertheless very exceptional. It was not thought a suitable subject for them. And there were certainly no women priests. We have to wait until the twentieth century for the appearance of women rabbis, and even then one finds them only among progressive Jews.

One of the most highly-valued virtues in the Jewish woman was held to be modesty. This meant that male company was to be avoided and conversation with men was frowned on. Even talking to one's own husband was not greatly encouraged. Philo, a contemporary of Jesus, writes that women were advised to attend their place of worship at times when the streets were empty and not during market hours.<sup>8</sup> We do not know whether they were then segregated in the synagogue from the men, but this was certainly the case soon after the first century. Moreover, neither earlier nor later were women taken into account when there was question of forming

a liturgical quorum. Ten *men* were required for certain public acts of worship.

Following this socio-religious sketch of the place of women in palestinian life in late antiquity, I should like to add some incidental comments on a few New Testament passages. A book entitled *Mary in the New Testament* appeared in 1978 as a collaborative assessment by roman catholic and lutheran scholars in the United States.<sup>9</sup> The experts taking part — who refer to themselves as ‘task force’ — are under the direction of Fr Raymond Brown and Fr Joseph Fitzmyer on the one hand, and on the other, of Professors Carl Donfried and John Reuman. Let me now briefly bring to your notice four points relating to this work.

The first concerns genealogies. We know that among Jews such records were preserved, especially among the priests. They were very important to them because they were not permitted to participate in the temple worship unless the legitimacy of their descent could be established. But to trace a line back to Abraham or Adam as the Gospels of Matthew and Luke do can have only theological, and not practical, significance. Furthermore, the gospel genealogies have the peculiarity that they refer to Mary as it were incidentally. This is because their purpose is to determine the legitimacy of Jesus’s Messiahship through his descent from David, which can only be done by following it back on the male side. The genealogy we are given is, therefore, that of Joseph, an inconsistency which disturbs the logic of the virginal conception story.

A second point I would like to make is in connection with Mark 6,3. ‘Is this not the carpenter, the son of Mary, the brother of James, Joseph, Judas and Simon, and are not his sisters also with us?’ Now the normal designation of a Jew was patronymic: so-and-so the son of so-and-so (his father), as in various other New Testament passages ‘Jesus son of Joseph’ (Lk 4,22; Jn 6,42). Here our transatlantic ‘task force’ produces three interpretations all of which they reject. The first is that the reference to Jesus son of Mary seeks to emphasize Jesus’s humanity. But such an exegesis would introduce into the gospel St Paul’s concept, ‘born of a woman’ (Gal 4,4). The second is that there is in the formula ‘the son of Mary’ a hint at the virginal conception of Jesus. This is declared unacceptable because such an interpretation would be alien to, and entirely superimposed on, the story. The third explanation that is declined sees the phrase as a slur on Jesus’s ancestry; it implies that he was illegitimate. The ‘task force’, for its part, prefers to discover in the

designation 'son of Mary' an indication that Joseph was already dead by that time. This is of course not impossible, but in my opinion the real problem is that the existence of several variant readings in the Greek Gospel renders this passage unsafe as a basis for any historical deduction.

My penultimate comment relates to the mention of the brothers and sisters of Jesus. The New Testament offers no reason why the literal meaning of the words — followed on the male side by actual names, 'James, Joseph, Judas and Simon' — is unacceptable. If, however, someone is convinced by reasons extraneous to the gospels that one should look for a different understanding, possible substitutes for brothers and sisters might be kinsmen. Another figurative use of this kind is attested in a recently discovered greek document from the time of the second Jewish Revolution (A.D. 132-135), where the rebels describe themselves as 'brothers'. But is such a metaphorical exegesis justifiable? The American 'task force' concludes:

We did agree on these points. The continued virginity of Mary after the birth of Jesus is not a question directly raised by the New Testament. Once it was raised in subsequent church history, it was that question which focused attention on the exact relationship of the brothers and sisters to Jesus. Once that attention has been focused, it cannot be said that the New Testament identifies them without doubt as blood brothers and sisters and as children of Mary. This solution favoured by scholars will in part depend on the authority they allot to later Church insight.<sup>10</sup>

Finally, coming to the subject of the virginal conception itself, it has been stated that no Old Testament or Jewish legendary precedent exists for such an occurrence and, in particular, the so-called prophecy of the virgin in Isaiah (7,14) furnishes no valid basis for it. Stories of miraculous births abound, of course, both in the Bible and in the post-biblical Jewish literature: that is, accounts of how aged and apparently barren women conceive with the help of God. Some of the patriarchs were born with the aid of similar divine intervention. So were Samson, Samuel and others. Once more our 'task force' agrees that Matthew's and Luke's infancy narratives reflect the Christology in which 'Jesus being "constituted" son of God' is moved 'back from the Resurrection, beyond the baptism, to the time of his conception'.<sup>11</sup> Two sources of the notion find no favour with them: the Hellenistic Jewish idea of Isaac having been born miracu-

lously of a virgin, and that the New Testament account springs from family tradition. The American theologians alluded vaguely to the possibility of a premature birth story and suggest that the enemies of Jesus transformed this into a charge of illegitimacy, whereas his followers developed from it the notion of a miraculous conception.

The one remaining topic requiring to be mentioned (I have dealt with it at some length in *Jesus the Jew*),<sup>2</sup> is the notion of virginity itself in ancient Judaism. This is not as straightforward a matter as it is for us. Three words from the Hebrew Bible are at one time or another all translated into Greek by the single term *parthenos*, virgin. One of the three means 'virgin' in the sense of *virgo intacta*, a meaning attested also in rabbinic literature; another means 'young woman'; and another means simply 'girl'. Furthermore, to add to the complications, the rabbis attach one more significance to this same word: a girl who has not yet reached the age of puberty. This sort of virginity which ends as soon as menstruation begins, is associated with the inability to conceive. Hence in some texts, in particular in Philo, we find the surprising (to us) definition of a married woman beyond the age of child-bearing as a virgin. He writes of Sarah as having passed 'from womanhood to virginity'<sup>13</sup> and to have 'conceived of God'.<sup>14</sup> A parallel to this appears in Luke, where Mary's doubts about her ability to conceive — 'How can this happen, I know no man' — are dispelled by the angel's announcement that her cousin Elizabeth has, in her old age, also conceived a son (1,36).

These considerations should throw light on the historical origins of the virgin birth story. To me, at least, they seem less flimsy than the 'task force's' tenuous speculation that Jesus was born prematurely and that his adversaries interpreted it as illegitimacy whilst Christians opted for a miracle. Premature birth must have been as common then as now, and no doubt more so. Why then should it be supposed to point to suspicions of illegitimacy?

One last word. If any historical statement is to be made at all concerning Miriam the Jewess beyond the fact that she was the mother of Jesus (and possibly of Jacob, Jose, Judah and Simeon, and of several daughters whose names have not survived) and that she lived in the galilean village of Nazareth, it is that, intriguingly perhaps, she did not belong to the small body of disciples who accompanied Jesus during his brief itinerant ministry.

## NOTES

<sup>1</sup> Babylonian Talmud: *Kiddushin*, 29b.

<sup>2</sup> Mishnah: *Yebamoth*, 6,6.

<sup>3</sup> Babylonian Talmud: *Baba Bathra*, 16b.

<sup>4</sup> Mishnah: *Ketuboth*, 1,5.

<sup>5</sup> Mishnah: *Yebamoth*, 4,10.

<sup>6</sup> Mishnah: *Ketuboth*, 5,6.

<sup>7</sup> Mishnah: *Yebamoth*, 6,6.

<sup>8</sup> *Special Laws*, iii, 169-71.

<sup>9</sup> Brown, Raymond E., etc (eds): *Mary in the New Testament. A collaborative assessment by Protestant and Roman Catholic scholars* (New York, 1978).

<sup>10</sup> Brown, Raymond F.: *op. cit.*, p 72.

<sup>11</sup> *Ibid.*, p 291.

<sup>12</sup> Vermes, Geza: *Jesus the Jew* (London, 1973).

<sup>13</sup> *The posterity of Cain*, 124.

<sup>14</sup> *The allegory of the Laws*, iii, 218-19.