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## Reclaiming the Land (1 Maccabees 15:28-36):

### Hasmonean Discourse between Biblical Tradition and Seleucid Rhetoric

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**Abstract:** 1 Maccabees 15:28-36 records a diplomatic exchange over disputed cities and territories between Simon, Judas Maccabaeus's brother, and the Seleucid king Antiochus VII. In verses 33-34, Simon argues that the Jews/Judeans have not seized foreign lands that belonged to others, but have simply taken back "the heritage of our fathers." Many scholars have interpreted Simon's reply as a self-evident indication that the Hasmonean dynasty saw itself as reconquering the Promised Land. However, a closer analysis of the text shows that this claim is exaggerated. Moreover, scholars refer to this passage alone in support of such a theory. Through the analysis of the literary construction of the passage and of its connections with biblical traditions, with Seleucid rhetoric as presented in 1 Maccabees itself, and with Hellenistic arguments used in cases of territorial strife, I argue that "the heritage of our fathers" refers to Judaea alone, and that Simon's discourse cannot be interpreted solely through the lens of biblical intertextuality, but rather needs to be compared with the ways of arguing about one's legitimate right to possess a territory in the Hellenistic world at large.

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The First Book of Maccabees, originally written in Hebrew during the last part of the second century BCE,<sup>1</sup> can be read, among other things, as the story of the acts of treachery committed by the Seleucid kings against the Hasmoneans.<sup>2</sup> The fifteenth chapter of the book deals

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<sup>1</sup> Carl L. W. Grimm indicates the time span for when the book could have been written to be from 105–64 BCE (*Das erste Buch der Maccabäer* [Leipzig: S. Hirzel, 1852], XXIV–XXV); Félix-Marie Abel dates it from around 100 BCE (*Les livres des Maccabées* [Paris: Gabalda, 1949], XXVIII–XXIX); Jonathan A. Goldstein connects the work with the reign of Alexander Jannaeus (*1 Maccabees* [The Anchor Bible 41A; New York: Doubleday, 1983], 62–64); Stephanie von Dobbeler prefers to date it from the period of Hyrcanus’ high priesthood, shortly after 134 BCE (*Bücher 1/2 Makkabäer* [Stuttgart: Verlag Katholisches Bibelwerk, 1997], 46). In general, scholars tend to date the work from the time of John Hyrcanus.

<sup>2</sup> By “Hasmoneans” I mean all of Matthathias’s descendants, from Judas until Mattathias Antigonus; 1 Maccabees, though, deals only with the period that spans from the beginning of the revolt to Hyrcanus I’s rise to power in 135/34 BCE. On the conflict between the Seleucids and the Hasmoneans, the bibliography is extensive; see the classic works of Elias Bickerman, *The God of the Maccabees: Studies on the Meaning and Origin of the Maccabean Revolt* (trans. Horst R. Moehring; Leiden: Brill, 1979) and Victor Tcherikover, *Hellenistic Civilization and the Jews* (Philadelphia – Jerusalem: The Jewish Publication Society of America – Magnes Press, 1959) (Part I); Jonathan A. Goldstein, “The Hasmonean Revolt and the Hasmonean Dynasty,” in *The Cambridge History of Judaism. Volume II, The Hellenistic Age* (ed. William D. Davies; Cambridge: Cambridge University Press, 1989), 292–351. For more recent approaches, see in particular John Ma’s analysis of the power balance between the Seleucids and the Hasmoneans in “Seleukids and Speech-Acts: Performative Utterances, Legitimacy and Negotiation in the World of the Maccabees,” *Scripta Classica Israelica* 19 (2000): 71–112;

precisely with a betrayal of this kind. It starts with a very friendly letter sent by Antiochus VII Sidetes to Simon and the Judean *ethnos* in 138 BCE, when Antiochus was planning to reconquer the Seleucid kingdom against the usurper Trypho, and needed the support of the Judeans. The letter runs as follows:

King Antiochus to Simon, high priest and ethnarch and to the nation of the Judeans, greeting. 3 Since certain traitors have seized power over the kingdom of our fathers, and I am determined to assert my claim to the kingdom in order to restore it to its former state, I have raised a large force of mercenary soldiers and have had warships fitted out; 4 I intend to land in our territory in order to punish those who have ruined our domains and laid waste many cities in my kingdom—5 therefore, I now confirm for you all the exemptions conceded to you by the kings who preceded me, and all other awards which they conceded to you. [...] 9 When we shall have established our rule over our kingdom, we shall confer great honor upon you and your nation and your temple, so that your glory will become manifest in all the earth. (1 Macc 15:2–9)<sup>3</sup>

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idem, “Relire les *Institutions des Séleucides* de Birkman,” in *Rome, a City and its Empire in Perspective: The Impact of the Roman World through Fergus Millar’s Research* (ed. Stéphane Benoist; Leiden, Brill, 2012), 59–84; and also Erich S. Gruen, “Hellenism and Persecution,” in *Hellenistic History and Culture* (ed. Peter Green; Berkeley: University of California Press, 1993), 244–64; Seth Schwartz, *Imperialism and Jewish Society, 200 B.C.E. to 640 C.E.* (Princeton: Princeton University Press, 2001); Edward Dabrowa, *The Hasmoneans and their State: A Study in History, Ideology, and the Institutions* (Electrum 16; Cracow: Jagiellonian University Press, 2010).

<sup>3</sup> For the Greek text, see Werner Kappler, *Maccabaeorum libri I–IV, fasc. 1. Maccabaeorum liber I* (Göttingen: Vandenhoeck & Ruprecht, 1936), 139–43. The translation quoted in the text above and the one used in the article as a whole is based on that of Jonathan A. Goldstein

Consequently, Simon is said to have sent two thousand men, silver and gold, as well as military equipment to Antiochus. However, after having defeated Trypho, Antiochus turned against Simon and behaved in a hostile way by sending the following message through Athenobius, one of his friends:

You are holding Joppa and Gazara and the Akra in Jerusalem, cities of my kingdom. 29 You have laid waste their territories and caused grave damage in our domains, and you have seized many districts of my kingdom. 30 Accordingly, deliver over to me the cities you have captured and the taxes of the districts outside the borders of Judaea over which you have seized control, 31 or else pay five hundred talents of silver as compensation for them and five hundred more talents for the damage you have done and for the taxes due from the cities. Otherwise, we shall come and make war on you.  
(1 Macc 15:28–31)

Then the story goes on as follows:

33 Simon replied: “We have not taken land that is not ours nor have we conquered anything that belongs to others. Rather, we have taken the inheritance of our fathers which had been unjustly conquered by our enemies using one opportunity or another (οὔτε γῆν ἀλλοτρίαν εἰλήφαμεν οὔτε ἀλλοτρίων κεκρατήκαμεν, ἀλλὰ τῆς κληρονομίας τῶν πατέρων ἡμῶν, ὑπὸ δὲ ἐχθρῶν ἡμῶν ἀκρίτως ἐν τινὶ καιρῷ κατεκρατήθη). 34 Now we, seizing our opportunity, lay claim to the inheritance of our fathers (ἡμεῖς δὲ καιρὸν ἔχοντες ἀντεχόμεθα τῆς κληρονομίας τῶν πατέρων ἡμῶν). 35 As for Joppa and Gazara, which you demand, those cities were causing grave damage to our people and were laying waste our country. In payment for them we are ready to give a hundred talents.” Athenobius gave him no reply,

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(Goldstein, *I Maccabees*, 510-511) with slight modifications according to my understanding of the Greek text.

36 but angrily returned to the king and reported this conversation to him, telling him also of Simon's splendor and of all that he had seen. The king was furious. (1 Macc 15:33–36)

This passage is systematically referred to by modern commentators who argue that the Hasmoneans planned to reconquer the “Promised Land” and, therefore, deliberately embarked on wars of expansion.<sup>4</sup> Moreover, most of these scholars suppose that the territorial vision of the Hasmoneans was a maximalist one.<sup>5</sup> Doron Mendels, for instance, writes in his book, *The Land of Israel as a Political Concept in Hasmonean Literature: Recourse to History in Second Century B.C. Claims to the Holy Land*:<sup>6</sup> “Whereas until 140 [BCE] 1 Maccabees never includes the Land as a declared goal of the war of the Hasmoneans (although it emphatically mentions the Torah, the People, and the Temple), from that year the Land is added as a goal of the war,” and then he quotes 1 Maccabees 15:33.<sup>7</sup> Aryeh Kasher argues as follows:

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<sup>4</sup> The expression “Promised Land” is not found as such in the Bible or in Jewish literature from the Second Temple period, but is commonly used by modern scholars; hence the quotation marks.

<sup>5</sup> Victor Tcherikover, commenting on Simon's answer in 1 Macc 15:33–34, writes: “According to this view, the whole of Palestine was to be united under the rule of the Hasmoneans, and its inhabitants were again to be Jews, as they had been under the kings of the house of David” (*Hellenistic Civilization*, 249).

<sup>6</sup> Doron Mendels, *The Land of Israel as a Political Concept in Hasmonean Literature* (Tübingen: Mohr Siebeck, 1987).

<sup>7</sup> Mendels, *The Land*, 47–48. See also Dan Barag, “New Evidence on the Foreign Policy of John Hyrcanus I,” *INJ* 12 (1992–93), 1–12, who concludes that John Hyrcanus's wars later on were nothing but “the fulfilment of the policy expressed by Simon Maccabee (1 Macc. 15:33–35).”

[...] we must not ignore [Simeon's] sincere religious ambition, shared by most of the Jewish population, which was to purge the Land of Israel of the impurities caused by its idolatrous inhabitants; nor may we dismiss the nationalistic and historical motives of liberating portions of the 'homeland' (...). All of these are indicated in Simeon's reply to the ultimatum presented by Antiochus VII Sidetes regarding the evacuation of Gazara (Gezer) and Joppa (1 Macc. 15.33–35). In my opinion, these motives did not constitute a mere ideological and (given the circumstances) apologetic cover for the economic and demographic needs; rather, they were the most pressing concerns which guided Simeon.<sup>8</sup>

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<sup>8</sup> Kasher, "The Changes in Manpower and Ethnic Composition of the Hasmonean Army (167–63 BCE)," *JQR* 81/3–4 (1991): 325–52, quotation p. 344; see also Aryeh Kasher, *Jews and Hellenistic Cities in Eretz-Israel* (Tübingen: Mohr Siebeck, 1990), especially 105–106. Similarly, Zeev Safrai writes: "We accordingly propose that the Bible profoundly influenced Hasmonean strategy. This hypothesis is based on two arguments: (1) the similarity between the early directives and the policy which was implemented; (2) the deep influence of the Biblical concept of the conquest of the land on the literature of the Hasmonean period, as noted by previous researchers" ("The Gentile Cities of Judea: Between the Hasmonean Occupation and the Roman Liberation," in *Studies in Historical Geography and Biblical Historiography presented to Zecharia Kallai* [ed. Gershon Galil and Moshe Weinfeld; Leiden: Brill, 2000], 63–90, quotation p. 77). See also Israel Shatzman's conclusion in "Jews and Gentiles from Judas Maccabaeus to John Hyrcanus According to Contemporary Jewish Sources," in *Studies in Josephus and the Varieties of Ancient Judaism: Louis H. Feldman Jubilee Volume* (ed. Shaye J. D. Cohen and Joshua Schwartz; Leiden: Brill, 2007), 237–70; according to Shatzman, from Judas down to John Hyrcanus, the same will to re-establish Jewish sovereignty over *Eretz Israel* manifests itself. Finally, even Uriel Rappaport interprets 1 Macc 15:33–34 as implying

In short, according to several modern scholars, “the inheritance of our fathers” in 1 Maccabees 15:33–34 designates the whole “Promised Land,” from the Mediterranean Sea until Transjordan at least, a land which the Hasmoneans, since the very beginning of the revolt, dreamt to reconquer. However, how is it that 1 Maccabees 15:33–34 is the only proof-text found to support this thesis? And does Simon’s reply to Athenobius really testify to such an ambitious program?

1 Maccabees 15:1–36 is a complex text that requires careful analysis. First, we shall attempt to understand which territories were at stake in the conflict according to the information provided by 1 Maccabees itself. Then, taking into account the use of biblical idioms in the book as a whole, we shall analyze the possible biblical background of the expression “the inheritance of our fathers” (ἡ κληρονομία τῶν πατέρων ἡμῶν) in Simon’s reply to Athenobius, and reassess those previous interpretations of Simon’s response which claim that Simon and his successors deliberately planned to reconquer the “Promised Land.” As a third step, we shall look at the literary and rhetorical dimension of 1 Maccabees 15, paying particular attention to the way Simon’s response echoes Seleucid discourse within chapter 15 and within 1 Maccabees as a whole. Finally, we shall examine the similarities that exist between Simon’s discourse and Seleucid rhetoric (or Hellenistic rhetoric in general) in the context of territorial strife as attested to in both Greek literary texts and inscriptions.

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that the author “sees *Eretz Israel* as the historical heritage of the people of Israel,” and in another passage of the commentary, Rappaport refers to the divine promise made to Israel (*The First Book of Maccabees. Introduction, Hebrew Translation, and Commentary* [Jerusalem: Yad Ben-Zvi Press, 2004], 59, 345).



## 1. The territorial strife between the Seleucids and the Hasmoneans

The passage in chapter 15 raises several questions: Which territories does Antiochus allude to in vv. 29–31 when he speaks about the numerous “districts” (τόποι) which the Judeans have seized outside the borders of Judaea (ἐκτὸς τῶν ὁρίων τῆς Ιουδαίας)? What does Simon mean by “the inheritance of our fathers”? Is he really referring to the “Promised Land”? And if so, according to which borders?<sup>9</sup> Alternatively, does Simon mean Judaea alone?

Let us first try to determine which territories had been taken by the Hasmoneans from the Seleucids. A close reading of 1 Maccabees leads to the following conclusions: Judas led several victorious battles, but he did not permanently conquer any place outside Judaea. Concerning the following period under Jonathan’s rule, Demetrius I had promised the Hasmonean leader he would grant the Judeans the right to annex to Judaea three districts from Samaria in exchange for Jonathan’s political and military support (1 Macc 10:26–39). Jonathan, however, turned down the offer, preferring to remain faithful to Alexander Balas, who had already made peace with him. Alexander had offered the city of Akkaron (‘Eqron) and its territory to Jonathan as a personal gift. Both could be considered at that time as lying outside Judaea.<sup>10</sup> In the following

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<sup>9</sup> The biblical texts contain at least three different definitions of the borders of the “Promised Land”. See in particular Nili Wazana, *All the Boundaries of the Land: The Promised Land in Biblical Thought in Light of the Ancient Near East*, Jerusalem, Mossad Bialik, 2007 (in Hebrew).

<sup>10</sup> According to Josh 15:45, ‘Eqron and its territory are included in Judah’s lot. However, in 1 Sam–2 Kings, it represents one of the five cities of the Philistines, together with Ashdod, Ashkelon, Gaza, and Gath. At the time of the Maccabean revolt, it was located outside Judaea.

years, Demetrius II, son of Demetrius I, after having made peace with Jonathan, wrote to the *ethnos* of the Judeans speaking about them in the third person: “We have confirmed as their possession both the territory of Judaea and the three districts of Aphairema and Lydda and Rathamin; the latter, with all the region bordering them, were added to Judaea from Samaria” (1 Macc 11:34). In fact, the real annexation of the three districts probably took place under Demetrius II, since nowhere before in the text are these places said to have actually been annexed by the Judeans.<sup>11</sup> In any case, it should be underlined that so far (up to 1 Macc 11:34) the territorial growth of Judaea is the result of Seleucid concessions and not of Hasmonean conquests.<sup>12</sup> Similarly, in 1 Maccabees 11:57 we read about a fourth district annexed to Judaea with the agreement of the Seleucids. Its precise name and location are debated. Following Gustav Dalman and Félix-Marie Abel, Jonathan Goldstein suggests this fourth district (or nome) should be identified with the Akrabattene, which stood next to the districts of Aphairema and Rathamin.<sup>13</sup> This additional district provided Judaea with a coherent extended territory.

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See Félix-Marie Abel, *Géographie de la Palestine*, 2nd ed. (Paris: Gabalda, 1938), 2:50 and 319.

<sup>11</sup> In 1 Macc 11:28, Jonathan asks for a tax exemption for Judaea and for the three Samaritan districts, but maybe this is a way to remind Demetrius of his father’s promises in this respect. See Félix-Marie Abel, “Topographie des campagnes maccabéennes (5),” *RB* 35 (1926): 206–22, quotation p. 210.

<sup>12</sup> According to 1 Macc 10:84, Jonathan burns Azot, and according to 1 Macc 11:61–62, he besieges Gaza and plunders its countryside. However, he does not conquer the towns and does not annex them to Judaea.

<sup>13</sup> See Abel, *Géographie de la Palestine*, 2:135; Goldstein, *1 Maccabees*, 439.

All in all, Simon is the first among the Hasmoneans to annex territories outside Judea through military conquest. First, according to 1 Maccabees 11:66, he took over Beth-Zur, an important stronghold on the border between Judaea and Idumaea, which had already been defeated by Judas (1 Macc 4:61) and had been taken back by Antiochus V (1 Macc 6:50).<sup>14</sup> Simon placed a Judean garrison there. Then he took Joppa (on the Mediterranean coast), which had already been forced to surrender to Jonathan (1 Macc 10:76), but had done so only for a short period of time. The author of 1 Maccabees justifies this military operation with an argument about security: “[...] he had heard that they were ready to hand over the stronghold to the men whom Demetrius had sent; and he stationed a garrison there to guard it” (1 Macc 12:33–34). Later on, the author of 1 Maccabees alludes to the economic advantages connected with Joppa’s harbour (1 Macc 14:5). Then the reader is told that Simon had strongholds built in Judaea and that he gave orders to rebuild Adida and to fortify it (1 Macc 12:38); Adida was actually located in the Shephela five or six kilometers northeast of Lydda in one of the districts that had recently been annexed to Judaea.<sup>15</sup> Finally, in 141–140 BCE, when Judaea reached independence, Simon conquered Gazara and the Akra, the Seleucid stronghold in Jerusalem (1 Macc 13:43–53). Later on, in 1 Maccabees, the conquest of Gazara – whose strategical importance cannot be underestimated – is justified by the fact that the garrison in this stronghold

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<sup>14</sup> Concerning Beth-Zur, see Ovid R. Sellers, *The Citadel of Beth-Zur* (Philadelphia: The Westminster Press, 1933); Robert W. Funk, “The 1957 Campaign at Beth-Zur,” *BASOR* 150 (1958): 8–20; idem, “Beth-Zur,” in *The New Encyclopedia of Archaeological Excavations in the Holy Land* (ed. Ephraim Stern *et al.*; Jerusalem: The Israel Exploration Society, 1993), 1:259–61.

<sup>15</sup> See Abel, *Géographie de la Palestine*, 340–41, and “Topographie des campagnes maccabéennes (5),” 218.

caused a lot of trouble to the Judean people and great damage to their land (1 Macc 15:35).<sup>16</sup> Therefore, the main argument put forward by Simon to justify the conquests is about *security*, not religion.<sup>17</sup>

When Antiochus Sidetes writes to Simon in 138–137 BCE to claim Joppa, Gazara, and the citadel (Akra) in Jerusalem, the contested conquests are those of Simon and no other leader. The author of 1 Maccabees explicitly praises Simon for these political and military achievements in chapter 14, where we find a passage written in a poetic biblical style:

The land had rest all the days of Simon. He sought the good of his nation; his rule was pleasing to them, as was the honor shown him, all his days. 5 To crown all his honors he took Joppa for a harbour, and opened a way to the isles of the sea. 6 He extended the borders of his nation (ἐπλάτυνεν τὰ ὅρια τῷ ἔθνει αὐτοῦ), and gained full control of the country (ἐκράτησεν τῆς χώρας). 7 He gathered a host

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<sup>16</sup> See 1 Macc 9:52: Bacchides fortifies Gazara in the context of his fight against Judaea.

<sup>17</sup> As correctly noted by Joseph Sievers, *Hasmoneans and their Supporters: From Mattathias to the Death of John Hyrcanus I* (Atlanta: Scholars Press, 1990), 129, who adds: “It is worth noting that territorial claims were not based on biblical precedent, but apparently on recent settlement patterns”. On the Hasmonean occupation of Gazara (Gezer), see Joe D. Seger, “The Search for Maccabean Gezer,” *Biblical Archaeologist* 39/4 (1976): 142–44; Ronny Reich, “Archaeology Evidence of the Jewish Population of Hasmonean Gezer,” *IEJ* 31 (1981): 48–52. See also R. A. Stewart Macalister, *The Excavation of Gezer, 1902–1905 and 1907–1909* (London: John Murray, 1912), 1:34, 209–23 and 2:276–77; William G. Dever, “Gezer,” in *The New Encyclopedia of Archaeological Excavations in the Holy Land* (ed. Ephraim Stern et al.; Jerusalem: The Israel Exploration Society, 1993), 2:496–506 (see 506).

of captives; he ruled over Gazara and Beth-Zur and the citadel (the Akra), and he removed its uncleanness from it [...] (1 Macc 14:4–7).<sup>18</sup>

Note that for the author of 1 Maccabees, Simon “extended the borders of his nation,” which apparently means that the Judeans started to settle areas which did not traditionally belong to their territory.

However, Antiochus Sidetes’ accusations remain unclear: Beyond the case of Joppa, Gazara, and the Akra, what do the numerous “districts” he is referring to consist of? Could it be that Antiochus did not take into account the previous agreements made between his predecessors and Jonathan, and that he considered the Samaritan districts annexed to Judaea an illegal possession? This seems unlikely, since they were not taken by force and Simon could easily have referred to the gifts made by Antiochus’ predecessors. Could Antiochus have had Akkaron in mind, a territory given to Jonathan as a personal gift? This is unlikely as well, for the same reasons. The only other cases left, according to 1 Maccabees, are Beth-Zur (located on the border between Judaea and Idumaea), and Adida, two strongholds whose loss probably displeased the Seleucid king. Two strongholds are not exactly “many districts,” but some rhetorical exaggeration is to be expected in discourses like that of Antiochus.

Let us now look carefully at Simon’s answer to Antiochus: First, Simon offers the king a hundred talents for Joppa and Gazara instead of the five hundred talents requested by Antiochus. He does not mention the Akra; nor does he address the other parts of Antiochus’ request concerning the “damage” caused in the royal domain and the districts outside the borders of Judaea, which the Judeans were supposed to have seized and for which Antiochus

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<sup>18</sup> The results of Simon’s policy are summarized with great enthusiasm by the author of 1 Maccabees in 14:33–37.

was asking another five hundred talents. Simon actually distinguishes between two cases which are not equivalent to the distinctions made in Antiochus' discourse: he refers to the territories that belong to "the inheritance of our fathers," on the one hand, and to Joppa and Gazara, on the other. A very important conclusion must, therefore, be drawn: *Joppa and Gazara are not part of "the inheritance of our fathers."* Logically enough, "the inheritance of our fathers" cannot be equivalent to *Eretz Israel* (from the Mediterranean to the Jordan) as argued by some. On the other hand, that the Akra was not mentioned at all, can probably be explained because, from Simon's perspective, it obviously belonged to the "inheritance of our fathers," even if it was a Seleucid stronghold – it was, after all, located in Jerusalem, the capital of Judaea! It also makes sense to suppose that Simon considered Beth-Zur to be part of Judaea. As far as the Samaritan districts annexed to Judaea are concerned, as mentioned previously, they do not seem to have been part of the argument, except maybe in the case of Adida, but this is unclear. Now, concerning the territories that represent "the inheritance of our fathers," the Hasmonean leader argues that the Judeans have a right of property over them, because these territories *already belonged to their ancestors*; it is, therefore, a historical right, based on inheritance (and not a divinely granted right).<sup>19</sup> We shall see in the last part of this paper that this was a common way to justify one's right to a land, as has been aptly analyzed by historians of the Hellenistic world such as Elias Bickerman, Jean-Marie Bertrand, and Angelos Chaniotis, among others.<sup>20</sup> The

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<sup>19</sup> Uriel Rappaport rightly emphasizes this point: Simon does not refer to a right that would be granted by God's promise to give the Land of Canaan to the children of Israel, but only to a historical right (see Rappaport, *The First Book of Maccabees*, 345 [in Hebrew]). On the different ways to ground property rights over a territory in the Hellenistic and Roman world, see below, note 40.

<sup>20</sup> See below, part 4 ("Hellenistic discourse about land property rights").

notion of inheritance in itself, however, does not inform us about the nature of the borders of the territory.

We may provisionally conclude that the expression “the inheritance of our fathers” very probably referred either to Judaea (maybe a slightly extended Judaea) or maybe to Judaea-Samaria, understood as the biblical kingdom of Judah together with the northern kingdom of Israel. However, it must be underlined that nowhere is the land ruled by the Hasmoneans called “Israel;”<sup>21</sup> it is consistently called “Judaea” or “country of Judah” (γῆ Ἰουδα) throughout the whole book.<sup>22</sup> Its people are frequently called the “sons of Israel,” as in the biblical books, where the expression designates either all the descendants of Jacob or the Judeans alone (after the destruction of the northern kingdom); but the land is not called “Israel.” This linguistic phenomenon, which can also be found in the Book of Judith, has been noticed and analyzed by David Goodblatt, who concludes: “Whatever the reason, the Hasmoneans did not restore the state called ‘Israel.’ Instead they created a ‘Greater Judah.’”<sup>23</sup> However, it is extremely difficult

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<sup>21</sup> The expression “Holy Land” cannot be found either, whereas Jerusalem is sometimes called the “holy city” (1 Macc 2:7).

<sup>22</sup> See 1 Macc 3:39, 5:45.53.68 ; 6:5 ; 7:10.22.50 ; 9:1.57.72 ; 10:30.37 ; 12:4 ; 13:1.12 ; 14:4 ; etc. Note also that in chapter 2, Mattathias sees “the blasphemies that were committed in Judah and Jerusalem” (v. 6) and that he laments for the city of Jerusalem, saying: “Which nation has not inherited her kingdom (ποῖον ἔθνος οὐκ ἐκληρονόμησεν βασίλεια) and has not seized her spoils?” (v. 10). It could be argued that Simon’s answer in chapter 15 echoes Mattathias’s initial cry of pain, and that “the inheritance of our fathers” alluded to by Simon is closely connected with the glory of Jerusalem and of the kingdom of Judah.

<sup>23</sup> See David Goodblatt, “‘The Israelites who reside in Judah’ (Judith 4:1): On the Conflicted Identities of the Hasmonean State,” in *Jewish Identities in Antiquity. Studies in Memory of*

to determine which borders were the legitimate borders of the Judeans' territory from the Hasmoneans' perspective, since 1 Maccabees does not provide any information on this issue.<sup>24</sup>

Now, as is well-known, Josephus used 1 Maccabees extensively in his parallel account of the Maccabean revolt in his *Jewish* (or *Judean*) *Antiquities*. Does his work provide us with further information that might shed light on the territorial conflict between Antiochus Sidetes and Simon? At first glance, the episode of 1 Maccabees 15:28–36 is lacking from the *Antiquities*.<sup>25</sup>

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*Menahem Stern* (ed. Lee I. Levine and Daniel R. Schwartz; Tübingen: Mohr Siebeck, 2009), 74–89 (quotation p. 84). The author of the book of Judith mainly uses the expressions “children of Israel” (for the people) and “Judaea” (for the land).

<sup>24</sup> Doron Mendels himself acknowledges this (*The Land*, 51). Following the indications found in 1 Maccabees, Seth Schwartz considers that *de facto*, “at Simon’s death, Jewish Palestine consisted only of the tiny district of Judaea, extending roughly from Beth-Zur, about twenty-five kilometres south-southwest of Jerusalem, to the region of Bethel and Gophna, about twenty kilometres to the city’s north, and about thirty kilometres from the eastern desert to the high plain at the foot of the Judean hills” (“Israel and the Nations Roundabout: 1 Maccabees and the Hasmonean Expansion,” *JJS* 42 [1991]: 17–38, quotation p. 17).

<sup>25</sup> As Etienne Nodet has shown, Josephus uses several sources even when he takes his inspiration from 1 Maccabees, and nearly completely stops using the latter from 1 Macc 13:42 onwards (see E. Nodet, *La crise maccabéenne. Historiographie juive et traditions bibliques* [Paris: Cerf, 2005], 407–31). For some scholars, who build on the fact that Josephus does not use the last chapters of 1 Maccabees, the section that runs from 1 Macc 14:16 to 16:24 represents a secondary addition dated from the second edition of the book, around 100 BCE. See in particular David S. Williams, *The Structure of 1 Maccabees* (CBQMS 31; Washington:



Josephus does indeed refer to Antiochus's change of attitude towards Simon, but he simply states that the Seleucid king "through covetousness and dishonesty forgot the services which Simon had rendered him in his necessity, and giving a force of soldiers to Cendebaeus, one of his Friends, sent him off to plunder Judaea and seize Simon" (*Ant.* 13.225). This paragraph of the *Antiquities* actually corresponds to 1 Maccabees 15:38–41, the verses that *follow* the passage under scrutiny here. On the other hand, the episode of Athenobius's embassy to Jerusalem is implied in another passage of the *Antiquities*, 13.236, where Josephus writes that "Antiochus, being resentful of the injuries he had received from Simon, invaded Judaea in the fourth year of his reign and the first of Hyrcanus' rule, in the hundred and sixty-second Olympiad." Nowhere in the *Antiquities* has anything been told about Simon causing "injuries" to Antiochus; this passage is thus unintelligible without the testimony of 1 Maccabees 15. Strangely enough, when Josephus relates the siege of Jerusalem by Antiochus, the latter is suddenly described as pious and full of respect for the sanctuary, as if he was the complete

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Catholic Biblical Association, 1999), 108–22; idem, "Recent Research in 1 Maccabees," *CRBS* 9 (2001): 169–84 (see 172–74). On Josephus's use of 1 Maccabees in general, see Ezra Z. Melamed, "Flavius Josephus Compared to 1 Maccabees," *Eretz-Israel* 1 (1951): 122–30 (in Hebrew); Isaiah M. Gafni, "Josephus and 1 Maccabees," in *Josephus, the Bible, and History* (ed. Louis H. Feldman; Leiden: Brill, 1989), 116–31; Gideon Fuks, "Josephus and the Hasmoneans," *JJS* 41/2 (1990): 166–76; Bezalel Bar-Kokhva, "On Josephus and the Books of the Maccabees, Philology and Historiography," *Tarbiz* 62/1 (1992): 115–32 (in Hebrew); Louis H. Feldman, "Josephus' Portrayal of the Hasmoneans Compared with 1 Maccabees," in *Josephus and the History of the Greco-Roman Period* (ed. F. Parente; Leiden: Brill, 1994), 41–68.

opposite of his impious ancestor Antiochus IV (*Ant.* 13.242–243).<sup>26</sup> The kindness (ἐπιείκεια) and the religious fervour of Antiochus VII are such that John Hyrcanus asks him to allow the Jews to live according to their ancestral laws (*Ant.* 13.245). Antiochus answers in a positive way, refuting those among his counsellors who accused the Jews of ἀμιξία (of refusing to mix with non-Jews). However, Antiochus demands that the Judeans “hand over their arms, pay tribute to him for Joppa and the other cities bordering on Judaea (καὶ τῶν ἄλλων πόλεων περὶ τῆς Ἰουδαίας) [or, according to mss FVE: outside (πάρεξ) Judaea], and receive a garrison [that is, in Jerusalem]” (*Ant.* 13.246). The Judeans accept the deal, except for the garrison, in exchange for which they hand over hostages and pay five hundred talents of silver.<sup>27</sup> Although this passage of the *Antiquities* does not refer to the trio “Joppa – Gazara – Akra” as in 1 Maccabees 15, it is clear that the same territorial strife is at stake. For the time being, the conflict comes to an end. However, as *Antiquities* 13.259–263 shows, later on Hyrcanus sends envoys to Rome to request on behalf of the Judeans that “Joppa and its harbours and Gazara and Pegae and whatever other cities and territories Antiochus took from them in war, contrary to the decree of the Senate, be restored to them.” Therefore, the conflict went on, and this time

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<sup>26</sup> This has to do with the issue of the sources Josephus used, an issue which cannot be dealt with here.

<sup>27</sup> On Josephus’s account of the siege and his sources, see Tessa Rajak, “Roman Intervention in a Seleucid Siege of Jerusalem ?,” *Greek, Roman and Byzantine Studies* 22/1 (1981): 65–81; Katell Berthelot, *Philanthrôpia judaica. Le débat autour de la ‘misanthropie’ des lois juives dans l’Antiquité* (Leiden: Brill, 2003), 123–41; Bezalel Bar-Kochva, *The Image of the Jews in Greek Literature: The Hellenistic Period* (Berkeley: University of California Press, 2010), 399–439.

Gazara was explicitly mentioned alongside Joppa. The Akra, however, was not an issue any more, since according to Josephus, it had been razed to the ground by Simon (*Ant.* 13.215).

In the end, Josephus's testimony does not allow a direct clarification of the diplomatic exchange between Antiochus VII and Simon in 1 Maccabees 15. However, in spite of the fact that Josephus does not recall Athenobius's embassy to Simon, the *Antiquities* echoes the distinction made by Simon between the territories found in Judaea that belong to "the inheritance of our fathers" and the territories located outside its borders.

## **2. The biblical background of the expression "the inheritance of our fathers"**

How do scholars who claim that "the inheritance of our fathers" means the whole "Promised Land" deal with the distinction made by Simon? From their perspective, since Joppa and Gazara are located within the borders of *Eretz Israel*, Simon's distinction between "the inheritance of our fathers", on the one hand, and Joppa and Gazara, on the other, has to be understood as a diplomatic or tactic concession to the Seleucids, connected with the fact that Simon was aware that he could not use a divine right argument in his talks with Antiochus. Jonathan Goldstein, for instance, evokes "the Jews' claims based on divine promises to their ancestors and on previous conquest," and adds:

As a good diplomat, Simon does not attempt to argue that Joppa and Gazara lay within the confines of the promised land or once belonged to Solomon (II Chron 2:15; Josh 21:21; I Kings 9:15–17). The Seleucid authorities might not have conceded the validity of the evidence. Simon

claims the cities by right of conquest in just wars of retribution, a principle recognized in Greek international law.<sup>28</sup>

The problem with this analysis is that it overlooks the fact that Simon actually acknowledges that there is a problem with Joppa and Gazara, justifies their conquest by an argument about security, and is ready to pay a hundred talents for them.

Let us consider for a second the argument of a diplomatic and tactic concession to the Seleucids' form of argumentation. As we shall see in greater detail later on, Simon's answer is indeed formulated in a language that corresponds to Seleucid, and more generally, to Hellenistic standards. However, one should also keep in mind that 1 Maccabees was originally written in Hebrew for a Judean audience. Even in the Greek translation, the book contains numerous echoes of the biblical style used in Joshua, Judges, 1–2 Samuel, 1–2 Kings and 1–2 Chronicles, which were meaningful only to a Jewish audience familiar with the traditions found in the "historical" books which were about to become the Bible. The fact that Simon uses the expression "the inheritance of our fathers" and not "the Land given by God to our ancestors" is, therefore, significant. Obviously, it is difficult to determine whether in 1 Maccabees 15 we hear something that comes close to Simon's *ipsissima verba* or a later reformulation of them that may have been very different from the original. Uriel Rappaport for instance is quite confident that we are dealing with a fair report of Simon's answer to Antiochus.<sup>29</sup> In any case,

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<sup>28</sup> *1 Maccabees*, 516. Werner Dommershausen writes: "Simeon weiss sehr wohl, dass auch Jafo und Geser einst zum salomonischen Reich gehörten (2 Chr 2:15; 1 Kön 9:15–17), erachtet es aber im Augenblick für diplomatischer, auf den historischen Beweis zu verzichten und die Geldsumme anzubieten" (*1 Makkabäer – 2 Makkabäer* [Würzburg: Echter Verlag, 1985], 104).

<sup>29</sup> Rappaport, *The First Book of Maccabees*, 344.

the text is carefully crafted from a literary point of view, and the formulation has not been chosen by chance.<sup>30</sup>

In order to understand the way the author uses biblical traditions in 1 Maccabees, one must recall that as opposed to 2 Maccabees, 1 Maccabees does not refer to God very often, especially from Jonathan's rule onwards. Uriel Rappaport convincingly argues that the author of 1 Maccabees develops a kind of historiography that differs from the biblical one in that it is much more profane and emphasizes the great deeds of the Hasmoneans rather than God's miraculous interventions. Contrary to Aryeh Kasher and Jonathan Goldstein, Edward Dabrowa writes that from Jonathan and Simon onwards, "religious purposes and motivations clearly gave way to political aims."<sup>31</sup> In accordance with these remarks, one should recall that the author of

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<sup>30</sup> On the literary construction of 1 Maccabees, see in particular John R. Bartlett, *1 Maccabees* (Guides to the Apocrypha and Pseudepigrapha 5; Sheffield: Sheffield Academic Press, 1998), 21–35; David S. Williams, *The Structure of 1 Maccabees*, 72–95, 108–27.

<sup>31</sup> See *The Hasmoneans and Their State*, 42. This phenomenon has been aptly analyzed by Uriel Rappaport in "A Note on the Use of the Bible in 1 Maccabees," in *Biblical Perspectives. Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. Michael E. Stone and Esther G. Chazon; Leiden: Brill, 1998), 175–79; see also idem, *The First Book of Maccabees*, 34–35, 52–54 (in Hebrew). This does not contradict the description of the Hasmoneans as eager to defend the Law and to purify the Temple and the conquered places where Judeans are going to settle. The Hasmoneans' commitment to the Law of Moses and their role as defenders of the Law and of the people are the basis of their legitimacy. The question of the exact nature of their faithfulness to the Law and the connected issue of the hellenization of the Hasmoneans is too vast to be dealt with here; see for instance Tessa Rajak, "The Hasmoneans and the Uses of Hellenism," in *A Tribute to Geza Vermes: Essays in Jewish and Christian Literature and*

1 Maccabees never refers to the “Promised Land” or to the “Holy Land,” that he does not recall the conquest of the Land by Joshua, even when he mentions him among the great men of Israel,<sup>32</sup> and that he never explicitly addresses the issue of the borders of the Land.<sup>33</sup>

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*History* (ed. Philip R. Davies and Richard T. White; JSOTSup 100; Sheffield: Sheffield Academic Press, 1990), 261–80; Uriel Rappaport, “The Hellenization of the Hasmoneans,” in *Jewish Assimilation, Acculturation and Accomodation: Past Traditions, Current Issues, and Future Prospects* (ed. Menachem Mor; Lanham–New York–London: University Press of America, 1991), 2:2–13; Erich S. Gruen, “Hellenism and the Hasmoneans,” in *Heritage and Hellenism: The Reinvention of Jewish Tradition* (Berkeley: University of California Press, 1998), 1–40; and the recent book by Eyal Regev, *The Hasmoneans: Ideology, Archaeology, Identity* (Göttingen: Vandenhoeck & Ruprecht, 2013).

<sup>32</sup> Thus, in Mattathias’s discourse about the great deeds of the patriarchs and the ancestors of the people of Israel, he says about Joshua that “for fulfilling the word he was made a judge in Israel” (Ἰησοῦς ἐν τῷ πληρῶσαι λόγον ἐγένετο κριτῆς ἐν Ἰσραηλ) (2:55). When one compares this sentence with the celebration of the military deeds of Joshua in Ben Sira (46:1–10), who starts by recalling that Joshua was the one who had the tribes inherit the Land, one grasps the extent to which the author of 1 Maccabees refrains from promoting the fighting Joshua as a model for the Hasmonean dynasty. On the absence of the model of Joshua in 1 Maccabees, see Katell Berthelot, “The Biblical Conquest of the Promised Land and the Hasmonean Wars according to 1 and 2 Maccabees,” in *The Books of Maccabees: History, Theology, Tradition* (ed. Geza G. Xeravits and József Zsengellér; Leiden: Brill, 2007), 45–60.

<sup>33</sup> See above, note 23, and Mendels, *The Land*, 51 and 47–48, note 3. The only passage that Mendels is able to quote in order to justify that after 140, “the Land is added as a goal of the war”—according to undefined borders!—, is none other but 1 Macc 15:33–35. The same

Once these general observations have been made, can a precise biblical background, nevertheless, be identified behind the expression ἡ κληρονομία τῶν πατέρων ἡμῶν? In biblical literature, the notion of הַלְקָה / κληρονομία or κληρονομία is mainly used in the context of God's covenant with his people; in particular, the terms הַלְקָה / κληρονομία sometimes designates the land which is given by God to Israel as an inheritance.<sup>34</sup> Nevertheless, occurrences of κληρονομία in connection with the “fathers” or the ancestors are not very numerous, and actually tend to designate the land owned by a tribe, a family, or an individual, not the Land of the people of Israel as a whole.<sup>35</sup> Thus, Numbers 33:54, which refers to the lots (of land) granted to each tribe, concludes in the following terms: “(...) wherever the lot falls to any man, that shall be his; according to the tribes of your fathers you shall inherit” (למשה אבותיכם תתנחלו, κατὰ φυλὰς πατριῶν ὑμῶν κληρονομήσετε). In Numbers 36:7–9, the issue of the daughters' inheritance is addressed; the problem raised is whether part of a tribe's lot could be integrated into another tribe's lot. This must not happen: “The inheritance of the people of Israel shall not be transferred from one tribe to another; for every one of the people of Israel shall cleave to the inheritance of the tribe of his fathers” (v. 7) (אבתיו ידבקו בני ישראל כי איש בנחלת משה; ὅτι ἕκαστος

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tension can be found in William D. Davies, *The Territorial Dimension of Judaism* (Berkeley–Los Angeles: University of California Press, 1982), 62–67.

<sup>34</sup> See for instance Deut 12:8–10. For the people of Israel as God's κληρονομία, a very common use of the term, see for instance 3 Kgdms 8:53, Isa 19:25, 47:6, and Jer 12:7, among others. Conversely, in Ezek 44:28, God declares that he himself is the κληρονομία of the priests.

<sup>35</sup> There may be an exception to this: in Isaiah 58:14, the country as a whole seems to be referred to by the expression “the inheritance of your father Jacob” (τὴν κληρονομίαν Ἰακωβ τοῦ πατρὸς σου). However, the reference is only to one father, Jacob, who is the ancestor of the whole nation.

ἐν τῇ κληρονομίᾳ τῆς φυλῆς τῆς πατριᾶς αὐτοῦ προσκολληθήσονται οἱ υἱοὶ Ἰσραηλ). The daughters who inherit pieces of land shall marry a man from their father’s tribe, “so that every one of the people of Israel may possess the inheritance of his fathers (יְהִי כָל־אֶחָד מֵעַמְּךָ יִשְׂרָאֵל יֹשֵׁב עַל־הַיְרֵדָה יִרְשֶׁתָּהּ; τὴν κληρονομίαν τὴν πατρικὴν αὐτοῦ)” (v. 8). The obligation to respect the original boundaries between the lots of the children of Israel is also vigorously recalled in Deuteronomy 19:14.

In 1 Maccabees itself, two other occurrences of κληρονομία can be found, which are both connected with lands owned by individuals or families. In one case, reference is made to the territory Caleb received in Canaan as a reward for his faithfulness during the episode of the spies (Numbers 13–14 and Joshua 15:13–14; 1 Macc 2:56); the other case has to do with the property of the impious Judeans, which Judas and his men took from them (1 Macc 6:24). These two cases tend to corroborate the interpretation of ἡ κληρονομία τῶν πατέρων ἡμῶν in 1 Maccabees 15:33–35 as a legal category probably designating the territories of the tribes of Judah and Benjamin, the ancestors of the Judeans *stricto sensu*, which together formed the kingdom of Judah.<sup>36</sup> By using the term κληρονομία, the text introduces a biblical dimension into the diplomatic exchange between Simon and Antiochus that refers back to the repartition of the lots of land between the tribes of Israel and strongly emphasizes the inalienable character of the Judeans’ right to their ancestral land.

Finally, the use of the expression ἡ κληρονομία τῶν πατέρων ἡμῶν could also point to a specific biblical episode, the story of Naboth’s vineyard in 1 Kings 21 (LXX: 3 Kgdms 20), an allusion to which only people familiar with the biblical texts could have thought of. The story describes how the evil king Ahab wanted to possess Naboth’s vineyard in order to extend his

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<sup>36</sup> The borders of the territory attributed to Judah are described in Josh 15; those of Benjamin, whose territory adjoins that of Judah and includes both Jerusalem and Jericho, are found in Josh 18:11–28. See also Abel, *Géographie de la Palestine*, 2:46–50 and 53–56.



garden. Naboth was a simple man, a commoner who nevertheless refused to sell his vineyard to the king or give it in exchange for another piece of land, arguing: “The Lord forbids that I should give you the inheritance of my fathers” (וְהָיָה לְךָ אֲבֹתַי, κληρονομίαν πατέρων μου) (1 Kings 21:3). Together with Numbers 36:8 (MT rather than LXX, which uses the adjective πατρικός), this passage from 1 Kings contains the expression that is most similar to the one used in 1 Maccabees 15. The story of Naboth again illustrates the fact that κληρονομία, when it is associated with “fathers,” generally designates the territory of a tribe, a family or an individual. Moreover, it is indeed possible that 1 Maccabees 15 contained a deliberate and ironical allusion to the biblical story of Ahab and Naboth, suggesting that Antiochus Sidetes was comparable to the evil and impious Israelite king, whereas Simon was defending the legitimate rights of the Judeans, who were, therefore, comparable to Naboth and, far from seizing the lands of others, asked for nothing more than the right to keep their ancestral estate. This interpretation, if it is correct, tends to belie the theory according to which Simon’s answer implies that the Hasmoneans saw the reconquest of the whole “Promised Land” as their program and their religious duty. Finally, even if the connection with the story of Naboth is considered far-fetched, the philological observations made above show that understanding the expression ἡ κληρονομία τῶν πατέρων ἡμῶν as referring to the maximalist territorial definition of the “Promised Land” is far from self-evident. The ancestral estate of the Judeans was Judaea alone.<sup>37</sup>

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<sup>37</sup> There were of course other views of the Land of Israel and its borders during the 2<sup>nd</sup> century BCE. The *Book of Jubilees*, for instance, followed the maximalist definition of the borders of the Land found in Genesis. I deal with these different views in my forthcoming book on the Hasmonean wars of conquest and the paradigm of the “reconquest of the Promised Land.”

### 3. Literary context and rhetorical patterns: Seleucid language in 1 Maccabees

In order to be interpreted correctly, 1 Maccabees 15 needs to be read not only with a possible biblical background in mind, but also with an eye on its literary construction and the rhetoric of the chapter and of the book as a whole. The author of 1 Maccabees reproduces Seleucid discourse in several instances and deliberately introduces numerous echoes between Simon's answer and Antiochus' discourse in chapter 15 and elsewhere.<sup>38</sup> Moreover, Antiochus's letter in vv.28–31 also echoes the first letter sent to Simon in 1 Maccabees 15:2–9. These linguistic similarities help to underline the contradiction between the two letters, Antiochus's unjustifiable change of attitude towards Simon and the former's wickedness. In chapter 15, the three letters or messages have elements in common. In v.3, Antiochus complains that “traitors have seized power over the kingdom of our fathers” (κατεκράτησαν τῆς βασιλείας τῶν πατέρων ἡμῶν). It parallels the use of κατακρατέω in v.28 (κατακρατεῖτε) as well as in v.33 (Simon's answer: κεκρατήκαμεν; τῆς κληρονομίας τῶν πατέρων ἡμῶν ὑπὸ δὲ ἐχθρῶν ἡμῶν (...) κατακρατήθη). Moreover, in vv.3–5, Antiochus also declares that he wants to punish “those who have ruined our domains and laid waste many cities in my kingdom” (τοὺς ἡρημωκότας πόλεις πολλὰς ἐν τῇ βασιλείᾳ μου). There are parallels in v.28 (πόλεις τῆς βασιλείας μου) and in v.29 (τὰ ὄρια αὐτῶν ἡρημώσατε (...) καὶ ἐκυριεύσατε τόπων πολλῶν ἐν τῇ βασιλείᾳ μου) as well as in v. 35, if one follows Abel's plausible correction and reads τὴν χώραν ἡρήμων (a mistake for ἡρήμουν) instead of καὶ τὴν χώραν ἡμῶν. Considering all the echoes and parallels in wording between these discourses, one can plausibly conclude that the expression “the inheritance of our fathers” (ἡ κληρονομία τῶν πατέρων ἡμῶν), which is not

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<sup>38</sup> See Abel, *Les livres des Maccabées*, 272–73.

used in Antiochus's letters as such or in other instances of Seleucid discourse in 1 Maccabees, echoes the formula "the kingdom of our fathers" (ἡ βασιλεία τῶν πατέρων ἡμῶν) in the speech of the Seleucid king. The reference to "the inheritance of our fathers" in chapter 15 has to be understood not only in connection with biblical texts, but also with Seleucid discourse as it is reproduced by the author of 1 Maccabees himself. To the best of my knowledge, after Abel, the only author who fully noticed the similarities between vv.3–4 and vv.33–35 is Robert Doran, who writes: "Antiochus VII had claimed that he was acting to regain control of the kingdom of his ancestors (15:3–4), and likewise now Simon reacts to Antiochus by claiming that he also only took back control of the inheritance of his ancestors (v. 33)."<sup>39</sup> The mirror effect is striking, but it has, nevertheless, been overlooked by most commentators.

Finally, the connection between Simon's reply and Antiochus's discourse is further corroborated by a study of 1 Maccabees as a whole, which leads to the conclusion that the expressions "the land of our / my / his fathers," "the kingdom of our / my fathers," and "the throne of my fathers," are exclusively to be found in the mouths of the Seleucid rulers.<sup>40</sup> It is thus not only within the context of chapter 15 but on the more general level of the book as a whole that the expression "the inheritance of our fathers" echoes Seleucid discourse.

This echo entails an ironical dimension since it aims at emphasizing that Antiochus behaves towards the Judeans in the very same way that his adversaries previously behaved towards him. The echo between Seleucid and Hasmonean discourses also has a strong political meaning, because it implies that the Seleucids and the Hasmoneans are from now on somehow on equal ground. Let us recall, following John Ma, that "power and empire are about language as much

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<sup>39</sup> Robert Doran, *The First Book of Maccabees: Introduction, Commentary, and Reflections* (The New Interpreter's Bible IV; Nashville: Abingdon Press, 1996), 172.

<sup>40</sup> See 1 Macc 7:2; 10:52; 10:55; 10:67; 11:9; 15:3; 15:10.

as about physical constraint.”<sup>41</sup> The author of 1 Maccabees presents Simon as claiming a kind of reciprocity in his relationship with Antiochus. This can be explained by the fact that the Hasmoneans had gained the upper hand in Judaea and had recovered autonomy to a large extent. Moreover, when 1 Maccabees was written, they had become fully independent of Seleucid rule.

#### 4. Hellenistic discourse about land property rights

Finally, let us assess Simon’s answer to Antiochus by putting it in the context of Hellenistic discourse about land property rights. As aptly analyzed by Jean-Marie Bertrand, Angelos Chaniotis, and other historians of the Hellenistic and Roman world (who built upon Elias Bickerman’s pioneering work),<sup>42</sup> in the Hellenistic world there were four ways of arguing that

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<sup>41</sup> John Ma, *Antiochos III and the Cities of Western Asia Minor* (Oxford: Oxford University Press, 2000), 104.

<sup>42</sup> See Elias Bickermann and Johannes Sykutris, “Speusipps Brief an König Philipp. Text, Übersetzung, Untersuchungen,” in *Berichte über die Verhandlungen der Sächsischen Akademie der Wissenschaften zu Leipzig: philologisch-historische Klasse LXXX* (1928), Heft 3, 7–86 (see p. 27–29, 40); Elias Bickerman, “Bellum Antiochicum,” *Hermes* 67/1 (1932): 47–76; idem, “Remarques sur le droit des gens dans la Grèce classique,” *RIDA (Revue Internationale des Droits de l’Antiquité)* 4 (1950): 99–127 (*Mélanges Fernand de Visscher* III) (see p. 123–24); Andreas Mehl, “ΔΟΠΙΚΤΗΤΟΣ ΧΩΡΑ. Kritische Bemerkungen zum Speererwerb in Politik und Völkerrecht der hellenistischen Epoche,” *Ancient Society* 11–12 (1980–81): 173–212; Jean-Marie Bertrand, “Territoire donné, territoire attribué: note sur la pratique de l’attribution dans le monde impérial de Rome,” *Cahiers du Centre Gustave-Glotz*

one's possession of a territory was legitimate and that one had a legal right to a territory: inheritance, purchase, donation, and conquest. Conquest was legitimate if performed in a proper way, that is, against the legitimate owners and according to the rules of a just war, for instance, because one had been attacked first. The testimony of *IC III iv 9*, an inscription pertaining to the arbitration by Magnesia on the Maeander between the Cretan *poleis* of Hierapytna and Itanos in 112–111 BCE, proves illuminating. On ll. 133–134, we read the following affirmation, only slightly reconstructed: “[... M]en have proprietary rights over land either because they have r[ecieved] (the land) themselves from their ancestors, [or because they have] bought (it) [for] money, or because they have won it by the spear, or because [they have received it] from someone of the mightie[r] (...).”<sup>43</sup> Interestingly enough, the Seleucid discourse in 1 Maccabees uses similar expressions, speaking about κυριείαι (“lordships,” proprietary rights) and about τόποι (“places”), for instance in Antiochus’s hostile missive to Simon (1 Maccabees 15:29–

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2 (1991): 125–64; Angelos Chaniotis, “Justifying Territorial Claims in Classical and Hellenistic Greece,” in *The Law and the Courts in Ancient Greece* (ed. Edward M. Harris and Lene Rubenstein; London, 2004), 185–213; idem, “Victory’s Verdict: The Violent Occupation of Territory in Hellenistic Interstate Relations,” in *La violence dans les mondes grec et romain* (ed. Jean-Marie Bertrand; Paris: Publications de la Sorbonne, 2005), 455–64.

<sup>43</sup> 133 [... ἄν]θρωποι τὰς κατὰ τῶν τόπων ἔχουσι κυριείας ἢ παρὰ προγόνων π[αραλαβόν]τες αὐτοὶ [ἢ πριάμενοι] 134 [κατ’] ἀργυρίου δόσιν ἢ δόρατι κρατήσαντες ἢ παρὰ τίνος τῶν κρεισσόν[ων σχόντες ὧν] οὐθὲν [φανερὸν]. See Sheila L. Ager, *Interstate Arbitrations in the Greek World, 337–90 BC* (Berkeley: University of California Press, 1996), 442 (n°158 II); and also F. Guizzi, “Conquista, occupazione del suolo e titoli che danno diritto alla proprietà: l’esempio di una controversia interstatale cretese,” *Athenaeum* 85 (1997): 35–52.

30).<sup>44</sup> Moreover, in the inscription the connection between property rights and inheritance or hereditary transmission is very strong; both cities were arguing that they had an ancestral right to at least some part of the disputed land; however, in the end, the judges considered the claim of the citizens of Itanos, according to which the land was theirs through hereditary transmission (*παρὰ προγόνων*), more reliable.<sup>45</sup> The insistence on this argument corresponds to the Roman request to the Magnesians, when they made the latter responsible for the arbitration between the two cities, that the judges determine who had been in possession of the land prior to the war settled by Sulpicius around 141 BCE. However, the argumentation of the Cretan cities went further back in time and specified according to which principle they considered themselves to be the legitimate owners. Finally, let us recall that the territory in dispute between Hierapytna and Itanos was located in the vicinity of a sanctuary to Zeus Diktaios; the people of Hierapytna claimed that the disputed piece of land was part of the sacred territory, which they controlled, whereas the Magnesian judges concluded that it was not. Noteworthy is the fact that, as in Simon's answer, no religious argument pertaining to the will of the deity to give sovereignty to one people in preference to the other is invoked in the inscription.<sup>46</sup>

There are also similarities between Simon's answer to Antiochus and Seleucid discourse as attested in Greek literary sources, for instance in Polybius' account of Antiochus III's answer to Lucius Cornelius and the Roman emissaries in 196 BCE, when he was asked to withdraw from the territories that had previously been subject to Ptolemy IV on the one hand, and to Philip V on the other (*Hist.* 18.50.5–6). To this demand, Antiochus responded that

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<sup>44</sup> Regarding these two terms, see Guizzi, "Conquista," 41–42.

<sup>45</sup> On the legitimizing role of references to the past, see for instance John Ma, *Antiochus III*, 31–32.

<sup>46</sup> I thank Ashley Bacchi for drawing my attention to this aspect of the document.

[...] in the first place he was at a loss to know by what right they disputed his possession of the Asiatic towns; they were the last people who had any title to do so. 2. Next he requested them not to trouble themselves at all about Asiatic affairs; for he himself did not in the least go out of his way to concern himself with the affairs of Italy. 3. He said that he had crossed to Europe with his army for the purpose of recovering the Chersonese and the cities in Thrace, for he had a better title to the sovereignty of these places than anyone else (τὴν γὰρ τῶν τόπων τούτων ἀρχὴν μάλιστα πάντων αὐτῷ καθήκειν). 4. They originally formed part of Lysimachus' kingdom, but when Seleucus went to war with that prince and conquered him in the war, the whole of Lysimachus' kingdom came to Seleucus by right of conquest (Σελεύκου δὲ πολεμήσαντος πρὸς αὐτὸν καὶ κρατήσαντος τῷ πολέμῳ πᾶσαν τὴν Λυσιμάχου βασιλείαν δορίκτητον γενέσθαι Σελεύκου). 5. But during the years that followed, when his ancestors (τῶν αὐτοῦ προγόνων) had their attention deflected elsewhere, first of all Ptolemy and then Philip had robbed them of those places (τοὺς τόπους τούτους) and appropriated them. 6. At present he was not possessing himself of them by taking advantage of Philip's difficulties, but he was repossessing himself of them by his right as well as by his might (αὐτὸς δὲ νῦν οὐ κτᾶσθαι τοῖς Φιλίππου καιροῖς συνεπιτιθέμενος, ἀλλ' ἀνακτᾶσθαι τοῖς ἰδίοις δικαίοις συγχρώμενος). (Polybius, *Hist.* XVIII.51.1–6).<sup>47</sup>

We are dealing here with a case of conquest, as the sentence κρατήσαντος τῷ πολέμῳ πᾶσαν τὴν Λυσιμάχου βασιλείαν **δορίκτητον** γενέσθαι Σελεύκου indicates. As rightly emphasized by Angelos Chaniotis, in the Hellenistic world conquest was a legitimate mean to acquire a territory, provided that certain rules were followed. First, the real controversy was the determination of the *terminus a quo*.<sup>48</sup> As a matter of fact, a conquest was generally followed

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<sup>47</sup> Translation according to Angelos Chaniotis, “Victory’s Verdict,” 459.

<sup>48</sup> See Chaniotis, “Victory’s Verdict,” 458–59.

by another conquest, so that after a certain time, it would have been difficult to establish who had the right of property through conquest. The negotiation, therefore, was indeed about the *terminus a quo*. Now, in the case of Antiochus III, his argument was simply to affirm that the conquest of the Chersonese and the Thracian cities by his ancestor Seleucus I Nicator in 281 BCE was the real *terminus a quo*, and that the legitimate right of property belonged to the Seleucid dynasty, initially through conquest and then through hereditary transmission (thus combining two principles of legitimacy). Moreover, since one of the conditions for a legitimate proprietary right through conquest was that war had to be waged against the (at that time) legitimate owner of the territory, Antiochus argued that Ptolemy and Philip had no right to these territories, since neither of them waged war against the Seleucids, but merely took advantage of the circumstances to seize these territories against the will of the Seleucids. Obviously, Antiochus's rhetoric is not to be taken at face value; as John Ma emphasizes: "The Seleukids spoke about the past, in terms of ownership rights, not simply in reference to accepted legal principles, but in order to cover up or legitimize aggression against other kingdoms, the violent takeover of cities and the imposition of control in oppressive manifestations such as tribute or garrisons."<sup>49</sup> Seleucid rhetoric proves, nevertheless, illuminating in order to understand Simon's rhetoric in 1 Maccabees 15.

First, Simon uses the argument of heritage or hereditary transmission, just as Antiochus did; moreover, he also suggests that the Judean territory had been seized in an illegitimate way by stating that "the inheritance of our fathers" "had been unjustly conquered by our enemies using one opportunity or another" (ὕπὸ δὲ ἐχθρῶν ἡμῶν ἀκρίτως ἔν τινι καιρῷ κατεκρατήθη, v.33). As in Polybius's account of Antiochus's argumentation, Simon argues that the Judeans have, therefore, the right to take over the territories again by conquest; since they have a legitimate

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<sup>49</sup> Ma, *Antiochus III*, 32.



right to the land, conquest becomes a legitimate means. However, in certain respects, Simon's argumentation is much less precise than that of Antiochus III. In particular, he does not refer to the initial conquest of the land, either by Joshua or by David, or others, and, therefore, does not provide a *terminus a quo*. Maybe he can be seen as standing in line with the author of 1 Chronicles, who passes over the conquest of the Land nearly in complete silence and describes the occupation of the Land from the patriarchs until the end of the monarchy as a quasi-linear phenomenon with nearly perfect continuity.<sup>50</sup> Alternatively, one could argue that since the initial conquest of the Land by Joshua was supposed to have occurred ten centuries before the period during which Simon ruled, the event was too distant for the argument to be appropriate. However, this reasoning is not sound, because even the mythic past was sometimes used as an argument in Hellenistic debates about territories and peoples or about connections between peoples.<sup>51</sup> The works of historians and even poets were consulted by the judges who were in charge of interstate arbitrations in order to establish the veracity of historical claims.<sup>52</sup> So it is

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<sup>50</sup> See Sarah Japhet, "Conquest and Settlement in Chronicles," *JBL* 98/2 (1979): 205–18, especially 218; idem, *The Ideology of the Book of Chronicles and its Place in Biblical Thought* (Bern: P. Lang, 1989), 374–79.

<sup>51</sup> See in particular Martin P. Nilsson, *A History of Greek Religion* (trans. F. J. Fielden; Oxford: Clarendon Press, 1949), 236–40; Bickerman, "Remarques sur le droit des gens dans la Grèce classique," 123–24. *Syngeneiai* based on myths were particularly frequent, and one actually finds an example of such a mythic *syngeneia* in 1 Maccabees itself, in chapter 12, concerning Judeans and Spartans! See 1 Macc 12:21.

<sup>52</sup> On the use of historical arguments and historiographical works in arbitrations concerning territories, see Maurice Holleaux, "Notes sur la 'Chronique de Lindos'," in *Etudes d'épigraphie et d'histoire grecques* (Paris: De Boccard, 1938), 1:401–407, especially 404, n.3; Olivier Curty,

probably wrong to consider that the location of the biblical stories in a distant past would have prevented Simon from using biblical traditions as an argument had he be willing to do so. In any case, it is highly significant for the correct interpretation of 1 Maccabees 15 and of 1 Maccabees as a whole, that, according to its author, Simon did **not** refer to the initial conquest of the Land by Israel's ancestors but chose to argue on the sole basis of the right of inheritance. This again shows that interpreting 1 Maccabees 15:33–35 as a proof of Simon's intention to reconquer the "Promised Land" is clearly misleading.

## Conclusion

In the history of scholarship, there has been, and still is, a general tendency to over-interpret 1 Maccabees 15:33–35 and to ground important conclusions concerning the history of the Hasmonean dynasty on this over-interpretation. Certainly, it must be acknowledged that there are multiple ways of reading the text as well as multiple layers of meaning, intertextuality, and context which are not necessarily exclusive. At least three contexts can be distinguished: a) the context of chapter 15 and of the book as a whole, in which Simon's answer echoes Seleucid discourse; b) the context of biblical and Jewish literature up to the second century BCE, which provides an important background for understanding the meaning of the expression "the inheritance of our fathers;" and c) the context of Hellenistic diplomatic language and argumentation in cases of territorial disputes, which is also crucial in order to grasp the full

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"L'Historiographie hellénistique et l'inscription 'Inscripfen von Priene' no. 37," in *Historia testis. Mélanges d'épigraphie, d'histoire ancienne et de philologie offerts à Tadeusz Zawadzki* (ed. Marcel Piérart and Olivier Curty; Fribourg: Éditions Universitaires, 1989), 21–35.

significance of Simon's response to Antiochus. By taking all these contexts into account, one reaches several conclusions: First, a close analysis of Simon's answer to Antiochus reveals that the expression "the inheritance of our fathers" very probably refers to Judaea, or a "greater Judah," but not to the "Promised Land," especially not according to its maximalist definition in some biblical texts. Second, Simon's argumentation and 1 Maccabees as a whole display a conspicuous lack of references to the original conquest of the Land, to border issues, as well as to God's promise to Abraham or to the divine will to give the Land to Israel. The expression "the inheritance of our fathers" may, however, allude to the biblical traditions concerning the lots of land attributed to the children of Israel according to their tribes and can be interpreted as emphasizing the legal right of the Judeans over Judaea's territory. Simultaneously, the reference to a legal right acquired through inheritance perfectly fits Hellenistic modes of argumentation about territorial issues. As a matter of fact, Simon's discourse as formulated by the author of 1 Maccabees matches Seleucid and, more generally, Hellenistic diplomatic argumentation concerning property rights over a disputed territory to a surprisingly great extent. Except if one supposes that the translator freely modified the original Hebrew text to make it fit Hellenistic standards, one can conclude that in spite of its being written in Hebrew, 1 Maccabees 15 reveals a so far underestimated aspect of the Hasmoneans' integration into the Hellenistic world: their significant awareness and mastery of the diplomatic discourse used in interstate arbitrations in cases of territorial strife. It is somehow ironic that precisely this passage has been used to describe the Hasmoneans as religious zealots who planned to "reconquer the Promised Land."