Prior to discussing several works of art from the Talmudic period as phenomena demonstrating the constancy of Jewish identity, two issues have to be addressed: the development of Jewish identity in exile and the expressions of this identity in the context of Hellenistic culture.

The Judeans that were deported first in 598 BCE and then in 587 BCE and brought to Babylonia became a Jewish people in exile that characterized itself as the legitimate representative of the twelve tribes. That this was the case is made clear in the Book of Ezra (6:17) in its description of the consecration of the Second Temple in 515 BCE. The returning exiles offered “twelve he-goats” as “a purification offering for all Israel…corresponding to the number of the tribes of Israel,” even though the ten northern tribes were lost during the Assyrian conquest in 722 BCE. Most of the population of these tribes had assimilated into the pagan environment. The Book of Tobit mentions exiled Israelites belonging to the ten tribes of the North who remained faithful, but the image that emerges from this account suits rather the ideology of the Judeans after the deuteronomist reform. Evidence for the idea of an integration of exiled Israelites with exiled Judeans is found also in Ezra 37:15–28 and Jeremiah 50:4. In tannaic scholarship, on the other hand, R. Akiva and R. Eliezer ben Hyrkanos discuss the question of the fate of the northern tribes, the former believing in their future return and the latter not.

The question is thus, what made the identity of the two remaining tribes so enduring. The destruction of the northern tribes occurred about 100 years prior to the deuteronomist reform. According to Deuteronomy 26:17–19 the Covenant God made with Israel is understood as a mutual
agreement with obligation on both sides. Deuteronomy 7:6 reads: “...for you are a people holy to the Lord your God, and He has chosen you out of all peoples on earth to be His special possession.”

Another factor can be found in the social structure created by the exiled Judeans, which enabled them to develop their own strong sense of identity in the Babylonian diaspora. Only the upper classes were deported, whereas the uneducated lower classes were left behind. Moreover, the deported Judeans were settled in a closed community. According to Ezra 1:1, they lived near the River Kebar, most likely a great artificial canal built for irrigation purposes. Jeremiah 29:1–14, a letter to the exiled Judeans, indicates that the exiled could perform their religious rites unmolested and created a community with well-defined religious forms and communal identity.

Owing to this new kind of communal and religious identity in exile some of the Judeans preferred to remain in Babylonia after Cyrus’s edict in 539 BCE, rather than to return to their country of origin. Most likely economic and political circumstances account for this phenomenon. After 450 BCE two personalities of major importance come onto the scene, Ezra and Nehemia. Ezra, a priest, is referred to in Ezra 7:12 as “scribe learned in the law of the God of heaven,” most likely indicating a religious official of high rank within the Persian administration. He may have represented a social group that had spread all over the Persian Empire. Nehemia, on the other hand, was elevated from the position of royal butler to governor of Judea.

That the administration of the Jewish communities in Babylonia was structured in a way that enabled the Jews to create strong communal ties can be discerned from Jeremiah 29:1: “Jeremiah sent a letter from Jerusalem to the elders who were left among the exiles, to the priests, prophets, and all the people whom Nebuchadnezzar had deported from Jerusalem to Babylon.” According to Ezra 8:1 there also was a Council of Elders, mentioned again in Ezra 14:1: “Some of the Elders of Israel visited me;” and in Ezra 20:1: “On the tenth day of the fifth month in the seventh year, some of the Elders of Israel came to consult God and were sitting with me.”

These communities developed a new approach to salvation and a new understanding of the law, as it later became manifest in the Priestly Source. Communities developed with a shared socio-religious structure. Following Genesis 2:3, the Sabbath rest was considered immanent to the order of Creation. From Genesis 9:4, the prohibition against