Jana Hock, Valeria Tietze, and Nestor Zante

Claiming Legitimization: Non-State Violent Local Stakeholders and Power Legitimization of the Maccabees in Judea in the Second Century BCE and the Koglwéogo in Today's Burkina Faso

Abstract: How do local vigilante groups claim power and justify their authority in antiquity and in contemporary society? We approach this question from an interdisciplinary perspective: on the one hand we look at it from Old Testament Exegesis through a narratological analysis of the First and Second Books of the Maccabees and on the other hand, through ethnographical analysis, we examine legitimization patterns within Koglwéogo vigilante groups.

In this paper, we address the reasons presented for the need of legitimization and analyze the parallels concerning the ways in which the groups are legitimized. We therefore present and discuss three cases:

Our first case concerns the First Book of Maccabees. It tells the story of the expansion and consolidation of local power by the Hasmoneans *ex post* (ca. 100 BCE). In 1 Macc 2:1–70, the leader of the Maccabean revolt Mattathias is linked to tradition, but tradition is reshaped for the Maccabean's own legitimization purposes. Thus, the Maccabees are legitimized in their beginnings (1 Macc 2:1–70) and so is the establishment and persistence of the Hasmonean dynasty itself.

The Second Book of Maccabees – the second case – concentrates on the prehistory and first years of the Maccabean uprising under Judas the Maccabee (175 BCE to 161 BCE). It provides a hostile description of the enemy king Antiochus V Eupator, contrasted with a vivid depiction of Judean prayer, fasting, and decision-making, which lead to a successful fight against Antiochus V and his troops (2 Macc 13:9–17).

The third and last case concerns the Koglwéogo groups emerging in the security landscape in Burkina Faso since 2014. Taking advantage of the security vacuum left by the state especially in rural areas, they organized themselves to secure the areas in which they emerge. Under the authority of traditional chiefs and religious leaders, they claim their role as effective security providers beyond the state.

We show that these non-state violent actors in antiquity and modernity have parallels in their legitimization. These justifications are manifested in three main aspects: tradition, religion and cult as well as the contrast of enemy images serve to legitimize these non-state violent actors. Hence, we illustrate that the methods used for legitimization both in antiquity and modernity have structural parallels and functionally similar patterns of justification.

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Resumo: Comment les groupes de vigilants locaux revendiquent leur pouvoir et justifient leur autorité dans l'antiquité et dans la société contemporaine? Nous abordons cette question dans une perspective interdisciplinaire: d'une part, nous l'examinons du point de vue de l'exégèse de l'Ancien Testament à travers une analyse narratologique du premier et du deuxième livre des Maccabées et, d'autre part, á travers d'une analyse ethnographique, nous examinons les schémas de légitimation au sein des groupes d'autodéfense Koglwéogo.

Dans cet article, nous abordons les raisons présentées soulignant le besoin de légitimation et analysons les schémas communs de légitimation propres aux différents groupes. Pour ce faire, nous présentons et discutons trois cas:

Notre premier cas concerne le premier livre des Maccabées. Il raconte l'histoire de l'expansion et de la consolidation du pouvoir local par les Hasmonéens *ex post* (env. 100 av. J.-C.). Dans 1 Macc 2:1–70, le chef de la révolte maccabéenne Mattathias est lié à la tradition, mais cette dernière est remodelée à des fins de légitimation propres aux Maccabées. Les Maccabées sont ainsi légitimés dans leurs débuts (1 Macc 2:1–70) tout comme l'établissement et la persistance de la dynastie hasmonéenne elle-même.

Le deuxième livre des Maccabées – le deuxième cas – se concentre sur la préhistoire et les premières années de la révolte des Maccabées sous Judas le Maccabée (175 av. J.-C. à 161 av. J.-C.). Il fournit un portrait hostile du roi ennemi Antiochus V, contrastant avec une illustration vivante de la prière, du jeûne et de la prise de décision des Judéens, qui aboutissent à une lutte victorieuse contre Antiochus V et ses troupes (2 Macc 13:9–17).

Le troisième – et dernier cas – concerne les groupes Koglwéogo qui émergent dans le paysage sécuritaire du Burkina Faso depuis 2014. Profitant du vide sécuritaire laissé par l'État notamment dans les zones rurales, ils se sont organisés pour sécuriser les zones dans lesquelles ils émergent. Sous l'autorité des chefs traditionnels et des leaders religieux, ils revendiquent leur rôle de prestataires de sécurité au-delà de l'État.

A travers ces trois cas ci-dessus évoqués, nous montrons que les acteurs violents non étatiques dans l'antiquité comme dans l'époque contemporaine présentent des similitudes dans leurs schémas de légitimation. Ceux-ci se manifestent dans la justification au moyen de trois principaux aspects: la tradition, la religion et le culte ainsi que les images contrastées de l'ennemi servant à légitimer ces acteurs violents non étatiques. Nous montrons ainsi que les méthodes utilisées pour la légitimation, tant dans l'antiquité que dans la modernité, présentent des similitudes structurelles et des schémas fonctionnels de justification.

1 Introduction

Daily social existence is shaped by legitimization, since legitimization regulates the access to and the exercise of power. Furthermore, legitimization provides justification for social actions and practices, and ensures their acceptance by local communities. In order to succeed in their social environment, social agents and groups usually create conditions for their legitimization. Hence, we consider legitimization as the prerequisite for groups to be able to assert and establish themselves at the local level, and thus for local self-regulation.

For research on self-regulation of groups, it is therefore helpful to study the legitimization they use. In studies on legitimization, such as those by the sociologists Weber and Habermas, the focus is mostly on modern societies. In this paper, however, we stress a connection between antiquity and modernity. For this purpose, we examine local stakeholders, which have to legitimate themselves in the local space: the Maccabees in antiquity and the Koglwéogo in modernity. Since legitimization can be achieved in various ways, we consider recourse to tradition, religion and the construction of a hostile enemy as possible ways to legitimate themselves. We understand tradition as long-established, local habits passed on over generations. Thereby, we approach the following questions: Which kinds of legitimization do the different groups use? What reasons are presented for the need of legitimization? Are there parallels concerning the ways in which both groups legitimize themselves?

The requirement for legitimization existed in antiquity just as it continues to exist today. Thus, we intend to explore the question of whether the strategies used for this purpose have remained the same and how exactly and why legitimization is constructed both in antiquity and modernity. For this, we will first discuss the First and Second Books of Maccabees based on Old Testament exegesis as well as narratology and afterwards we will discuss the Koglwéogo using the ethnographic approach. Then we present our results in a comparative conclusion. The sources we rely on are the First and Second Books of Maccabees (1 Macc 2:1–70 and 2 Macc 13:9–17) and interviews.

2 Constructing legitimization

Legitimization is by nature linked to power and its exercise in a given local context. According to The Palgrave Macmillan dictionary of political thought, legitimization is "the process whereby power gains acceptance in the eyes of those who are governed by it, by generating a belief in it."[1] Legitimization here refers to the relationship between power, its acceptance and the exercise of its authority. Our paper explores the

1 Cf. Scruton (2007) 389.

process by which this power is constructed by its holders and accepted as such by the populations over which it is exercised. Our theoretical framework proposes three overlapping and reciprocal grounds of power and legitimization as a justification of power:

- The religious and cultic basis
- The traditional endogenous foundation
- The foundation through the de-legitimization of legitimate orders

Here, legitimization is not the process that leads to the production of an action deemed legitimate, but rather the consequence of a social mechanism that authorizes the action and tends to normalize it. As Beetham so aptly defines it: in order to understand legitimization, one has to resort to all possible dimensions of its application, i.e. rules (or norms), beliefs and actions (power and domination).[2] Legitimization is thus conformity to established rules meant to organize common life; then rules can be justified by reference to beliefs shared by the different actors in the relationship and finally, it proves the consent of those engaged in a particular power relationship.[3] If legitimization defines power by nature and its exercise, it draws its essence from the norms and values contained in the socialization process of individuals and communities. This is one of the reasons why the religious cult and the traditional endogenous appear here as the foundations of power and its exercise, its validity and its justification. These constructed categories are constitutive of the communities' daily life. The third element, the foundation through de-legitimization, appears not only as a critique of the 'legitimate orders' but also as a desire to reconstruct the legitimacy constitutive of the social and political context of different communities. Following this logic and considering the work of Beetham, the structure of legitimacy is threefold: the derived validity of rules, the 'justifiability' of the rules of power, and the expressed consent.[4]

When we presented the first draft at the LoSAM international conference in July 2021, one lesson was that legitimization is not a process but rather an interactive consequence constructed, reconstructed, negotiated and renegotiated by social mechanisms. Legitimization is therefore not given; it is acquired through social contexts, through often endogenous mechanisms of acceptance, and through a permanent justification. Legitimization is presented at various levels in our three cases as the justification of the reasons for actions negotiated and acquired through mechanisms of de-legitimization, of construction of the image of the enemy, relying essentially on endogenous norms and rules carried by tradition or religion. The object of our research is the mechanism for constructing and justifying the reasons for action

2 Cf. Beetham (1991) 20.
3 Cf. Beetham (1991) 16.
4 Cf. Beetham (1991) 14–25, 69, 90–97.

of non-state actors who now occupy a field of action that was once the exclusive property of the state in the case of the Koglwéogo groups or the property of a ruling elite in the case of the Maccabees. What is most important in our article is not the reasons for action per se, but rather how community actors justify and account for these reasons for action. In the Koglwéogo groups as in the first two Books of Maccabees, vigilante groups can be viewed as groups who try to exert influence on political decisions and are defined by logics of expansion through conflict and collaboration. In order to understand these groups, it is important to identify the justifications behind their actions or reasons for action.

One of the most widely used classical approaches is the idea of the three ideal types, developed by Max Weber, to operationalize and categorize the types of legitimization that define the authority and power of individuals and groups of individuals. For Weber, legitimacy is defined sociologically as a "belief in the legitimacy ('rightfulness') of a given power ('Herrschaft')"[5], the central purpose of legitimacy being to enable the stability of power ('Herrschaft'). He distinguishes between rational or legal 'Herrschaft', based on the belief in the authority of rules established in accordance with official procedures; traditional 'Herrschaft', built on the belief in the sanctity of tradition; and charismatic 'Herrschaft', related to the belief in the outstanding qualities of a remarkable individual.[6] A closer look at the Weberian typology of legitimacy shows that it is given in the name of a social principle based on the value of individuals/groups; however, several empirical works[7] present legitimacy not so much as an acquired right but rather as the result of a complex process of negotiation that ultimately participates in the de-legitimization of one group of individuals to the benefit of another, with social contexts as the only rudder. This is also one of Habermas' critiques of the Weberian concept of legitimization. He argues that the dynamic of society produced new legitimization problems[8] and "legitimation means that there are good arguments for a political order's claim to be recognised as right and just. Legitimacy means a political order's worthiness to be recognized"[9].

Social contexts are producers of legitimization. In our paper, the time periods and contexts are very varied, and this variety of contexts has contributed to the production of specific types of legitimization that we develop in the different cases. However, what can be stated and could take the place of a theory are the mechanisms that surround the group's reasons for action. These include legitimizing agents (local populations), de-legitimizing actors and systems (state and conquering groups) and culturally oriented moral reasons and endogenous cultural values and principles.

5 Cf. Weber (1972) 122–125.
6 Cf. Weber/Maurer (2019) 33; Weber (1972) 124–125.
7 See Beetham (1991a, 1991b); Habermas (1988); Arendt (1969).
8 Cf. Habermas (1988) 97.
9 Cf. Habermas (1979) 178.

The analysis of the justification of reasons for action is relevant in several respects to our text. How do communities define their role in the management of security issues away from systems deemed legal? And how do these definitions allow for a new analytical perspective in the production of legal and legitimate orders? Considering Weber's typical ideal definition of legitimization and based on our empirical data, we note that the boundaries between the charismatic, the traditional and the legal-rational are hardly differentiable, or rather, the three interpenetrate according to the social context that favors the emergence of actors in search of power and authority. We believe that the justification of the reason for action could go beyond this. The justification of the reason for action would rather be the recognition attributable to an individual or a group by the legitimizing agents that authorizes the action and validates the reasons for the action. Reasons for action can be structural or situational and incorporate moral principles and values that organize the social life of legitimizing groups. The justification of the reason for action is first a recognition in the sense of Habermas, second an acceptance and third a will to reproduce.

Focusing on the following theoretical perspectives, we consider legitimization as a set of patterns and actions by which non-state violent actors manage to build their power and authority and gain recognition and acceptance by other social actors.

All three cases involve the aspect of claiming local power by violent local stakeholders. To be accepted, the respective groups must apply concepts by which they legitimize themselves. The claim to exercise local power must be legitimized both within and outside the group to other local agents. Hence, different patterns of legitimization such as tradition, affectual faith, value-rational faith, and positive enactment that is believed to be legal must be used to cover the diverse need for justification.[10] When reasons for exercising power are perceived as legitimate, rule becomes legitimate rule.[11]

The three cases illustrated in this paper present different variants of legitimization patterns to stress the power and authority of local groups: legitimization through recourse to tradition, cult, religion and threatening images of the enemy.

3 The non-state violent group of the Maccabees in Judea in the 2nd century BCE

Judea had been under Seleucid rule since the beginning of the 2nd century BCE. In the 170s, local agents arose and fought for the High Priesthood – a powerful political, religious, and cultural institution. Thus, these local stakeholders wanted to create new

10 Cf. Weber (1978) 36.

11 Cf. Weber/Maurer (2019) 6–7.

structures of order in Judea and Jerusalem and to concentrate power. These events led to violent conflicts regarding the Jerusalem cult under the rule of the Seleucid king Antiochus IV Epiphanes. One of the local groups that aimed to obtain the High Priesthood were the so-called Maccabees. By prevailing in these conflicts, the Maccabean family became the major local player and eventually exercised local rule over Judea as Hasmoneans until the intervention of the Romans around 63 BCE.[12]

As the oldest preserved literary sources, the First and Second Books of Maccabees report *ex post* of these events under the Seleucid rule. The books were written at the end of the 2nd century BCE and each of these has its own narrative perspective and intention.[13]

The First Book of Maccabees tells of the expansion and securing of local power by the Maccabean *warlords* up to their assumption of the high priesthood in the 2nd century BCE in Judea, and thus their establishment as a local ruling dynasty at the time of Seleucid rule. The focus is on the story about the uprising and the power expansion of the Maccabean family, beginning with the Maccabean father Mattathias and ending with the story of his grandson John Hyrcanos I. Thus, the First Book of Maccabees tells about events between 175–134 BCE and was presumably completed around 100 BCE[14].

The Second Book of Maccabees elaborates on how the Maccabean resistance movement came about and how it operated in its early years. Hence, it concentrates on the prehistory of the Maccabean uprising and furthermore on the guerilla fights in its first years, led by the Maccabean brother Judas (175–161 BCE). Throughout Second Maccabees, the narrator appears explicitly and presents the events as ultimately facilitated not by Judas but by God.

Although there are several difficulties regarding the dating,[15] the Second Book of Maccabees was probably completed around 135–105 BCE[16] and is therefore finished with a larger time difference to the events than First Maccabees.[17]

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12 See in detail Bernhardt (2017).

13 To study the Maccabees, there are four major sources at our disposal: the First and Second Books of Maccabees, passed down in the Septuagint (the Greek Bible), as well as the works of Flavius Josephus, especially Antiquities and Jewish War. In this paper, we will concentrate on the First and Second Books of Maccabees since Josephus writes his works with a chronological distance of about two centuries (93/94 CE resp. before 79 CE), cf. Brutti (2006) 27–28, and is – at the relevant parts for our question – highly influenced by the First Book of Maccabees, cf. Feldman (1996) 162–163.

14 Cf. summary on the date discussion in Regev (2013) 26.

15 Cf. Babota (2014) 18.

16 Atkinson (2016) 52–53 dates John Hyrcanos in 135–105 BCE. Among others, Nicklas (2016) 311 argues that 2 Macc was written under John Hyrcanos. Domazakis (2018) 169–170, on the other hand, suggests a dating in the 1st century BCE.

17 This paper uses Kappler (1936) and Hanhart/Kappler (1959) for a textual basis and Pietersma/Wright (2007) for a translation.

3.1 The First Book of Maccabees: Introduction

The first chapter of the First Book of Maccabees (1 Macc 1:1–64) deals with local hardship in Judea due to massive religious interventions under the Seleucid king Antiochus IV Epiphanes.

After the prehistory in 1 Macc 1:1–64,[18] the narration of the First Book of Maccabees is subsequently structured according to the main Maccabean characters Mattathias, Judas, Jonathan, Simon, and John Hyrcanos I.[19] In an environment portrayed as hostile, these protagonists successively expand their local power, responding with their actions both to the narrated religious distress caused by Antiochus IV Epiphanes and to the apostasy from Judean tradition, cult and law by the local population in Judea itself. The character of Mattathias, who is presented as the father of the five Maccabean brothers,[20] and his son Judas Maccabaios distinguish themselves, among other things, as violent fighters who act against the Seleucid Empire and against parts of the Judean population depicted as apostates from the Judean tradition and law. The Maccabean brothers Jonathan and Simon additionally enter into diplomatic negotiations with the Seleucid Empire[21] and eventually become high priests. The narration ends with Mattathias' grandson and Simon's son John Hyrcanos becoming high priest. Thus, the First Book of Maccabees narrates the critical moment of change from the first to the second generation within the Hasmonean dynasty as successful.

From a retrospective view,[22] the First Book of Maccabees tells the expansion of the Hasmonean dynasty at the time of John Hyrcanos I, depicting an initially local *warlord* group expanding and eventually securing its power. The beginnings of the story about the dynasty are located in 1 Macc 2:1–70 – a highly literarily formed chapter about the establisher of the Maccabean revolt, Mattathias.[23] *Ex post*, the origin of the Maccabean revolt and thus the Hasmonean dynasty itself are narratively legitimized and anchored in this chapter, by presenting the necessity of the Maccabees as indispensable, portraying them as guarantors of Judean tradition in an environment which, according to the narrative, is going to threaten it.

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18 From 1 Macc 2:1–70 on.

19 The structure of 1 Macc follows Honigman (2014) 405: 1 Macc 1:1–64: The prehistory under Antiochus IV, 1 Macc 2:1–70: The story of Mattathias, 1 Macc 3:1–9:22: The story of Judas, 1 Macc 9:23–-12:53: The story of Jonathan, 1 Macc 13:1–16:22: The story of Simon, 1 Macc 16:23–24: The story of John Hyrcanos.

20 Cf. 1 Macc 2:2–5.

21 In 1 Macc 8 Judas enters into diplomatic negotiations too, but with the Romans.

22 Around 100 BCE, cf. Rappaport (2000) 711. On the complex question about the date, see Regev (2013) 26 as well as Scolnic (2008) 147 and Schwartz (2017) 69–70.

23 Cf. Regev (2013) 107. Bernhardt (2017) 282 considers 1 Macc 2:1–70 as a narratively highly constructed beginning of the Hasmonean founding myth. On the discussion for a literarily construction and the disputed historicity of 1 Macc 2:1–70, see the summary in Bernhardt (2017) 275–285.

3.1.1 Legitimization by tradition in the First Book of Maccabees: The parallelization of Mattathias with Phinehas and the theme of zeal (1 Macc 2:1–70)

According to 1 Macc 2:1–70, the character Mattathias is a priest from the Judean city Modein (1 Macc 2:1). In his first speech,[24] Mattathias laments the religious distress narrated in 1 Macc 1:1–64 and is portrayed from the beginning as a character loyal to Judean tradition,[25] while other parts of the Judean population are portrayed as having fallen away from the traditional cult, law and religion.[26] That Mattathias' loyalty to the traditional cult and law in fact represents an active and violent *zeal*[27] is unfolded in 1 Macc 2:24: "And Mattathias saw this, and he became zealous, and his kidneys became stirred up. And his anger arose in judgment. And running, he slaughtered him on the altar."[28] The verb "to be zealous" (ζηλόω)[29] occurs for the first time in the First Book of Maccabees when Mattathias spontaneously slays a Judean depicted as an apostate (1 Macc 2:15–22).[30] This affective zeal for the law on the part of Mattathias is paralleled with the zeal of the character of Phinehas:[31]

"And [Mattathias] became zealous in the law as Phinees [. . .]" (cf. 1 Macc 2:26).[32]

The character of Phinehas, taken from the Torah, appears in Numbers 25.[33] According to the narrative of Numbers 25, Phinehas turns away God's wrath from Israel by murdering a fornicating couple at a time when Israel is apostatizing to Baal

24 1 Macc 2:7–13. This is a highly literarily and poetical formed segment, cf. Neuhaus (1977) 103.

25 Law-abidingness is presented especially in 1 Macc 2:19–22, 24–27, 42–48, 49–68.

26 Cf. for example 1 Macc 1:11, 13, 15, 52.

27 On the tradition of the theme of zeal in the Old Testament, see Hengel (2011) 152–154.

28 "καὶ εἶδε Ματταθίας καὶ ἐζήλωσε, καὶ ἐτρόμησαν οἱ νεφροὶ αὐτοῦ καὶ ἀνήνεγκε θυμὸν κατὰ τὸ κρίμα καὶ δραμὼν ἔσφαξεν αὐτὸν ἐπὶ τὸν βωμόν".

29 On the lexeme – ζηλ – in 1 Macc 2:1–70: Already the frequency of occurrence of the terms "zeal" (ζῆλος, cf. 1 Macc 2:54, 58; 8:16) or "to be zealous" (ζηλόω, cf. 1 Macc 2:24, 26, 27, 50, 54, 58) shows that the theme of zeal is focused on 1 Macc 2:1–70 and that it is linked to the character of Mattathias. Also, the character of Phinehas is mentioned exclusively in 1 Macc 2:26, 54 and only the character of Mattathias is compared to this character in the narration. On the use of the term "zealot" (ζηλωτής) by Josephus in Antiquities and Jewish War see in detail Hengel (2011) 61–64.

30 Cf. 1 Macc 2:24–25. The apostate wants to comply with a Seleucid royal envoy's request to sacrifice to pagan gods. In contrast to 1 Macc 2:24–26, the five sons of Mattathias also become violent according to Josephus *Ant*. 12.270. However, 1 Macc ties the prelude of the Maccabean revolt only to the character of Mattathias.

The "stirred up kidneys" (ἐτρόμησαν οἱ νεφροὶ αὐτοῦ) mentioned in 1 Macc 2:24, mean a particularly affective emotion. In biblical tradition, the kidneys represent the seat of ethical judgment and conscience, see Tilly (2015) 97. Inherent in an affective action described in this concrete way is the intention, to make the emotional level of the character accessible.

31 About the parallels between Mattathias and Phinehas, see Goldstein (1976) 6.

32 "καὶ ἐζήλωσε τῷ νόμῳ, καθὼς ἐποίησε Φινεες [. . .]".

33 See particularly Numbers 25:1–15.

Peor.[34] Thus, Phinehas demonstrates his zeal for God.[35] Because of this zeal, both Phinehas and his descendants are granted the eternal priesthood.[36] The character of Phinehas descends from the Aaronic line of high priests and is the only priest in tradition to use violence.[37] Accordingly, zeal already functions in Numbers 25 as an explanatory model for the violent act of the high priest Phinehas.[38]

In 1 Macc 2:26, this character of Phinehas is presented as an action-relevant model for Mattathias. Violent zeal, which is likewise narrated as characteristic for the character of Mattathias, is justified by the recourse to the character of Phinehas.[39]

However, in 1 Macc 2:26, Phinehas' original zeal for *God*[40] is *transformed* into zeal for the *law* and the theme of zeal is thus reinterpreted for Maccabean purposes. Mattathias is therefore constructed as a law-zealous character, contrary to the description of the Judean population abandoning Judean tradition and law (cf. 1 Macc 1:1–64). In an environment portrayed as hostile and negative, Mattathias is constructed as the guarantor of the tradition. Thus, zeal represents a theme with which the violence of the Maccabees is legitimized *ex post* by recourse to tradition.

Finally, in 1 Macc 2:27, Mattathias calls upon all those to follow him who are equally "zealous in the law" (ζηλῶν τῷ νόμῳ). The Maccabean revolt is thus embedded from the beginning in a variety of groups of followers.[41] Accordingly, the First Book of Maccabees reports that the Maccabees are profiled and legitimized as leaders of a collective with the help of tradition.[42]

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34 Name of a local deity.

35 Cf. Numbers 25:8, 11. According to Numbers 25:14–15, the couple is the Israelite Zimri and the Midianite woman Kozbi, making the adultery rooted in the non-Israelite origin of the character of Kozbi. The character of Zimri breaks the local law. The character of the Judean man in 1 Macc 2:23 is constructed parallel to that by breaking the Judean law because he wants to sacrifice to pagan deities in accordance with the king's command. See also Keil (1875) 60.

36 Numbers 25:11–13.

37 Numbers 25:8, 11.

38 On the zeal of Phinehas see Collins (2003) 3–21. See also Ortlund (2011) 299–315. On the violence and the zeal of Phinehas see Askin (2016) 35–36. 54–56. On Numbers 25:1–18 and the Midianite woman Kozbi see Pettit (2018) 457–468. On the character of Phinehas in Numbers 25 see also Funke (2014) 257–276.

39 The zeal for the law of Elijah from 1 Macc 2:58 will not be discussed in this paper. See therefore Reiterer (2007) 96 and Hieke (2007) 69.

40 Numbers 25: 11.

41 Thus, in 1 Macc 2:1–70, Mattathias is supported by his sons and brothers (cf. 1 Macc 2:17, 20), by friends (cf. 1 Macc 2:39, 45), by the group of Hasideans (cf. 1 Macc 2:42) and by all the fugitives from the evils (cf. 1 Macc 2:43).

42 Another allusion in 1 Macc 2:1–70 to Numbers 25 is given in the fact that the character of Mattathias talks about "fierce anger" (ὀργὴ θυμοῦ) in 1 Macc 2:49. In Numbers 25:11 the character of God says to Phinehas that his zeal averted "the wrath" (τὸν θυμόν of God). Thus, there is a tradition-based legitimization for the zeal of the Maccabees when God's wrath is averted by zeal in Numbers 25:11 and Mattathias calls his sons to be zealous in the law in 1 Macc 2:50 because a time of wrath prevails.

The Maccabean violent zeal for the traditional law as a means to expand and secure power does not seem further questioned via 1 Macc 2:26. Subsequently, Mattathias passes on the idea of zeal for law to his sons in his paraenetic[43] farewell speech[44] where he talks about zeal (1 Macc 2:50, 54), Phinehas (1 Macc 2:54) and in 1 Macc 2:53 additionally explicitly about priesthood. Thus, Mattathias exhorts his five sons, "Now, children, be zealous in the law, and give your lives for the covenant of our fathers" (cf. 1 Macc 2:50)[45] and sets forth a reason for this in 1 Macc 2:54: "Phinees our father, by becoming zealous with zeal, received a covenant of everlasting priesthood".[46]

Mattathias addresses the character of Phinehas in 1 Macc 2:54 with the honorific title "father", which is singular in the Old Testament in reference to Phinehas.[47] He thus places himself *and* his sons probably without high priestly lineage in a high priestly line, justified by merit.

By taking a closer look at the terminology in 1 Macc 2:54, it is again clear that tradition is not used in the First Book of Maccabees without transformation: In Numbers 25:13 (the verse 1 Macc 2:54 refers to), Phinehas together with his descendants is promised by God the "covenant of the everlasting priesthood" (διαθήκη ἱερατείας αἰωνία). The noun "priesthood" (ἱερατείας) brings into focus a *comprehensive* type of priesthood. In his speech in 1 Macc 2:54, however, the character of Mattathias speaks of Phinehas receiving the "priesthood" / "[ministerial priesthood]" (ἱερωσύνη), thus using a term more concretely aimed at the *political institution* and office.[48] At this point, the character of Mattathias himself refers to the intention of the Maccabeans to secure local power.

3.1.2 Summary

The First Book of Maccabees narrates the development of the Maccabees from a local warlord group to the high priestly Hasmonean dynasty.[49] However, the potential lack of high priestly ancestry and their violent actions open up a space for the need of

43 Means exhorting/warning.

44 Cf. 1 Macc 2:49–68.

45 "νῦν, τέκνα, ζηλώσατε τῷ νόμῳ καὶ δότε τὰς ψυχὰς ὑμῶν ὑπὲρ διαθήκης πατέρων ἡμῶν".

46 "Φινεες ὁ πατὴρ ἡμῶν ἐν τῷ ζηλῶσαι ζῆλον ἔλαβε διαθήκην ἱερωσύνης αἰωνίας". In 1 Macc 2:54 the theme of zeal occurs twice, both as the verb "to be zealous" (ζηλόω) and as the noun "zeal" (ζῆλος). Cf. likewise 1 Macc 2:58.

47 See Reiterer (2007) 89. On the honorific title of Phinehas, see Egger-Wenzel (2006) 143.

48 Reiterer (2007) 90.

49 High priesthood of Jonathan in 1 Macc 10:20, 32, 38, 69; 12:3, 6. Of Simon 1 Macc 13:36, 42; 15:17, 21, 24; 14:17, 23 and of John Hyrcanos I 1 Macc 16:24.

legitimization.[50] Thus, in 1 Macc 2:1–70, the origin and beginnings of the Maccabees are constructed *ex post* using reshaped tradition. Therefore, both their lineage and their violence to obtain political power are legitimized.[51] The potential Hasmonean breach with tradition to become high priests probably without high priestly lineage is legitimized through tradition *reinterpreted* for their own purposes. By recourse to tradition, the Maccabees appear as guarantors of Judean tradition, in contrast to an environment portrayed as hostile, which threatens the Judean traditional religion, cult and law.

3.2 The Second Book of Maccabees: Hostile image of the enemy and legitimization by recourse to tradition

The Second Book of Maccabees, written in Greek, consists mainly of an epitome that summarizes an otherwise unknown work, a five-volume historiography of Jason of Cyrene (2 Macc 2:23).[52] The epitome (2 Macc 2:19–15:39), preceded by two letters (2 Macc 1:1–2:18), mainly provides the following issues: After several conflicts concerning the temple in Jerusalem (2 Macc 3–4), the defilement of the temple and persecution of the Judeans by Antiochus IV Epiphanes (2 Macc 5–7),[53] which is a focal point of the story, the first battles of Judas against the Seleucid Empire begin and culminate in the reconsecration of the temple (2 Macc 10:1–9). Thereafter, Judas is attacked by the Seleucid Empire or attacks it himself more frequently, fighting in a local uprising against the Seleucid king in his own realm (2 Macc 10:10–-15:39). One of the kings is Antiochus V (reigning from 164–162 BCE).[54] He and his general Lysias attack Judea and thus the Maccabees (2 Macc 13:1–2).[55]

In the following, a deeper insight into this battle, the Judean reaction to the Seleucid threat, and the legitimization used to justify the Maccabean actions is provided

50 On the discussion about the priestly descent, see Regev (2013) 120–124 and Eckhardt (2013) 268–280.

51 See Hieke (2007) 67 and also Eckhardt (2013) 272–273.

52 Neubert (2017) 205 argues that it is indeed an epitome.

53 Antiochus IV Epiphanes is a Seleucid king who reigned in 175–164 BCE, cf. Heinen (2017) 772–773; Mørkholm (1966).

54 Cf. Heinen (2017) 773.

55 2 Macc 13:1 "Τῷ δὲ ἐνάτῳ καὶ τεσσαρακοστῷ καὶ ἑκατοστῷ ἔτει προσέπεσε τοῖς περὶ τὸν Ἰούδαν Ἀντίοχον τὸν Εὐπάτορα παραγενέσθαι σὺν πλήθεσιν ἐπὶ τὴν Ἰουδαίαν 2 καὶ σὺν αὐτῷ Λυσίαν τὸν ἐπίτροπον καὶ ἐπὶ τῶν πραγμάτων, ἕκαστον ἔχοντα δύναμιν Ἑλληνικὴν πεζῶν μυριάδας ἕνδεκα καὶ ἱππέων πεντακισχιλίους τριακοσίους καὶ ἐλέφαντας εἴκοσι δύο, ἅρματα δὲ δρεπανηφόρα τριακόσια." "1 In the one hundred forty-ninth year word came to Ioudas and his men that Antiochus Eupator was coming with great numbers of soldiers against Judea, 2 and with him Lysias, the guardian and chancellor, also a Greek force of one hundred ten thousand infantry, five thousand three hundred cavalry, twenty-two elephants and three hundred chariots bearing scythes."

(2 Macc 13:9–17). To start with, a short and hostile description of the enemy Antiochus V – the son of Antiochus IV – is given (2 Macc 13:9). This image of the enemy is contrasted with a vivid depiction of Judean prayer, fasting and decision-making (2 Macc 13:10–14), which lead to a successful fight against Antiochus V and his troops (2 Macc 13:15–17).

3.2.1 The king's threat (2 Macc 13:9)

The narrator gives a brief description of Antiochus V (2 Macc 13:9).[56] This description is very sharp and negative. Antiochus V is compared to his father, Antiochus IV, who has been depicted as an evil enemy of the Judeans (cf. e.g. 2 Macc 5:21; 9:4, 7). Antiochus V even surpasses him, as he starts to do "the worst" (τὰ χείριστα; 2 Macc 13:9) of his father's deeds. Moreover, the hostile attitude of Antiochus V is made evident by the reference to his thinking as "barbarous" (βαρβαρόω; 2 Macc 13:9).[57] This characterization contrasts with the meaning of the name Antiochus Eupator, which is "of noble sire".[58] Thus, the narrator creates a severe, threatening initial situation via the construction of sonship as well as through the characterization of Antiochus V as savage.

Nevertheless, the characterization of Antiochus V is given in a very concise manner. Within the framework of this brief description, a severe initial scenario is outlined.

3.2.2 Prayer and decision-making of the Maccabean group (2 Macc 13:10–14)

In contrast to the short description of the enemy, the Maccabean reaction to the Seleucid threat is described in considerable detail (2 Macc 13:10–14).[59]

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56 Although it is probably Lysias, the general and custodian of the king, who is responsible for the attack, given the young age of Antiochus V, cf. Bartlett (1973) 323, Antiochus V is accused here.

2 Macc 13:9. "Τοῖς δὲ φρονήμασιν ὁ βασιλεὺς βεβαρβαρωμένος ἤρχετο τὰ χείριστα τῶν ἐπὶ τοῦ πατρὸς αὐτοῦ γεγονότων ἐνδειξόμενος τοῖς Ἰουδαίοις." "The king, who had become barbarous in his thinking, was coming to show the Judeans the worst things amongst those that had happened in his father's time."

57 The judgment is made by means of the φρόνημα ("disposition") of Antiochus V.

58 Cf. Doran (2012) 255.

59 2 Macc 13:10 "μεταλαβὼν δὲ Ἰούδας ταῦτα παρήγγειλε τῷ πλήθει δι' ἡμέρας καὶ νυκτὸς ἐπικαλεῖσθαι τὸν κύριον, εἴ ποτε καὶ ἄλλοτε, καὶ νῦν ἐπιβοηθεῖν 11 τοῖς τοῦ νόμου καὶ πατρίδος καὶ ἱεροῦ ἁγίου στερεῖσθαι μέλλουσι καὶ τὸν ἄρτι βραχέως ἀνεψυχότα λαὸν μὴ ἐᾶσαι τοῖς δυσφήμοις ἔθνεσιν ὑποχειρίους γενέσθαι. 12 πάντων δὲ τὸ αὐτὸ ποιησάντων ὁμοῦ καὶ καταξιωσάντων τὸν ἐλεήμονα κύριον μετὰ κλαυθμοῦ καὶ νηστειῶν καὶ προπτώσεως ἐπὶ ἡμέρας τρεῖς ἀδιαλείπτως παρακαλέσας αὐτοὺς ὁ Ἰούδας ἐκέλευσε παραγίνεσθαι. 13 καθ' ἑαυτὸν δὲ σὺν τοῖς πρεσβυτέροις γενόμενος

First, Judas instructs the crowd to pray to God – in memory of his former deeds (2 Macc 13:10).[60] The reason for Judas' request for God's help is, on the one hand, linked to a subject: Help should be provided for those who are in danger of losing "the law, the fatherland, and the holy temple" (τοῦ νόμου καὶ πατρίδος καὶ ἱεροῦ ἁγίου; 2 Macc 13:11). On the other hand, however, the request is concatenated to various objects that reflect the central needs of this group: the law, the fatherland, the temple. The narrator establishes a connection to the triad of temple, city, and laws, which are also mentioned as central points of content in the prologue (2 Macc 2:22). Thus, items are named that particularly define the group, establish its cohesion as well as its goals. Due to the abundance of legitimization concepts, the density of legitimization for Maccabean action is very high at this point.

Furthermore, Judas appeals to God in his prayer, referring to him as protecting his people from other nations who blaspheme God (2 Macc 13:11). This provides a second description of the group that Judas calls to prayer: They are the people of God.[61]

Subsequently, the narrator describes the prayer and fasting performed by Judas and the whole people (2 Macc 13:12). The prayer is performed together; however, it is the responsibility of Judas to gather the multitude (2 Macc 13:12). Yet he does not decide on the upcoming attack alone, instead consults the "elders" (πρεσβυτέροι; 2

ἐβουλεύσατο πρὶν εἰσβαλεῖν τοῦ βασιλέως τὸ στράτευμα εἰς τὴν Ἰουδαίαν καὶ γενέσθαι τῆς πόλεως ἐγκρατεῖς ἐξελθόντας κρῖναι τὰ πράγματα τῇ τοῦ θεοῦ βοηθείᾳ. 14 δοὺς δὲ τὴν ἐπιτροπὴν τῷ κτίστῃ τοῦ κόσμου παρακαλέσας τοὺς σὺν αὐτῷ γενναίως ἀγωνίσασθαι μέχρι θανάτου περὶ νόμων, ἱεροῦ, πόλεως, πατρίδος, πολιτείας, περὶ δὲ Μωδεΐν ἐποιήσατο τὴν στρατοπεδείαν." "10 But when Ioudas heard of this, he ordered the crowd to call upon the Lord day and night, now if ever to help those who were on the point of being deprived of the law and their country and the holy temple 11 and not to allow the people who had just begun to revive a little to fall into the hands of the blasphemous nations. 12 When they had all joined in the same petition and had implored the merciful Lord with weeping and fasting and lying prostrate for three days without ceasing, Ioudas exhorted them and ordered them to stand ready. 13 After consulting privately with the elders, he determined to march out and decide the matter by the help of God before the king's army could enter Judea and get possession of the city. 14 So, committing the decision to the Creator of the world and exhorting those with him to fight bravely to the death for the laws, temple, city, fatherland and constitution, he pitched his camp near Modein."

60 The narrator does not specify the deeds, but merely refers to them in general terms. To God's help also refer 2 Macc 3:39; 8:20, 35; 10:4; 12:11; 14:34; 15:22, 35.

61 In this context, the Judean people (λαός; 2 Macc 13:11) in the singular are opposed to the other nations (ἔθνοι; 2 Macc 13:11) in the plural, cf. Doran (2012) 255, so that the latter are represented in superiority. The noun ἔθνος ("nation") can be used in the Second Book of Maccabees both for the Gentiles (cf. 2 Macc 1:27; 4:25; 6:4, 14; 8:5, 9, 16; 10:4; 11:3; 12:13; 13:11; 14:14, 15; 15:8, 10) as well as the Judeans (cf. 2 Macc 5:19, 20; 6:31; 7:37; 10:8; 11:25, 27; 14:34). The term λαός ("people"; 2 Macc 10:21) often intends to express that the Judeans are God's chosen people and is used in the context of communal prayers and, moreover, is mentioned in passages in which the narrative voice comes through particularly clearly, cf. Eckhardt (2013) 369–370; Van Henten (1997) 193.

Macc 13:13) for this purpose.[62] Thereafter, he chooses that guerrilla tactics will be used in order to preempt the king (2 Macc 13:13).[63]

To achieve victory against the Seleucid king, Judas relies on God's help (2 Macc 13:13–14)[64] and encourages his own followers even more. For this, God's power is emphasized once again by characterizing him as the "creator of the world" (τῷ κτίστῃ τοῦ κόσμου; 2 Macc 13:14).[65] Additionally, Judas repeats his previous arguments of fighting for "laws, temple, and fatherland", and adds to them the "city and constitution" (νόμων, ἱεροῦ, πόλεως, πατρίδος, πολιτείας; 2 Macc 13:14).[66]

The preparation of the battle against Antiochus V is thus focused on the prayer to God, not on military details.[67] Meanwhile, there is a clear focus on the character of Judas and his initiative to pray to God. In addition, he is responsible – after consultation with the elders – for the decision-making. Thus, Judas is described as the leader of the Maccabean group, bearing ultimate responsibility for both prayer and battle. He substantiates his request to God with several justifications: The law, the country, the holy temple, the city, and the constitution (2 Macc 13:11, 14). These concepts invoke motives that serve to legitimize the Maccabean military action. However, the issues are not elaborated in detail, but remain vague allusions. Therefore, the recourse to these traditions of the ancestors allows the Maccabees to characterize their actions and self-established regulatory patterns as traditional.[68] Overall, however, we find a strong emphasis on God and his deeds. Ultimately, he is the one who makes victory possible and on whom Judas and his followers depend.

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62 This committee is mentioned here for the first time in the Second Book of Maccabees, cf. Schmitz (2018) 265.

63 This allows the narrator to prevent a battle from taking place in Jerusalem. In this way, 2 Macc argues that Antiochus V never ruled over Jerusalem, cf. Zeitlin (1954) 222; Doran (2012) 256. Jerusalem as the center and thus the temple therefore remain intact and are purposefully not integrated into the plot.

64 God's help (βοήθεια) is frequently remembered in the Second Book of Maccabees (2 Macc 8:20), preparing for battle (2 Macc 8:23; 13:13) and enabling victory (2 Macc 8:35; 12:11; 15:35).

65 This title of God is also found in 2 Macc 1:24 in the second letter as well as in 2 Macc 7:23 in the speech of the mother. Besides this, there are no theological statements concerning creation in the Second Book of Maccabees, cf. Schmitz (2010) 66. Whereas the κτίστης-title ("creator") is a common designation for Hellenistic kings in Hellenistic times, cf. Van Henten (1996) 121–122, it is only integrated into the speech of God in the Septuagint, cf. Schmitz (2010) 66–68. Thus, Antiochus V is denied being a κτίστης and instead, this attribute is assigned to God as the true κτίστης (2 Macc 13:14), cf. Schmitz (2010) 68; Van Henten (1996) 121–122.

66 "Constitution" (πολιτεία; 2 Macc 13:14) refers to the Judean constitution, which Jason had abolished (2 Macc 4:11), cf. Keil (1875) 409. Already in the first battles of Judas and his followers, the "constitution" (πολιτεία) is integrated alongside the temple and the city into the things for which the Judeans fight (2 Macc 8:17).

67 Cf. Doran (2012) 255.

68 Cf. Nongbri (2005) 108. On the contrary, Kessler (2009) 226 emphasizes the Hellenistic origin of the plural formulation of νόμος ("law") as νόμοι ("laws").

3.2.3 Successful fight against Antiochus V and his troops (2 Macc 13:15–17)

In addition, in the following fight, the support of God on which Judas relies is shown (2 Macc 13:15–17),[69] as he gives the slogan "God's victory" (Θεοῦ νίκην; 2 Macc 13:15) for encouragement.[70]

Although the army of Antiochus V and Lysias had previously been described as superior (2 Macc 13:2), Judas does not attack with his entire army but selects only individuals (2 Macc 13:15).[71] They attack the royal camp at night, using guerrilla tactics to create confusion (2 Macc 13:15–16) as they do on other occasions (2 Macc 8:7; 12:6, 9; cf. 1 Macc 3:10–26, 42; 4:3–35).[72]

During the attack, many soldiers and the king's lead elephant are killed (2 Macc 13:15). This act is attributed to Judas and his men only in the Second Book of Maccabees. The First Book of Maccabees, however, names the Maccabean brother Eleazar as the one who is responsible (1 Macc 6:43–46).[73] He, in turn, is mentioned in the Second Book of Maccabees in only one verse, and that is precisely the one where Judas utters the first slogan "God's help" (θεοῦ βοηθείας; 2 Macc 8:23). Two heroic deeds, the killing of an elephant and in addition the victory over the Seleucid forces, are therefore attributed to Judas. The success, which is in the First Book of Maccabees due to his brother Eleazar, is ascribed to Judas in the Second Book of Maccabees.[74] The successful performance of the Judeans in 2 Macc 13:15–17 is

69 2 Macc 13:15 "ἀναδοὺς δὲ τοῖς περὶ αὐτὸν σύνθημα Θεοῦ νίκην μετὰ νεανίσκων ἀρίστων κεκριμένων ἐπιβαλὼν νύκτωρ ἐπὶ τὴν βασιλικὴν αὐλὴν τὴν παρεμβολὴν ἀνεῖλεν εἰς ἄνδρας δισχιλίους καὶ τὸν πρωτεύοντα τῶν ἐλεφάντων σὺν τῷ κατ' οἰκίαν ὄντι† συνέθηκεν†. 16 καὶ τὸ τέλος τὴν παρεμβολὴν δέους καὶ ταραχῆς ἐπλήρωσαν καὶ ἐξέλυσαν εὐημεροῦντες. 17 ὑποφαινούσης δὲ ἤδη τῆς ἡμέρας τοῦτο ἐγεγόνει διὰ τὴν ἐπαρήγουσαν αὐτῷ τοῦ κυρίου σκέπην." "He gave his troops the watchword, "Divine Victory," and with those young men judged best, he attacked the king's pavilion at night and killed close to two thousand men in the camp and stabbed the lead elephant and its rider to death. 16 In the end they filled the camp with terror and confusion and withdrew in triumph. 17 This happened just as day was dawning, because the Lord's shelter helped him."

70 This slogan is similar to the one used in the context of the first battle against Nicanor: "God's help" (θεοῦ βοηθείας; 2 Macc 8:23), cf. Abel (1949) 454; Zeitlin (1954) 223; Bartlett (1973) 324; Goldstein (1984) 465; Habicht (1976) 268; Schwartz (2008) 454. In the latter case, God's support is emphasized; in the battle against Antiochus V and Lysias here, rather, it is already an element of success. By mentioning the victory, the outcome of the battle is anticipated.

71 Cf. Goldstein (1984) 465.

72 Cf. Goldstein (1984) 464; Schwartz (2008) 455.

73 Cf. Habicht (1976) 268; Schwartz (2008) 455; Bunge (1971) 253. Schwartz (2008) 455 takes a more critical view of this parallel to the First Book of Maccabees.

74 It is also striking that the First Book of Maccabees, which is normally riddled with heroic stories, admits at this point that Judas and his followers are defeated, must retreat, and are saved only by good fortune (1 Macc 6:18–62). In contrast, the Second Book of Maccabees portrays this incident much more favorably for Judas and his followers (2 Macc 13:15), cf. Goldstein (1984) 455.

particularly remarkable since the First Book of Maccabees, usually concerned with Judean success, portrays the Judeans as inferior to the Seleucids (1 Macc 6:47).[75]

At the end of the battle – with the start of the day[76] –, however, God's help is emphasized once again (2 Macc 13:17).[77] The battle against the Seleucid army begins and ends with a reference to God's support (2 Macc 13:15, 17). His assistance enables Judas and his followers to act successfully. Therefore, Judas, alongside his followers, is once again profiled in a very positive way.

3.2.4 Summary

In 2 Macc 13:9–17, the narrator tells the story of a successful Judean combat against an apparently superior enemy. The necessity of the performance of the Maccabean fighters is justified by a threatening image of the enemy. The description of the enemy serves primarily to vindicate the Judean decision to fight and to construct an image of the enemy that contrasts with the positive reasons for the Maccabean group's actions, thus positively profiling them. The positive reasons for fighting are given in a concise, reduced manner (2 Macc 13:11, 14). These keyword-like reminders serve to integrate Judas and his supporters into the tradition that is alluded to here in order to legitimize them. The consultation with the elders also fits in with this, as Judas thus assures himself of the support of this group that is linked to the traditional values.

The positive characterization of the Maccabees is further reinforced by the support of God that they experience in their combat. With his assistance, God once again proves to be the one who protects the Judeans in battle. Moreover, Judas and his followers are thereby recognized as a group to whom God gives support and who thus legitimately act in his name.

Although no explicit reason is given for the narrator to justify the Maccabean actions, he does seem to have an interest in portraying Judas and his followers as positively as possible and in showing them in a good light. Even a battle that Judas' group loses in the First Book of Maccabees is presented positively in the Second Book of Maccabees. Due to a possible defeat of the Maccabean fighters, there seems to be an increased need for legitimization, which is met with an outstanding density of legitimization.

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75 Cf. Bunge (1971) 253.

76 Not only is an assault at the beginning of the day a good time for a surprise attack due to the reduced vigilance of the guards, cf. Doran (2012) 211, but in addition, by means of the verb "shine upon" (ὑποφαινούσης; 2 Macc 13:17), the epiphany is recalled which has already helped the Judeans to achieve elsewhere (cf. 2 Macc 10:29–31). Evidence for the noun "epiphany" (ἐπιφάνεια) and the verb "appear" (φαίνω) including composites can be found in Schmitz (2009) 112–113.

77 Cf. Schmitz (2018) 265, 272.

4 The Koglwéogo vigilante groups

This section describes the Koglwéogo groups and analyses three legitimization patterns they use to justify their role as security providers and claim authority over local population.

4.1 The Koglwéogo groups: Establishment and the context of legitimation

This section outlines the emergence of Koglwéogo groups and how they build on local contexts to claim their right to provide security, with or without the state. The Koglwéogo vigilante groups emerged approximately in 2014 in the southern-central region of Burkina Faso,[78] under the leadership of a traditional chief and religious leader, the Rassamkande Naaba Sonré.[79]

Originally, the Koglwéogo took on the responsibility of establishing order and providing security from both a resurgence of organised crime and from the state's inability to respond adequately to security challenges, especially in rural areas. They regularly organise patrols alongside the main roads, control public spaces, carry out investigations, make arrests and execute trials according to their own rules of procedure[80] and ethics.[81] Armed with guns, bows and knives, under the "protection of God and ancestors"[82], materialized by talismans, bracelets, and amulets, they present themselves as a local non state security service and endogenous justice organisation.

Scholars working on local self-regulations in the domain of security – Koglwéogo vigilante groups, *Dozo* brotherhood and *Rougha* association – linked the phenomenon to the widespread feeling of insecurity among the population, which increasingly feels the need to defend itself[83] and the deterioration of security conditions and the difficulty for the State security actors to respond efficiently to security

78 Cf. Traore (2019) 237.

79 Rasamkandé Naaba Sonré is the one who initiated the Koglwéogo group with El Hadj Nadbanka Boureima from Boulsa and El Hadj Seydou from Sapouy. The Koglwéogo groups they initiated are a second generation of Koglwéogo groups since there had already been a Koglwéogo association in the northern region of Burkina Faso since 1990.

80 Based on corporal punishment and payment of fines.

81 Cf. Bojsen/Compaoré (2019) 95; Soré (2019) 227.

82 While collecting data, I observed that every Koglwéogo has its own protection ritual. The "sacred" objects that enable this ritual of protection are produced either through religion, particularly Islam, or by customary leaders through the sacrifice of livestock in a sacred place, or by practitioners of occultism who offer them their services.

83 Cf. Ouedraogo (2016) 8; Asha (2018) 7.

issues.[84] Thus, self-regulation in the domain of security is approached as a result of the weakness of the state in providing security. This has facilitated a kind of more or less formalised 'contractualization' of security services, which today tends more towards a form of reclaiming state public services by non-state actors. Thus, much of the research on Koglwéogo has focused on the context of the emergence of the groups, the relationship between them and the state security services and their possible taming. One aspect of Koglwéogo groups which has received less attention, despite being central to understanding the groups' rapid expansion and their performance, concerns the process of constructing their legitimacy. In other words, on what basis do they claim their place in the security provision?

Based on my empirical evidence, I argue that the legitimization of Koglwéogo groups is based on the invention of a common reason for action, grounded in the key institutions that organize social life, namely tradition and religion and by delegitimating the State monopoly of security provision.

4.2 De-legitimization patterns and the construction of an enemy image

This sub-section shows the strategies of de-legitimization of state security and justice actors by Koglwéogo groups and the reasons behind this de-legitimization.

I will start this section with the following interaction I observed during my field research:

> On Thursday, 16 January 2020, as we were coming back from a meeting to relaunch the activities of Koglwéogo groups in the commune of Guiba, we were arrested by officers of the national police near the city of Manga for a routine control. An officer approached us and, after the usual greetings asked for documents referring to the vehicle's use. As the driver and owner of the vehicle, I handed over the vehicle documents and my driver's licence. After this initial verification, he asked for the ID cards of the other passengers in the vehicle. The leader of the Koglwéogo groups replied: "Are you new in the job? Don't you recognise us? We are the Koglwéogo." The police officer pretended not to have heard him properly and took up his request. The Koglwéogo leaders refused to show their identity cards, and the first leader resumed: "You have to tell your commanders that it is the Koglwéogo." From the shade of the shea tree where he was standing, the head of the mission of the day waved his hand and asked him to let us go. That day, I was transporting in my vehicle the first four leaders of the Koglwéogo groups of the Zoundwéogo province.[85]

84 Cf. Hagberg (2017) 53; Kibora *et al.* (2017) 16–17; Asha (2018) 14; Bojsen/Compaoré (2019) 93; Leclercq/Matagne (2020) 2.

85 Field note from 29 January 2020, returning from the relaunch activities of the Koglwéogo of Guiba.

The weakness of the State in providing security is of course a central claim in the legitimization of the Koglwéogo groups; but this scene, which in my view clearly reflects a power relationship, is one of the countless interactions that present the relationship between the Koglwéogo groups of Zoundwéogo, the defence and security forces, and the justice system of the province of Zoundwéogo. They challenge their authority through their movements (patrols) and some of their activities such as arrests and sequestration of alleged criminals and others daily.

In order to establish their legitimacy, the Koglwéogo groups participate in the delegitimization of state actors involved in the production of security. They attribute dimensions of moral decadence such as corruption, inefficiency, and irresponsibility to the institutions of police, gendarmerie, and justice. Criminal organisations and major thieves are considered collaborators with the security and justice institutions.

Challenging and presenting the state and its institutions as 'incapable', often as complicit with organised criminals, contributes to the construction of an image of the state as an enemy among the rural population. This enables the Koglwéogo to question the legitimacy of state authorities in providing security, and to spread their influence and authority. They present themselves as the unique guarantors of the moral orders violated by the state. This image of the state as an enemy is reflected in many of the interviews with Koglwéogo leaders, religious and traditional leaders and villagers alike.

Category/relation to the state institutions/code/perception of state security actors / Interview 1 / Koglwéogo leader

> If you bring your thief to the court, at the end he will be right. They [judges] will say that they have carried out investigations but that this is not his job. [. . .] We have arrested a thief, he has stolen 13 oxen in the village of Guilaweogo, when he was arrested, the high commissioner called, the police station called, the gendarmerie called. It's a serious problem, someone who is a robber and who has so many supporters.[86]

Category/relation to the state institutions/code/perception of state security actors / Interview 12 / Traditional leader

> If you arrest a thief and refer him to the police station, the police will release him and he will continue what he was doing. [. . .] When you have cattle problems and you send it to the justice, they will take their law, the law they have studied, and they will release the culprits. [. . .] The police officer's salary is not enough for them, if one locks up the thief, he donates 50,000 CFA

86 "Si vous amenez votre voleur devant le tribunal, à la fin il aura raison. Ils (les juges) vont dire qu'ils ont fait des enquêtes mais que ce n'est pas son travail. (. . .) Nous avons arrêté un voleur, il a volé 13 bœufs dans le village de Guilaweogo, quand il a été arrêté, le haut commissaire a appelé, le commissariat a appelé, la gendarmerie a appelé. C'est un problème sérieux, quelqu'un qui est un voleur et qui a autant de partisans."

> francs to the police officer, the next day they will say that there is no evidence against him, corruption has increased.[87]

When analysing the interviews of the different actors, the image of the state as an enemy serves as a moral support to continue their activities regardless whether they defy the authority of the state.

The practice of vigilantism is a form of local power that needs to be legitimized.[88] Given their illegal nature and their perception[89] as being a manifestation of *Mossi*[90] expansion and domination, the Koglwéogo groups, in order to legitimize their existence and actions and to establish their power and authority, mainly have recourse to two institutions that structure social life on a daily basis: religion, represented by the religious leaders, especially those of the Muslim religion, and tradition, represented by the customary and traditional leaders (in *Moore*[91] *Nanamsé*).

4.3 Role of religion in Koglwéogo groups legitimization

This sub-section analyses the role of religion in the legitimization process of the groups.

The main religion involved in the daily activities of the Koglwéogo is Islam. In December 2019, a national meeting was held in the town of Kombissiri in the southern-central region, uniting all Koglwéogo leaders of Burkina Faso. The national president of the Koglwéogo groups, Rasamkande Naaba Sonré, ended his speech with a Muslim prayer in Arabic. This prayer was then taken up by the whole assembly. As they put it clearly, God (in Moore *Wende*) structures their social existence through Islam. He is associated with order, righteousness, respect for social norms and the rules for living together. He is omnipresent in people's daily lives, in the greetings, in the wishes, in happiness or in misfortune. Public activities as group establishment always begin with the reading of the Koran, the swearing of oaths on the Koran, and the sacrifice of a ram. Beyond the group's establishment, before any activity, the Koglwéogo offer sacrifices (in Moore *Douaga*). Some interviews with religious and Koglwéogo leaders highlight that the founder and national president of

87 "Si vous arrêtez un voleur et que vous le renvoyez au commissariat, la police va le relâcher et il va continuer ce qu'il faisait (. . .) Quand vous avez des problèmes de bétail et que vous l'envoyez à la justice, ils vont prendre leur loi, la loi qu'ils ont étudiée et ils vont relâcher les coupables. (. . .) Le salaire des policiers ne leur suffit pas, si quelqu'un enferme le voleur, il verse 50 000 francs CFA pour le policier, le lendemain, ils diront qu'il n'y a pas de preuves contre lui, la corruption a augmenté."

88 Cf. Baker (2002) 227.

89 This perception is particularly strong in the Western regions of Burkina Faso.

90 Biggest ethnic group in Burkina Faso.

91 Language spoken by the Mossi ethnic group.

Koglwéogo, who is also a religious leader and traditional chief, received enlightenment from God in order to create the Koglwéogo groups after three years of prayer. He is considered to be a mediator between God and men. In all headquarters of Koglwéogo groups, there are spaces and materials such as carpets and kettles especially reserved for prayer.

All this reflects the ways Islam influences daily life in the Koglwéogo groups. The groups' successes are presented as manifestations of God against enemies. The invocation of God during these rituals stipulates that power and authority of the Koglwéogo are of divine origin. They benefit from God's blessings and his protection.

Islam appears as a social resource in the hands of the Koglwéogo groups used to legitimize their power and establish their authority. This legitimization strategy is not far from the theocratic legitimization.[92]

4.4 Koglwéogo group relationship to tradition and traditional leaders

This point shows the relationship between tradition and its representatives, the traditional chiefs and the Koglwéogo groups. It argues that this relationship is based on constant negotiation and contributes to the legitimization of the Koglwéogo and gives them power to act.

Tradition is the reservoir of the local collective memory and provides the moral basis for the activities of the Koglwéogo groups. Legitimization through tradition, seen as a type of authority,[93] is one of the legitimization strategies of Koglwéogo groups. Traditional chiefs constitute a central backbone (in Moore *Zandaado*) in the establishment of the groups. The ability of Koglwéogo groups to graft their power onto the legitimate power of the traditional chiefs contributes to their acceptance by the population. The individuals who embody this tradition, in this case the traditional chiefs, are the legal guardians (in Moore *Bagnongra*) of the Koglwéogo groups. For some researchers, the collaboration between the Koglwéogo and the traditional chieftaincy is a 'necessity',[94] it enables its establishment, development, social mobilisation, and visibility. According to my observations during my research, tradition is an instrument for the creation of an imaginary and a collective identity.

By accepting being the legal guardian to the Koglwéogo groups, the traditional chiefs legitimize the groups and provide them with moral and financial support.[95] By hosting these groups, which challenge constitutional rules, they also show the

92 Cf. Potz (2020) 66, he defines theocracy "as a political system which derives its legitimacy from a supernatural source".
93 Cf. Weber (1978) 215–216.
94 Cf. Soré (2019) 234–236; Leclercq/Matagne (2020) 14.
95 Cf. Soré (2019) 234.

state institution their power in the administration of their territorial entity (in Moore *Weogo*) and their capacity to mobilise society around a common objective, in this case security.

Tradition as a legitimization instrument for Koglwéogo groups highlights the crisis between the traditional and the modern, between the traditional values and moral norms that structure the daily life of the population and the principles of constitutional rights. The physical punishment and violence used by Koglwéogo groups clearly show this tension. Indeed, the security practices of the Koglwéogo are governed by the *mossi* traditional organisation of security governance. They draw their logic, their *modus operandi*, and the justifications for punishment from traditional patterns.[96]

4.5 Summary

The analysis of the legitimization of the Koglwéogo groups focuses on the delegitimization strategies of state security providers and on two institutions that organize social life in the rural environment. On the one hand, religion is seen as a social practice that stages social realities, and on the other hand tradition is accepted as a transmission and reproduction of cultural codes over generations.

By deconstructing State legitimacy, the Koglwéogo group position themselves as the main security actors benefiting support from social institutions like Islam and traditional chieftaincy.

Relying on tradition and religion, the Koglwéogo groups gain power and authority to act and justify their activities.

5 Conclusion

This paper illustrates by means of the approach of Old Testament exegesis, narratology and ethnography, that local vigilante groups, respectively non-state violent groups, rely on different legitimizations to establish and justify their power and authority, such as image of the enemy, tradition, as well as cult and religion.

Both the Koglwéogo and the Maccabees use these patterns of legitimization because they seek to justify the beginning of the group's formation and the initial state of their respective movement.

96 Cf. Soré (2019) 224.

Image of the enemy

All three cases present an environment that is hostile against the local group.

The First Book of Maccabees devotes an entire chapter (in 1 Macc 1:1–64) to the construction and the narration of a hostile environment, portraying both the Seleucid Empire and the Judean population which turns away from the Judean cult as hostile. Against this background, the Maccabees are introduced in the narration in 1 Macc 2:1–70. The character of Mattathias is linked to the intertextually networked theme of zeal. This theme is reinterpreted as a zeal for the law and Mattathias is thus constructed as the guarantor of traditional law, cult, and religion. He kills a Judean who is unfaithful to Judean law and a royal envoy, and thus establishes the Maccabean revolt as a response to the actions of the environment that is portrayed as hostile.

In the Second Book of Maccabees, the necessity to fight the enemy is justified by a threatening image of the Seleucid king Antiochus V. Although his description as hostile is given in a very concise manner, by alluding to his father's evil deeds, the worst Judean experience of the desecration of the temple is remembered and even surpassed. Thereby, the description of the hostile enemy serves to vindicate the subsequent Maccabean reaction of fighting, led by Judas the Maccabee. Additionally, the construct of the enemy contrasts with the positive reasons given for the Maccabean group's actions, thus positively profiling them.

Koglwéogo groups operate in a context where security provision is the state monopoly. They clearly define the state as an enemy and compete with state institutions to justify their activities. The state is presented here as the first enemy of the Koglwéogo group in the provision of security. Well-known concepts such as corruption, inefficiency, and partiality are used to construct the antagonistic nature of the state in security providing. With the rise of terrorism, the image 'enemy of God' – 'enemy of the Koglwéogo' has been reinforced and has encouraged their involvement in the fight against terrorism.

Cult and religion

Moreover, recourse to cult, religion, and God is also used as a strategy to justify the actions of groups.

The First Book of Maccabees tells of many different groups that are *portrayed* as breaking with the traditional cult and religion in some way (cf. 1 Macc 2:23, 44–48), which is judged to be extremely negative in the narration. Against this background, the Maccabees are contrasted as loyal to the Judean religion and cult (1 Makk 2:19–22).

This commitment of the Maccabees to cult and religion is also present in the Second Book of Maccabees, which, however, emphasizes God's help more strongly. The positive characterization of the Maccabees is further reinforced by the support of God that they experience in their combat (2 Macc 13:15, 17). With this,

God once again proves to be the one who protects the Judeans in battle. Moreover, Judas and his followers are thereby recognized as a group to whom God gives support and who thus legitimately act in his name.

For the Koglwéogo, recourse to religion helps to strengthen the acceptance and adherence of the local population. In the collective imagination of the rural population, the power of the Koglwéogo groups comes from God; he protects them in their activities because God is on the righteous side and they are the righteous. The presence of God within the Koglwéogo groups is materialized by the use of the Koran during the groups' installation, during the periodic Koran reading activities and by the presence of 'charismatic' religious leaders.

Tradition

Finally, tradition is an important component in legitimizing the introduced local groups.

Both the violent procedure and the presumably lack of high priestly lineage of the Hasmoneans open up the need for legitimization *ex post*. Therefore, the beginnings of the Maccabean Revolt are anchored in a narratively shaped patriarchal leader. This leader, Mattathias, is legitimized by recourse to tradition and thus paralleled with the character of the violent priest Phinehas. Tradition, however, is not taken over unquestioningly in the narration of the First Book of Maccabees, but is reshaped in such a way that it serves the specific legitimization purposes of the Hasmoneans.

In the Second Book of Maccabees (2 Macc 13:9–17), we can find a recourse to Judean traditions such as temple, law, country, holy temple, city, and constitution (2 Macc 13:11, 14). These keyword-like reminders serve to integrate Judas and his supporters into the Judean tradition that is alluded to here. Thereby, the Maccabean group is legitimized in their position as fighters for the Judean cause. In addition, Judas holds a consultation with the elders that also serves to integrate the Maccabean group into the tradition, since Judas thus assures himself of the support of this group that is linked to the traditional values.

The relationship of Koglwéogo groups to tradition is visible at several levels of their organization and functional activities. First, they refer to the customary chiefs and village chiefs, the guarantors of ancestral traditions, as legal guardians. Secondly, the reference to the earth as a 'sacred object' in the repentance activities of the offenders asserts their power over this 'sacred object'. The use of tradition is also observed during the group settlements through the sacrifice of a ram to seal the pact between the earth (the living) and God. Recourse to tradition is also a guarantee of local acceptance and resource mobilization through the traditional leaders who hold traditional authority.

To summarize, the three cases present the need to legitimize their group since a hostile environment is outlined as a context for action. The hostile environment is present at both the local and state level. As both the Koglwéogo and the Maccabees want to secure and expand their local power, they act partly against or beyond the respective state. Therefore, their local self-regulations result in a contrary relationship to the state. By drawing an adversarial image of enemies, the requirement of the need of local action is highlighted. Another purpose fulfilled by the hostile environment is to raise the positive profile of one's own cultural environment that needs to be enforced and preserved by local stakeholders.

Against this background, the analysis of the three cases has shown that in both antiquity and modernity, self-defense groups have used recourse to social structures to legitimize their power; the ways in which groups legitimize themselves have in essence remained the same. Thus, the connection to tradition and religion is used to legitimize the exercise of power by reverting to familiar social structures that are already recognized and established in the living environment. Tradition is therefore seen as a focal point that serves to legitimize groups, since tradition is used to embed them in society. In addition to tradition, religion is also a way of creating continuity and legitimizing one's own group. By referring to tradition, innovations made by the local violent groups are justified, to reestablish a tradition and to create continuity to vindicate their own existence.

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