

Seleukids and Speech-Acts: Performative Utterances, Legitimacy and Negotiation in the World of the Maccabees

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For Fergus

[Le petit prince] resta donc debout, et, comme il était très fatigué, il bâilla
— Il est contraire à l'étiquette de bâiller en présence d'un roi, lui dit le monarque. Je te l'interdis.
— Je ne peux pas m'en empêcher, répondit le petit prince tout confus. J'ai fait un long voyage et je n'ai pas dormi...
— Alors, lui dit le roi, je t'ordonne de bâiller.
A. de Saint-Exupéry, *Le petit prince*

Who's still afraid of speech-act theory? Historians, at least, needn't be: speech-act theory focuses on the 'performative' aspect of language, i.e. the faculty of language to do things in the world, rather than on statements and their truth-value. Originating in analytical philosophy, this body of theoretical insights should be of central interest to historians, who work on things happening in the world, and who much of the time have only the words of the past to study: speech-act theory allows the historian to transform unease about having 'only words' into confidence that words are themselves part of the world, and hence that the historian's material is important and meaningful. This approach has played an increasingly important role, explicit or implicit, in many interpretations proposed by students of modern history and of the ancient world. Indeed, it has done so for a while: a central figure among modern historians of the ancient world, F. Millar, has described the influence exerted on his *Emperor in the Roman world* (1977) by the central insights of speech-act theory, as developed and taught in Oxford in the 1950s (that certain types of utterance are actions and not [merely] statements).

The present study seeks to use insights drawn from speech-act theory to understand a body of material from the past, namely the documents

concerning the ‘Maccabean revolt’, the protracted, dynamic and complex set of events in later Hellenistic history (175-129), in which the *ethnos* (regional community) of the Jews won independence from the Seleukid empire. The Maccabean test-case offers the opportunity for using a body of theory which focuses on language in real life, in order to examine real-life issues of domination, power and resistance, in the form of the relations between imperial state and local community: this is the area where the historical test-case may lead to more general considerations on the relations between power, language and context. I hope, therefore, that this study might be of interest to scholars of the Hellenistic period and documentary historians, but also that it might speak to theoretically-minded students of texts. In the first case, my goal is to show that speech-act theory does not obfuscate, but clarifies the issues surrounding the documents and their nature: speech-act theory provides useful and powerful tools for interpreting the documents. In the second case, the aim is to show that documents as texts are ‘good to read’, offering the scope for complex readings and interpretive exercises that feed back into the theory that enables them.

At this point, it would precisely be unhelpful to assume familiarity with speech-act theory and to take it for granted as part of every historian’s conceptual tool-kit. So rather than working on allusion and assumption, the next section will at least try to define the terms I use, and sketch (or paraphrase) the theory which produced these terms. In this primer of speech-act theory, an over-simplified and loose account of a highly complex and controversial field, my aim is to attain clarity, especially as concerns the theory’s relevance to the historian, rather than absolute dogmatic correctness or theoretical up-to-dateness;¹ at the very least, it will show how I use this body of insights, where I start, and where I diverge to use the theory, instrumentally, to read documents — roughly put, the advantages of sticking one’s neck out.

Before moving to the theory, it may also be useful to summarize the political background in a few sentences, and some of the more general issues involved in the period and its sources. The earliest contact between the Seleukids and the Jews occurred when Antiochos III took over Judaea and Jerusalem, along with the rest of Koile-Syria, during the Fifth Syrian War

¹ I have used Austin 1975; Récanati 1981 (especially chaps. 3, 6 and 8); Bourdieu 1982, 69-75; de Fornel 1983; Petrey 1988, 1-51; Petrey 1990, 3-85 (esp. chaps. 1-2); Butler 1997. In effect, Austin determines the whole approach, which could be characterized as ‘early speech act theory’. I am aware that this list is painfully incomplete in the eyes of a linguist or specialist in the theory. For a different application of speech-act theory to the field of ancient Greek studies, see Létoublon 1986.

(202-200): his benevolent arrangements are recorded in two documents, preserved by Josephus. Early relations between the Seleukids and the Jews seem to have been cordial (if one excepts an attempt to seize funds from the Temple under Seleukos IV). Under Antiochos IV, the situation turned to crisis: firstly, because of conflict within the Jewish community, between a Hellenizing movement (led by two successive, Hellenizing, high priests, Jason and Menelaos), and traditionalists; secondly, because of a subsequent (and still quite baffling) effort by Antiochos IV to ban Jewish cult and customs, in what seems like a full-blown religious persecution. This policy was reversed, because of successful armed resistance by Judas Maccabaeus, along with the 'pious ones' (Hasidim); Judas had notably succeeded in recovering Jerusalem and the Temple which he purified and rededicated in 164 (as far as I know, the only event in Hellenistic history still celebrated nowadays, in the form of Hanukah). Soon afterwards, the Seleukid state crushed Judas' rebellious movement, killing Judas himself (160). Judas' brothers were reduced to a period of clandestinity and guerrilla warfare, until dynastic strife split the Seleukid power: starting with the time of Alexandros Balas (acc. 150), the Maccabees were able to exploit this situation to consolidate their position and finally to achieve independence.

The Maccabaeian revolt involves many difficult issues, such as the nature of the religious persecution started by Antiochos IV, the underlying conflict, played out within the Jewish community itself, between *Ioudaismos* and *Hellenismos* (the terminology can already be found in the Hellenistic period), and specifically the role played by local initiative in introducing 'Hellenism' to the Jewish *ethnos*; these questions have been the subject of heated debate, and it is not my purpose here to make any direct contribution on this score.² Another way of looking at the Maccabaeian revolt lies more squarely in the mainstream of Hellenistic political history, as the story of a community, at first under the control of a Hellenistic kingdom, then in revolt against it, finally achieving freedom, by military resistance and skilful manoeuvring,

² For a narrative of the period and its events, Schürer, Vermes, Millar 1973, chapters 4-8; Habicht in *CAH* (ed. 2) 8, chap. 10; Bar-Kochva 1989 (centred on military narrative and topography); Gera 1998 (broader, Mediterranean context). On the religious problem, Sherwin-White and Kuhrt 1993, 226-7; Gruen 1993, reviewing the interpretations (notably those offered by Bickerman, M. Hengel and F. Millar) and proposing his own (Antiochos IV tried to ban Jewish customs as a show of force, after his humiliating *débâcle* in Egypt). Political analysis: Sherwin-White and Kuhrt 1993, 225-8, minimising the seriousness of revolt and disaffection. See also Vidal-Naquet 1978, on politics and culture in Hasmonean Judaea.

resulting in the creation of an independent state (in fact, a Hellenistic kingdom of its own). The Maccabaeon material has long been exploited from this point of view: Bickerman relied heavily on it for his analytical tableau of Seleukid imperial institutions, and generally the revolt casts much light on the Seleukid empire. It especially raises the question of the Seleukid empire's strength as imperial formation, or of its decline and weakness. That this latter, Hellenistic-centred approach focuses on political history need not condemn it as narrowly positivist: the concern of this article will be the exercise of power by the rulers, its gradual erosion, and the struggle for agency on the part of the ruled.

These questions can be studied in a close and concrete way, because, as mentioned earlier, our sources contain a series of contemporary documents, usually royal letters to or concerning the Jews. The authenticity of these documents has long been considered problematic. However, it is now agreed that there is no *a priori* reason to reject them as forgeries; examined individually, most of them give good grounds to believe in authenticity, though we should be aware that the processes of quotation mean that we probably do not always have *verbatim* copies.³ II *Macc.* and Josephus' *Jewish Antiquities* were both written in Greek, and hence capable of quoting royal documents; these were occasionally retouched or rephrased. In the case of I *Macc.* (originally written in Hebrew, but surviving in a Greek translation), the documents are known through two intermediaries: the royal Seleukid letters, issued in Greek, were translated into Hebrew and back into Greek; the detail of expression in the 'translationese' of I *Macc.* is often slightly different from the standard royal chancery style known through inscribed

³ The issue is surveyed, with considerations on method, by E.J. Bickerman, 'Une question d'authenticité: les privilèges juifs', originally published in *Mélanges Isidore Lévy* (1955), and reprinted in Bickerman 1980, 24-43 (41-2, for suggestions on the likely provenance of the documents: perhaps a private collection for the earlier Seleukid documents in II *Macc.*, the Hasmonean archives for the later royal letters of I *Macc.*; Bickerman admits perplexity for the documents in *AJ*). In the same collection, see further 'La charte séleucide de Jérusalem', 44-85, originally published in *REJ* 100 (1935); 'Une proclamation séleucide relative au Temple de Jérusalem', 86-104, originally in *Syria* 25 (1946-8); 'Un document relatif à la persécution d'Antiochos IV Epiphane', 105-35, originally *Revue de l'histoire des religions* 115 (1937). Further Habicht 1976 (on documents of Antiochos IV and V, especially the crucial documents of II *Macc.* 11; establishes the reliability of a dossier of letters from II *Macc.*). For later documents quoted by Josephus, but with considerations on his reliability in general, Ben Zeev 1998, 355-73.

royal letters.⁴ In spite of some rewriting and the problems of double translation, the substance, and much of the language, of the documents can be considered as historically viable evidence. This established, the most important fact about these documents is their coherence and the vivid picture they provide for the workings and vicissitudes of imperial power in its relations with an unruly population. The particular value of the Maccabaeian material is its abundance which allows us to read the documents in a meaningful sequence, and the completeness of the narrative context in which these documents are located; our sources provide the context which speech-act theory uses to determine the functioning of language in the world. In applying speech-act theory to reading the Maccabaeian documents, I hope to test and qualify statements about the significance of the Maccabaeian revolt, especially assertions about Seleukid decline, and the recent statements by S. Sherwin-White and A. Kuhrt, who use the documents to posit the continued power of the Seleukid state in this period; the picture I wish to offer is that of the degradation of power, taking place through the stereotypical forms of a language which was meant to express and implement power.

1. Austin's speech-act theory for (ancient) historians: follow that illocution

Speech-act theory studies language in action, and specifically the ways in which words 'do things' — not in the form of referential statements, but in the form of a particular category of utterance, the so-called 'performative utterance'. For instance, 'Jack and Jill are married' is a referential statement, which can be either true or false. Several such statements can be joined in various structures (if P, then Q; either it is the case that P or it is the case that Q; etc.), or propositions, which are valid or invalid, according to the laws of formal logic. But the following is not a statement: 'I hereby pronounce you, Jack, and you, Jill, man and wife' — it is an act which changes the world by having an effect on it and creating a new state of affairs and new relations between things; we may term it a *performative utterance*, because it performs an action in and by words. Here are some examples of performatives: 'I name this ship the Queen Elizabeth II', 'I promise I will come tomorrow', 'I bet it'll rain tomorrow'. And here are some more: 'I release the city of the Prieniens from the contribution (τῆς δὲ συντάξεως ἀφίημι τὴν Πριηνέων πόλιν)', 'I give this land to the soldiers in the πρωτολοχαγία', 'we release you from the additional 5% tax (παραλύομεν δὲ καὶ τῆς προσεπιβληθείσης εἰκοστῆς ἐπὶ τὴν πολιτικὴν)', 'I grant to you and your native neighbours

⁴ For the style of royal chancery, Welles 1934, Bertrand 1990.

the right to be a *polis* (συγχωρῶ καὶ ὑμῖν καὶ τοῖς μεθ' ὑμῶν συνοικοῦσιν ἐν χωρίοις εἰς ἓν πολίτευμα συνταχθ[ῆ]ναι καὶ νόμοις τε χρῆσθαι ἰδίοις)', 'I make you high priest of the Temple in Jerusalem': these are all performative utterances.⁵ They do not need to take the form 'I do this or that'. For instance, 'you're fired', 'the proceedings are now open', 'you're under arrest' are not (just) statements but performative utterances which change the state of the world.

Such *speech-acts* cannot be true or false, valid or invalid: they either work, or do not work (in the semi-technical terminology of the theory, they are 'felicitous' or 'infelicitous'). They work because they are accepted by the audience, because they fit expectations, conventional rules and the context, and because they are executed correctly and completely by the appropriate persons: for instance, 'I pronounce you man and wife' is accepted and works if pronounced by the appropriate authority, in the appropriate circumstances, e.g. a priest in a church, but not by anyone else.⁶ If performed by anyone else, the utterance is infelicitous, since it fails to have any real effect — the utterance is void, *nul et non avenu*.⁷

⁵ The first three examples are taken from daily life (since speech-act theory is aimed at studying 'ordinary' language in action, especially as exemplified in daily speech and concrete conversation). The next examples are extrapolated from Hellenistic documents: the 'Alexander edict' (*Inscr. Priene* 1); a decision by Philip V concerning a land grant to some of his soldiers (republished as Hatzopoulos 1996, no. 17), a letter of Antiochos III to the Sardians, published by Ph. Gauthier (*SEG* 39.1283); the grant by Eumenes II of *polis* status to the inhabitants of Tyriaion (Jonnes and Riel 1997, with Gauthier, *Bull. Epig.* 99, 509). A recent, Antigonid, example from Beroia has been published by V. Allamani-Souri and E. Voutiras: 'I have granted to the officers who fought with me ... freedom from corvées in the cities', ἐπικεχώρηκα δὲ καὶ τοῖς ἡγεμόσι τοῖς [σ]υ<ν>αγωνισαμένοις ... ἀτέλειαν τῶν πολιτικῶν λειτουργιῶν (analysed by M. Hatzopoulos in *Bull. Epig.* 97, 370). See also the decree describing the dealings of Antiochos III with Teos (republished as *SEG* 41.1030, esp. lines 29-34, a fascinating narrative of the city's experience of the king at work with his performative utterances).

⁶ Austin 1975, 12-45; Récanati 1981, chap. 8.

⁷ I have heard A. Chaniotis tell the story that a Greek Communist leader bore the Christian name 'Lenin' (*sic*): the family tricked an old priest, hard of hearing and nearly blind, into believing that he was christening the baby 'Eleni'. Whether a performative speech-act — baptising — actually took place in due form is debatable; in technical Austinian terms it might be considered a 'misfire' (between a 'misapplication' and a 'misexecution'), though the audience chose to acknowledge its validity.

The analysis of the performative utterance might be further refined, by distinguishing three levels at which it operates, or the three sorts of acts it can perform.⁸ 1. As *locution*, at the purely phonetic or linguistic level of sounds, signs, lexical, grammatical correctness (a performative utterance must be recognised to have a certain reference and meaning). 2. As *illocution*, at the formal level of accepted forms (to be recognized, a performative utterance must fulfil various formal requirements and conventional expectations — in Austin's words, it must 'secure uptake': Austin 1975, 116-118). The utterance brings about practical consequences: an illocutionary act is one where I do P *in* saying Q. Illocutionary acts are often expressed, or can often be paraphrased, in the form 'I (hereby) do P', e.g. 'I bet' 'I christen' — in the first person and in the present tense.⁹ 3. As *perlocution*: a performative utterance creates an effect *by* saying something, outside the illocutionary parameters: by saying Q, I might perform a variety of effects P (convincing, warning), according to context. They cannot be paraphrased in the form 'I do P'; it is impossible to say '*I insult', '*I bargain', '*I convince', '*I insinuate' or '*I mislead you'. For instance, 'I bet' is both a linguistic phenomenon (a locution), and an illocution which can be recognised and accepted, in that it secures uptake ('you're on'), and has concrete effects — money will be owed by the party who has lost the bet and can be legitimately recovered by the winner. It might have a perlocutionary effect, such as insulting, implying wealth, instilling doubt. 'I declare you united by the holy bonds of matrimony' is a locution (it has a meaning, it is grammatically and lexically and contextually correct); it has illocutionary force, if pronounced by a priest in a church: bride, groom, onlookers, etc., accept its validity, since they recognise its form as correct, which has social sequels or effects: the newly-weds may now kiss, or file a joint tax return, or legitimately do whatever it is that married people do. It might also have a perlocutionary effect, achieved by the utterance but not within it: moving the bride's mother to tears, warning the hardened bachelor about impending loneliness, reasserting authority in a divided congregation.

These terms and concepts are derived from the work of the British analytical philosopher J.L. Austin, who, in reaction to excessive concentration

⁸ Austin 1975, 92-120, defining these three categories, and excluding, strictly speaking, 'consequences' from the examination of the performative speech-act.

⁹ Though see Récanati 1981, expounding arguments against the position that performatives can always be expressed as 'I grant', and examining the consequences of this position (which might be described as 'strong contextualizing': speech-acts draw their force from intention, pragmatics and context rather than convention).

on statements and formal logic, chose to examine the way in which the operations of ordinary language could reveal important philosophical truths. His project was to elaborate a philosophical-scientific linguistics, which could describe and explain language in action, and the rest of his seminal *How to do things with words* was devoted to refining these concepts, and notably to narrowing the gap between statements and performatives (performatives are predicated on facts, and hence statements; statements could be considered as speech-acts, 'I state ...'). Concomitantly, the concept of 'speech-acts' was extended from performatives such as 'I baptise' to actions accomplished in speech such as warning, predicting, threatening, etc. This whole field, developed greatly after Austin, is complex and sophisticated. It stands as a body of thought with its own story — that of the successes it has enjoyed, notably on account of the radical potential of the shift from truth to felicitousness as a criterion for evaluating statements; also the story of the attacks the theory has faced, notably on the part of deconstruction. In parallel, the field has been working out its own concerns and unpacking its problems, through heated controversy about the definition and the reframing of basic notions and terminology (for instance, the problematising of the boundaries between illocutionary and perlocutionary, the questioning of these very concepts, and the shifting of the illocutionary from the realm of social action to a linguistic dimension).¹⁰

Historians might wish to get off the speech-act train earlier. They might find the greatest interest in Austin's earliest, basic insight about the nature of the performative utterance: namely, that certain utterances are actions, and that to have that effect — to be felicitous — they must be accepted by their audience. In proposing this insight, Austin offered a way to study language and individual utterances by focusing not on the truth-value of individual utterances, but on their action, effect, context; on language and

¹⁰ Petrey 1990, 3-85, for a survey of the field, including the challenge posed by J. Derrida and the ensuing debate between Derrida and J.R. Searle. Petrey strongly argues for the assimilation of all statements within the category of performatives, since this allows him to apply an Austinian model to the study of literature; this position (which goes back to Austin) is challenged in detail and with great force by F. Récanati (1981). Bourdieu 1982, 103-19, 152, offers a critique of Austin, on the grounds that the latter's 'illocutionary force' is purely formal and resides in language rather than in institutions and power; but Austinian illocution is not very different from Bourdieu's 'reconnaissance' (111), and Bourdieu exaggerates the formal element in Austin's analysis. His views are further discussed in Butler 1997, chap. 4. On the shift of the meaning of 'illocutionary', Récanati 1981, 95 n. 1.

communication rather than just content. So performative utterances, which meet the conditions just mentioned, are about words in context: an act of language must accord with a set of conventions, and when this act is located in the past, its efficiency depends on conventions and a context which belong to the realm of the historical and the historian. Austin's insight thus establishes the crucial relationship between language and the non-linguistic context, between words and world, between a purely linguistic phenomenon (uttered sounds or written signs) and its audience. The conditions for the 'felicitousness' of performative utterances are in fact linked with the distribution of power — the conditions that govern the authority or the entitlement of the utterer. A letter of Eumenes II expresses awareness of these conditions, even as the king is busy producing a performative utterance of his own. After the Peace of Apameia (188), Eumenes granted *polis* status to the *katoikia* of Tyriaion, prefacing his grant with the remark that 'now, this grant given to you by me might be valid (since I hold power from the Romans, who have won in war and in treaties), unlike a grant (χάρις) written by those who do not rule; for that *charis* would truthfully be judged by all as empty and deceptive'.¹¹

καὶ γὰρ νῦν ὑμ[ῖν]
 γένοιτ' ἂν βεβαία παρ' ἐμοῦ δο[θ]εῖσα, ἐκτεημένου κυρ[ί]-
 ως διὰ τὸ παρὰ τῶν κρατησάντων καὶ πολέμωι καὶ σ[υν]-
 θήκαις εἰληφέναι Ῥωμαίων, ἀλλ' οὐκ ἦ γραφεῖσα ὑπὸ
 τῶν μὴ κυριεύόντων ...

It is a function of the distribution of power that a priest may utter a felicitous 'I declare you married', but not any layman; the same holds true for the fact that king Antiochos III may say, to felicitous effect, 'I free you from taxes', but not the city concerned, Teos. This is not quite the same as saying that only the priest has the right to marry or the king to free from taxes: speech-act theory allows a more precise formulation, in that the king's power to free from taxes is the necessary condition for the utterance and its efficiency; conversely, the utterance represents the actual manifestation of the right to free from taxes. In effect, speech-act theory allows us to perceive the processes of command, the enactment of power and the location of authority; conversely, speech-act theory allows us to realise that for the priest's marrying words or the king's exemption from taxes to be felicitous, they must be recognised and acknowledged, or they must correspond to

¹¹ Jonnes and Riel 1997, p. 3, lines 19-24. 'Those who do not rule' are presumably the Seleukids, removed from Asia Minor by the Treaty of Apameia of 188 BCE.

norms which are accepted. All these interrelated topics are intrinsically historical.¹²

Austin's basic insight on the relation between the performative utterance and the utterance's context thus provides the historian with a rewarding viewpoint on his textual material. It allows us to describe or classify certain linguistic phenomena, and hence understand what is going on in our documents, and to grasp the significance of certain events involving the exercise of power. It is central for a school of historical interpretation, principally Cambridge-based. This 'Cambridge school', including J.G.A. Pocock and Q. Skinner, has used the insights of Austin, the Oxford analytical philosopher, to study political texts of the early modern period by focusing on these texts as language in action rather than instances of the more traditional 'history of ideas'.¹³ L. Marin's studies on seventeenth-century France, collected in *Le langage est un piège* (Marin 1978) also draw on speech-act theory, notably to analyse language and power in Perrault's fairy tale, 'le Chat Botté' (Puss in Boots) — the tale's eponymous feline exploits to his master's advantage the capacity of language to transform the world (performatively in the case of the king, concretely in the case of the man-eating, shape-changing Ogre): thus do the weak (the miller's son and especially his cat) entrap the strong through the very tools of the latter's domination, the power of language to change the world. Yet another example is the pure Austinian analysis offered by S. Petrey for the initial events of the French Revolution in June 1789: at the assembly of the Estates-General, the delegates of the Third-Estate refused to recognise any authority and legitimate political body than themselves, constituted in a National Assembly empowered to utter performative utterances whose validity both established and was established by the Assembly's authority.¹⁴ Petrey focuses on the position of the performative in the shifts of authority: since its felicity is determined by context and convention, at times when the ruling power is contested, the actual efficacy and acceptance of declarations will only be decided by the final outcome of the political struggle; at the same time, the performatives uttered by the struggling parties will have an influence on the conditions and the outcome.

¹² See especially Austin 1975, 25-35.

¹³ Pocock 1987, Tully 1988. I feel that Skinner's approach to texts is less a direct application of Austin's concepts (illocution; perlocution) than a model inspired by Austin, but adapted to the study of texts and their relation to their contexts.

¹⁴ Petrey 1988, chap. 1.

In ancient history also, several studies have drawn on the resources of speech-act theory.¹⁵ Among several applications of the theory, J. Ober has used the concepts to illuminate the establishment of Kleisthenic democracy in 508. For Ober, the crucial moment comes when the Athenian demos refuses to obey the instructions given by the occupying Spartan forces: their refusal signals the fact that the Spartan utterances are no longer felicitous, that the boundaries of the conventions that validate the illocutionary have shifted, and that the context and the world where these utterances are made has changed. Legitimacy, in a situation where the sources of power are conflicted, has now devolved to the crowd — a typical situation in revolutionary upheavals, which is how Ober classifies the events of 508; his approach is inspired by the work of S. Petrey on the shifts of authority during the French Revolution.¹⁶ Many more applications are possible: for instance, Perikles' insistence, as described by Thucydides, that the Athenians should not accept the Spartan ultimatum of 432 is based on the assumption that to do so would be to agree to a world where Spartan 'orders' (as Perikles chooses to present the Spartan demands) were performative, where Athens accepted Sparta's authoritative right to such performative utterances — a situation Perikles characterizes as 'slavery' (Thuc. 1.140-41).

Both Petrey and Ober examine a class of performatives which Austin calls 'exercitives' and the American philosopher J.R. Searle calls 'declaratives', the exercising of powers to act directly on the world ('I grant ...'). A particularly fruitful field for the application of speech-act theory may prove to be the study of the documentary material, because documents present us with precisely such exercitives — performative speech-acts *par excellence*: the grant of privileges by rulers, Hellenistic kings or Roman emperors, the rulings of the self-governing *poleis*, legal texts (law-codes, legislative decrees, royal ordinances,) or the utterances by which an arbitrator establishes that a piece of land belongs to city X rather than city Y).¹⁷ Speech-act theory allows us to connect words and power, and thus (for instance) royal letters with the context where they were received and that made them felicitous (one example is the set of royal letters of Antiochos III to the Greek cities of

¹⁵ I leave aside the growing body of literary studies which draw on speech-act theory (or claim to do so).

¹⁶ Ober 1996, chap. 4.

¹⁷ The work of J.M. Bertrand (1990) is pioneering and essential. On the 'sovereign' speech of the state, where utterances are law, Butler 1997, 32, 36. Arbitration: Ager 1996.

Western Asia Minor).¹⁸ I have quoted above a few such documents to illustrate the very concept of performative utterance; reassuringly, they at least establish the validity of Austin's terminology (developed with imaginary sentences in English, or a quirky English idiolect, 'Austinese') to describe 'real' documents, written in a dead language, the Greek *koine* used for administrative purposes by the Hellenistic kingdoms. The material presents us with a profusion of examples; for instance, Alexander the Great's letter to Priene, in which he regulates the status of Priene and the surrounding area.¹⁹ To quote the beginning:

Βασιλέως Ἀλεξάνδρου
 τῶν ἐν Ναυλόχῳ [κατοικοῦν]-
 τες ὅσοι μὲν εἰσι [Πριηνεῖ]ς, ἀ[ὐτ]ο-
 [νό]μους εἶναι καὶ ἐλευθ[έ]ρους,
 ἔχοντας τὴν τ[ε] γῆν καὶ τὰς οἰκί-
 ας τὰς ἐν [τῇ] πόλει πά[σα]ς καὶ τὴν
 χώραν [----] Πριηνε[----]
 [----] Αἰσανδεῶ [----]
 τὸ δὲ ... καὶ Μυρσ[----]
 καὶ Π[-----] χώραν
 [γ]ινώσκω ἐμὴν εἶναι, τοὺς δὲ κα-
 τοικοῦντας ἐν ταῖς κώμαις ταύ-
 ταις φέρειν τοὺς φόρους. τῆς δὲ
 συντάξεως ἀφίημι τὴν Πριην-
 νέων πόλιν ...

(Letter ?) of King Alexander. Of those living in Naulochos, those who are [Prienian]s to be autonomous and free, keeping their [land] and all the houses in the city and their territory; ... Prienians (?) ... As concerns the ... and Myrs... and P..., I acknowledge the land to be mine, and those who live in these villages are to pay the tribute. I release the Prienians from the contribution (some form of royal taxation: tribute or poll-tax).

The document presents us with two clear cases of performative utterances, exercitives / declaratives: the remarkable 'I acknowledge the land to be mine', and the clear-cut 'I release the city from the contribution'. Both act on reality and inaugurate a changed state of affairs, through (or in) their very utterance; they are of the same nature as 'I declare you man and wife' or 'I christen this ship ...'. Other utterances are in the infinitive construction: they

¹⁸ I have treated this topic in *Antiochus III and the Cities of Western Asia Minor* (forthcoming).

¹⁹ *Inscr. Priene* 1, with Sherwin-White 1985; the text here is slightly adapted (fewer restorations at lines 7-8).

must depend, closely or loosely, on a verb omitted from the inscribed version of Alexander's letter (the Prienians, in the 280s, excerpted relevant parts of a document issued half a century ago, as Sherwin-White has shown) — for instance ἔκρινα, συγχωρῶ. We should understand the phrase 'the Prienians to be autonomous ...' as an exercitive speech-act, a performative, which changes (or confirms) a status by virtue of being pronounced. But the other infinitive proposition is different in nature: 'those who live in these villages (are) to pay the tribute'. It expresses an order — what Searle calls a 'directive', and Récanati an 'acte prescriptif'; it could be argued that, though it is a speech-act (its action is the issuing of instructions), it is not a performative act: it does not act directly on reality, like 'I release the city ...', but only through the mediation of agents; its action is the communication of content and intention to these agents.²⁰

Nonetheless, in this paper, I will consider such 'directive speech-acts' alongside exercitive performative utterances, on the grounds that they are close in nature, especially in Greek. Generally, it could be argued that illocutionary uptake for directives includes obedience and hence a concrete effect; at the very least, a directive issued by a legitimate authority creates a social obligation and the expectation of obedience. F. Récanati proposes the concept of 'success', in addition to felicity, for a performative; an obvious example being obedience to an order from an authorized source.²¹ 'I said, *close the door*': the giver of orders, at least, assumes obedience as part of the performativity of his order (in the case of insubordination, the utterer, as in this example, assumes that the failure has taken place at the locutionary level). Most importantly, the Greek itself seems not to bother distinguishing between exercitives and directives. Exercitives, which are performative speech-acts (I decree that the Prienians are autonomous), can be conveyed by syntactical means appropriate to orders: the infinitive construction, such as in Alexander's letter, or the imperative in the third person (such as the γινέσθω, 'let it be so', written in reply to petitions: the phrase can be interpreted both as an order and as an exercitive).²² Finally, the Hellenistic rulers seem to have issued exercitives and directives indifferently: both were

²⁰ On this line of thinking, an order can be felicitous (its illocutionary force being the issuing of an order), without actually being followed (Récanati 1981, 182, 192). The same might be said of supplication in the *Iliad*, which takes place and yet is usually unsuccessful.

²¹ Récanati 1981, 185-99; 207: 'la force prescriptive (= Searle's 'directive'), qui est une espèce de force performative'.

²² E.g. *SEG* 29.1613 (Skythopolis), Malay and Nalbantoğlu 1996 (Pleura in Lydia); Bertrand 1990.

constituent parts of king-speak, and overtly assumed by royal speakers to have equal force. The letter of Alexander illustrates this juxtaposition, the order for the villagers to pay tribute being framed by two performative utterances (I pronounce this land mine, I release Priene from tax); the same phenomenon is obvious in the letters of Seleukid kings quoted in I-II *Macc.* and discussed below.²³ Of course, to accept the king's orders and *bon vouloir* as performative is precisely to behave as royal ideology conceived the world: as an initial approach to the documents, this is perhaps not a bad thing, especially since this paper is concerned with power and its means for self-expression (though the ideological force of this position will be revisited in the conclusion).²⁴

This decision to take orders as performatives makes obvious that 'speech-act theory' in this paper is ultimately used as a metaphor rather than within the rigorous parameters of linguistics and philosophy. I do not think this use is more problematic or less fertile than those made in literary studies or in the 'Cambridge school', where performatives and illocutionaries flow freely. The concluding words of this opening section on concepts or at least terminology are perhaps best left to an early and distinguished practitioner. As alluded to earlier, F. Millar's *Emperor in the Roman world* is based on very similar documents, as issued by the Roman emperor. In this work, a central role is played by the awareness that such documents are, in themselves, concrete *acts*; speech-act theory, or at least the basic insight about the nature of performative utterances as relevant to the exercise of power, is an important inspiration for Millar's approach, as acknowledged in an afterword.²⁵

That the book was and is essentially about words issued by, or in the name of, the emperor, in response to words addressed to him, is of course patent. But perhaps a little more stress needs to be laid on the logical characteristics of this focus of attention. A formal, public announcement by an emperor —

²³ For instance, I *Macc.* 10.26-45, Demetrios I to the Jews (e.g. 31-32, καὶ ἱεροῦσαλημ ἦτο ἀγία καὶ ἀφειμένη καὶ τὰ ὅρια αὐτῆς ... ἀφίημι τὴν ἐξουσίαν τῆς ἄκρας τῆς ἐν Ἱερουσαλημ ... See also I *Macc.* 15.2-9).

²⁴ There is a slight complication, in that documents often marry performatives and statements: for instance, royal letters often tell of a performative uttered in the past ('I have granted ...'); alliance, contracts or even decrees ('it seemed good to the demos to do this and that') can be considered statements that a performative has taken place. But these nuances are unimportant for the purpose of the present article, which is to establish the usefulness of the concept of performatives in ancient history.

²⁵ Millar 1992, 637.

for example, a letter to a Greek city — enjoys, as regards its logical status as evidence, one very important advantage. For such a thing is not a *report* about some action or event, which by its nature must be partial or biased, or may even be mere fantasy. It *is* an action, in that it does not report but embodies a decision or reply. In the language of the linguistic philosophy which I was taught as an undergraduate in Oxford in the 1950s, it is a ‘performative utterance’, like saying ‘I promise’. In that sense, and for that reason, it can only be falsified if the document itself turns out to be a forgery, whether ancient or modern. Of course we are still left with many problems

2. Seleukids and Maccabees: a documentary history

The history of Maccabaeae Judaea is recorded in many documents, specifically royal letters to or about the *ethnos* of the Jews. In themselves, these documents already constitute an important corpus, over sixty-five years (200-135), specifically and exclusively concerned with the interaction between an imperial formation and a local community; in its importance as a historical source, this corpus can be compared with the documents gathered and published epigraphically by the Hellenistic *poleis* and shrines (see for instance Sherwin-White 1985). Such documents, because they reproduce the speech-acts of the ruling power, can be interpreted with the help of speech-act theory (as stated above, the substance and most of the form of the Seleukid kings’ letters, and especially their performative utterances proper, has survived retouching, archival transmission, literary diffusion, and translation). What gives these documents particular interest is the way in which the historical context, and especially the power relation between the rulers and the ruled, changed with the progress of the Maccabaeae revolt and dynastic turmoil. Especially once the latter set in, the usual stability of conventions and context underlying the felicity of performatives was increasingly lacking. This material offers an interesting contrast with the ‘normal’ royal letters referred to in the preceding section: it combines a set of unchanging forms and assumptions (about the royal monopoly of performative utterances) with shifts in the political situation; the world-changing utterance of performatives by an empowered speaker was replaced by a process where apparently authoritative speech actually covered, or indeed fostered, weakness at the center, local intractability, and negotiation between the ruler and the ruled.

But the first document in the Maccabaeae dossier is precisely a ‘normal’ royal letter: it serves firstly to illustrate the king’s power to utter performative speech-acts, and, though its import is benevolent, can usefully introduce other similar documents which later would use the same power to oppress.

Secondly, it (and the other letters like it) will allow us better to appreciate how problematic the pronouncements of the later Seleukids are.

The letter in question is the 'charte séleucide de Jérusalem', as it was named by E.J. Bickerman in a classic study²⁶ (or perhaps misnamed, since the document is not a charter addressed to the subject population, but a piece of administrative correspondence within the Seleukid power structure). It was written by Antiochos III, shortly after his conquest of the region where Judaea is located, Koile-Syria, in 200, as the outcome of the Fifth Syrian War. It is addressed to Ptolemaios, the newly-appointed governor of the region, and concerns privileges Antiochos has granted to the Jews.

Βασιλεὺς Ἀντίοχος Πτολεμαίῳ χαίρειν. τῶν Ἰουδαίων καὶ παρανίκα μὲν, ἠνίκα τῆς χώρας ἐπέβημεν αὐτῶν, ἐπιδειξαμένων τὸ πρὸς ἡμᾶς φιλότιμον καὶ παραγενομένους δ' εἰς τὴν πόλιν λαμπρῶς ἐκδεξαμένους καὶ μετὰ τῆς γερουσίας ἀπαντησάντων, ἄφθονον δὲ τὴν χορηγίαν τοῖς στρατιώταις καὶ τοῖς ἐλέφασιν παρεσχημένων, συνεχελόντων δὲ καὶ τοὺς ἐν τῇ ἄκρᾳ φρουροὺς τῶν Αἰγυπτίων, ἠξιώσαμεν καὶ αὐτοὶ τούτων αὐτοὺς ἀμείψασθαι καὶ τὴν πόλιν αὐτῶν ἀναλαβεῖν κατεφθαρμένην ὑπὸ τῶν περὶ τοὺς πολέμους συμπεσόντων καὶ συνοικίσει τῶν διεσπαρμένων εἰς αὐτὴν πάλιν συνελθόντων. πρῶτον δ' αὐτοῖς ἐκρίναμεν διὰ τὴν εὐσέβειαν παρασχεῖν τὴν εἰς τὰς θυσίας σύνταξιν κτηνῶν τε θυσίμων καὶ οἴνου καὶ ἐλαίου καὶ λιβάνου, ἀργυρίου τιμὴν μυριάδας δύο καὶ σεμιδάλεως ἀρτάβας ἱεράς κατὰ τὸν ἐπιχώριον νόμον πυρῶν μεδίμνους χιλίους τετρακοσίους ἐξήκοντα καὶ ἁλῶν μεδίμνους τριακοσίους ἑβδομήκοντα πέντε. τελείσθαι δ' αὐτοῖς ταῦτα βούλομαι καθὼς ἐπέσταλκα, καὶ τὸ περὶ τὸ ἱερὸν ἀπαρτισθῆναι ἔργον τὰς τε στοὰς καὶ εἴ τι ἕτερον οἰκοδομήσῃσι δέοι· ἡ δὲ τῶν ξύλων ὕλη κατακοιμίζεσθω ἐξ αὐτῆς τε τῆς Ἰουδαίας καὶ ἐκ τῶν ἄλλων ἐθνῶν καὶ ἐκ τοῦ Λιβάνου μηδενὸς πρᾶσσομένου τέλους. ὁμοίως δὲ καὶ τοῖς ἄλλοις, ἐν οἷς ἂν ἐπιφανεστέραν γίγνεσθαι τὴν τοῦ ἱεροῦ ἐπισκευὴν δέη. πολιτευσέσθωσαν δὲ πάντες οἱ ἐκ τοῦ ἔθνους κατὰ τοὺς πατριῶν νόμους, ἀπολυέσθω δ' ἡ γερουσία καὶ οἱ ἱερεῖς καὶ γραμματεῖς τοῦ ἱεροῦ καὶ ἱεροφάται ὧν ὑπὲρ τῆς κεφαλῆς τελοῦσιν καὶ τοῦ στεφανιατικοῦ φόρου καὶ τοῦ περὶ τῶν ἄλλων. ἵνα δὲ θάπτον ἡ πόλις κατοικισθῆ, δίδωμι τοῖς τε νῦν κατοικοῦσιν καὶ κατελευσομένοις ἕως τοῦ Ἰπερβηρεταίου μηνὸς ἀτελέσιν εἶναι μέχρι τριῶν ἐτῶν. ἀπολύομεν δὲ καὶ εἰς τὸ λοιπὸν αὐτοὺς τοῦ τρίτου μέρους τῶν φόρων, ὥστε αὐτῶν ἐπανορθωθῆναι τὴν βλάβην. καὶ ὅσοι ἐκ τῆς πόλεως ἀρπαγέντες δουλεύουσιν, αὐτοὺς τε τούτους καὶ τοὺς ὑπ' αὐτῶν γεννηθέντας ἐλευθέρους ἀφίεμεν καὶ τὰς οὐσίας αὐτοῖς ἀποδίδοσθαι κελεύομεν.

²⁶ 'La charte séleucide de Jérusalem', reprinted in Bickerman 1980, 44-85; I follow Bickerman in matters of text and translation.

King Antiochos to Ptolemaios, greetings. Since the Jews have shown their zeal towards us as soon as we entered their land, and received us lavishly, and met us with their council of elders when we entered the city, and provided abundant supplies for the soldiers and the elephants, and helped drive out the Egyptian garrison in the citadel, we ourselves have seen fit to requite them for these acts, and restore their city, destroyed by the events of the war, and to repeople it, by making those who have dispersed come back to the city. And first, we have decided on account of their piety to provide a contribution of sacrificial animals and wine and oil and incense, to the value of twenty thousand (*drachmai*) of silver, and sacred *artabai* of fine flour (?) according to the law of the land to the value of one thousand four hundred seventy-five *medimnoi* of wheat, and three hundred seventy-five *medimnoi* of salt. And I want these things to be completed for them, just as I ordered, and the work on the Temple to be finished, and the porticoes and whatever other building work needs to be done. And let the timber be brought from Judaea itself and the other nations and Lebanon, without anyone levying a tax. And likewise for the other things by which the repair of the Temple will become more splendid. And let all members of the *ethnos* have a form of government according to their ancestral laws, and let the council of elders and the priests and the secretaries of the Temple and the sacred instrumentalists be exempt from the poll tax and the crown-tax and the salt tax. And so that the temple be inhabited the sooner, I grant that those who live there now and those who will return before the month of Hyperberetaios be exempted from taxes for three years. We also release them for the future of the third part of the tribute, so that their losses be made good. And those who were carried off from the cities and are slaves, we release them and their children to be free, and we order that their property be restored to them (Jos. *AJ* 12.138-144).

This very full text was produced by a powerful, imperialist ruler, at the victorious outcome of a war in which he attained one of his aims, the conquest of 'Hollow Syria'. The context fulfils the most basic requirement for felicitous performatives to be uttered: the presence of a clearly recognised situation of authority, and hence the operation of the conventions which ensure 'uptake' for the performatives. Secure in this knowledge, the king confidently issues a long, impressive series of performative speech-acts and directives. The king utters performatives, to grant various privileges, in the form 'we grant' (δίδωμι, συγχωροῦμεν, παραλύομεν) — grants of tax exemption, and grant of freedom to those who were captured and enslaved during the war. The king also gives orders, either indirectly, by expressing his decision, or by using the third person imperative form, in which his word directly acts on the world: 'let timber be brought down (κατακομιζέσθω) ... with no one levying a tax', 'let all the members of the *ethnos* have a form of government (πολιτεύεσθωσαν) according to their ancestral laws, and let the

council of elders, etc., be exempt (ἀπολυέσθω) from the poll tax ...'; the form assumes not only the felicity of the speech-act, but its efficacy and success.

It is precisely this assumption of efficacy that deserves attention. The profusion of performatives and orders depends on a certain context (the institutions of the Seleukid empire) in order to enjoy efficacy. But the situation is still a liminal one, the immediate aftermath of conquest, where there is not yet a long past of Seleukid performatives, orders and expected responses: in a certain sense, Antiochos' long letter generates the very circumstances which it depends on for its felicitousness. It does so by its untroubled assumption that its performatives will indeed perform, and by mobilising, through its orders and its grants, all the resources for its execution, thus assuming and creating the patterns and precedents which will make further such utterances conceivable or even natural. Antiochos' performative utterance does more than just influence the conditions at the moment of utterance: it acts on the future, but also on the past, by overtly assuming the ritual basis for its authority and giving this assumption about the past a concrete grounding in the effective presence of Seleukid power at the moment of utterance. In this respect, the letter of Antiochos III, by founding the conditions for Seleukid power in relation to one particular community, does act in ways similar to a 'charter', and the manipulation of the past grounded in present power is typical of this ruler's pronouncements and ideology.²⁷

A further example of the way in which a socially efficacious speech-act can simultaneously depend on and create a context of authority is Antiochos' *programma*, or royal proclamation, ensuring the ritual purity of the Temple and of Jerusalem:²⁸

πρόγραμμα κατὰ πᾶσαν τὴν βασιλείαν ἐξέθηκε περιέχον τάδε, μηδενὶ ἐξὸν εἶναι ἀλλοφύλῳ εἰς τὸν περίβολον εἰσεῖναι τοῦ ἱεροῦ τὸν ἀπηγορευόμενον τοῖς Ἰουδαίοις, εἰ μὴ οἷς ἂν ἀγνισθεῖσιν ἔστιν ἔθιμον μετὰ τὸν πάτριον νόμον. μηδ' εἰς τὴν πόλιν εἰσφερέσθω ἵππεια κρέα μηδ' ἡμίονεια ... καὶ καθόλου δὲ πάντων τῶν ἀπηγορευμένων ζῶων τοῖς Ἰουδαίοις. μηδὲ τὰς δωρὰς εἰσφέρειν ἐξείναι, ἀλλὰ μὴ τρέφειν τι τούτων ἐν τῇ πόλει, μόνοις δὲ τοῖς προγονικοῖς θύμασιν, ἀφ' ὧν καὶ τῷ θεῷ δεῖ καλλιερεῖν,

²⁷ On the way in which illocutionary utterances, by their nature as ritual, iterated, actions, imply a future and a past beyond the present of the speech act itself, see Butler 1997, 3. On Antiochos III and the past, chap. 1 of my *Antiochos III and the cities of Western Asia Minor* (forthcoming).

²⁸ Jos. *AJ* 12.145-6, with Bickerman 1980, 86-104. I have followed Bickerman in matters of text and interpretation. In the penultimate sentence of the quotation, ἐπιτετράφθαι could be suppressed as interpolated.

ἐπιτεράφθαι χρῆσθαι. ὁ δὲ τούτων τι παραβὰς ἀποτινύτω τοῖς ἱερεῦσιν ἀργυρίου δραχμὰς τρισχιλίας.

He issued a proclamation throughout his whole kingdom, containing these words, Let it be forbidden to any foreigner to enter the perimeter of the Temple [namely, the inner perimeter] which is forbidden to the Jews except to those who have the right to enter, having purified themselves in the ancestral fashion. And let no one carry in to the city the flesh of horses ... (a list of prohibited animals follows), and generally of the animals forbidden for the Jews. And let it not be allowed to bring in their hides, nor even to raise any of these in the city; and let it be permitted to use only the traditional edible animals, among which the sacrificial victims for the god must be chosen. And whoever transgresses any of these rules, let him pay three thousand *drachmai* of silver to the priests.

The *programma* defines what is licit and illicit, transforming mere acts (crossing into the Temple, slaughtering an animal) or objects (a lump of meat, a horse hide) into acceptable or illegal things, the latter punished according to his stipulations: the performatives thus locate people and acts in a web of relations, definitions, and authority. All these regulations are, of course, local religious practices: the royal proclamation validates the content of the local customs, by endorsing them, investing them with royal authority, and protecting them. At the same time, the royal performative utterance, by repeating the local rules and substituting its own efficacy for theirs, ensures the supremacy and ubiquity of royal form and authority over local sources of legitimacy. This manoeuvre is typical of the way ‘empires of domination’ function: tolerating local autonomy but redefining it in terms of central authority, through administrative speech-acts.²⁹

In the world created in the aftermath of Seleukid conquest and the initial performatives, other speech-acts, uttered by Antiochos III or his successors, act upon the world. For instance, the Seleukid kings appointed the high priest of the Temple in Jerusalem, through letters, literally ἐντολαί, ‘orders’ (II *Macc.* 4.24-25; cf. also II *Macc.* 4.7, I *Macc.* 7.9): a typical performative carried out by the ruling power (comparable to the granting of privileges), and exemplifying how performative utterances allow the ruling power to

²⁹ For more examples of this phenomenon of imperial ‘authorization’ of local legislation, see P. Frei on the Achaimenids, in Frei and Koch 1996, 8-36 (giving it a more benign interpretation — incipient *Rechtstaatlichkeit* — than mine); J. Méléze-Modrzejewski (1995), on Ptolemaic recognition for local law: Egyptian customary law, but also the Torah, translated and validated by the central power. On the ‘empire of domination’ and its ideological strategies, see my *Antiochos III and the cities of Western Asia Minor* (forthcoming), esp. c. 3.

carry out what Bourdieu has termed 'social magic', the transformation of people and things through formulas (Bourdieu 1982, 125-126). The expression 'social magic', in its vividness, should remind the Hellenistic historian — used to reading many, many royal letters and their performatives — of how remarkable the royal letters really are: words, spoken or written, by which the Hellenistic kings act on the world; words which can transform individuals into the highest dignitary in their community, with all the attendant perlocutionary and post-perlocutionary consequences; words which can even give cities or entire regions to individuals (e.g. I *Macc.* 10.89; II *Macc.* 4.30).

The attempt by Antiochos IV to ban Jewish cult and customs was initiated using the same means: royal letters, issuing interdictions, thus defining what was licit and illicit, and what action was to be taken to enforce the definitions which Antiochos IV imposed on the world. The actual documents have unfortunately not survived, but are clearly referred to: letters are mentioned at I *Macc.* 1.41 (we need hardly follow the author's claim that Antiochos IV wanted to make all men in the kingdom into one people, a late second-century interpretation of the event), and specifically as addressed to Jerusalem and the Judaeian cities at I *Macc.* 44-51, where the text summarises the king's orders (to sacrifice impure animals, to leave their sons uncircumcised) and specifies the punishment: death for whoever does not act κατὰ τὸν λόγον τοῦ βασιλέως, according to the king's word; the orders would be enforced by royal officials, apparently specially appointed. The same sort of utterance which under Antiochos III had reinforced Jewish ritual and dietary requirements was now used to ban Jewish customs. Just as the *programma* of Antiochos III, by the force of its performatives, had defined certain objects or certain forms of conduct as illicit and their mere existence as punishable by heavy fines, under Antiochos IV the king's social magic now banned Jewish customs from legitimate existence, and their appearance was to be repressed by brute force enforcing the king's decision, in favour of other, compulsory customs, such as the monthly sacrifice in celebration of the king's birthday (II *Macc.* 6.7). Further royal orders extended the state of affairs created by the initial performatives to the neighbouring cities (II *Macc.* 6.8, where the word used is ψήφισμα, literally 'decree', but used here by extension for the royal ordinance).

Compensating in some measure for the loss of direct evidence on the royal letters addressed to the Jews, a striking documentary dossier has survived from this period: the petition of the Samaritans to Antiochos IV, asking to be exempted from the persecution, and the king's administrative reply, issued in the royal council of Friends and informing the relevant officials

that the king accepted the Samaritans' petition (*AJ* 12.262-4, explained by Bickerman 1980, 105-35).

βασιλεὺς Ἀντίοχος Νικάνορι. οἱ ἐν Σικίμοις Σιδώνιοι ἐπέδωκαν τὸ κατακεχωρισμένον ὑπόμνημα. ἐπεὶ οὖν συμβουλευομένοις ἡμῖν μετὰ τῶν φίλων παρέστησαν οἱ πεμφθέντες ὑπ' αὐτῶν ὅτι μηδὲν τοῖς τῶν Ἰουδαίων ἐγκλήμασι προσήκουσιν, ἀλλὰ τοῖς Ἑλληνικοῖς ἔθεσιν αἰροῦνται χρώμενοι ζῆν, ἀπολύομέν τε αὐτοὺς τῶν αἰτιῶν, καὶ τὸ παρ' αὐτοῖς ἱερόν, καθάπερ ἤξιώκασι, προσαγορευθήτω Διὸς Ἑλληνίου.

King Antiochos to Nikanor. The Sidonians in Sichem [as the Samaritans styled themselves in their petition, to assimilate themselves with other 'Sidonian' communities, real or imagined, in the area] handed over the memorandum enclosed with this letter. Since the ambassadors sent by them established, while we were in council with our Friends, that they had nothing to do with the things the Jews are accused of, but chose to live according to Greek customs, we release them from the accusations, and let their shrine be called that of Zeus Hellenios (?), as they ask.

Antiochos IV utters (or writes) the performatives which only he, as king, is empowered to produce: he absolves (ἀπολύομεν, in the performative first person in the present tense) the Samaritans of all accusations borne against them, and also grants their petition that their shrine on Mt. Garizim (the Samaritan Temple, centre of the Samaritan religion) be known as that of Zeus Hellenios (or possibly Xenios, as sometimes restored on the basis of *II Macc.* 6.2). The grant is in the imperative in the passive mode, προσαγορευθήτω ... 'let it be called', demonstrating the king's authority over legitimate denomination; this practice, like the *programma* of Antiochos III which confirmed the content of Jewish regulations even as it took over their ultimate authority, shows the close relation between speech-acts and power.

The interdiction of Jewish cult and customs, and the letter concerning the Samaritans, at first sight seem to illustrate how royal power worked through performatives to shape the world, just as the earlier documents under Antiochos III did: even though the contents were exactly opposite, the procedure, the means and the expected effects were the same. The major difference, of course, was that the ordinances of Antiochos IV met with opposition, because they clashed with another set of performatives: the Mosaic Law, and its definitions of licit and illicit. This conflict between two authorised discourses, the king's law and the Law, is made explicit as a major theme in the sources (*II Macc.* 6.1; 7.1; 7.9; 8.21), and played itself out in dissidence and armed conflict: some of the king's subjects refused the definitions and the consequences of the royal performatives, and their refusal took the form of

violence, directed against the state violence which the Seleukid empire employed to implement and realise the royal performatives. Judas Maccabaeus and the Hasidim conducted guerrilla warfare against the Seleukids, then defeated several Seleukid forces in pitched battle, soon recovering Jerusalem and rededicating the Temple.³⁰

The Seleukids soon reversed their policy, allowing the Jews to observe their customs. Fortunately, II *Macc.* 11 preserves the documents, or at least some of them, by which the process happened, so that we can speak about it in greater and more specific detail rather than just offering a weak paraphrase such as 'the Seleukids soon reversed their policy'. Three of the four documents, preserved in II *Macc.* 11, 16-34, are Seleukid letters and of the first importance. (We may ignore the letter of Antiochos IV at II *Macc.* 9.19-27, supposedly written by the king on his deathbed and proved by Habicht to be a later forgery.) As shown by Habicht, the documents, preserved independently, were introduced by Jason of Cyrene, the author of II *Macc.*, into his general narrative without his understanding the exact sequence and historical implications, which have to be reconstructed from internal indications in the letters.³¹ It appears likely that Antiochos IV first wrote to the Jewish community, with its Jerusalem-centred political institutions (the *gerousia*), in response to a petition by Menelaos, the Hellenizing high priest appointed by the king (II *Macc.* 11.27-33, the earliest preserved, though quoted last in our sequence). He promised an amnesty to those who returned to their homes (a typical concern of a Hellenistic kingdom faced with local disruption which threatened its tax-base) within a certain delay, and, characteristically, allowed the Jews to follow their own customs — in the form of the performative essential as the ruling power, an order: χρῆσθαι δὲ τοὺς Ἰουδαίους τοῖς ἑαυτῶν <διαίτημασι> καὶ νόμοις καὶ οὐδεὶς αὐτῶν κατ' οὐδένα παρενοχληθήσεται περὶ τῶν ἠγνωσμένων, 'Jews (are) to practice their diet and their laws, and no one of them to be oppressed in any way on account of mistakes committed out of ignorance'. The exact effect of this letter is unknown; it was followed by a military campaign under the Seleukid chancellor, Lysias. The Seleukid failure to crush the Maccabaeian rebellion was followed by negotiations (recorded in II *Macc.* 11.14-15), then a letter from Lysias written in the formal, courteous style of Hellenistic diplomacy and addressed to the whole nation (πλήθος) of the Jews (II *Macc.* 11.16-21) in which ἃ δὲ ἦν ἐνδεχόμενα συνεχώρησα, 'whatever was possible, I granted to you', other matters being referred to

³⁰ For a military narrative, see Bar-Kochva 1989.

³¹ Habicht 1976, whose reconstructions and arguments I follow here.

Antiochos IV for his decision. The reply was written by, or issued in the name of, Antiochos V, who had meantime succeeded his father upon the latter's death in Elymais (II *Macc.* 11.22-26):

βασιλεὺς Ἀντίοχος τῷ ἀδελφῷ Λυσία χαίρειν. τοῦ πατρὸς ἡμῶν εἰς θεοὺς μεταστάντος, βουλόμενοι τοὺς ἐκ τῆς βασιλείας ἀταράχους ὄντας γενέσθαι πρὸς τὴν τῶν ἰδίων ἐπιμέλειαν, ἀκηκόετες τοὺς Ἰουδαίους μὴ συνευδοκοῦντας τῇ τοῦ πατρὸς ἐπὶ τὰ Ἑλληνικὰ μεταθέσει, ἀλλὰ τὴν ἑαυτῶν ἀγωγὴν αἰρετίζοντας, ἀξιοῦν συγχωρηθῆναι αὐτοῖς τὰ νόμιμα, αἰρούμενοι οὖν καὶ τοῦτο τὸ ἔθνος ἐκτὸς ταραχῆς εἶναι, κρίνομεν τό τε ἱερὸν αὐτοῖς ἀποκατασταθῆναι καὶ πολιτεύεσθαι κατὰ τὰ ἐπὶ τῶν προγόνων αὐτῶν ἔθη. εὐ οὖν ποιήσεις διαπεμψάμενος πρὸς αὐτοὺς καὶ δοὺς δεξιᾶς, ὅπως εἰδότες τὴν ἡμετέραν προαίρεσιν εὐθυμοὶ τε ᾧσιν καὶ ἡδέως διαγίνονται πρὸς τὴν τῶν ἰδίων ἀντίληψιν.

King Antiochos to Lysias, his brother, greetings. After our father passed on to the gods, since we wish the inhabitants of the kingdom to be in peace and turn to the care for their own affairs, and hearing that the Jews, not agreeing with the transition to Greek customs as wished by our father, but choosing their own way of life, request that their customs be granted to them, wishing therefore that this community (*ethnos*) also stay free from unrest, we decide that the Temple be restored to them and that they should live as a community according to the customs of their ancestors. You will do well to send to them and give them your right hand, so that, knowing our disposition, they should be of good cheer and turn joyfully towards the resumption of their own affairs.

This conciliatory letter was not sufficient, and Lysias waged a second, much more successful campaign against the Maccabaeen revolt, until a final, hurried, arrangement was reached, because Antioch had been seized by a rebellious minister, whose reduction by the royal army took precedence over pressure on the Jews: as in the earlier documents, the Jews were allowed to follow their customs, and, in addition, the Hellenizing high priest Menelaos was executed.³² There is no documentary trace of these transactions, but Antiochos V no doubt issued a letter very similar to that translated above, which deserves close attention to its language and expression. The language is surprisingly, almost comically, mild, when one considers that it describes armed revolt: the Jews ‘do not agree’ with the policy of Antiochos IV, and request (ἀξιοῦν συγχωρηθῆναι, the terminology of formal petitions to the king) that their customs be granted to them. To preserve appearances, Antiochos V chose to describe dissidence in the acceptable form of local

³² Habicht 1976 (also in *CAH* [ed. 2] 8, 350) on the political circumstances surrounding the letters in II *Macc.* 11.

petition, rather than notice and comment on rebellion, which he would have felt an obligation to crush. Instead, the royal letter is filled with insistence on the king's care for the subject's welfare, the characteristic euergetical mood in which Hellenistic rulers were moved, or said they were moved, to make generous gifts.³³ Antiochos V, concerned that the *ethnos* of the Jews, like the rest of his kingdom, be at peace, duly makes his decision, expressed in a performative utterance: we decide, κρίνομεν, that the Temple should be restored to them and that they should live according to their ancestral customs — the same verb as Antiochos III had used in his letter to Ptolemaios detailing his decisions concerning the Jews (Jos. *AJ* 12.140), and the same action: a royal grant, motivated by the king's decisions and feelings, and expressed through a performative speech-act which had immediate consequences on the world and on the dispositions of Seleukid power.

The similarity in language (κρίνειν, συγχωρεῖν) invites comparison between the early document of Antiochos III, and the series of documents in II *Macc.* 11, issued as part of the Seleukids' decision to stop the 'persecution'. The latter documents are 'real' performatives, just like the letter and the *programma* of Antiochos III, or indeed the decision to suppress Jewish customs and to exempt the Samaritans from the 'persecution'. The speech-acts in the royal letter have a direct effect, in that Jewish cult is legitimate again, with the consequences that state violence will no longer target it. The Seleukids could have chosen to continue with the 'persecution', and had the necessary physical means; their decision to grant the Jews permission to follow their ancestral customs was motivated by the fact that it was becoming inconvenient no longer to do so.

Yet is it quite so simple? The letters are written as royal performatives, issuing orders, definitions, grants, as if such speech-acts were the only way in which a ruler can express himself before the ruled. Nonetheless, the actual process was one of negotiation, with the Seleukids making concessions, and their position evolved subtly, from the letter of Antiochos IV, addressed to the legitimate institutions in Jerusalem, to the letter of Lysias, addressed to the whole people (no doubt including the Maccabean faction), to the final transactions before Jerusalem, where, according to the account in II *Macc.* 13.23, the king had to swear an oath (presumably to allow the Jews the freedom to practise their customs and cult). Antiochos V, in his letter, makes the royal decision, motivated by concern for his subjects, to restore the Temple to the Jews: an impeccable royal speech-act, making a grant — with the exception that the Jews already occupied the Temple, since Judas Maccabaeus

³³ See for instance *I. Iasos* 4.

had earlier recovered and rededicated it. The Seleukids could perhaps have reconquered it, by a massive campaign (and indeed, Lysias' second campaign nearly achieved this result); instead, Antiochos V chose the more economical strategy of regularising the anomalous situation: he integrated a local development by authorizing it, through a grant, whose effect was in fact retroactive and preserved the appearance of the royal all-powerful source of definitions and statuses; after all, the king retained his garrison in the Akra in Jerusalem, sufficient to allow some degree of political control, even if not to impose the decisions taken by Antiochos IV. The speech-act, at first sight an act reflecting the power of the king, in fact covers up royal weakness and the success of local resistance, impossible to dislodge without excessive efforts. This analysis holds true for all of the documents in II *Macc.* 11: they illustrate how formally felicitous speech-acts, issued by a still strong power, can cover a complicated reality, where success and initiative do not necessarily lie with the party that says 'we grant you ...', 'we decide ...'; this situation would prevail in the relations between the Maccabees and the later Seleukids.

Nonetheless, the immediate result of the Seleukid 'grant' of the Jews' right to keep the Temple and follow their customs was probably pacification in Judaea, except for those who, with Judas Maccabaeus, continued armed struggle against the Seleukids. This is often described as the transition to a political conflict, after a fight for 'religious freedom' — a description which passes over the fact that from the start, the Maccabean faction fought against the neighbouring non-Jewish communities (if only to protect local Jewish populations) as well as the central Seleukid power; certainly, II *Macc.* 12-13 does not make very clear any difference in nature between the military activities of the Maccabees before and after the grant of 'religious freedom'. The high priest Alkimos seems to have invited Seleukid military intervention against the recalcitrant Maccabean faction: the latter, after some successes, was crushed, and Judas himself killed; Judas' brothers, led by Jonathan, were driven into a long period of clandestinity and guerrilla warfare directed against Hellenising Jews rather than the Seleukid forces proper.

Yet the situation changed, and the Maccabees reemerged to regain their position in the Jewish *ethnos* and increase their power. This evolution can be illustrated by the wording in the very last of a whole series of documents: the letter addressed in 138 by Antiochos VII to Simon (high priest and leader of the Jewish *ethnos* after the death of Jonathan).

Βασιλεὺς Ἀντίοχος Σίμωνι ἱερεὶ μεγάλῳ καὶ ἐθνάρχῃ καὶ ἔθνει Ἰουδαίων
χαίρειν. ἐπειδὴ τινες λοιμοὶ κατεκράτησαν τῆς βασιλείας τῶν πατέρων

ἡμῶν, βούλομαι δὲ ἀντιποιήσασθαι τῆς βασιλείας, ὅπως ἀποκαταστήσω αὐτὴν ὡς ἦν τὸ πρότερον, ἐξεολόγησα δὲ πλήθος δυνάμεων καὶ κατεσκευάσα πλοῖα πολεμικά, βούλομαι δὲ ἐκβῆναι κατὰ τὴν χώραν, ὅπως μετέλθω τοὺς κατεφθαρκότας τὴν χώραν ἡμῶν καὶ τοὺς ἠρημωκότας πόλεις πολλὰς ἐν τῇ βασιλείᾳ μου, νῦν οὖν ἴστημί σοι πάντα τὰ ἀφέματα, ἃ ἀφήκάν σοι οἱ πρὸ ἐμοῦ βασιλεῖς, καὶ ὅσα ἄλλα δόματα ἀφήκάν σοι. καὶ ἐπέτρεψά σοι ποιῆσαι κόμμα ἴδιον, νόμισμα τῇ χώρᾳ σου, Ἱερουσαλημ δὲ καὶ τὰ ἅγια εἶναι ἐλεύθερα· καὶ πάντα τὰ ὅπλα, ὅσα κατεσκευάσας, καὶ τὰ ὀχυρώματα, ἃ ὤκοδόμησας, ὧν κρατεῖς, μενέτω σοι, καὶ πᾶν ὀφείλημα βασιλικὸν καὶ τὰ ἐσόμενα βασιλικά ἀπὸ τοῦ νῦν καὶ εἰς τὸν ἅπαντα χρόνον ἀφείσθω. ὡς δ' ἂν καταστήσωμεν τὴν βασιλείαν ἡμῶν, δοξάσομέν σε καὶ τὸ ἔθνος σου καὶ τὸ ἱερὸν δόξη μεγάλη ὥστε φανεράν γενέσθαι τὴν δόξαν ὑμῶν ἐν πάσῃ τῇ γῆ.

King Antiochos (VII) to Simon, high priest and leader of the community, and to the community of the Jews, greetings. Since some bad people have taken over the kingdom of our fathers, and since I wish to contest with them over the kingdom, so that I may restore it to its previous state, and since I have raised an army and equipped warships and wish to march into the land, to attack those who have destroyed our land and laid waste to many cities in my kingdom, I now confirm to you all the privileges, which the kings before me granted to you, and all the other gifts which they granted to you. And I have allowed you to strike your own coinage, as currency in your land; and Jerusalem and the Temple to be free; and all the weapons which you have prepared, and the fortresses which you have built, which you now occupy, let all these remain with you. And all debt to the royal treasury and all future royal taxes, let them be cancelled for now and the future. And when we have recovered our kingdom, we will honour you and your community and the Temple, with great glory, so that your glory will be conspicuous on all the earth (I *Macc.* 15.2-9).

The document itself makes clear the conditions that enabled the Maccabees to thrive: dynastic unrest, at the very centre of Seleukid power, the institution of kingship. The details are well known, though somewhat tedious to summarise.³⁴ Simply put, the dynasty split into two branches, both descended (or claiming descent) from a son of Antiochos III (Seleukos IV on one side, and Antiochos IV on the other); rule alternated violently between the two branches. Antiochos IV acceded on the death of his brother, Seleukos IV, in place of Seleukos' son, Demetrios (detained as a hostage in Rome). After the death of Antiochos IV, Demetrios returned to Syria in 161, and seized power from the son of Antiochos IV, the child-king Antiochos V. Demetrios had him executed, to rule as Demetrios I (it was under him that

³⁴ Schürer, Vermes–Millar–1973, 125–136; Habicht, *CAH* 8 (ed. 2), 356–73.

Judas was defeated and killed). Demetrios I in turn was defeated and killed in 152 by a (claimed) descendant of Antiochos VI, one Alexandros Balas. The latter was duly ousted and killed in 145 by Demetrios II, son of Demetrios I (with the help of Ptolemy VI, whose intervention in the Seleukid dynastic debate is what historians conventionally call the Seventh Syrian War). In his turn, Demetrios II was soon challenged by the son of Alexandros Balas, Antiochos VI, aided by one of Balas' former courtiers, Diodotos (also known as Tryphon): at this point, the Seleukid empire was ruled by two rival kings. Tryphon later eliminated Antiochos VI and proclaimed himself king, thus prolonging the duplication of kingship; this state of affairs lasted until Demetrios II was captured by the Parthians in 139 BCE. That same year, Tryphon was ousted and killed by a son of Demetrios I (and hence brother of Demetrios II), Antiochos VII Sidetes, the author of the letter quoted above.

The difficulty of producing an easily intelligible narrative is itself symptomatic of the fragmentation of power in the Seleukid kingdom, and the creation of competing, overlapping sources of authority. The behaviour of the Maccabees mirrors the complexity of the political narrative, and also directly contributes to it, because they played their own game: in the midst of this situation, where political authority was highly unstable, the Maccabees inserted themselves into the sequence of dynastic alternance, rallying to pretenders on either side, according to opportunity. Not only did they exploit the situation to raise armies, build forts, seize neighbouring territory and put pressure on the Seleukid garrison in Jerusalem: by playing on the conventions of the royal performative speech-act, they managed to get all these activities accepted and legitimized by whoever was, or tried to be, the Seleukid ruler. This process is recorded, and embodied, in the series of royal letters addressed to the Maccabees in this period. These letters can be read in sequence, as a peculiar documentary history of the growing power of the Maccabees and the increasing weakness of the Seleukid kingdom.

The first important moment came when Demetrios I was faced with the landing and dynastic challenge of Alexandros Balas (I *Macc.* 10.6, without quoting any actual document): Demetrios I granted Jonathan the right to raise an army and make weapons; the king further designated Jonathan as his ally (εἶναι αὐτὸν σύμμαχον αὐτοῦ), and surrendered Jewish hostages, kept in the Akra, the Seleukid citadel in Jerusalem. All these moves were designated to ensure loyalty in order to harness the Maccabees as military assistance against the usurper. But they backfired when Alexandros Balas in turn wrote a letter to Jonathan:

βασιλεὺς Ἀλέξανδρος τῷ ἀδελφῷ Ἰωναθαν χαίρειν. ἀκηκόαμεν περὶ σοῦ ὅτι ἀνὴρ δυνατὸς ἰσχύι καὶ ἐπιτήδειος εἶ τοῦ εἶναι ἡμῶν φίλος. καὶ νῦν καθεστάκαμέν σε σήμερον ἀρχιερέα τοῦ ἔθνους σου καὶ φίλον βασιλέως καλεῖσθαι (καὶ ἀπέστειλεν αὐτῷ πορφύραν καὶ στέφανον χρυσοῦν) καὶ φρονεῖν τὰ ἡμῶν καὶ συντηρεῖν φιλίας πρὸς ἡμᾶς.

King Alexandros to his brother Jonathan, greetings. We have heard that you are a man powerful by his valour, and ready to be our friend. So we have made you today high priest of your community and grant you the right to be called Friend of the king (and he sent him a purple cloak and a golden crown), so take our side and observe friendship towards us (I *Macc.* 10.18-20).

Demetrios I responded by a long letter (too long to be quoted here) of similar nature. He praised the Jewish *ethnos* for its faithfulness, and pronounced a whole series of grants, exemptions and privileges: exemption from all taxes and agricultural rent, the grant of three neighbouring districts in Samaria and Galilee, the grant of sacred status to the Temple, the surrendering of the Akra, tax-exemption for all Jews in the kingdom during Jewish festivals, the gift of the city of Ptolemais to subsidise cultic activity in the Temple, and various subventions for the Temple and for building work, both on the Temple and on the walls of Jerusalem; the same letter also gave the order for Jewish enrolment in the Seleukid armies, on Demetrios' side (I *Macc.* 10.26-45). Jonathan nonetheless rallied to Alexandros Balas; luckily for Jonathan, Demetrios I was killed in battle against Alexandros. The latter, as king, honoured Jonathan by including him among the First Friends of the king, and also named him 'strategos and meridarch' (I *Macc.* 10.65), or local Seleukid governor for Judaea. When Demetrios (II) landed in Syria, he named his own governor, Apollonios, for Koile-Syria; but Jonathan successfully resisted Apollonios' efforts at reducing him.

After the death of Alexandros Balas, Demetrios II met Jonathan, and granted him the high priesthood and the honours which Balas had given, and, in response to a petition by Jonathan, wrote the following letter:

Βασιλεὺς Δημήτριος Ἰωναθαν τῷ ἀδελφῷ χαίρειν καὶ ἔθνεϊ Ἰουδαίων. τὸ ἀντίγραφον τῆς ἐπιστολῆς, ἧς ἐγράψαμεν Λασθένει τῷ συγγενεῖ ἡμῶν περὶ ὑμῶν, γεγράφαμεν καὶ πρὸς ὑμᾶς, ὅπως εἰδῆτε. Βασιλεὺς Δημήτριος Λασθένει τῷ πατρὶ χαίρειν. τῷ ἔθνεϊ τῶν Ἰουδαίων φίλοις ἡμῶν καὶ συντηροῦσι τὰ πρὸς ἡμᾶς δίκαια ἐκρίναμεν ἀγαθοποιῆσαι χάριν τῆς ἐξ αὐτῶν εὐνοίας πρὸς ἡμᾶς. ἐστάκαμεν αὐτοῖς τὰ τε ὅρια τῆς Ἰουδαίας καὶ τοὺς τρεῖς νομοὺς Ἀφεραιμα καὶ Λύδδα καὶ Ῥαμαθαιμ. προσετέθησαν τῇ Ἰουδαίᾳ ἀπὸ τῆς Σαμαρίτιδος καὶ πάντα τὰ συγκυροῦντα αὐτοῖς πᾶσι τοῖς θυσιάζουσιν εἰς Ἱεροσόλυμα ἀντὶ τῶν βασιλικῶν, ὧν ἐλάμβανεν ὁ βασιλεὺς παρ' αὐτῶν τὸ πρότερον κατ' ἐνιαυτὸν ἀπὸ τῶν γεννημάτων τῆς

γῆς καὶ τῶν ἀκροδρύων. καὶ τὰ ἄλλα τὰ ἀνήκοντα ἡμῖν ἀπὸ τοῦ νῦν τῶν δεκατῶν καὶ τῶν τελῶν τῶν ἀνηκόντων ἡμῖν καὶ τὰς τοῦ ἀλδὸς λίμνας καὶ τοὺς ἀνηκόντας ἡμῖν στεφάνους, πάντα ἐπαρκέσομεν αὐτοῖς. καὶ οὐκ ἀθετηθήσεται, οὐδὲ ἐν τούτων ἀπὸ τοῦ νῦν καὶ εἰς τὸν ἅπαντα χρόνον. νῦν οὖν ἐπιμέλεσθε τοῦ ποιῆσαι τούτων ἀντίγραφον, καὶ δοθῆτω Ἰωναθαν καὶ τεθῆτω ἐν τῷ ὄρει τῷ ἁγίῳ ἐν τόπῳ ἐπισήμῳ.

King Demetrios to Jonathan, his brother, and the community of the Jews, greetings. In order that you should know, we have sent you the copy of the letter which we wrote to Lasthenes, our kinsman, concerning you. King Demetrios to Lasthenes, his father, greetings. Since the community of the Jews is our friend and observes its obligations towards us, we have decided to show it favour, because of their goodwill towards us. We have confirmed them the territory of Judaea and the three districts of Apheraima, Lydda and Rhamathaim; they and all their appurtenances have been taken from Samaria and joined to Judaea for those who offer sacrifice in Jerusalem, instead of the taxes which the king used to levy from them yearly on the produce of the earth and the fruits of the trees. And as for all the other income which we have a right to, from the tithes and the indirect taxes and the salt-marshes and the crowns, we surrender it all to them. Absolutely none of these grants will be infringed, now and for ever. So take care to make a copy of these decisions, and let it be given to Jonathan and be exposed in the Temple, in a conspicuous spot (*I Macc* 11.30-37).

Jonathan helped Demetrios II in the early stages of the latter's struggle against Tryphon and Antiochos VI, notably sending troops to put down unrest in Antioch, against the promise that the Akra would be evacuated; a promise which Demetrios II did not keep (*I Macc.* 11.38-53). Jonathan then rallied to Antiochos VI, when the latter wrote 'I confirm you in the high priesthood and I name you over the four districts;³⁵ you shall be among the Friends of the king'; he further sent Jonathan golden objects, granted him the right to drink from golden objects, wear purple and a golden pin, and named Simon governor of the coastal zone between the Ladder of Tyre and the border with Egypt (*I Macc.* 11.58-60). Tryphon later turned against Jonathan, whom he captured and executed. Simon and the Jews rallied back to Demetrios II, who replied favorably to a petition from them:

Βασιλεὺς Δημήτριος Σίμωνι ἀρχιερεῖ καὶ φίλῳ βασιλέων καὶ πρεσβυτέροις καὶ ἔθνει Ἰουδαίων χαίρειν. τὸν στέφανον τὸν χρυσοῦν καὶ τὴν βαῖν, ἣν ἀπεστείλατε, κεκομίσμεθα καὶ ἔτοιμοί ἐσμεν τοῦ ποιεῖν ὑμῖν εἰρήνην μεγάλην καὶ γράφειν τοῖς ἐπὶ τῶν χειρῶν τοῦ ἀφεῖναι ὑμῖν ἀφέματα. καὶ ὅσα ἐστήσαμεν πρὸς ὑμᾶς, ἔστηκε, καὶ τὰ ὀχυρώματα, ἃ

³⁵ Presumably the three districts taken from Samaria, alongside Judaea itself.

ὠκοδομήκατε, ὑπαρχέτω ὑμῖν. ἀφίεμεν δὲ ἀγνοήματα καὶ τὰ ἁμαρτήματα ἕως τῆς σήμερον ἡμέρας καὶ τὸν στέφανον, ὃν ὠφείλετε, καὶ εἴ τι ἄλλο ἐτελωνεῖτο ἐν Ἱερουσαλημ, μηκέτι τελωνεῖσθω. καὶ εἴ τινες ἐπιτήδευοι ὑμῶν γραφῆναι εἰς τοὺς περὶ ἡμᾶς, ἐγγραφέσθωσαν, καὶ γινέσθω ἀνὰ μέσον ἡμῶν εἰρήνη.

King Demetrios to Simon, high priest, friend of the kings, and to the elders and the community of the Jews, greetings. We accept the golden crown and the palm, which you have sent, and we are ready to make a great peace with you, and to write to the officials for the purpose of granting you exemptions. And all the grants we have made to you stay valid. And let all the fortresses, which you have built, remain in your power. And we forgive you the mistakes and faults committed until today, and we release you from the crown-tax which you owe; and whatever tax was levied in Jerusalem, let it not be levied anymore. And if some of you were ready to join our forces, let them register, and let there be peace between us (*I Macc.* 13.36-40).

This total exemption from tribute was considered as equivalent to a state of independence ('the yoke of the Gentiles was lifted'), and the Jews started a new formal 'era', a dating system taking this year (142) as its starting point ('In the first year, under Simon, high priest, general and leader of the Jews'). Finally, when Demetrios II was captured by the Parthian king, Antiochos (VII), before even arriving in Syria, wrote to Simon and the Jews, confirming all tax exemptions, grants, and allowing Simon to keep his fortresses and arms: this is the letter quoted above, to illustrate the whole series of documents.

I have found it necessary to describe and quote, at length, the royal documents in their narrative context: the sequence and the patterns make some peculiar features immediately clear, which are relevant to the nature of the performatives and to the use of speech-act theory to analyse the dealings between Seleukids and Maccabees. The most obvious feature is the political turmoil,³⁶ specifically in the form of competition for the role of king, the determiner of legitimacy and utterer of the performative utterances which embody the practical exercise of power: the result is incertitude about the context and rules that govern such performatives. When a pretender to the Seleukid throne writes a letter to Jonathan or Simon, he is formally uttering performative speech ('I confirm ... I grant ... I exempt from taxes ... I renounce'), from a position reserved for the king. Nonetheless, he is not yet king: he will become so, if the subjects acknowledge his speech-act as

³⁶ The situation offers parallels with the opening weeks of the French Revolution, as analysed in Petrey 1988, chap. 1, an analysis to which the present treatment owes very much.

performative, according it uptake to recognise its illocutionary force, then generally acknowledging or constituting his authority. The pretender's proclamations are thus themselves attempts to seize the position of authority which will validate his utterances — including the initial one.

There are a number of conditions necessary for the success of this (hopefully) self-legitimizing move. First, of course, ultimate military victory over the incumbent ruler, a point too obvious to need illustration except by referring back to the narrative framework for the period. Secondly, the speech-act must be accepted, in spite of its problematic, self-fulfilling nature. The letters of the pretenders may look like 'normal' performatives: in fact, they are pleas for recognition, offers in a negotiating situation, or rather a kind of illocutionary market by auction, where the interlocutors at the receiving end of the royal performatives can make a choice. The capacity to work 'social magic', this time, lies with the subjects: it is their choice which will make a king out of an adventurer writing to the Jews on his landing in Syria and his attempt on the Seleukid throne.

Because of the 'market' situation, the pretender hopes that the subjects (or subjects-to-be) will accept his performative speech-acts: their content must therefore be congenial to the recipients. In the case of Maccabean Judaea, an additional reason why its adhesion was desirable was that they could supply military means, hence backing up their illocutionary uptake of the would-be royal speech-acts by very concrete assistance: Demetrios I and Demetrios II both stipulated, in the course of letters making agreeable grants, that Jewish troops should enrol in the royal army to help repel the usurper (I *Macc.* 10.36, 13.40). So the successive pretenders recognised the head of the Maccabean family as high priest, and hence as legitimate leader in Judaea; they further granted the status of royal Friend, with the attendant visual signs. In other words, the Seleukid pretenders, to become king, had to offer legitimation and local consolidation to the Maccabees, who had once been rebels against the Seleukid empire.

The letters can be regarded as efforts by successive Seleukid pretenders, then rulers, to integrate and constrain Maccabean Judaea within imperial institutions, by congenial grants and privileges (which, in being accepted by the Jews, also entailed acknowledgement of Seleukid authority generally as well as any one pretender's legitimacy), and by the bestowing on the Maccabean leaders of honours, visual signs and titles which only had prestige and meaning in a Seleukid context, such as king's Friend and kinsman, or meridarch.³⁷ The situation is similar to the earlier one faced by Antiochos V,

³⁷ As argued by Sherwin-White and Kuhrt 1993, 228.

when he chose to 'grant' the Temple, which Judas Maccabaeus had already recaptured and rededicated. But the letters of the later Seleukid kings and would-be kings were produced in a time of weak central authority, and they amount to a litany of ever-increasing renunciation of power, since the only way a usurper could secure acknowledgement, and a ruler could secure consent, was to grant whatever he had no power to withhold, and to relinquish some form of control, in order to establish the appearance of control. The process was incremental and irreversible, since each successive pretender, to be acceptable to the Jews, could only confirm whatever privileges the incumbent ruler had made, and usually attempt to cap them by some additional grant. In addition, any attempt to turn against the Jews and reassert genuine authority was usually thwarted, because of the lack of stable royal power in the kingdom: if the king refused to keep his promises or made threatening moves (as Demetrios II and Tryphon did: I *Macc.* 11.53, 13.32-34), the Jews could simply wait to rally to the next pretender, who would behave more acceptably. The Jews were aware of the possibilities offered by the unstable power situation and the need of pretenders and rulers alike to conciliate them. Twice in I *Macc.*, we see royal concessions being granted in response to petitions by the Maccabees, who presumably made their requests in the knowledge that the Seleukid ruler could not turn them down (I *Macc.* 11.28-29, 13.34). The second case is particularly striking: the Jews, faced with Tryphon's threatening behaviour, approached Demetrios II, whom they had earlier deserted to rally to Antiochos VI (supported, or manipulated, by the same Tryphon).

Furthermore, the Maccabees mounted constant appeals for acknowledgement by Rome, obtaining friendly diplomatic letters and contracting alliances: in doing so, the Maccabees complicated the illocutionary situation, introducing yet another source of authoritative speech-acts in their world. Apart from drawing attention to themselves before the dominant power in the later Hellenistic Mediterranean, the Maccabees complicated the illocutionary games, hinting that their status as 'subject' community to the Seleukids coexisted with the exercise of activities associated with a state entity recognised on the international scene: this implied yet another threat to the Seleukid pretenders and to their central claim at being the exclusive source of definitions.³⁸ It also offers a good sign of the confusion and ambiguity which the flux in political power allowed in the region.

³⁸ Gera 1998, 249-52; 303-12. Recent scholarship (Gruen 1984) has questioned the extent to which the Roman Republic was actively interested or interventionist in the Eastern Mediterranean; but Rome's supremacy, acknowledged

In addition to legitimising the Maccabees' position, the Seleukid pretenders, increasingly, had to make pronouncements that cut back on the actual forms of Seleukid power in the region. They loosened, and finally removed, the network of taxation, direct and indirect, which was an essential feature of imperial rule, both by feeding Seleukid coffers (hence enabling administration and armies) and by making Seleukid rule visible (hence the Jewish perception of independence, once Seleukid taxation had totally been cancelled, through a grant by Demetrios II: above). They granted territory, thus accepting the local expansionism which was a feature of Maccabean policy from the start; in the same vein, Alexandros Balas named Jonathan governor of Judaea (I *Macc.* 10.65). The second letter of Demetrios II and the letter of Antiochos (VII), in the form of royal performatives, 'granted' the Jews the right to keep their military means and the network of forts in Judaea — features which neither king had the real possibility of removing, and which could facilitate military resistance to the central power (I *Macc.* 13.38, 15.7). The case of the forts is significant, because the earlier Seleukids had used garrisoned forts as a means for controlling rebellious Judaea — in fact, one of the standard technologies of empire and domination in the ancient world, crucial for the control of the countryside by the Hellenistic kings. By the time of Demetrios II and Antiochos VII, the Seleukid rulers (or would-be rulers) 'granted permission' to the Jews to take over this strategic asset, and develop it to defend their own interests.

With some difficulty, Antiochos VII did reassert control over Judaea. He revoked his earlier grants, a sign of his growing power and confidence and his lessened need for 'social magic' effected by local constituencies upwards; he besieged Jerusalem and reached a settlement with the Jews, whereby they surrendered their weapons, agreed to pay some tribute (for Joppa and other cities outside of Judaea, which they had recently captured), and gave up hostages (*Jos. AJ* 13.245-248). It is noticeable that in these transactions, Antiochos VII resorted to genuine negotiation rather than the 'pseudo-performative' grants and concessions which he was forced to make as a pretender to the Seleukid throne: once in control, and without the threat of yet another pretender (the branch of Antiochos IV / Alexandros Balas having come to an end with the death of Antiochos VI), he could afford to deal in a language much closer to the realities of power. A measure of the control he exerted is that when he marched east in 130, against the Parthians, he took a Jewish force, along with Hyrkanos, who had succeeded Simon as

and taken into account by the Hellenistic states, large or small, is unquestionable.

high priest on Simon's death: the Seleukid empire was now strong enough to exact military contributions from subordinate communities (Jos. *AJ* 13.249-250).

But in 129 Antiochos VII was defeated and killed by the Parthians, and with the death of the last strong Seleukid king, the kingdom entered a phase of exacerbated weakness, renewed and ever more virulent dynastic conflict. Maccabean Judaea was powerful enough, in terms of ideological self-confidence and material resources, to free itself totally from the Seleukids, and keep its independence: this was the legacy of its dealings, over the nearly twenty years between Alexandros Balas and the accession of Antiochos VII, with an empire weakened by dynastic strife and forced to grant more and more leeway to the Jews in order to retain appearances of authority. I have already mentioned the military aspect; the ideological aspect is apparent in such details as the decision to start dating documents by a new era, rather than the Seleukid era (*I Macc.* 13.42), or the long and astonishing 'honorific decree', produced by the Jews, and giving a local narrative of Simon's deeds: in the presentation of history offered by this narrative, the fact that Demetrios II confirmed Simon's priesthood is subordinated to the enumeration of Simon's wars in defence of the Jews and against the neighbouring communities, and the final decisions about Simon's authority and power, presented as a local decision by the Jews, motivated by his merit (*I Macc.* 14.25-47).

Simpler, but just as significant, is Hyrkanos' behaviour after the death of Antiochos VII: he revolted from the Macedonians, Josephus tells us, 'and no longer gave them anything, be it as a subject or as a friend' (*AJ* 13.273), ruling as a Hellenistic king in his own right. Perhaps the two warring Seleukid kings, Antiochos VIII Grypos and Antiochos IX Kyzikenos, both approached him, as their ancestors had approached Jonathan and Simon, with royal letters, purporting to be performatives, and implicitly pleading for recognition and assistance under the guise of making the kingly performative moves of giving, granting, confirming. But by then, the Seleukids had nothing more to offer but infelicitous speech-acts: these no longer had the context of authority and conventions that ensured uptake, and they were predicated on 'facts' (such as the existence of Seleukid power) that were manifestly untrue. Josephus tells us (*AJ* 13.274) the poignant end of the story which had started with the long, confident, imperial, letter of Antiochos III concerning the Jews: a century later, Hyrkanos simply responded with contempt for both Seleukid kings, ἀμφοτέρων κατεφρόνησεν.

3. Beyond the illocutionary

The preceding pages embody an attempt to examine a particular body of evidence, the documents quoted in the first two books of Maccabees. The perspective was Hellenistic and political, focusing on the relationship between the Seleukid rulers and their subjects in Judaea, with no attempt to renew interpretations by lending particular attention to the Jewish background or context; nor did I attempt to introduce any new, detailed interpretations of the facts or the texts, which have been elucidated by generations of scholars. The point of the article was to approach the Maccabean documents with the aid of some basic insights derived from Austin's *How to do things with words*, the founding text of speech-act theory, in order to see how useful these theoretical insights would prove for the act of reading historical documents; and also, perhaps, to enable us to look back at the theory after the act of reading.

The latter stance is a legitimate one to adopt, since speech-act theory is predicated on the examination of language in action and context. The specific historical case examined here, the interaction between the later Seleukids and their unruly Judaeian subjects, is much more complex than Austin's ideal examples drawn from deliberately simplified conversation ('I promise ...') and models of social interaction deliberately made straightforward ('I name this ship ...'); to be more accurate, the historical case situates the model-like, imagined Austinian illocutionaries in a real, messy, political interaction that is anything but straightforward. The later Seleukids uttered formally correct speech-acts, as they made offers in the hope of securing support for their attempts on the throne or as they granted privileges which they had no power to refuse; but because of the ambiguous political situation and the lack of a clearly defined, stable power, their intended audience — the Maccabees — had considerable latitude in matters of choice, giving or refusing illocutionary uptake only on conditions that suited them. The situation could be analysed in the terms developed by Austin: the illocutionary acts ('I grant') also had a perlocutionary force ('I bargain') — except that this perlocutionary dimension was radically at odds with the appearance of power and authority which the illocutionary acts implied: these appear a mere veil for the 'real' bargaining going on. At any rate, awareness of the 'real', perlocutionary transactions only makes more remarkable the fact that the Seleukids and the Jews maintained the appearance of authoritative utterer and receptive subject, in a comedy of power played by each party for different reasons.

Austin recognized that every utterance, as a 'total speech-act', acted at all levels (locutionary, illocutionary, perlocutionary); constatives and illocutions

are abstractions, simplified ways of analysing utterances by focussing exclusively on the locutionary or the illocutionary. Illocutions, infelicitous or felicitous, according to conditions fulfilled (acceptance, formal correction) and stages crossed (locutionary intelligibility, illocutionary uptake): the scheme is idealised, and by its very nature, cannot cover the complicated reality of negotiation in the Maccabean test case. This discrepancy raises the possibility that in all actually performed speech-acts as real social actions, the flow of power and authority is more complicated than at first sight: uptake might be refused for whatever reasons (individual resentment, broader patterns of revolt), and the socially embedded nature of the performative speech-acts means that they are arbitrary, always open to potential challenge, and perhaps even tirelessly renegotiated, at each time they are proffered and accepted.

Historical test cases, such as the opening stages of the French Revolution (discussed by Petrey) or the dealings between the Seleukid state and the Maccabees, extend the model of interaction offered by Austin, and modify its terms, especially by showing how the terms of illocutionary uptake, socially defined, are always potentially unstable. Petrey pointed out how the performative utterance and the conditions securing uptake are mutually supporting, so that a successful performative can actually act in a self-fulfilling way, by creating the conditions which, theoretically, would be necessary for its felicitousness in the first place. This insight is borne out by the letter written by Antiochos III concerning the privileges to the Jews: it calmly assumes, and hence constitutes, the conditions for its effectiveness. The later Seleukid documents addressed to the Maccabees show another way in which the speech-act game can be unstable: the forms stay the same (royal grant to subjects), but the conditions have gradually changed, so that the apparent speech-act (granting) covers another, unspoken speech-act (making an offer or a promise), in which the balance of power has shifted: the possibility of refusing illocutionary uptake, always present but usually dormant, has now come to the forefront, with the Maccabees choosing to grant acknowledgement to that 'performative' utterance which suits their interests best.

It is clear that the complexities of the Maccabean test case arise within the framework defined by Austin: it is only through this theoretical framework that we can start to notice and interpret these complexities. It is easy to grasp, instinctively, that the later Seleukids, pretender after pretender, are dealing from a position of weakness with the increasingly firmly entrenched Maccabees, and that the Seleukids made grants to secure support or because they had no choice; the point has often been made. What speech-act theory allows us to do is to analyse the form of the exchanges and the tensions or

ambiguities they carried. This is a more satisfying way to study these exchanges than paraphrasing them or neglecting the form to express the 'real' content, e.g. 'Seleukids and Jews reached an agreement' (as in fact the authors of I-II *Macc.* write, when interpreting the import of the documents they quote), or 'the Seleukid empire made concessions'. The 'realistic' approach, assuming that everyone knew *ce que parler veut dire*, focuses on what was really going on beneath the formal language; but it cannot account for the fact that the form adhered to constantly was that of the royal grant, issued from above to subjects. Seleukids and Maccabees carried on communicating through these forms, for decades, in spite of their conflict: language and forms mattered.

However, to pay attention to the formal, illocutionary correctness of the speech-acts by the Seleukid pretenders or rulers does not mean taking them literally: by taking the Seleukid performatives so seriously that they read them purely at face value, S. Sherwin-White and A. Kuhrt (1993, 228) interpret them as signs of continued Seleukid authority and vigour, a conclusion which goes against the very real degradation of Seleukid power, as we can detect it by reading between the lines, or in explicit accounts of dynastic strife. What speech-act theory allows us to do is to take the documents seriously, but within a political reality which forms the context for the documents as speech-acts: it shows why the two parties involved stuck to these forms, each for their different reasons (the Seleukids, or Seleukid pretenders, to create the assumption of authority; the Maccabees, to extract privileges by manipulating the language of empire, and because they needed to ensure their position in terms which the ruling power could acknowledge, since, until the very end, they could never be quite sure of just how weak any one Seleukid ruler, or the Seleukid state in general, might prove). So speech-act theory can help us study the precise process by which Seleukid power was degraded, and the actual linguistic spaces in which this degradation both happened and was reflected. Austin's insights lead to a richer interpretation, and greater sensitivity to multi-layered interaction. These should be the contributions of any theory, when applied to historical material: allowing the historian to see more things and offer more sophisticated descriptions of socio-political transactions. Hence the 'hit and grab', instrumentalizing approach to theory in this paper: the proof of the pudding is in the reading.

The complex reality of the 'total speech-act situation' as historical event, in which illocution (clean-cut, easily distinguishable felicitous/infelicitous speech-acts) is embedded in complex negotiation, may lead to a more general point about power and its practical workings. Power imagines its transactions as simple Austinian illocutions: the speech-act is uttered, fulfils

conditions, is accepted, and therein has effect on people and on things.³⁹ To go further, it presents the unilateral efficiency of its utterances as a natural, unquestioned fact dependent on some god-like quality inherent to the uttering entity, rather than on acceptance by an audience. Unsurprisingly, it assumes that illocutionary uptake for its orders involves not only acknowledging the speech-act, but actually obeying the order. In contrast, the Maccabean example, characterized by transactions made ambiguous by the flux in the political situation, serves as a reminder that the magical, god-like effect of performative utterances depends on conditions outside and before the utterances: the effect is an eminently social construct, arbitrary and open to challenge or resistance — a fact which ideologies of domination try to obnubilate, by positing that arbitrary, historically determined systems of ‘social magic’ belong to the order of things. The concepts of speech-act theory, when applied to the Maccabean material, reveal that power rests not only on the exercise or the threat of violence, but also on some basic, invisible, contract between the rulers, whose speech-acts need acceptance to be translated into reality, and the ruled, whose consent ultimately decides on the felicity of the rulers’ utterances.

In this perspective, one of the themes of this study has been the ways in which the ruled can achieve agency in the face of domination, if the circumstances are right, especially through the manipulation and subversion of language, its meanings, its definitions and the ‘social facts’ it effects out of reality. It is clear enough that the Maccabees’ behaviour resulted in the weakening of Seleukid control, in the sense that they gained more and more privileges, and hence a progressively wider margin of freedom from the Seleukid state. More importantly, the outcome (deliberate or not) of the negotiations between Seleukids and Maccabees was also the degradation of Seleukid power and authority, because these negotiations cheapened or rechanneled the language of power, the register of performative speech-acts (I give, I grant) which were a Hellenistic king’s main medium for vertical communication with his subjects. This language now functioned as the means for negotiation, a space where decision lay with the ‘ruled’, the Maccabees, and hence as a revelation of the contractual nature of power — at the very moment it was used by the successive Seleukid pretenders or kings to create the appearance of power and authority out of weakness.

In the Maccabean material, local independence and its strengthening are reflected in documents issued by the (theoretical, self-claimed) ruling power,

³⁹ For discussion of this ‘sovereign’ model of power and the performative, Butler 1997.

a process which has consequences for the historiographical function of the documents, as quoted by the two main literary sources. That the authors of I-II *Macc.* did not use the categories of Austinian speech-act theory to analyse the documents they quote is obvious, and, as pointed out above, they often paraphrase the negotiations between Seleukids and Maccabees in realistic, content-centred terms which do not take into account the illocutionary forms of the documents. At the same time, both sources quote Seleukid documents frequently, extensively, in a sequence which allows a broad perspective. Whatever the source of these documents (presumably the archives of the Hasmonean monarchy, or a literary collection of documents drawn from the archives),⁴⁰ they are made to tell, implicitly, the story of local independence and the degradation of domination by an imperial power, and the contrasting tale of agency, opportunism and initiative by a local community — the exact story I have been trying to articulate in this study, in the shadow of Austin's *How to do things with words*. The accounts in I-II *Macc.* demonstrate that the Seleukid empire was arbitrary, dependent on continued political stability, and precarious once the centre of power was in flux because of dynastic competition.

These texts construct the political narrative (in the strongest possible sense) of a local community, and show that a dominant power was a historical phenomenon, grounded in human interaction, open to human negotiation and challenge, and temporary. But these texts do more than simply celebrate the survival and the achievement of autonomy and communal pride (as, no doubt, the local histories of the Greek *poleis* did). The political force of the Maccabaeen histories is subordinate to the powerful theological intent: the fragility and ambiguity of the Seleukid speech-acts contrast with the divinely ordained Law, so frequently mentioned in the Maccabaeen texts, its permanence and aloofness from human negotiation. By quoting the Seleukid performative utterances in a context which problematised their efficiency, by historicising the processes of Seleukid power, by implicitly pointing out the contrast between the Seleukids' attempts at authority and the reality of negotiation, of dynastic turmoil, of local resistance, these texts build a documentary narrative, in parallel to the main narrative which celebrates God's power and the favour he shows to the Law-abiding Jews led by the Maccabees. The historiographical use of documents in I-II *Macc.* is closely

⁴⁰ On the existence of such a collection in Hasmonean times already, Ben Zeev 1998, 405-8.

connected with the theological purpose of the texts,⁴¹ whose creation illustrates the ideological assertion and self-confidence of the Hasmonean Jews.

It may seem frivolous, after evoking the theological force of I-II *Macc.*, to return to the tale which provides an epigraph to this article, A. de Saint-Exupéry's *Le petit prince*. But the incident is reminiscent, in an ironical mode, of the dealings between Maccabaeian-led Jews and the Seleukid pretenders with their hopeful illocutions. The main character, the Little Prince, early on his journey to the planet Earth, meets a King, whose function is to rule, by giving orders. When the Little Prince cannot prevent himself from yawning in the King's presence, in spite of the latter's interdiction (a performative utterance immediately linked to authority and power), the King's solution is simple: he orders the Little Prince to yawn; when the Little Prince, intimidated, finds he cannot yawn on order, the King, non-plussed, orders him to alternate between yawning and not yawning ('comme il était très bon, il donnait des ordres raisonnables', rather like a late Seleukid king or would-be king). St-Exupéry's short story is a modern variation on the tale genre (it was published in 1946), deliberately child-like and gently satirical: the Little Prince leaves with the puzzled conclusion that 'les grandes personnes sont bien étranges', grown-ups are quite strange. But this part of the tale is patterned on popular knowledge of the workings of power, of the ritualised arbitrariness of those speech-acts which manifest state power, of the possibilities for manipulating the absurd rituals of power by acting on the illocutionary level to obtain effects beyond the illocutionary. In the tale of Puss in Boots, as retold by Ch. Perrault (from a pool of popular variants), the eponymous cat manipulates the holders of power (the king with his capacity for 'social magic', the ogre and his actual magic) to obtain advantages in real life (social promotion for the miller's son, the cat's master, and hence, for the cat, escape from being eaten). As mentioned earlier, L. Marin, at the end of a work devoted to applying discourse analysis to various seventeenth-century texts (Marin 1978), offered this delightful, purely Austinian reading of Puss in Boots, which has been one of the inspirations behind the present study of the later Seleukid documents in their Maccabaeian context. It showed how the basic insights of Austinian speech-act theory offered conceptual tools for fertile readings of the relation between power and language: it hinted that Puss in Boots, the Little Prince and J.L. Austin could be of inspiration even to a documentary historian of

⁴¹ The theological intent is, interestingly, less strong in I *Macc.*, originally written in Hebrew, than in II *Macc.*, which derives from an original piece of Hellenistic historiography in Greek (I owe this point to one of the readers for *SCJ*).

the Hellenistic period, because they defined and enriched the act of reading documents.*

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