PREFACE

Jewish identity is a controversial issue. Traditionally, anyone born of a Jewish mother is a Jew. Yet the rabbinate in Israel refuses to recognize marriages or conversions performed by conservative or reform rabbis. By some standards, genealogy is not enough. To be Jewish is to keep the Law of Moses, or even to keep it according to a particular interpretation.

The tension underlying these modern disputes is an old one. Judaism is an ethnicity, to which one may belong regardless of belief or religious practice, but it is also a religion, defined by adherence to the Law of Moses. The ethnicity can be traced back to the time of King David or beyond. The normative status of the Law is also ancient, but arose somewhat later. Contrary to popular belief, Judaism, in the sense defined by the Law, did not begin at Mount Sinai. The Torah, or Pentateuch (the five books of Moses), was formed over centuries, in a process that is still a matter of intense debate. Most scholars agree that it took its final shape either during or after the Babylonian exile, in the sixth century B.C.E. It was not immediately accepted as normative by everyone. This book is an attempt to trace the reception of the Torah in its first six hundred years or so, from the Babylonian exile to the end of the Second Temple period.

The discussion of this topic here is by no means exhaustive, but has rather the nature of a series of probes. Some significant corpora, such as the Deuteronomistic History and Chronicles are passed over, as are some related and relevant issues, such as the Samaritan adoption of the Torah. The revision of Jewish identity entailed by the development of early Christianity is represented only by the case of Saint Paul. The inquiry stops short of the rise of rabbinic Judaism. Nonetheless, I hope to have outlined the main contours of the history of the Torah in this period. These include the initial formulation of a way of life in the form of a law, in Deuteronomy; the official status granted to this Law in the Persian period; the *halakic turn* toward rigorous observance of the details of the Law, in the wake of the Maccabean revolt; the different ways in which the Law was construed in the diaspora and in sectarian Judaism; and the challenge posed to the normativity of the Law by the messianism of Paul.

Both nouns in the title of this book, *The Invention of Judaism,* are potentially controversial. To speak of "invention" is to accept a constructivist view of ethnic identity. Despite the undisputed givens of blood and land, Judaism was shaped by decisions and policies that were contested in their time. Some scholars nowadays deny that one can speak of "Judaism" in the ancient world at all. But, in fact, the people of Judea, both in the homeland and in the diaspora, had a distinctive way of life throughout the period under consideration. This way of life was constantly modified and contested, but we should miss the forest for the trees if we did not recognize it at all.

This book had its origin in the Taubman Lectures, delivered at Berkeley in September 2013. There were three lectures, roughly corresponding to the introduction (plus a summary of chapter 2) and chapters 3 and 6 of this book. The introduction and chapter 3 (with part of chapter 2) were delivered as the Birks Lectures at McGill University in October 2014, and the introduction and chapters 2 and 3 were given as the Haskell Lectures at Oberlin College in October 2015. The introduction was also given as the David S. Lobel Visiting Scholar Lecture at

Stanford University in May 2014. An abbreviated form of chapter 1 was presented both in Rome, at the Pontifical Biblical Institute, and at Oxford, in the Old Testament Seminar, in May 2016.

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