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Troubling Tradition:
The Conquest of Canaan
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By

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Introduction

Religion, at its best, is a moral force in the world. But what do we do when the sacred texts of our tradition conflict with our sense of ethics or our cherished theological assumptions? How do we deal with texts that degrade women, or that marginalize segments of the population? How do we deal with texts that present an image of God that outrages us or simply baffles us? What do we do when our sacred texts fail us?

The Hebrew bible is no stranger to problematic teachings. Passages that describe humiliating and lethal testing of a suspected adulteress, or that propose killing a person for lighting fire on Shabbat, or that approve of destroying neighboring peoples are the religious equivalent of the child pointing out that the emperor has no clothes. They call into question the very notion of sacred text. How is the text sacred if it teaches what most members of the community have come to despise?

For better or worse, we are not the first generation to deal with texts that seem problematic, though the particulars of each generation's concerns differ. Evidence that the living community struggled with parts of the textual tradition comes as early as the Mishnah:

> Mishnah. The incident of Reuben is read in synagogue but not translated. The story of Tamar is read and translated. The first account of the incident of the golden calf is both read and translated, the second is read but not translated. The blessing of the priests is read but not translated. The stories of David and Amnon are read but not translated. The portion of the chariot is not read as a haftarah, but Rabbi Judah permits this. Rabbi Eleazar says: the portion, "make known to Jerusalem" is not read as a haftarah (Megillah 25a).

Clearly, the concerns of the *tannaim* in this passage are different from modern concerns. For example, the "second" story of the golden calf seems to refer to Exodus 32:21-24, where Aaron claims he threw the gold into the fire and out came a calf. Aaron's attempt

to diminish his responsibility in the affair leaves the rabbis in some doubt as to whether some listeners might understand this story as meaning the calf did indeed have independent existence and volition. The rabbis want to make sure there is no chance the community might get the idea the calf walked out of the fire on its own and might have been a deity after all. This fastidiousness over the text's potential to lead the listener into idolatry makes sense in the Hellenistic environment where monotheism was the conviction of the minority, but it is not likely to bother a modern reader much. What unites the tannaitic concern with ours is that from their own moral perspective, they find certain passages of the sacred text troublesome. In fact, this mishnah from Megillah points out that while each generation may have its own sense of which texts need to be addressed and why, no generation since the beginning of rabbinic Judaism has been exempt from dealing with passages that gave them pause.

According to Megillah, there are two options for dealing with such a passage: don't translate it, or skip it completely. Given that in the times the Mishnah was written, no less than in our own, the bible was not written in the mother tongue of many Jews living in Diaspora, reading it without translation effectively meant that the majority of listeners probably wouldn't catch the meaning of the words as they went by. In modernity, we have similar options open to us. Religious leaders can simply ignore passages that are difficult, not dwelling on them, not attempting to comment on them or explicate them or lead others into fuller discussions about them. Unfortunately, Megillah's system of ignoring the problem has costs in our time that probably were not relevant in antiquity. The prevalence of published books means most households have the Tanach on the bookshelf at home, conveniently translated for them. Further, Jews may encounter Jewish texts in secular contexts not orchestrated by a religious leader. When

problematic passages suddenly become visible in a private reading or a college class, Torah may become a wedge between the individual and community identity, instead of a foundation for that identity. There are more pressing reasons, too, to engage with our problematic texts. For one thing, when liberal voices that are disturbed with a text for ethical reasons retreat into silence, then interpretation of those texts is left to those with other agendas. Ultimately, if religion is to fulfill its potential to be a force for good, tradition needs reflection.

Luckily, Megillah's advice to ignore problematic texts is only one way Jewish tradition has approached such texts, and it is not the majority way. Much of what comprises Jewish tradition is, in fact, a lively dialogue with texts—a conversation through the generations, filled with surprising statements and discoveries. Jewish interpreters through the ages examined the bible through any number of techniques: the investigation of a word, the comparison of one passage with another, the writing of new stories that fill in the gaps in the text. However, the Jewish interpretive tradition is also more than trying to crack open the shell and get to the nut of the text's original and intended meaning. Jewish interpretation is an immensely creative enterprise, and sometimes that creativity is brought to bear on whatever the interpreter finds morally troubling about the text. As we will see in this thesis, many interpreters were concerned with trying to harmonize the world of the text with their own ethics—creating a context in which the harshness of a story or a character's actions seem justifiable, or poking at a word until it no longer means what it originally seemed to mean.

An interpretive tradition suggests that the words have been given to us, but the meaning is still unfolding. It is in the interaction between the living community and the

ancient text that meaning happens. We might even say that it is in the interaction between the text and the community that revelation happens.

If we are to examine "problematic passages" in Jewish tradition, we need not only to look at the biblical text itself, but to study the processes behind evolving textual, theological, and narrative interpretation of the passages that trouble us. Through such inquiry we may gain insight not only into the bible itself, but into its meaning in Jewish tradition. Over time, such explorations may move us toward new interpretive creativity in our own times. In the meantime, we may discover treasures in the interpretive works that are already accepted as part of the tradition, and some of them may help us with our problem passages.

In her introduction to Engendering Judaism, Rachel Alder writes: "At the core of Judaism is the devotion to sacred text and to the interpretive process that continually recreates the text" (Adler, xvii). Sometimes the common understanding is that only the first half of this sentence is true. The second assertion—that devotion to continual reinterpretation – and thus recreation -- of texts is equally at the core of Judaism, is less obvious. Only by going back to earlier sources can we see that the interpretive process is, as Adler asserts, as much at the core of Jewish tradition, as the sacred texts themselves.

The focus of exploration in this thesis is the vision of the Conquest of Canaan in the bible and in Jewish interpretive tradition. The biblical conquest narrative with its violence against other peoples and its problematic version of the meaning of chosenness, stands in opposition to the pluralism that lies at the heart of Western—and particularly American—idealism. In the biblical texts that discuss—or demand—the annihilation of neighboring peoples, sacred text pits itself against contemporary ethical sensibilities, and Jews may feel their identity as heirs of the Jewish traditions pitted against their identity as

members of a modern, Western pluralistic society. This thesis will explore the moral universe of the biblical conquest texts—especially those in the Torah, the first five books of the bible. These may ultimately be the most problematic texts of all, for whereas the Book of Joshua is bloodier, it is mostly narrative, not law. The references to conquest in the Torah however, contain not only description, but what seems to be prescription. They are the basis not so much of understanding the bible's view of what did happen as what the bible says should happen when the people of God are brought into the land of Israel. The thesis will also trace conceptions about the conquest through subsequent Jewish interpretive tradition. It will end by offering an interpretation for our own age—an age of pluralism, and by giving resources for religious leaders and religious communities who want to engage further with these difficult passages.

To examine Judaism's methods for interpreting texts and apply them to the problematic passages of our own time is an act of redemption. It allows us to avoid the extreme options of fundamentalism on the one hand or, on the other hand, either not facing the problem at all, or giving up on the text completely in an act of rejection. Luckily, every enduring movement in human history plants within itself the seeds of transformation. Perhaps it is in the possibility of self-awareness, critique, and reinterpretation that true holiness breaks in. This thesis, therefore, is an attempt at redeeming and reclaiming a very problematic biblical textual tradition, presented with a sense of reverence for those voices and processes within the tradition itself that make such transformations possible.

Biblical Visions of the Conquest of Canaan

In the light of modern values of pluralism and tolerance, perhaps no texts are more troubling than those that promote the idea of holy war. Since September 11, 2001, it has been impossible to conceive of such texts as harmless. The very phrase *holy war* now evokes images of the collapsing towers, burning bodies leaping out of the windows of imploding skyscrapers, the air filled with the ash of human remains. It would be comforting to imagine that texts promoting violence are only possibilities in someone else's culture—never our own, and in fact, even academic scholars frequently attempt to do just that for Judaism and Christianity by downplaying the concept in biblical texts. For example, Michael Waltzer claims that the "religious doctrine of holy war does not seem to have any intrinsic connection to Israel's covenantal faith" (Waltzer 216). However, such sentiments may have more to do with an apologetic urge than with a critical examination of the texts. It is an unfortunate truth that all the Abrahamic religions share a heritage of texts that sometimes equate violence with righteousness. According to Reuven Firestone, the conception of holy war is not extraneous to the tradition but is "intrinsically connected" to it in the bible (Firestone, "Holy War" 99).

It is worth noting that the term holy war itself is not a biblical term, and was only coined in 1901 by Friedrick Schwally (Firestone, Mitzvah 955). Still the idea of a violence sanctioned, at times even commanded, by God and presented as a moral good or a moral imperative appears in the Tanach, from references to God as "ish milchamah," a man of war (Exod. 15:3), to the term "milkhamot YHVH," wars of YHVH (Num. 21:14, I Sam. 18:17, 25:28), to the frequent accounts of battles with neighboring peoples or even against Israelites who adopt non-Israelite religious practices.

It is also worth noting that the biblical concept of divinely sanctioned war is not missionary type proselytizing or an attempt to impose Israelite religion universally; it is not a war to "propagate the faith, the commonly assumed purpose of holy war envisioned by the West" (Firestone, "Holy War" 107). The bible presents Israelite religion as binding on the Israelite people, but it is not particularly interested in winning others over to the Israelite point of view. The biblical world is divided into national-religious-cultural units into which people are born and live their lives. On the one hand, these units have semi-permeable borders—strangers may live in a place primarily possessed by another tribe; some religious practices may travel across tribal lines (a fact that causes no end of concern for the biblical authors). On the other hand, there is no concept of religion as an abstract thing, separate from one's ethnic-cultural background, and capable of being conferred on an individual through private conviction or a rite of conversion. The bible in general, then, is interested only in the survival of the Israelites themselves as a coherent culture with its own religious practices. Divinely sanctioned violence is primarily undertaken to acquire land for the Israelites or to attempt to establish and maintain religious-cultural boundaries between Israelite and non-Israelite practices, harshly punishing those Israelites who stray into the cultic practices of others.

The most pervasive version of a war sanctioned by god in the bible appears in those texts that refer to the Israelites' conquest of Canaan. Some version of the conquest narrative appears in every book of the Torah as well as Joshua and Judges, and it is referred to in a general way in verses scattered throughout the other books of the bible. Some key passages that deal with the conquest in a way that deserves a closer look are

Gen. 15:18-21, Exod. 23:23-31; 34:10-17, Lev. 20:22-24; Num. 33:51-56; Deut. 2:24-27, 7:1-6; 11:22-25; 12:28-31; 20:15-19, 31:3-5; Josh. 24:11-14, Judg. 2:20-23.

The passage from Genesis 15 is the least complete of these, offering only the promise that the land shall be given to Abraham's offspring without any specifics of how this is to be accomplished:

> On that day YHVH made a covenant with Abram, saying, 'To your offspring I assign this land, from the river of Egypt to the great river, the river Euphrates: the Kenites, the Kenizzites, the Kadmonites, the Hittites, the Perizzites, the Rephaim, the Amorites, the Canaanites, the Girgashites, and the Jebusites' (Gen 15:18-21).

Exodus 23 is unique in its mention of the angel or messenger of God who will go before the Israelites.

> When My angel goes before you and brings you to the Amorites, the Hittites, the Perizzites, the Canaanites, the Hivites, and the Jebusites, and I annihilate them, you shall not bow down to their gods in worship or follow their practices, but shall tear them down and smash their pillars to bits. You shall serve YHVH your God, and he will bless your bread and your water. And I will remove sickness from your midst. No woman in your land shall miscarry or be barren. I will let you enjoy the full count of your days. I will send forth my terror before you, and I will throw into panic all the people among whom you come, and I will make all your enemies turn tail before you. I will send a plague ahead of you, and it shall drive out before you the Hivites, the Canaanites, and the Hittites. I will not drive them out before you in a single year, lest the land become desolate and the wild beasts multiply to your hurt. I will drive them out before you little by little, until you have increased and possess the land. I will set your borders from the Sea of Reeds to the Sea of Philistia, and from the wilderness to the Euphrates; for I will deliver the inhabitants of the land into your hands, and you will drive them out before you. You shall make no covenant with them and their gods. They shall not remain in your land, lest they cause you to sin against Me; for you will serve their gods—and it will prove a snare to you (Exod. 23:23-33).

God or God's angel are the most active forces in this version, removing the peoples of the land (וְהִכְחַדְתִּיו 23:23). The verb here has a root that means "hide" and while many translations render it as destroy, the implication is that the result (of removing others from the land) is more important than the method, which could be

anything from annihilation to banishment. The other verbs in the passage lean toward the latter possibility. God whips them into a frenzy of panic (וְהַמּוֹתִי 23:27), and drives them out (אֲגָרְשֵׁם 23: 28,29, 30), but not all at once. The Israelites' responsibility is to refuse to bow to the foreign gods (23:24), to actively tear down (תִּתֹּצֵם תְּנַתֵּץ 23:24) all religious idols and images, and to not enter into covenant with the other peoples (23:32). It is ambiguous, however, how active a part they are expected to take in driving the people from the land. The initial verses seem to indicate that is God's job. The final verse of the passage, however, insists that the peoples must not dwell in the land, lest the Israelites serve their gods, and it is unclear the exact degree of responsibility the Israelites have a in ensuring that other peoples do not remain in the land. The most important implication of this warning against letting the people remain is that the temptation to adopt the religious practices of the neighboring tribes is likely to overwhelm the Israelites. Only by avoiding all contact with other peoples can the Israelites refrain from sliding into idolatry.

The passage from Ex 34, likewise presents God as the active party.

> He said: I hereby make a covenant. Before all your people I will work such wonders as have not been wrought on all the earth or in any nation; and all the people who are with you shall see how awesome are YHVH's deeds which I will perform for you. Mark well what I command you this day. I will drive out before you the Amorites, the Canaanites, the Hittites, the Perizzites, the Hivites, and the Jebusites. Beware of making a covenant with the inhabitants of the land against which you are advancing, lest they be a snare in your midst. No, you must tear down their altars, smash their pillars, and cut down their sacred posts; for you must not worship any other god, because YHVH, whose name is Impassioned, is an impassioned God. You must not make a covenant with the inhabitants of the land, for they will lust after their gods and sacrifice to their gods and invite you, and you will eat of their sacrifices. And when you take wives from among their daughters for your sons, their daughters will lust after their gods and will cause your sons to lust after their gods. You shall not make molten gods for yourselves (Exod. 34:10-17).

Here again, the main action—performed directly by God--is to drive out or banish the peoples of the land (גרש 34:11). Further, this driving out seems to be an example of the wonders God performs for the Israelites. There is a sense in Exodus that God's covenantal obligations include military intervention on behalf of the Israelites when necessary. In fact, following patterns of ancient epic literature, God, in the guise of a man of war is the hero of many of the stories of Exodus, fulfilling the expectations of the hero-warrior and protector of the people. From the scene at the Sea of Reeds where Pharaoh's army is vanquished, to this promise of securing the land for the Israelites, God consistently functions in this role of epic hero who is admired for prowess in battle.

The vision of a warrior god may be troubling to the modern reader. However, in this Exodus text, at least, it is not absolutely clear that driving the peoples out connotes destruction. Further, here, as in chapter 23, the Israelites' role is to tear down the altars and images of the other nations and to avoid "covenants" with them. There is no command that calls the Israelites themselves to violence, though perhaps it could be argued, in line with other verses, that the expectation is that what God intends is, in fact, accomplished by human hands.

Leviticus adds something new to the mix. Not strictly a text about conquest, it offers a rationale for God's anger with the peoples of the land and presents banishment from the land as a kind of natural order and consequence for practices such as offering children as sacrifices to Molech:

> Do not allow any of your offspring to be offered up to Molech, and do not profane the name of your God: I am YHVH. ...You shall not follow the practices of the nation that I am driving out before you. For it is because they did all these things that I abhorred them and said to you: You shall possess their land, for I will give it to you to possess, a land flowing with milk and honey. I YHVH am your God who has set you apart from other peoples (Lev. 18:21; 20:23).

The text here presents the passing of the land to the Israelites in two ways. First, by implication, inheritance of the land is a natural consequence, given that the land is capable of spewing out anyone that defiles it, any offending parties who committed child sacrifice (18:23). Second, the text presents the more usual formula of God driving out the peoples of the land (this time using the verb מְשַׁלֵּחַ instead of the more frequent גָּרַשׁ) and gifting it to the Israelites (Lev 20:24).

The mention of specific cultic practices of other tribes raises the question of what this vehemence against other practices is really all about. Jeffrey Tigay suggests that the condemnation of Canaanite religious practices is always based on the moral reprehensibility of the specific practices (Tigay xvi). Certainly many passages indicate some of the practices of the surrounding nations would be offensive on moral grounds to most modern readers as well as the ancient Israelites. The practice mentioned above of offering children to Molech refers to the ritual sacrifice of children by fire, which appears throughout the bible as a particularly loathsome observance: "Do not act this way to YHVH your God, for every abomination to YHVH, which he hates, they have done to their gods—even their sons and their daughters they have burnt in the fire for their gods" (Deut 12:31).

On the other hand, the issue may be more complicated than the Israelites attempting to end infanticide, and Tigay's argument for the moral reasoning behind the text may underestimate the particular bond between the Israelites and their God. While some passages draw attention to particularly egregious practices of other groups, many do not. On the whole, the Torah seems only marginally more concerned with the burning of children than with other acts of worship of gods other than YHVH, as is evidenced by

the fact that the majority of warnings against other people's cultic practices in the conquest texts do not mention child sacrifice. Some biblical warnings against non-Israelite religion are as simple as that the Israelites should not "follow after other gods, whom you have not known" (Deut. 13:3; 13:7). The one who proposes to do so—even if he is a loved-one, a brother, is condemned to death, in order that Israel may put evil from its midst (Deut. 13:6-10). The implication is that any service to a god other than YHVH, whether there is something inherently shocking about it or not, is inherently wrong according to the ethics of the text. In general, once the creation stories and mythical elements of Genesis have given way to stories about the Patriarchs, the Torah becomes the story of a particular people and their God, and any cultic practice deemed foreign receives severe sanctions.

Numbers adds another piece to the conquest story:

> Speak to the Israelite people and say to them: When you cross the Jordan into the land of Canaan, you shall dispossess all the inhabitants of the land; you shall destroy all their religious figures; you shall destroy all their molten images, and you shall demolish all their cult places. And you shall take possession of the land and dwell in it, for I have assigned the land to you to possess.... But if you do not dispossess the inhabitants of the land, those whom you allow to remain shall be stings in your eyes and thorns in your sides, and they shall harass you in the land in which you live; so that I will do to you what I planned to do to them. (Num. 33:51-53; 55-56).

Numbers 33:52 presents the task of dispossessing the peoples of the land as a human one: (וְהוֹרַשְׁתֶּם אֶת־כָּל־יֹשְׁבֵי הָאָרֶץ). God has assigned the land, but it is human beings who must actively make the dispossession happen. This passage also introduces the idea that any inhabitants who are left in the land will be "thorns in your sides" in the future. The ostensible reason to avoid them is that their religious practices will tempt the Israelites to abandon their own ways. To abandon Israelite practices for those of another culture, is to

abandon Israel's God, and the biblical God takes such abandonment personally. Idolatry stirs God to such rage that what was to be done to the peoples of the land shall be done to the Israelites instead.

Numbers also gives the first glimpse of Israelite initiation of violence against other peoples, with God agreeing to rather than generating the process. In Num. 21:1-3, for example, the Israelites arrange a deal with God, asking for the Canaanites to be delivered to them, and promising, in return, to destroy the Canaanite cities (אֶת־עָרֵיהֶם׃ וְהַחֲרַמְתִּי׃). The format of this passage presents *herem* as an Israelite vow (יִשְׂרָאֵל נֶדֶר לַיהוָה וְנִדַּר) offered in exchange for God handing over the Canaanites to them. Michael Fishbane proposes that this form of *herem*—as a vow initiated by someone wanting to offer it in exchange for God is the original form herem took in ANE culture, and it is uncertain how it came to develop into the form in which it appears in much of the bible, as a command by God rather than as a vow undertaken willingly (Fishbane 204). Such a vow proceeds out of an assumption that the deity—in this case Israel's God, desires this *herem* of the peoples of the land. The implication is that a vow of destruction is pleasing to God and represents proof of Israelite loyalty.

In its giving the task of driving people out directly to the Israelites (instead of presenting it as an act of God), Numbers is most like the versions of the expulsion or destruction of other peoples we will see in Deuteronomy. On the other hand, the kind of if/then transaction between the Israelites and God will be reversed in Deuteronomy:

> If, then, you faithfully keep all of the commandment that I command you, loving YVHH your God, walking in all His ways, and holding fast to Him, YHVH will dislodge before you all these nations: you will dispossess nations greater and more numerous than you. Every spot on which your foot treads shall be yours; your territory shall extend from the wilderness to the Lebanon and from the River—the Euphrates—to the Western Sea. No man shall stand up to you: YHVH

> your God will put the dread and the fear of you over the whole land in which you set foot, as He promised you. (Deut 11: 22-25).

In Numbers, the Israelites' vow implies that they will only act if God can deliver the Canaanites. In Deuteronomy, God sets the terms, and the Israelites must act in accordance with God's wishes if the land (and military victory) are to be given them. The crux of the agreement in both cases is that the land—and prosperity within it—are offered by the deity in exchange for obedience and exclusive worship of God. God's delivering the Canaanites into the hands of the Israelites, and the Israelites' destruction *(herem)* of the peoples and their places and objects of worship are steps and symbols of this larger mutual promise between God and Israel. Keeping God's commands is a condition for possession of the land. The clearing out of the other nations here is the reward for obedience and loyalty to God, but this text blurs the distinction between the active and passive parties, the initiator and the follower. The first half of verse 11:23 presents God as the agent who will clear the land of other inhabitants. In the second half of the verse, the subject shifts to the Israelites. This juxtaposition may imply that Deuteronomy interprets all passages that claim God will empty the land for the Israelites as meaning God will grant the Israelites victory in war, but it will not be merely a miraculous victory like the one over the Egyptians where "an act of God" will dispatch with the enemy, but a process in which the Israelites will need to get their own hands bloodied with the effort of "dispossessing" the other nations.

Another important passage in Deuteronomy is Deuteronomy 12:28-31:

> Be careful to heed all these commandments that I enjoin upon you; thus it will go well with you and with your descendants after you forever, for you will be doing what is good and right in the sight of YHVH your God. When YHVH your God has cut down before you the nations that you are about to enter and dispossess, and you have dispossessed them and settled in their land, beware of being lured

> into their ways after they have been wiped out before you! Do not inquire about their gods, saying, "How did those nations worship YHVH your God, for they perform for their gods every abhorrent act that YHVH detests; they even offer up their sons and daughters in fire to their gods.

Here we have an echo of Leviticus' allusion to the immorality of the practices of the other nations. The most unthinkable of their practices is to sacrifice their children by fire. Elsewhere, the command is to not worship other gods. Here the clarification is offered that even in worshiping YHVH, only some forms of service are acceptable. The practices of the other peoples are detestable to YHVH, who wants not only exclusive worship, but correct worship. However, the text here does not say that the land is being given to the Israelites merely because they worship correctly. The passage proceeds out of the assumption that God has promised the land to the Israelites our of a long and complicated covenantal history, and initial inheritance of the land is more or less assured. The emphasis, then, is that when the Israelites have entered into the land, they are not to practice the ways of their neighbors, lest they lose the privilege of being in the land.

There is of course an obvious contradiction at the heart of the passage: if the peoples of the land have been destroyed (אַחֲרֵי הִשָּׁמְדָם) how would the Israelites be lured into their ways? The text hints that even when God is striking the other peoples down or casting them out, the reader is always to understand the process in never so thorough as to completely clear the land of all inhabitants other than the Israelites. Thus commands for total annihilation, the text itself seems to admit, are to be understood as hyperbole.

Deuteronomy also offers some passages that lead the reader either into ambiguity as to the real intent of the passage or into serious conflict with other passages. Two of

these passages are linked by internal reference. In Deuteronomy 31:4, we read that the conquest of the land will resemble the destruction of the kings of the Amorites:

> YHVH your God will cross over before you; and he will wipe out those nations from your path and you shall dispossess them. Joshua is the one who shall cross before you, as YHVH has spoken. YHVH will do to them as He did to Sihon and Og, kings of the Amorites, and to their countries, when He wiped them out. YHVH will deliver them up to you, and you shall deal with them in full accordance with the Instruction that I have enjoined upon you. (Deut. 31:3-5).

So far the implication seems clear—the peoples of the land will be utterly destroyed, like the kings of the Amorites and their people, of whom, after the battle, "none remained" (Deut 2:34). On the other hand, the referent passage presents a curious detour between the command to battle with the kings and their ultimate destruction:

> Rise up—journey across the river Arnon. See, I give into your power Sihon the Amorite, king of Heshbon, and his land. Begin to possess it; engage him in battle. This day I begin to put the dread and fear of you upon the peoples everywhere under heaven, so that they shall tremble and quake because of you whenever they hear you mentioned. Then I sent messengers from the wilderness of Kedemot to King Sihon of Heshbon with an offer of peace, as follows, "Let me pass through your country. I will keep strictly to the highway, turning off neither to the right nor to the left (Deut. 2:24-27).

Here God's instruction to engage Sihon in battle is followed, not by a battle cry, but by an initial offer of peace. It is only when the peace offer is refused that battle and the annihilation of the king and his people proceed. The text gives no hint that God is troubled or in any way puzzled by Moses' beginning with an offer of peace, even though the Amorites belong to the list given elsewhere of nations to be annihilated, and even though a divine command to attack has been spoken. The text begs the question of whether an offer of peace is always an acceptable prelude to military engagement, even when the enemy is one of the Seven Nations. This passage creates one of the major ambiguities that will be explored by later exegetes.

Another passage that gives a complicated view of the conquest is Deut 20:10-18:

> When you approach a city to attack it, you shall offer it terms of peace. If it responds peaceably and opens to you, all the people with in it will be forced labor to you and will serve you. If it does not make peace with you, but makes war with you, you shall besiege it; and when YHVH your God delivers it into your hand, you shall put all its males to the sword. But the women, the children, the livestock, and everything in the town—all its spoil--you shall take for yourself; you shall consume the spoil of your enemies which YHVH your God has given you. So you shall deal with all towns that lie very far from you, towns that do not belong to these nations. But the cities of these peoples, which YHVH your God is giving you as a heritage, you shall not let a soul remain alive. But you shall utterly destroy them: the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites—as YHVH your God has commanded you, lest they lead you into doing all the abhorrent things that they have done for their gods and you sin before YHVH your God.

This passage with its dual approach, one that allows for the possibility of peace and one that does not, invites further exploration of when each approach is to be applied. Perhaps more than any other text, this one will attract future commentators.

The ambiguity of the meaning of the verses in Torah is heightened when they are compared with references to the conquest in other books of the Tanach. By and large the book of Joshua reveals a Deuteronomic understanding of the conquest. It is to be accomplished by human beings, with God's help, approval, and even insistence. Further, the willingness to annihilate the Seven Nations is a sign of loyalty to God, and success or failure in doing so is dependent on God's favor. Joshua 10:28-43 offers the description of a series of military campaigns, each ending in the extermination of *kol nefesh* (every living thing) in each city.

On the other hand, even in Joshua, the ambiguities of some of the Torah passages begin to come into play, creating inconsistencies in the Joshua story itself. For example, in Joshua 17 we read: "When the Israelites became stronger, they imposed tribute on the Canaanites; but they did not dispossess them." Despite all the assurances that God would

guarantee a complete victory, and all the vehemence that complete victory meant annihilation of the enemy, here the text asserts that, in fact, not all Canaanites were either killed or routed from the land. The text leaves some doubt whether allowing the Canaanites to live but making them pay tribute was a result of not being able to gain complete victory over them in battle, or whether it was a deliberate and free choice.

The confusion grows even greater with the account in Joshua 11:18-20:

> A long time Joshua waged war with all those kings. There was not a city that made peace with the Israelites, except from the Hivites who dwelled in Gibeon; all others they took in battle. For it was YHVH's doing to harden their hearts to encounter Israel in battle, that he might utterly destroy them, that they might have no favor, but that he might destroy them, as YHVH commanded Moses.

The Hivites, we may remember, are specifically mentioned in Deut 7:1 and elsewhere as one of the peoples to be destroyed. Yet here, they seem to have accepted peace terms, and the Israelites have spared them. Further, those cities that the Israelites destroyed seem to have been annihilated only because God hardened their hearts, and they refused a peace treaty. The implication is that, had they accepted terms, they would have been offered mercy. In fact, the passage seems to present an initial offer of peace as the standard mode of engagement.

Whether or not biblical authors believed tradition demanded that the Israelites annihilate the members of the Seven Nations in the land, subsequent biblical texts admit the Israelites continued to be surrounded by members of these other nations. Take for example, this passage from 1 Kings 9: "All the people that were left of the Amorites, Hittites, Perizzites, Hivites, and Jebusites who were not of the Israelite stock—those of their descendants who remained in the land and whom the Israelites were not able to annihilate—of these Solomon made a slave force, as is still the case."

Not only were not all of the people's of the land removed or annihilated, but Solomon seems to have had a penchant for marrying women from these tribes:

> But king Solomon loved many foreign women, together with the daughter of Pharaoh, women of the Moabites, Ammonites, Edomites, Zidonians, and Hittites; of the nations about which YHVH said unto the children of Israel, 'You shall not go in to them, neither shall they come in to you: surely they will turn away your heart after their gods: Solomon clung to these in love (1 Kings 11:1-2).

Clearly the text does not approve of Solomon's actions, and, in fact, the fear expressed in the Torah that intermarriage leads to following foreign religious customs is elaborated on in the stories about Solomon's later years. The fact remains, however, that the annihilation which had been spoken of as if it were inevitable in many passages, is seen elsewhere in the Tanach to have been an abstract idea that was never entirely carried out. In fact, in Judges, we read that God is fully aware the nations have not been entirely removed from the land. Judges seems to have picked up on the if/then construct of the annihilation formulas in the Torah and used it to suggest an explanation for Israel's failure to remove the original inhabitants from the land.

> And the anger of YHVH blazed against Israel; and he said, Because that this people transgressed my covenant which I commanded their fathers, and has not obeyed me, so I will not continue to drive out any from before them of the nations which Joshua left when he died, that through them I may test Israel, whether they will keep the way of the YHVH to walk therein, as their fathers kept it, or not. Therefore YHVH left those nations, without driving them out immediately; and he didn't deliver them into the hand of Joshua (Judg. 2:20-23).

There seem to be two tests of the Israelites in this passage. The first was their initial dedication to obey all the rules that pertain to them as part of the covenant. Disappointed with the Israelites' loyalty, God has not delivered the nations of the land into the Israelites' power. Having failed at that, they are given a second test. The presence of the surrounding peoples tests Israel's stamina in resisting idolatry.

All in all, the biblical accounts of the Israelites' engagements with other peoples in the land leaves ambiguities both in terms of what is supposed to happen and in terms of what actually did happen. These ambiguities will serve as opportunities for later commentators, many of whom seem uncomfortable with the command of annihilation in the first place. Further, this review of biblical visions of the conquest points out that the Jewish interpretive process begins within the biblical canon itself. Deuteronomy as a whole is a prime example of that kind of internal biblical exegesis. Deuteronomy joins Chronicles as a work that purports to be merely a faithful record of what has already been written, but in reality weaves the old tales together in new ways, creating something new out of inherited material. Deuteronomy especially retells the laws and narratives of Exodus, but in the retelling, the text is transformed.

In later interpretive tradition, different biblical versions of a theme become important in two ways. First, as versions accumulate, they are bound to contradict one another, and those contradictions create ambiguities ripe for interpretive exploration. Second, the greater the number of versions available, the greater chance of finding some that are internally ambiguous. In both cases, ambiguity attracts interpretative creativity, like pollen attracts a bee. The greater the level of ambiguity, the more the interpreter is free to introduce ideas consistent with the mores of his era, without having to feel he is disregarding or violating the text.

In general, of all the biblical versions of the conquest, Deuteronomy gives the "most fully developed and theologically 'canonized' expression of holy war in Ancient Israel" (Firestone, "Holy War" 104). Its distinguishing elements include 1) The Israelites are to destroy (*herem*) the peoples of the land and not just their places of worship (like

Numbers, but unlike Exodus and Leviticus). 2) The text is explicit that the destruction is performed by the Israelites, and not accomplished in some vague manner by God (like Numbers, but unlike Exodus and Leviticus). 3) The text clarifies that ongoing survival, let alone prosperity in the land, depends on avoiding the practices of other peoples (most like Leviticus). All these elements are most apparent in Deuteronomy 7:1-6, which deserves a closer look.

The Moral Universe of Deuteronomy 7:1-6

Of all the texts on the theme of a divinely sanctioned war, it may be difficult to find a more problematic passage in the whole of the Torah than Deuteronomy 7:1-6. This passage is ethically problematic both in its general attitude to the Other and in its specifics, which include a particularly problematic intersection of the idea of Israel's chosenness (already a thorny topic), with a call for military aggression, and indeed, annihilation of neighboring peoples along with their places and objects of worship. Deuteronomy 7:1-6 is also an important text, because is serves as a window into the universe of Deuteronomy as a whole, and into the moral center of the conquest literature.

1. כִּי יְבִיאֲךָ יְהוָה אֱלֹהֶיךָ אֶל־הָאָרֶץ אֲשֶׁר־אַתָּה בָא־שָׁמָּה לְרִשְׁתָּהּ וְנָשַׁל גּוֹיִם־רַבִּים | מִפָּנֶיךָ
הַחִתִּי וְהַגִּרְגָּשִׁי וְהָאֱמֹרִי וְהַכְּנַעֲנִי וְהַפְּרִזִּי וְהַחִוִּי וְהַיְבוּסִי שִׁבְעָה גוֹיִם רַבִּים וַעֲצוּמִים מִמֶּךָּ׃
2. וּנְתָנָם יְהוָה אֱלֹהֶיךָ לְפָנֶיךָ וְהִכִּיתָם הַחֲרֵם תַּחֲרִים אֹתָם
לֹא־תִכְרֹת לָהֶם בְּרִית וְלֹא תְחָנֵּם׃
3. וְלֹא תִתְחַתֵּן בָּם בִּתְּךָ לֹא־תִתֵּן לִבְנוֹ וּבִתּוֹ לֹא־תִקַּח לִבְנֶךָ׃
4. כִּי־יָסִיר אֶת־בִּנְךָ מֵאַחֲרַי וְעָבְדוּ אֱלֹהִים אֲחֵרִים וְחָרָה אַף־יְהוָה בָּכֶם וְהִשְׁמִידְךָ מַהֵר׃
5. כִּי־אִם־כֹּה תַּעֲשׂוּ לָהֶם מִזְבְּחֹתֵיהֶם תִּתֹּצוּ וּמַצֵּבֹתָם תְּשַׁבֵּרוּ וַאֲשֵׁרֵהֶם תְּגַדֵּעוּן וּפְסִילֵיהֶם
תִּשְׂרְפוּן בָּאֵשׁ׃
6. כִּי עַם קָדוֹשׁ אַתָּה לַיהוָה אֱלֹהֶיךָ בְּךָ בָּחַר | יְהוָה אֱלֹהֶיךָ
לִהְיוֹת לוֹ לְעַם סְגֻלָּה מִכֹּל ׀ הָעַמִּים אֲשֶׁר עַל־פְּנֵי הָאֲדָמָה׃ ס

1 When YHVH brings you to the land to which you are going, to possess it, and sweeps the many nations from before you—the Hittites and the Girgashites and the Amorites and the Canaanites and the Perizites and the Hivites and the Jebusites[1]—seven nations greater and mightier than you,

2 And when YHVH, your God gives them over to you and you smite them, utterly destroy them;[2] don't make a covenant with them and don't show them favor.[3]

3. And don't marry them—your daughter don't give to his son, and his daughter, don't take for your son.

4. For he will turn away your son from following me and they[4] will serve other gods, and the rage of YHVH will blaze against you and swiftly annihilate you.

5. Rather, thus you shall do to them: you shall pull down their altars and smash their pillars, and rip down their sacred trees,[5] and burn their graven images in fire.

6. For you are a holy people to YHVH your God. YHVH, your God, has chosen you to be for him a treasured people from all the peoples that are on the face of the earth.

Structure

If we examine the structure of our passage, we discover it is arranged according to three types of prohibitions—political, social, and religious:

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[1] A different list of nations is given elsewhere, raising the question of how literally to apply this command.
[2] *Herem.* The underlying concept is to consecrate something to the particular use of a god. This concept will be discussed at length later.
[3] The root of the word *hein* means grace, making the exact meaning of this phrase somewhat uncertain. It has been translated as everything from not giving them "compassion" (Onkelus), to not giving them mercy, to not giving them a place to stay in the land. Subsequent generations will find ample interpretive possibility in the word's lack of clarity.
[4] The pronoun shifts here, raising questions about who exactly is being referred to.
[5] Literally, "Asheirah." The exact meaning is unknown.

When God brings you into the land and casts out the other nations (7:1), utterly destroy (*herem*), the nations (7:2) and observe these prohibitions:[6]

A. Political: Make no covenant (7:2).

B. Social:

1) Show no mercy/ favor (7:2).

2) Don't marry them (7:3).

C. Religious:

1) Destroy their altars (7:5).

2) Break down their images (7:5).

3) Cut down their groves (7:5).

4) Burn down their graven images (7:5).

The final line gives the reason this behavior is commanded: For you are holy to God, a treasured people (7:6).

The whole passage is linked by two uses of the word "ci," (7:1, 7:6) translated here as "when," and "for." These connectors create the overall syntax that structures the passage—the commandments contained within the verses are to be performed under a certain condition (entering the land), because the Israelites' particular relationship with God requires them. The *ki* translated as "for" at the beginning of verse 6 is pivotal, functioning as a kind of equal sign between what comes before it and what comes after. Verse 6, then, is the key to the passage—Israel is *kadosh* to God, and this quality of *kadosh* is described and sustained both through Israel's willingness to engage in the behavior described in verses 1-5. This overall syntax of the passage means that the

[6] There are many possible ways to consider the structure of this passage. The division of the commands into political, social and religious categories is suggested by Christopher Wright (110).

violence commanded in verse 2 is a sign of Israel's acceptance of the relationship with God, as described in verse 6 (and in the verses that follow it). The violence toward the Other functions as a kind of pledge of loyalty to the God of Israel.

Kadosh here—Israel's holiness—is a complicated concept. It takes on that aspect of holiness that means "set apart." The qualifying sentence about Israel being an *am segullah*, a treasured people, has all the connotations of treasure, including both value, and special property. In its ANE context, it may also have the connotation of servanthood. The root of the word *segullah* appears elsewhere in ANE culture, including one extant manuscript that records a letter from the Hittite king to "Ammurapi, king of Ugarit....Now you belong to the Sun, your lord. You are his servant, his property" (Weinfeld 368). In this use of segullah we see that the "treasure" is both special property and fulfills the role of vassal or servant to the sovereign to whom he is pledged. Some of this mix of meanings seems to attach itself to Deut. 7:6. Israel is to have an exclusive relationship with its God, as both servant and as possession. Ironically, the appearance of the word segullah in Hittite culture also shows that the very concept of being *segullah* is deeply rooted in the cultural matrix from which Israel seems to be trying to extricate itself. Apparently the pull of the dominant culture in which the Israelites found themselves was so deeply engrained in the Israelite mindset, that even the concepts the text uses to express Israel's uniqueness and distinctiveness are rooted in the surrounding cultures.

Interpretive Challenges of the Passage

While this analysis of the passage's structure gives us an overview of the text, if we examine the details of the language, we discover that the passage presents several

interpretive challenges. The list of the Seven Nations in the first verse, for example, is a common trope in the Torah, but the list is not always the same, raising some important questions. First, in listing specific peoples, the implication would seem to be that these specific nations, but not others, are to be the military target of the Israelites. After all, earlier in Deuteronomy, the Israelites have run across two nations—Esau and the Moabites—whom they are commanded not to attack, because the land they are crossing through has legitimately been assigned to them by God. Of the land belonging to Esau's descendents, the Israelites are told: "Do not let yourself be provoked against them, for I will not give you of their land so much as a foot can stand on, for as a possession to Esau I gave the hill-country of Se'ir" (Deut. 2: 5). In a parallel passage only a few lines later, we find a similar injunction against harming the Moabites: "YHVH said to me, 'Do not harass Moav, and do not let yourself be provoked into war with them, for I will not give you any of their land as a possession, for to the Children of Lot I have given Ar as a possession" (Deut. 2:9).

The list of specific nations, all purportedly inhabiting the land of Israel, along with the command not to harm other specific peoples on the way there, seem to indicate that the passage means exactly what it says and no more: these nations only, and only in the land of Israel, are the target of the intended military action. This sense of limitation to the intended target of aggression is further clarified later on in Deuteronomy, where the possibility of suing for peace is discussed for other groups, but denied for those nations that have been identified as the target of a *herem* war: "But of the cities of these people, which YHVH your God gives you as an inheritance, don't let live anything that breathes: You shall utterly destroy them: the Hittites, and the Amorites, the Canaanites, and the

Perizzites, the Hivites, and the Jebusites, as YHVH your God commanded" (Deut 20:16-17).

On the other hand, the passage from Deut. 20 does not have the exact same list of nations as Deut. 7. Its list mirrors that of the passage in Exodus 23: "For my angel shall go before you, and bring you to the Amorites, and the Hittites, and the Perizzites, and the Canaanites, the Hivites, and the Jebusites: and I will cut them off" (Ex. 23:23). The specificity of the neighboring nations further unravels if we expand our exploration to include other listings like this one from Genesis: "On that day YHVH made a covenant with Abram, saying, 'to your seed I have given this land, from the river of Egypt to the great river, the river Euphrates: the Kenites, and the Kenizzites, and the Kadmonites, and the Hittites, and the Perizzites, and the Rephaims, and the Amorites, and the Canaanites, and the Girgashites, and the Jebusites" (Gen. 15:18-21). The list of nations appears in identical form with our passage in Joshua 3:10. It is paired down to six nations in Exodus 23 and Deuteronomy 20, and it expands to eight in Ezra 9:1, where the Egyptians, the Moabites and the Ammorites are part of the mix.

The repetition of references to the surrounding nations, with variations as to their identities, speaks to some sort of "schematizing" (Clements 35)—a rhetorical formula that does not seem to be literally the group of people referred to, but is a thematic representation of the surrounding peoples. The schematizing may work against the notion of a specific, limited list of nations. Rather the schema is to represent a somewhat amorphous group. This combination of specificity and inconsistency raises both interpretive challenges and interpretive opportunities. The question to be addressed in later interpretive works is: is every nation in the land of Israel to become a target, or is it

this precise list of nations in Deuteronomy against whom war is to be waged? Further, a condition is given for when this war of destruction is to happen: "when YHVH brings you into the land." Does that mean from that moment on, or does it mean only at the initial moment at which the Israelites came into the land? For that matter, who is the "you?" Are all commands to the Israelites in Deuteronomy to be interpreted as binding on their descendents for all times?

The Concept of Herem

A second set of interpretive questions arises with the word *herem*. What, precisely, are the Israelites being commanded to do to these nations? The root of the word *herem* is doubled, appearing as an infinitive absolute followed by an imperfect. The doubling of the root usually offers a grammatical sign for intensifying the force of the meaning—thus the translation as "utterly destroy." However, Christopher Wright suggests the passage is referring to the practice of a war wherein all booty is forbidden to the Israelites, not necessarily to destruction of the people (Wright 120). His point rests on two distinct uses of the word *herem* in the bible and cognate ANE literature. According to Moshe Weinfeld, the "root *hrm* in the Semitic languages has two connotations, forbidden and sacred" (Weinfeld 364). The underlying meaning of *herem* is to dedicate something entirely to a god, to the point that its use becomes taboo, thus its frequent translation as a ban or proscription. Sometimes it is booty which is collected in a *herem* conflict which must be set aside for the god and cannot be used by human beings (Lev. 27:28). Sometimes it is people themselves who become *herem* as in Deut. 7:2. In such a case "Herem implies total destruction of a means of rendering Yahweh's property unavailable for human use and ownership" (Nelson, Joshua 101). One of the primary cognate texts on

herem is the 9th century BCE Meshe stele, which records the words of Meshe, king of the Moabites, who claims to have decimated Israel after having vowed to consecrate them to his God, Ashter-Kemosh (Weinfeld 364).

The bible includes passages referring both to *herem* of the spoils of war, and to *herem* as it refers to human inhabitants of a conquered area, as in this passage from Deuteronomy about an idolatrous city:

> "You shall surely smite the inhabitants of that city with the sword, destroy all that is within it, and its cattle with the sword. You shall gather all the spoil into the midst of the street, and burn the city and all the spoil completely with fire for YHVH your God: and it shall be a mound forever; don't rebuild it. And don't let anything stick to your hand of *herem* in order that YHVH may turn from the fierceness of his anger, and give you compassion, and in being compassionate to you, increase you, as he swore to your fathers (Deut. 13:16-18).

Here the spoils of war associated with idolatry are not to be enjoyed. However, this passage also points out that forbidding booty is usually done in conjunction with destruction of the inhabitants of a place, not instead of it. Further, going back to Wright's suggestion that *herem* in Deuteronomy may not mean destruction of human beings, it would be easier to read this instance of *herem* as only being a prohibition of booty taken from idolaters if our passage stood alone in the Tanach. The use of the term in the other Deuteronomic books, especially the Book of Joshua, with its vivid description of the destruction of the inhabitants of the land suggests that we cannot assume a relatively benign meaning of the word *herem* in Deuteronomy 7:2, in its *pshat* (it's most apparent, intended meaning in the context of the narrative). Other descriptions in Deuteronomy itself also leave little doubt as to the real meaning of the word: "And we took all his cities at that time, and utterly destroyed the men, and the women, and the little ones; of every city, we left none to remain" (Deut. 2:34). The final phrase here—that none remained,

makes it difficult to sustain an argument that *herem* is not intended to mean complete physical annihilation.

Yet, Wright seems to be correct that something other than total annihilation is going on in Deuteronomy 7. Why forbid covenants and marriages if everyone will have been massacred, Wright reasons. This is an excellent question. Why indeed? At the very least, even if the text is requiring the Israelites to kill all inhabitants of the listed nations in the land, it cannot even finish the verse without admitting the impossibility of doing so and adding a further injunction neither to make treaties with members of these other nations nor to welcome them into the family. The implication is that the Israelite habit was to lean toward the latter activities—marrying and emulating the practices of the other peoples of the land.

Another important issue is the underlying reason for this command of *herem* in the first place. The first verse gives the impression that everything that follows is about assuring a successful and thorough conquest of the land, but if we look more closely, we discover that, surprisingly, the conquest itself is confined to a dependent clause: "When YHVH brings you to the land to which you are going, to possess it, and sweeps the great nations from before you...." This grammatical structure hints at the possibility that the initial conquest of Canaan is not the real topic of either the sentence or the passage in its entirety.

Compounding the possibility that the conquest is not our real subject is the fact that the rest of the passage does not record the anxieties we might expect if a battle for land were truly the main issue here. It does not talk about the land to be won in any detail. It does not outline which enemies are where and what their numbers are, and the

different challenges military aggression against each one might pose. As we have seen elsewhere, the list of tribes is even something of a standardized trope, as if these may or may not be the real enemies. Nor does the text attempt to pump up the Israelites' military muscles by dwelling on their military prowess or odds in battle. In fact, success in conquering the land seems to be assumed. Though there is more human agency in the outcome in this version of the conquest than in the one in Exodus, the ultimate acquisition of the land seems to be a given, assured by God.

Despite the fact the text seems to assume the Israelites will be able to secure the land, as Walter Brueggemann remarks, there is a "deep anxiety" that pervades this passage (Brueggemann 101). The anxiety just happens to be directed toward something other than the prospects for initial military success. Most of the anxiety is expressed over maintaining cultural boundaries between the Israelites and their neighbors. It is the three prohibitions of interaction: political (covenants), social (intermarriage) and cultural-religious (foreign religious rites) that take up most of our passage.

The real issue seems to be that idolatry of any kind disturbs the equation we see at the heart of our passage. The Israelites are to refrain from interaction with their neighbors because interaction will lead to adopting their practices, and they are to refrain from those practices "for" they are a people holy to YHVH. Being the people of YHVH alone is what defines them as who they are. As Reuven Firestone puts it, *herem* and all that is associated with it is a "means to unify and strengthen a minority people and its religio-political system through withdrawal and isolation from other (presumably more culturally advanced) peoples" (Firestone, "Holy War" 107). The purpose of this withdrawal is to create the possibility for the kind of relationship with God summarized in verse 6, where

Israel is described as a people holy to YHVH. It is this relationship on which the rest of Deuteronomy will remark, with its description of both God's compassion and God's fierceness, and its memory of the delivery from Egypt. In other words, seen from a cultural perspective, and given the understanding that religion is one of the defining characteristics of the community, idolatry comes to represent the dissolution of community identity. That is the ultimate evil according to the value system of the text. There may be genuine disgust at some of the rituals of neighboring peoples, especially the sacrifice of children by fire. In general, though, "the good" is what ever keeps the community together as a recognizably distinct group with a clear identity. Defining cultural boundaries is the main task of the book of Deuteronomy.

Historical Setting

In order to fully appreciate both the meaning and the power of our passage, we need to examine its historical context. In our passage two time periods are conflated. Deuteronomy as a whole is addressed to the wilderness generation, but it speaks to them as if they had themselves experienced slavery in Egypt, redemption from that slavery, and the Sinai revelation of the previous generation. In other words, the text is designed to pull one generation into the story of another, helping them make that story their own, trying to integrate the cultural memory of the community.

Behind the setting claimed by the narrative, however, lies a third historical moment. General consensus is that the work was mostly written between the 8th and 7th centuries BCE, but includes materials written earlier, as well as some written later (Tigay xix-xxiv). It was identified by W.M.L. de Wette in the 19th century as the book found in the Temple in 622 BCE (2 Kings 22:8,11; 23:24,25), which would place it during the

time of Josiah's reforms (Clements 9). Subsequent scholars have doubted that the book we have now as Deuteronomy emerged whole during Josiah's reign. For example, Jeffrey Tigay points out that its reforms are not completely consistent with the reforms of Josiah, as it omits Josiah's suppression of idolatrous priests, and it allows provincial priests to serve in the Temple alongside local priests, a practice prohibited in Josiah's time. Many of the central reforms of Deuteronomy had been in place already in the 8th century under the reign of Hezekiah, leading Tigay and others to believe that much of book may have been written in the 8th century BCE, with many of the laws coming earlier, from the 10th and 9th centuries. In other words, the materials in Deuteronomy span a significant period of the monarchy, and, as Weinfeld explains, the "national consciousness that developed in the period of Hezekiah and Josiah set in motion the work of Deuteronomic historiography that pretends to present the nation's history from the Exodus to the end of the monarchic period" (Weinfeld 53).

Locating the ritual concerns of the book in the period between Hezekiah and Josiah places its historical setting in the time when Assyria was dominant throughout Palestine, and religious observances of the surrounding cultures, including child sacrifices, sometimes found their way into the practice of the Israelites. Jeffrey Tigay suggests that Deuteronomy's "passionate assertion of monotheism" may be a reaction to the appeals of foreign cultural and religious elements at this time.

If the book is written in the 8th century or thereabouts, its historical setting may explain some of the qualities of its vision of the conquest, including the fact that there are various versions of what happened competing in its pages. Archeological evidence suggests the annihilation of the peoples both recommended and (in Joshua) described in

the biblical text most likely never happened, at least not to the extent the bible claims it happened.[7] The thoroughness of some passages of book of Joshua in annihilating other groups can therefore be seen as a wish-fulfillment fantasy dreamed up by a nation in formation in the 8th century—a nation that feels itself beleaguered on all sides, both politically and religiously, a nation facing political and military aggression from Assyria and internal political challenges to its sense of national cohesion. The text is reacting against those threats as well as against the constant pull of religious practices of the ANE cultural matrix, that, far from being truly foreign influences, represented beliefs and observances remembered from Israel's past and observed by many of its own citizens. In fact, one of the current theories is that the Israelites primarily emerged from Canaanite culture itself, instead of conquering it from the outside.[8] The narratives—including narratives of conquest--that would eventually form the basis for the bible therefore served to create an imagined history for a nascent community and nation. In the words of Ronald Hendel, these stories provided "a historical engine for the construction of cultural identity" (Hendel 47) and offered the group a shared memory.

Interestingly, the over-stated claims of annihilating a people in battle seems to be an element of the narrative inherited from ANE culture. In fact, if we were to take some of the inscriptions from Ancient Israel and its neighbors seriously, the people Israel was reduced to nothing—completely destroyed beyond any hope of regeneration, by the Pharaoh Merneptah in approximately 1211 BCE. According to the Mernepteh stele (c. 1211), Merneptah, a pharaoh of Egypt claims to have vanquished Israel to the extent that

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[7] A good source of information about the historicity of biblical claims is The Bible Unearthed: Archeology's New Vision of ancient Israel and the Origin of its Sacred Texts, by Israel Finkelstein and Neil Asher Silberman.

[8] For full discussions of Israel's origins, see Ronald Hendel, "Israel Among the Nations." Cultures of the Jews. Ed. David Biale. Vol. I. New York: Schocken Books, 2002. 43-75.

"Israel's seed is no more." Thus we find that a certain level of hyperbole was common to accounts of battles in the Ancient Near East, and the passage either calling for or claiming the total annihilation of peoples in the bible may be borrowed from that cultural pattern of exaggerated claims of military victory.

Perhaps in that light we can better understand the bible's absoluteness in is claims of annihilating others (both as a goal in Deut. 7:2 and as a fait accompli according to certain—but not all—passages in the Book of Joshua). This claim of total destruction of the adversary is framed in the bible as a distinctive Israelite privilege and sign of God's favor. We see, however, from these few examples, that Israel borrowed quite a lot from the cultural milieu—the concept of *herem*, the exaggerated claims of victorious battle that destroyed an enemy, the root of the word *segullah* and the concept of being a special vassal, property, and treasure of a sovereign, even the pattern of monolatry itself—the idea of having a particular deity to which the people had a special relationship. Ironically then, Israel's idea of uniqueness was borrowed from the very cultural matrix from which the Israelites were so desperately attempting to distinguish themselves. By the time Deuteronomy would have been written, these more ancient elements of Canaanite culture would have been integrated into the Israelite self-understanding, and the narratives of conquest—rather than an accurate memory of how the Israelites emerged from their neighbors as a recognizable entity—would have served as a myth of origin that offered them a sense of unity as a group.

Whatever the real history might be of the Israelites initially gaining power in the land, whether as a gradual process from within, or as a sudden, violent conquest, the process of initial possession of territory had already been accomplished by the time

Deuteronomy was written. Therefore what is being addressed is not an acute stage of initial military incursion into new territory, but the chronic struggle against loss of control over the territory and cultural disintegration and re-absorption into the surrounding cultural matrix. That struggle—as much a cultural one as a military one—is given the rhetoric of battle throughout the bible. The enemy in the text is standardized and not described in detail because it may always have been a conglomerate of the nearby superpowers continually washing across the territory of the Israelites—Assyrians, a mix of surrounding tribes, and Israelites themselves who, by bringing the practices of other groups right into the heart of Israelite territory, blurred the cultural boundaries between one people and the next. The bible, in fact, is chronically concerned with this latter phenomenon of people within the Israelite fold who soften the edges of cultural distinctiveness.

If this assessment of the historical setting is correct, the wilderness generation is the text's correlative for the real audience, who are the Israelites of the 8th century BCE. In this case the (possibly mostly imagined) memory of being on the threshold of the promised land is preserved in the text and passed down to those who have already crossed over and live in the land, but are not necessarily fully inhabiting the cultural-religious identity for which possession of the land has become sign and symbol. Psychologically, the community that inherits the story Deuteronomy tells is permanently on the threshold of entering the promised land, as they are permanently on the threshold of fully embracing and integrating their unique and distinctive identity as a community.

The psychological status of the land as an object of longing, something that is crucial but never entirely secure, is usually associated with the phenomenon of exile. It is

after the exile that the land becomes increasingly mythologized, a once and future sign of redemption. But if most of this text was written before the exile, then elements of this sense of eternal longing appeared even as the Israelites were in the throws of national formation, because in texts like these, the land becomes the symbol for the full flowering of national identity. Even in the time when the Israelites have a hold in the land, because they flirt with neighboring tribes' practices (and neighboring tribes' young men and women), it is as if they have not yet successfully entered the land at all.

Literary Setting

In terms of its literary setting, our passage is placed strategically within the Deuteronomic narrative as a whole. Its placement and literary context are as essential as its historical setting to its exegesis. According to Jeffrey Tigay, Deuteronomy is distinguished from the other books of Torah by its emphasis on monotheism (Tigay xii). Monotheism, however, may be too strong a word. Deuteronomy perhaps records a particular moment in the progression from monolatry to monotheism, but it does not fully achieve a vision of a world in which only one God exists. Indeed, it would be difficult for any text coming out of the ANE context to unwaveringly claim there is only one God, while situated among other nations, each with its allegiance to one or more other gods. Deuteronomy comes the closest of the books of the Torah to that stance, but even in the Sh'ma (Deut. 6:4), the statement that is often heralded as a monotheistic creed, the language falls short of a coherent claim that YHVH alone exists as the sole, universal deity:

שְׁמַע יִשְׂרָאֵל יְהוָה אֱלֹהֵינוּ יְהוָה | אֶחָד׃

("Hear, O Israel! YHVH is our God, YHVH alone"). "YHVH echad" could mean any number of things, and in fact, the whole statement has been translated in any number of ways from that YHVH alone is the God of Israel, to that YHVH is singular, unlike the pantheons of some other peoples. Therefore it might be more accurate to say that Deuteronomy represents a more fiercely loyal monolatry than previous books of the bible, and it is, in part, that loyalty that is the subject of the book as a whole.

Moreover, the exclusive relationship with God is tied here to the notion of Israel's distinctiveness. Here in Deuteronomy in general, and in our passage in particular, the notion of the good is inextricably tied to the notion of Israel's distinctness as a people. What keeps the community both in tact and distinct is the highest good, and whatever leads to a blurring of the cultural boundaries and identity of the group is condemnable by God and worthy of death. Whether the culprit is the outsider who tempts the Israelite into foreign ways, or the member of the community who brings those foreign ways into the community, both are to be excised at any cost.

Our particular passage is part of a larger section of text that begins with Deuteronomy 6:1—"And this is the commandment, the statutes, and the judgments, which YHVH your God commanded to teach you to do them in the land that you are crossing into to possess it." The Hebrew at the beginning of this verse is somewhat strange: *mitzvah* (commandment) is in singular form, whereas statutes and judgments (*chukim* and *mishpatim*) are in plural. This same pattern appears in Deut 7:11; *mitzvah* is singular, while *chukim* and *mishpatim* are plural. This similarity turns 6:1 and 7:11 into bookmarks that enclose what appears between them, with our passage coming toward the end of that unit.

The introduction of the necessity of following God's commands in 6:1, is followed by a rationale in 6:3. Israel is to obey God's commands in order to prosper and increase in "a land flowing with milk and honey." This mention of the promised land leads to the declaration of God's oneness (the Sh'ma) in 6:4 and the command to love God (6:5), and ultimately back again to the subject of the land in 6:10, along with a warning that, once there, the people should neither disobey God's commands, nor follow other gods. Finally, in 6:17-19, we get to the crux of the matter:

> Carefully observe the commandments of YHVH your God, and his statutes, and his judgments, as he has commanded you. And you shall do what is right and good in the sight of YHVH that it may go well with you, and that you may come and possess the good land that YHVH swore to your fathers to cast out all your enemies from before you, as YHVH has spoken (Deut. 6:17-19).

In these three verses we see an attempt to weave together two essential ideas: 1) the exclusive relationship with God, and 2) prospering in the land. The relationship with God has further been defined in the passages just preceding these as comprised of 1) obeying God's commandments and 2) refraining from worship of other gods. Following these verses, the text recalls the story of the Exodus and God's role in it, thus attempting to harmonize and unify Deuteronomy's worldview with what has been inherited from the book of Exodus. Overall, then, Chapter 6 attempts to draw together the essential ideas of the Israelite religion into a coherent whole. Here's God's oneness is proclaimed along with God's ultimate claim to the Israelites' hearts, souls (or lives) and wherewithal. Chapter 6 concludes with the statement that obeying God's commands will be the Israelites' "tzedakah"—their righteousness, thus equating biblical ethics with obedience to God.

As Deuteronomy weaves a particular relationship with God and ethics here into a coherent nomos, it also opens the door to perhaps the most problematic ethical element of any religion. Within the space of 36 verses from Deut. 6:1 to Deut 7:11, Deuteronomy presents loyalty to one God, and in our verse, obligatory violent aggression toward others outside the religious-national community as part of a single moral universe, proclaiming both as requirements for an ethical life. Part of "obeying" God is this commitment to exclusivencss that leads in 7:2 to the command to annihilate neighboring tribes. Finally, this text of terror is set as part of establishing Israel's holiness: "You shall be a holy people" (Deut 7:6). This need to be a people consecrated to God is given as the most explicit reason for *herem* war. The implication is that holiness itself, because of its demand of exclusivity between Israel and its God, requires the violence, and the violence is part of Israel's following the law, and shall be rewarded with prospering in the land.

Earlier, it was apparent that initial conquest of the land was not the real topic of our passage, but in the end, the land is certainly an essential part of the equation. The real fear, though, is not failing to conquer the land initially. Rather, as we have seen from the historical conquest, nominally, the land has already been successfully occupied. But the text's understanding of how the universe works is that without God's favor, Israel may lose its dominance in the land, either through failing to hold its own against the superpowers of its time, or through simply losing so much of its sense of cultural identity that it fails to remain a recognizable entity. Therefore, the land, as a symbol of all going well for Israel, is tied to Israelite distinctive cultural, religious and political identity, which is tied to Israel's relationship with God, which is tied to Israel's ability to resist foreign religious influences, which is tied to the idea of annihilation of the surrounding

peoples. This package of ideas is troubling in part because of its cohesiveness. Israel-in-the-promised-land becomes a single thought that signifies Israel-in-relationship-to-its-God, and both are tied to the destruction of other peoples and their ways. The violent attitude toward the Other here becomes integrated into the core of Israelite identity.

In this complex of ideas, the concept of holy war is born, and with it a worm that nibbles at the rose of ethical monotheism for the rest of history, threatening, in ages that value pluralism, to unravel the moral credibility of the tradition of which it is a foundation. Unfortunately, as we move on from the text itself to explore the interpretive traditions that have attached to it, this is where we leave the matter. Violence and identity are intertwined at the core of the text's moral universe. The interpretive tradition will either accept that mix of ideas or attempt to disassemble its parts and claim only some are truly core to the tradition. The presence of these ideas of violence and identity tied together in so fundamental a sacred text, however, means that there is always the possibility, especially in a moment of anxiety over the security and cohesiveness of religious identity, that they will reunite and ignite the potential for violence.

The Conquest of Canaan in Jewish Interpretive Tradition

Throughout history, most of the time, the religious convictions of those faiths that inherited the bible have not resulted in genocide, either in the land of Israel or beyond it, despite the bible's tolerance of, and even call for, ethnic violence in texts like the ones discussed in this thesis. The question then presents itself: what makes the difference between a text whose violent capacities lie dormant, and one that ignites the fire of destruction and sets it loose in the world? Perhaps the answer is contained, at least in part, in the interpretive tradition that directs the way the text is understood within the culture that calls it sacred. In terms of the biblical references to the conquest of Canaan, in each generation, Jewish tradition approaches the text out of its own concerns and its own moral center. Thus a review of the interpretations of conquest texts offers insights both into the texts themselves and into the moral universe of each generation of interpreters.

The Conquest in the Writings of Philo of Alexandria

The commentaries of Philo of Alexandria are often overlooked in Jewish discussions, and indeed, if our only concern were to clarify the halachah related to the conquest texts, Philo would not be much help, as his comments are not integrated into the ongoing rabbinic discussion that becomes the center of Jewish halachic understanding. However, Philo employs a wide range of interpretive strategies that have been categorized by Katell Berthelot. Moreover, many of these strategies, though not necessarily Philo's particular interpretations, are typical of later Jewish interpretive tradition. Further, most of his strategies seem to imply not only moral discomfort with the conquest narratives in their original form, but embarrassment about the light Philo fears

they shed on the Judaism he is trying to present as a civilized, elegant, and rational tradition. He is therefore a master of apologetic interpretations.

Louis H. Feldman is struck not by Philo's commentaries on the conquest, but by his silence: "It is striking that Philo, despite the fact that there is hardly a commandment that he does not refer to in one way or another in his numerous essays on passages of the bible, nowhere paraphrases or refers at all to any of the several biblical passages...that mention the commandment to eradicate the seven nations of Canaan" (Feldman 16). Katell Berthelot argues that silence is only one of Philo's approaches to the text, and in fact, Philo has four "hermeneutical strategies" for dealing with the conquest of Canaan: 1) to pass over the problematic texts in silence; 2) to play with the meaning of certain words; 3) to "justify the destruction of the Canaanites" on moral grounds; 4) to engage in a "creative rewriting of the biblical account" (Berthelot 40). All, Berthelot argues, indicate an underlying discomfort with the text itself.

A few of the texts Berthelot picks as illustrative of a particular exegetical approach are worthy of more specific mention. First, in addition to the four strategies listed above, Berthelot points out that Philo's usual favorite approach to text is allegorical. For example, in QE 2.17, Philo presents the Canaanite "pillars" as "the accepted opinions which seem to have been established and firmly supported, (...) some are good (...) while there are others which are reprehensible, and of these it is profitable to cause the destruction(...)" (Berthelot 41). Here Philo removes the discussion from the realm of warfare and places it in the realm of philosophy where its language of destruction is stripped of the possibility of doing physical harm.

Elsewhere, though, Philo allows the physicality of the text to remain, but finds

other ways to strip it of its violence. As with subsequent commentators, his favorite method is to choose to approach the topic through one of the texts that introduces ambiguity into the biblical command. In Virt. 109, he addresses Deut. 20:10-18: "They must not, he declares, be yet regarded as enemies, even if they are at the gates or stationed beside the walls in full array and planting their engines, until envoys have been sent with invitations to peace, so that if they yield they may obtain the supreme boon of friendship..." (Berthelot 42). Here while Philo has chosen a somewhat ambiguous text, he remarks on it as if there were no ambiguity at all, as if an initial offer of peace were definitely the standard rule of engagement. Berthelot counts this text as an example of Philo letting things he disagrees with go unremarked, for he skirts the issue of *herem* in verses 15-18 (Berthelot 42). His vague claim that there will be an attack and a victory does not acknowledge the specifics of that victory; he assiduously avoids mentioning that the text affirms that some nations are slated for complete annihilation. Finally, he does not address the issue that even when peace is offered, it has nothing to do with "friendship," but would have meant surrender and servitude.

The omission of the mention of obligatory *herem* of those nations that are named in Deut 20:17 is, according to Berthelot, a sign of "Philo's concern to show the human (philanthropos) character of the Mosaic laws and to defend them against accusations of misanthropy that seem to have been current in Alexandria at the beginning of the first century C.E" (Berthelot 42). Philo's commentary implies that Israelites fight only to defend themselves. Other passages from Philo similarly avoid mentioning the completeness of the annihilation ordered in Deuteronomy 20:17.

A second interpretive strategy appears in Philo's commentary on Num 21:1-3. Berthelot finds that here the interpretation rests on substituting a Greek concept for the Hebrew concept of *herem*, thus introducing word play as an interpretive device: "While they thus exhorted each other, they vowed to devote to God the cities of the king and the citizens in each as first fruits of the land and God, assenting to their prayers and inspiring courage into the Hebrews caused the army of the enemy to fall into their hands (Berthelot 45). Berthelot suggests that Philo bases his comment on the Greek concept of dedicating an object to a deity, a custom in which the object is "never destroyed" and ignoring the plain sense of the biblical story with its concept of herem as a complete destruction (Berthelot 46).

A third strategy Berthelot notices is moral justification of the conquest. First, in Quastiones in Genesim 2.65, Philo comments on the Canaanites' ancestor Canaan who is cursed in Gen. 9:18-27 as the descendent of Ham who saw his father naked and told his brothers about it. In this story, Philo sees the "ignobility and low-born alienness" that will result in God taking "away the land of the Canaanites after many generations." Still sensitive to the possible injustice of blaming a child for the sins of the father, Philo adds that "Canaan, the ruler and inhabitant of that country, practiced peculiar evils of his own" (Berthelot 49). Berthelot separates this strategy from the next, which is a creative rewriting of the biblical story. However, the claim that Canaan engaged in "evils of his own" could also be considered a rewriting, or at least supplying a creative back-story. As Berthelot points out, sometimes the creative rewriting is made out of whole cloth and does not rely on another biblical passage at all. For example, in Hypothetica 6.5-7 Philo claims: "I think it better to go not so much by the historical narrative as by what our

reason tells us...." He then implies that reason would compel us to believe the Israelites were "unwarlike and feeble, quite few in numbers and destitute of warlike equipment, but won the respect of their opponents who voluntarily surrendered their land" (Berthelot 52).

What we see in Philo overall is a battery of interpretive strategies used in an age (and by an interpreter) focused on apologetics. Philo's purpose in using these interpretive devices is to show Jewish tradition in the most favorable light. For him, operating in a Hellenized world where Jews were a minority and where the biblical worldview was in some ways already seen as primitive, it was important to frame the conquest story in a way that downplayed its violence and aggression.

If we add allegory to the strategies Berthelot list, we may discover that we have in Philo a microcosm of most Jewish interpretive approaches to the conquest of Canaan, even though the particulars of the interpretations will be very different in rabbinic discussions. The list below combines Berthelot's third and fourth categories, to focus on the approach to the text and not on the purpose it serves, as sometimes several purposes are served by a single rhetorical strategy. Here, then, are the major strategies employed in Jewish exegesis of the biblical passages on the Conquest and the violence against the Seven Nations.

1. Ignore or read selectively.

2. Create a new back-story or context for a passage. Often the back-story is created through an intertextual reference, but sometimes it is created out of whole cloth. Most frequently, the reference to another part of the bible creates the impression that the back-story is actually just a faithful interpretation and that there is nothing original or

innovative in it, thus allowing the commentator to invent something new and present it as something gleaned directly from the tradition. This rhetorical strategy is frequently used to justify the actions or ideas in the problematic passage, by setting it in a context in which the actions in it seem more reasonable.

3. Use word play or an atomized reading that over-literalizes the text. Usually the word play is used to change or limit the *pshat* (the straightforward meaning of the passage).

4. Allegorize, peeling the text out of its *pshat* and assigning symbolic or abstract values to pieces of the text.

Silence as an Interpretive Strategy

Given the remarkable attention rabbinic tradition gave to every jot and tittle of the Torah, silence on a text raises suspicion that the lack of remark constitutes deliberate evasion, rather than mere oversight. Silence, however, is exactly what reigns in much of the Talmud as well as on the pages of such major commentators as Rashi, Ibn Ezra, and Nachmanides, when it comes to explicating those Torah passages that are clearest in their call for the annihilation of other peoples.

In the Talmud, relatively little is said directly about the command to exterminate the Seven Nations. Even Avodah Zarah 20a, which directly engages with Deut. 7:2 skips the first half of the verse where the violence is commanded and picks up with the words *lo t'khaneim (*do not show them favor—which it renders variously as don't let them settle in the land, don't admire their gracefulness, and don't give them a free gift. The latter interpretation is then disputed, with Rabbi Meir asserting that actually it is permitted to give a free gift even to an idolater. The second interpretation—not to admire the beauty

of such a person—is then undercut by two stories where important rabbis, Shimon ben Gamliel and Rabbi Akiva, do just that.

These interpretations reduce the biblical verses to a discussion of permitted attitudes toward idol worshippers, completely ignoring the initial command that says that at least in the land of Israel, peoples of other religious cultures should be killed. Further, even in terms of determining appropriate attitudes toward non-Jews, the absoluteness of the command not to "t'khaneim" them—whatever definition be given to that word—is undermined by stories in which famous rabbis admire the beauty of non-Jewish women. As we will see in the next section, those Talmudic passages that will be most influential in setting the stage for later Jewish understanding of *herem* war are not presented as a direct comment on the main biblical passages at all. By delivering statements relevant to the discussion of the conquest without pinning them to the most problematic verses, the Talmud manages to evade the parts of the bible that would be hardest to soften or explain away.

Likewise, post-Talmudic commentary is careful about which verses it takes on directly. For example, Rashi, whose commentary often functions as a kind of store-house of previous interpretations, says nothing about the notion of absolute destruction of the peoples of the land in Deut 7:2. Instead, in his explication of the passage as a whole, he fusses with the precise meaning of the verb *nashal*—to cast way—which is what God will reportedly do to the Seven Nations. Rashi thereby puts the emphasis on God's role. Of the Israelites' obligation to actively take part in annihilating other peoples, he says not a word. Rashi picks up again at the end of verse two, where the command is "lo t'khaneim." Rashi leans on the commentary in Avoda Zarah 20a, and gives the following

comment: "Do not attribute favor to them. It is forbidden for anyone to say, 'how lovely is this gentile.' Another interpretation: Lo t'khaneim means don't give them a place to live in the land."

Rashi goes on to explore verse 4, where the explanation was given that intermarriage with the peoples of the land leads to idolatry. Rashi uses the verse to the support an assumption of matrilineal descent: "We have learned that the son of your daughter by a gentile is called your son, but the son of your son born from a gentile woman is not called your son, but her son." This comment draws on Yevamot 23A and Kiddushin 68b, which, likewise, are concerned with the status of a child of a mixed marriage—a far cry from the Torah passage, which forbids all mixed marriage. All of these comments demonstrate that Rashi is more interested in matters of religious identity than in matters of conquest per se. Further, there seems to be some reluctance on his part to focus directly on the matter of *herem* war in its least ambiguous biblical form.

Another prime example of a commentator passing over the most difficult passages in silence is Ibn Ezra. In his commentary on Deut 7:1-6, he has no comment on verse 7:2, which is the focus of the command of violence. Instead, like Rashi, he is absorbed by the grammar of the verb *nashal,* considering it essential to explain that the first letter, the *nun,* is part of the root of the verb. Then he clarifies who is meant by "his son" in verse three. Of the meaning of the verb *herem*, surely the most important part of the passage, and of the violence inherent in the command, he has nothing to say. The same is true of most other non-ambiguous passages calling for the annihilation of peoples. In his commentary on Deut. 31:5 which calls the Israelites to deal with the peoples of the land "in full accordance with the Instruction that I have enjoined upon you," Ibn Ezra asserts

that the instruction is to "break their pillars." This comment picks up on the echoed phraseology between Deut. 31:5 and Deut. 7:5, which speaks of destroying the objects and places of worship of the Seven Nations, but he evades any other instruction regarding the seven nations, including the numerous calls to destroy them.

Nachmanides, our third commentator simply skips over Deut. 7 verses 1-5 in his commentary and goes straight to verse 6 where he comments on the connection between Israel being God's treasure and being forbidden to serve the idols of the gods of other peoples. The effect of so many commentators skipping the least ambiguous and most violent passages of the Torah's verses on *herem* war, is that it leaves them free instead to concentrate on those passages that are more ambiguous, or to make general comments on the conquest that draw from the whole of the tradition with all its intricacies and contradictions. Thus Deut. 7:2, which is unequivocal in its call for the extermination of the seven nations is comparatively devoid of comment. The pages of interpretations on more ambiguous passages such as Deut. 2:24-28 and Deut. 20:10-18, however—passages that introduce the notion of sending a message of peace before engaging in battle—are crowded with the voices of commentators.

Rabbinic Presentations of the Conquest

Talmud

Although rabbinic tradition evades many of the most troubling biblical verses, it does address a variety of aspects related to the conquest and the command to destroy the Seven Nations. On the one hand, each age addresses the text from the perspective of its own concerns. On the other hand, over time, some standard understandings develop for several elements of the biblical conquest passages. In particular, Talmudic discussions of

the *herem* war against the Seven Nations establish three main points: 1. Regarding the list of Seven Nations, these groups no longer exist in an identifiable, clearly distinct form, as the nations have been mixed beyond any hope of clarifying who is who any more; 2. Biblical notions of war are to be divided into two categories—obligatory wars and non-obligatory wars; 3. The command for the conquest of Canaan has become wrapped in Messianic expectations and any movement back into the land must await its proper time.

The first point, the unidentifiable nature of the seven nations, appears in Berachot 28a, where an Ammonite asks whether he is permitted to convert to Judaism and is told by Rabbi Joshua that he may. Rabban Gamliel then asks:

> Is it not already said that, an Ammonite or a Moabite shall not enter into the community of God? R. Joshua said to him: Do Ammon and Moab still reside in the places where they dwelled? Sennacherib king of Assyria already went up and mixed up all the nations, as it says, "I have erased the borders of peoples and have plundered their treasures and have brought down as one mighty their inhabitants" and because of that whatever strays [from a group] is assumed to belong to the larger section of the group (Berachot 28a).

This commentary, though it is ostensibly on Deut. 23:3 which declares that Ammonites and Moabites cannot be admitted into the Israelite religious community, ends up coloring the understanding of other biblical texts that address a named people other than the Israelites, including the Seven Nations to be annihilated in the land of Canaan. The passage operates intertextually, bringing in Isaiah 10:13 with its report that peoples have been removed from their places of origin and scattered among one another. It also relies on close attention to words and a tendency to literalize the text. The passage proceeds from an assumption that when the text says the name of a certain nation, we are speaking only about that nation. According to the Talmudic reading, the nations listed in the bible are not abstractions. They are not symbols. They are not code for "one's

neighbors" or "non-Jews." An Ammonite means an Ammonite. The comments attributed to Rabbi Joshua in the Talmud text further raise questions of locale. The bible knew an Ammonite as someone residing in a particular place, with a particular ethnic heritage and a particular religious belief system. Once that web of expectations was broken and the blood of the nations was mixed and people scattered throughout one another's territories, the Talmud effectively says the entity the bible called "Ammonite" no longer exists. By extension, if the Ammonites no longer exist, neither do the other nations Sennacherib would have deported and scattered, including those nations Israel was commanded to destroy. Thus, the Talmud has paid attention to the exact wording of the text. In choosing to literalize the text, it has contained and limited the context in which violence may be applied. These interpretive choices have far-reaching effects and get codified in later tradition as halachah. So even in the Shulchan Aruch, Even HaEzer 4:10, the official Jewish stance is "Nowadays the nations are all mixed together."

The next Talmudic interpretive strategy similarly undermines any real possibility of engaging in a genocidal campaign against the Seven Nations. In its discussion of warfare, the Talmud divides wars into two categories: obligatory and non-obligatory. The category of obligatory war appears in Sotah 44b where there is a reference to *milchamot yehoshua likhbosh* (the wars of Joshua to conquer). This reference keeps the concept of a war in which the Israelites are commanded to engage. However, in attaching Joshua's name, the Talmud literalizes and limits the concept of an obligatory war of conquest. Instead of broadening the concept of such a war so that it could be applied in a variety of times and places, it restricts the concept to the language that surrounds the biblical situation in which such a war is described. The possibility of an obligatory war of defense

remains, but the kind of aggressive war of conquest described in Deuteronomy is "limited geographically to a particular locale consecrated to the survival" of Israel's "own religious-cultural expression" (Firestone, Holy War 107).

In addition to the idea of the *milchamot yehoshua likhbosh* with its limitations on the applicability of obligatory war, the Talmud developed the idea of the Three Vows (Firestone, Mitzvah 957-961; Ketubot 110b-111a). The Three Vows referred to a sentence that occurs three times in The Song of Songs: "I make you swear, o daughters of Jerusalem, by the gazelles and by the hinds of the field, do not wake or rouse love until it is wished" (Song of Songs 2:7, 3:5, 8:4). Jewish tradition rarely systematically turns the referents of a text into abstractions, symbols, or code for things in another realm entirely.[1] The Song of Songs is a notable exception to this anti-allegorical trend. The Song of Songs appears in Jewish interpretive tradition, not as a human love poem, but as an account of a love affair enacted on a plane the text itself never explicitly mentions: the relationship between God and Israel. The rabbis use this concept of the three vows to metaphorically reframe the (re-)conquest of Canaan in the terms of a lover waiting until the time is right. Taking that metaphor as the starting point, the Talmud makes a further leap, equating that particular consummation with the Messianic promise, which is not to be rushed. It must come in its own time. That rule is applied, in turn, to any thought of re-conquering Israel by force. This interpretation creates a halachic safeguard on the potential for zealous political action against Rome, an activity that had repeatedly ended in disaster for the Jewish people.

[1] A notable exception, of course, is Philo, but he has a unique position in the interpretive tradition, and his readings are rarely incorporated into the mainstream of subsequent Jewish interpretation.

In addition to curtailing zealous action against Rome, the Three Vows provided a way to cope with the theological problems incurred by the reality of the Jewish political and military position after the fall of the Second Temple. Reuven Firestone points out that biblical presentations of conquest and holy war are imbued with a theology that equates obedience to God with guaranteed military victory. In fact, this belief was clear from a close reading of Deut. 7:1-6, where loyalty to God was equated both with initial military victory over the surrounding nations and with ultimate conquest of the land. After the destruction of the Second Temple, however, and even more so, after the failed Bar Kochba revolt, rabbinic tradition began to reevaluate that equation. To prevent future disastrous military encounters, the rabbis built in both safeguards against reckless military campaigns, and ways to think about Jewish powerlessness that retained a belief in God's faithfulness (Firestone, Mitzvah 957-961).

Reuven Firestone summarizes the combined effect of the tightly defined obligatory war and the idea of the Three Vows, by saying: "One paradigm defined holy war in a way that made it virtually impossible to apply. The other detailed a delicate relationship between exile and redemption whereby Jews had virtually no option other than to accept their divinely ordained fate to live under the political hegemony of strangers" (Firestone, Mitzvah 958). Thus, in the Talmud two different interpretive techniques work to the same end. In limiting the Seven Nations to the particular list of nations mentioned in the bible and in defining of Deuteronomy's concept of a *herem* war as specifically *milchemot yehoshua likhbosh*, the Talmud uses the technique of attention to the literalness of the language to limit the applicability of the bible's *herem* war. In evoking the Song of Songs, the Talmud moves in the other direction, turning the elements

of the text into abstraction and metaphor, so that the love in the biblical poem becomes the love of God and Israel, and waiting for the right moment is framed as the messianic hope of eventual return to Israel, which is not to be rushed.

Medieval Commentators

In the Middle Ages, rabbinic commentators both reiterated and developed these Talmudic ideas. The concept of obligatory and non-obligatory wars appears in post-Talmudic interpretations, but, based largely on discussions of Deut. 20:10-18, disagreements emerge as to whether both should proceed only after an initial offer of peace. In fact, the question of the peace offer becomes one of two major foci for medieval discussion. Focusing on the more ambiguous biblical passages, commentators turn largely to arguments that recontextualize the command of the *herem* war in a way that both justifies the command when it is followed and limits the cases in which it would apply.

Deut. 20: 10-18 is perhaps the passage to receive the most attention of medieval commentators, with its distinction between what is to be done to cities far off and to the cities of nations that have been specifically identified as those the Israelites are to destroy. In his commentary on the passage, Rashi clarifies that the offer of peace to distant towns applies only to a *milchemet harshut,* an optional war, thus building his commentary on the Talmudic concepts of obligatory and non-obligatory wars. However, Rashi also asserts that if the town is "far off" and not subject to an obligatory war, even if members of the Seven Nations are present, they receive the call for peace and the ultimate fate of servitude, rather than the annihilation other biblical passages demand. He hangs his entire interpretation on a single word—*kol* (all) in verse 11: "If it answers you

in peace and opens to you, all the people found within it will be forced labor for you and will serve you" (Deut. 20:11). If a city accepts peace, then all its residents go into servitude, and if they're all in servitude, Rashi reasons that means they are allowed to live—even if some are members of the Seven Nations.

Basing his interpretation on Sifre 200, Rashi adds that the verse that says "If it does not make peace with you but makes war with you" really means that "if it does not make peace with you, its end will be to make war with you if you abandon it and go." This interpretation shows sensitivity to the fact that scripture only presents two options for a city's behavior: making peace (which means full surrender and going into servitude) and making war. The text does not consider the possibility a city might just sit there and mind its own business indefinitely. Sifre and Rashi weave their interpretation from that lack of a third possibility, clarifying that "sofa"—its end—will be war. Here then, Rashi's attention to language allows him, with the addition of a single word, to justify Israelite warfare as an act of defense, for the city that will not accept peace, according to Rashi, will eventually attack.

A similar technique is used in Rashi's comment on verse 18. Here Rashi again relies on minute attention to language. Borrowing his idea from Sifre, Rashi notes that the verse says the nations are to be destroyed "so that they will not teach you to act according to their abominations which they do for their gods." Noting the causal language Rashi seeks to remove the necessity of violence by removing its cause. He claims that the phrase "so that they will not teach you" implies that "if they repented and converted, it is permissible for you to accept them."

Rashi's conclusion that peace and servitude—rather than death—may be offered even to members of the Seven Nations may not resolve the passage's difficulties for the modern reader, for whom peace that implies servitude of an entire population still feels like the vision of a harsh and primitive world. Nor may it satisfy the modern reader that Rashi claims that the more lenient option of offering peace applies only to a *milkhemet harshut,* an optional war. Still, it is of interest that theoretically, interpretations based on attention to linguistic detail and word play might have led to any number of interpretive conclusions, but in all cases, Rashi used them to limit the scope of the violence in the text, or to morally justify any violence by declaring it an act of defense. By the end of Rashi's comments on Deut. 20:10-18, if we add up the different interpretive suggestions, Rashi has claimed that peace and servitude, rather than annihilation, are offered even to members of the Seven Nations if they are in one of these far off cities. Also, the reason such cities are to be attacked is that sooner or later they will no doubt attack the Israelites. This interpretation makes Israel's violence sound like it is an act of defense (albeit a kind of proactive, preventative defense) rather than an act of aggression. Finally, his commentary has offered a way out of violence altogether, namely repentance and conversion.

Rashi uses a slightly different approach in his commentary on Deut. 2:24-28. In his explication of Deut. 2:28 he uses a midrashic strategy, filling in the missing pieces of the biblical passage, and thus creating a new context in which it can be understood—and justified. Struck by the contrast between verses 24-27 where the people are told to engage Sihon in battle, and verse 28 where Moses instead sends a message of peace, Rashi builds on Avodah Zarah 25a to fill in Moses' thought process:

> Although HaMakom did not command me to give a message of peace to Sihon, I learned to do so from the event in the wilderness of Sinai, from the Torah, which preceded the creation of the world. When the Holy One was about to give it to Israel, he brought it to Esau and Ishmael, even though he knew they wouldn't accept it, nevertheless he offered them a gesture of peace. So too, I went first to Sihon with words of peace. Another explanation: from the wilderness of Kedemot, I learned from you who preceded the world, you could have sent for a single lightening bolt and burned up the Egyptians, but you sent me instead from the wilderness to Pharaoh to say "Send out my people" patiently.

In the commentaries by Philo we saw that creative additions and recontextualizations generally served the purpose of moral justification of the passage at hand, and that they often operated inter-textually, drawing inspiration from a part of the bible distant from the passage actually under discussion. Rashi's commentary here follows these same patterns. Borrowing his interpretation from Talmudic explanations, he weaves in a well-known midrash about God going to the other nations with the offer of Torah, and then he weaves in the Exodus story, joining them all to create alternative contexts in which to understand Deut. 2:28. The commentary accomplishes several things at once. First, it is an attempt to harmonize different pieces of the tradition, thus implying they are all part of a coherent whole. Second, the commentary deals with the interpretive difficulty of the text at hand, explaining the apparent inconsistency between Moses' offer of peace and God's encouragement to enjoin battle. Finally, it implies that not only was Moses right to first offer peace to Sihon, but that peace should always be offered before battle is engaged (at least in a non-obligatory war), even if it is a war that involves members of the Seven Nations.

One of the things we note in Medieval commentaries is that they are often as much a conversation among different generations of commentators as they are explications of the biblical passage itself. For example, when Nachmanides addresses

Deut. 20:10-18, he comments not only on the bible, but on Rashi's interpretation of it. He disagrees with Rashi on the offer of peace being only in a situation of a war that is not obligatory, and he broadens the obligation to offer peace to apply to all wars:

> But the call for peace before applies even to an obligatory war. It requires us to offer peace-terms even to the seven nations, for Moses proclaimed peace to Sihon, king of the Amorites, and he would not have transgressed both the positive and the negative commandments in this section: "but you shall utterly annihilate them" (Deut 20:18), and "you shall let no soul remain alive" (Deut 20.16). Rather the difference between them (i.e., obligatory and permissible wars) is when the enemy does not make peace and continues to make war. Then, in case of the cities which are very far off, Scripture commands us to smite every male thereof and keep alive the women and male children, but in the cities of those peoples (i.e., the seven nations of Canaan in the event they refuse the call for peace), it commanded us to destroy even the women and children. And so did our Rabbis say in Deuteronomy Rabbah and also in Tanhuma and in the Talmud Yerushalmi: Joshua the son of Nun fulfilled the laws of this section. What did Joshua do? Wherever he went to conquer he would send a proclamation in which he wrote: "he who wishes to make peace may come forward and make peace; he who wishes to leave may leave, and he who wishes to make war may make war." The Girgashite left. With the Gibeonites who made peace, Joshua made peace (tr. Chavel, Ramban 238-9).

Nachmanides' comments are intertextual, pulling in a reading of the book of Joshua based on Leviticus Rabbah 17. 6. Here the concern has shifted from the obligation to kill the nations, to the concept of fair warning. He relies on midrash to present war always in the light of a peace that has been refused. In using this particular midrash at the end of his comment, he justifies any ultimate violence against other peoples, implying it is they who "wish to make war." He also places limits on the violence the bible presented without qualifiers, for he leaves war as the last resort after peace has been offered and declined. The bible made war a command and put limits on the offer of peace. Nachmanides has used the story of Joshua's warning to the nations to reverse that pattern. The offer of peace is unrestricted. War is limited to those situations where peace has been rejected by the adversary.

Another conversation among commentators—and a significant difference of opinion—unfolds between Nachmanides and Maimonides. Maimonides lists the conquest of Canaan and the destruction of the Seven Nations in his list of the 613 commandments: "By this injunction we are commanded to exterminate the Seven Nations that inhabited the land of Canaan, because they are the root and very foundation of idolatry. This injunction is contained in God's words, 'You shall utterly destroy them.' (....) There are many passages in Scripture which strongly urge and exhort us to exterminate them, and war against them is obligatory" (Positive Commandment187).[2] In the same text, Maimonides continues to clarify that "One might think that this commandment is not binding for all time, seeing that the seven nations have long ceased to exist; but that opinion will be entertained only by one who has not grasped the distinction between commandments which are binding for all time and those which are not" (Positive Commandment 187). For Maimonides, the annihilation of the Seven Nations is an eternal obligation. On the other hand, both here and at the end of his explication of positive commandment 187, Maimonides has also invoked the Talmudic idea that the Seven Nations have sufficiently dissolved into other peoples that actually pursuing a war against them is impractical: "...we are commanded to root them out and pursue them throughout all generations until they are destroyed completely. Thus we did until their destruction was completed by David and this remnant was scattered and intermingled with the other nations, so that no trace of them remains" (Positive Commandment 187). Ultimately Maimonides has combined an affirmation of the binding nature of the herem commandment and a reference to the impracticality of ever carrying it out, making it

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[2] All translations of Maimonides here are by Rabbi Charles Chavel. Sefer Ha-Mitzvot of Maimonides. London: Soncino Press 1967.

appear as if Maimonides feels safe in calling for the extermination of the peoples of the land precisely because he has just rendered any serious attempt at doing so impossible.

While Maimonides includes the command regarding the Seven Nations in his list of commandments, he does not explicitly include a command to conquer the land itself (Firestone, Mitzvah 963). Nachamides, on the other hand, does just the opposite. He emphasizes the command to conquer the land but does not dwell on the command of *herem*: "This land is not to be left in their hands, or in the hands of any nation, in any generation whatsoever... Behold we are commanded with conquest in every generation... this is a positive commandment, which applies in every time...." (Positive Commandment 4 of the Ramban's supplement to the Rambam's Sefer HaMitzvot.)

Given that Rashi (and Sifre) concluded that there is a way out of the *herem* command—which is for those who have been idolaters to cease to be so, one might think that if there were a deep concern for preventing violence, an easy way to do it would be to declare all Christians and Muslims not to be idolaters. While there is, in deed, medieval discussion of the state of Christians and Jews, a clear statement regarding their status comes only in the thirteenth century with Menahem Ha-Meiri. Noting that few people observe the restrictions against gentiles in his day, in Beit Ha-Bechirah, in his commentary on the Talmud's Avodah Zarah, Ha-Meiri makes a distinction between the non-Jewish religions of his day and those against whom there were restrictions in the Talmud, with the implication that Christians and Muslims are not "akum" idolaters, but are ummot ha-gedurot be-darkhe hadatot, "nations restricted by the ways of religion" (Schulweis). It is interesting, however, that Ha-Meiri makes his statement as a comment on Talmud, not on the bible. Even the disagreement between Maimonides and

Nachmanides is not really based on close textual analysis of the bible. By the High Middle Ages commentators sometimes seem as concerned with the works of other commentators as with the bible itself. They seem to have a consciousness of being part of a larger discussion, and they attempt to respond to the tradition as a whole, including the mass of various texts, comments and midrashim.

In general, we leave the realm of mainstream medieval commentaries with the sense that some of the violence of the biblical texts on conquest and the *herem* war has been undercut by the idea of offering peace before any attack, but both the command of destruction and the command to enter the land in every generation remain part of the tradition in some form, through the work of Maimonides and Nachmanides. The commentators, it turns out, are as ambiguous and contradictory as the biblical text itself, and the text therefore retains the possibility of reemerging as a call to violence in later tradition.

Mystical Interpretive Strategies

After Philo and the Talmud's use of the Three Vows, the habit of reframing textual referents as metaphor doesn't come into play in a significant way again until the Zohar. In the Zohar, however, we see some new trends both in terms of interpretive strategies and in terms of the direction of the interpretive conclusions. In the bible, the Seven Nations were attacked for only two reasons: because they were inhabiting the land the Israelites expected to possess (and, according to the biblical narrative, God intended to give them), and because they engaged in idolatrous practices. In the highly spiritualized world of the Zohar, reasons for hostility become spiritualized. The Seven Nations become equated with demonic forces, eternally associated with the *sitra achra*,

the "other side," meaning the realm of impurity and of *din* (law, judgment) unrestrained by mercy or love. This spiritualizing and absolutizing of the Seven Nations means they cannot escape their identity as "enemy" by surrender, repentance for their idolatrous ways, or acceptance of peace. They are, by nature, equated with that which must be contained or destroyed in order for the world to be repaired. As one Zoharic description of the Nations puts it, they are "unclean and come from the Side of Uncleanness. Each cleaves to his own place, Israel with those from the side of holiness, and the heathen nations with those from the side of uncleanness" (Zohar, Shmini 116).

If most of the other interpretations moved in the direction of mitigating the harshness of the text, the Zohar's attitude seems to be going in the opposite direction. On the one hand, it does not engage in a discussion of warfare, per se. On the other hand, it mythologizes relations between Israel and other nations, allowing for a demonizing of the Other on spiritual grounds. In the Zohar, the Nations lock eternally into a position of opposition to Israel.

After the Zohar, metaphoric interpretations are mostly taken up by Chassidut. In Chassidic interpretations, however, the Seven Nations are no longer envisioned as external entities, but as internal qualities. The Canaanites become "the love of other things" as opposed to the love of God, and the Hittites represent the opposite of fear of God. These ideas, attributed to the Baal Shem Tov (Sefer Baal Shem Tov, Shemot) are typical of Chassidic references to the Seven Nations. Sometimes the Nations appear as alien thoughts to be avoided during prayer. In general, Chassidic interpretations follow the Zohar's equation of the Seven nations with impurity but internalize them. The implication is that any war against them is a war against one's own evil impulses.

The Conquest and Religious Zionism

According to Reuven Firestone, the conquest texts began working their way back into rhetoric and consciousness in modern times with the growth of Religious Zionism, and even more so after the 1967 war. The unexpected 1967 Israeli victory brought the messianic rhetoric that had always been a trope in Zionism into the foreground. Ancient hopes mingled with modern military prowess to reawaken an interest in the meaning of Jewish presence in the land and even "the meaning of the Israeli army" in terms of the messianic dream (Firestone, Mitzvah 965).

As settlers increasingly moved into the new territories, biblical references to the promise that the Jews would flourish in the land became part of the established rhetoric. In general, religious Zionists inherited Nachmanides' idea that the command was to inhabit the land, to reconquer it in every generation. For example, Religious Zionist, Zvi Yehuda Kook wrote in "From the Redeeming Torah":

> With regard to the commandment to conquer the Land of Israel, the obligation is imposed on us and we are enjoined to enter a state of war in order to fulfill it, even if we be killed. This is a special precept and as such is on par with all the rest of the Torah,...namely, that the entire land, its borders and straits, be in our hands and not those of some other nation (Zemer 216).

Kook also remarked that the land must be "only in our hands, the hands of the godly nation" (Zemer 217). This statement presents Jews as having a special spiritual status as opposed to other nations, who, by implication, are not considered godly. This framing of the opposition between Israel and the nations is reminiscent of the Zohar with its dualized conception of the universe and its juxtaposition of Israel against the other nations. The spiritualizing of the Jewish character here does not, however, mean that Kook had some sort of otherworldly plan for the conquest. In a very this-worldly statement and a direct

evocation of the biblical idea that the conquest is commanded and is accomplished through a bloody conflict, Kook wrote: "The principle mitzvah is conquest—war. This is a matter for the entire Jewish People....This is authentic Halachah" (Zemer 217).

While conquest—accomplished through war—became an ideal in this kind of extreme religious Zionism, on the other hand, the writings of Religious Zionism do not, in general, refer to the Arabs as either members of the Seven Nations or as idolaters. The implication is that the Talmudic and later limitations held firm: the Seven Nations were still defined as the particular peoples listed in the bible, who were now completely mixed with everyone else. Likewise, the determination of Ha-Meiri that Christians and Muslims were not idolaters remained in tact in Zionist conceptions. This combination meant there was neither a particular group mentioned in the Torah to annihilate, nor a Torah-instigated reason to annihilate them. War was incorporated into Zionist rhetoric; for the most part, total annihilation of the enemy as representatives of the Seven Nations was not.

Unfortunately, the victory in 1967 and the increased violence and hostility in the region gave rise to an even more virulent rhetoric against other occupants of the land of Israel, at least among some of settlers who moved into the newly acquired territories. What the Talmud seems to have intended as a limitation backfired. Finding no reason to refer to the Arabs as the Seven Nations or as idolaters, settlers sometimes cast the Arabs in another biblical role: that of Amalek. For example, consider these statements by settlers, reported by Jeffrey Goldberg, writing for the New Yorker:

> Moshe Feiglin, the Likud activist, told me, "The Arabs engage in typical Amalek behavior. I can't prove this genetically, but this is the behavior of Amalek." When I asked Benzi Lieberman, the chairman of the council of settlements—the umbrella group of all settlements in the West Bank and Gaza—if he thought the

> Amalekites existed today, he said, "The Palestinians are Amalek!" Lieberman went on, "We will destroy them. We won't kill them all. But we will destroy their ability to think as a nation. We will destroy Palestinian nationalism" (Goldberg 14).

Amalek is an even more difficult metaphor than the Seven Nations because Jewish tradition doesn't explicitly state that Amalek is limited to a particular time and place or ethnic origin. Whereas the tradition literalized and limited the Seven Nations, it made an abstraction out of Amalek. While real enemies have rarely been equated with Amalek, the potential was always there in the case of a particularly loathed enemy, such as Hitler or the Nazi's, for the adversary to appear in the Jewish imagination in the guise of Amalek, the absolutized form of the concept of the hostile Other, the unequivocal and eternal enemy.

Conclusion

Biblical accounts of the conquest were concerned explicitly with two things: conquering the land and conquering the urge to assimilate, expressed as a desire to engage in idolatrous religious practices. The underlying value seems to have been protection of the religious-cultural boundaries of the group. The bible therefore framed its understanding of the good in terms of resisting the lure of other nations' practices. That good is central not only to the text's concept of morality but its understanding of what it means to survive. The text also made certain theological assumptions: 1) God has given the land of Canaan to the Israelites, 2) God both desires the annihilation of the idolatrous Canaanite nations and is instrumental in their destruction, 3) If (and only if) the Israelites are faithful and resist idolatry, God will grant success in conquest, possession of the land, and future prosperity of and in the land. Loyalty to God, success in battle, acquisition of

the land, and hostility toward the other inhabitants of the land are therefore closely linked in the biblical text.

The Talmud began to quietly dismantle the package of ideas the bible had so carefully put together. Given the destruction of the Temple, and perhaps even more traumatically, the failure of the Bar Kochba rebellion, the Talmud needed to undermine the expectation that God would ensure Jewish victory in a war to regain control of the land. In other words, the Talmud had to disentangle the idea that God and Israel were in covenant from the ideas that if Israel were faithful it would a) be granted victory in battle and b) it would gain sovereignty over the land. Thus Talmudic interpretations worked to keep Jews of the time from engaging in foolhardy rebellions against Rome, and they served as a kind of theodicy. If Jewish physical survival depended on not raising the ire of Roman rulers, Jewish spiritual survival of the times depended on not destroying the faith that God stands by the covenant, a faith that had been sorely tested by repeated catastrophic military defeats. Talmudic interpretation, like the biblical text, was therefore concerned with Jewish cultural-religious identity, but the threat in the Talmud's time was not so much idolatry as a loss of faith from within, given the hardships that could easily be seen as a disintegration of God's covenantal promises. Thus the core of the Talmud's moral universe in relation to conquest narratives was to uphold the message that the story of God and the Jewish people was not yet over, but the time was not right to fulfill the messianic expectations of return to the land.

Medieval rabbinic interpretations shifted the moral landscape once again. There was vital interest in the interpretive tradition itself, manifested in the fact that Rashi's commentaries often functioned as a kind warehouse of prior interpretations to which he

added a tweak or a nuance. Likewise, subsequent commentators commented on Rashi and on one another. Also, the emphasis on intertextual readings in both Talmud and later rabbinic interpretations indicates that while defining the boundaries of Jewish identity was still a central concern, that task was often addressed through harmonizing and unifying aspects of the tradition in an attempt to create some sort of coherent whole. The violence of the biblical conquest received little direct attention, as if the Talmudic discussion had effectively taken the question of physical conquest off the table. Instead, attention was turned to questions of how and when to offer peace—a question that seems to imply that the commentators wanted the Jewish people to be seen as a people who are essentially peace-loving, and perhaps that they themselves wanted to have that opinion of their people and their tradition.

Finally, in the discussion between Maimonides and Nachmanides, commentary focused on trying to identify what really was commanded in the first place. Is it annihilation of the Seven Nations—a task determined by the Talmud to be impractical? Or is it, as Nachmanides suggests, living in Israel? Is presence the equivalent of conquest? These questions reflect the growing interest in codification, as does the fact Maimonides' most salient comments appear not as an exegesis of the bible but as part of his attempt to codify the list of commandments. The codifying impulse seems to indicate an increased concern for what can be assumed to be eternally binding in the text. Further removed from any real possibility of acting on an urge to retake Jerusalem or banish any other people from anywhere, these texts are less nervous about letting some of the violence of the biblical text remain.

In the Zohar and Chassidic interpretations, the focus changed again. Both, in their

respective ways, were interested in the spiritual plane of existence. If the bible was concerned with life in the land of Israel and with idolatry, by the time of the Zohar, literal idolatry had faded into the background as a concern, and the Seven Nations came to represent cosmic negative forces. In modern times, liberal voices often fear fundamentalism—the literalizing of texts—but as we see from the contrast between the Zohar's metaphoric understanding of the nations as representative of cosmic forces, versus the Talmud's literalizing of the seven named nations, literalizing is sometimes a means of limiting the effect of a difficult passage. To literalize it is to confine it to the exact terms, times, and locales the text dictates. Turning the elements of a text into an abstraction or a metaphor, on the other hand, can work either of two ways. In Chassidut, turning the Seven Nations into metaphors of internal qualities rendered the rhetoric of the text harmless in terms of any military applications. In the Zohar, turning the Seven Nations into abstractions spiritualized the conflict between them and Israel, making Israel pure and the Seven Nations impure and even demonic. Thus, the Zoharic text went beyond the biblical text in demonizing the Other.

In Religious Zionism, in some ways the interpretive project regarding the conquest came full circle. Religious Zionism went back to some of the original biblical concepts of the conquest, and it began reassembling the theological package the Talmud had sought to dismantle. Especially after 1967, the biblical idea that military victory is a sign of God's favor began to reemerge. Along with that biblical idea came a renewed interest in conquest of Israel as both a biblical promise and as an enduring command and obligation placed on the Jewish people. In a sense, Zionism picked up on various strands of interpretation throughout the ages. It accepted Nachmanides' idea that the command to

live in Israel was binding for all generations. On its most extreme edges, it also adopted some of the mythologizing tendencies of the Zohar, which turned the hostility between Israel and its neighbors into a metaphor of the pure against the impure. On the fringes of Religious Zionism, new rhetoric equating Arabs with Amalek emerged, showing that once an idea—such as the capacity to imagine the Other in absolutely negative terms—has entered a culture by way of its texts, even if it lies dormant for centuries, there is always some danger of a new political and historical moment rousing it from sleep. Meanwhile, however, for the most part, the Talmud's limitation of the Seven Nations to a particular set of peoples long ago dissolved into oblivion held firm, serving to weaken the link between the modern enterprise of acquiring new territory in Israel and the biblical command of a *herem* war.

Conclusion: An Interpretation for An Age of Pluralism

Having reviewed the interpretations of the biblical conquest throughout the ages, the question becomes: is there anything these texts have to teach in modernity? Is there anything yet to gain from them? True, the viewpoint of Religious Zionists represents a modern approach to the text, but Religious Zionism is not necessarily a mainstream phenomenon. What does the text have to say to everyone else? Further, in an age where religious concepts of divinely sanctioned war have sometimes erupted into actual violence, is there anything our generation is ethically obligated to say about this particular textual tradition? What wisdom have the experiences of our era given that might enable us to see the text in new ways?

To answer some of these questions, a good place to begin is the text explored in Chapter Three of this thesis. Deut. 7:1-6 encapsulates many of the central ideas raised in biblical conquest texts. In its starkness and its unequivocal call for violence, this text offers the opportunity to confront the biblical ideas of conquest in their rawest form. Therefore, what follows is an interpretation of these six lines using some of the same strategies seen in the interpretations of other ages: 1) Reconsidering the context in which to understand the text, in part by finding intertextual references that shed light on the passage, 2) Word play and close attention to the details of the language, 3) Considering the text as metaphor.

Let us begin with the first line of the text: "When YHVH brings you to the land to which you are going, to possess it, and sweeps the many nations from before you—the Hittites and the Girgashites and the Amorites and the Canaanites and the Perizites and the

Hivites and the Jebusites—seven nations greater and mightier than you..." (Deut. 7:1). If we take a closer look at the specific list of Canaanite nations and consider their appearance elsewhere in the bible, we find that the text calls our attention to subtle lines of connection between the Israelites and those they are identifying as Other and Enemy. The Canaanites are first identified by the bible as the descendents of Noah's grandson, Canaan. The Israelites descend from another of Noah's sons, Shem (Gen 11:10-26). Therefore, the Canaanites are the Israelites' cousins. Of course, such genealogical histories in the bible have little to do with biological connection, but they are meaningful nonetheless. They are signs that the bible could not think of any other way to describe the relations between peoples other than as a family. The bible describes most of the other tribes from the list of Seven Nations also as Canaan's descendents: "Canaan begot Sidon, his first-born, and Het; and the Jebusites, the Amorites, the Girgashites, the Hivites, the Arkites, the Sinites, the Arvadites, the Zemarites, and the Hamatites. Afterward the families of the Canaanites spread out" (Gen. 10:15-18). Five of the Seven Nations are listed in this passage, conceived by the bible as distant relatives.

Perhaps that notion of relatedness evolves simply from the bible's conception of the way human society is constructed—as a web of complicated familial ties. On the other hand, part of that vision of relatedness may have emerged from a real memory of the historical development of the Israelites, who many scholars think may indeed have emerged from within the Canaanite culture, slowly evolving into a separate people, rather than coming upon the Canaanites as foreigners and conquering the land as outsiders. Whatever the reason, however, the important thing is that the text holds out two possibilities for understanding the Seven Nations. The *pshat* (the apparent and explicit

message of the text) demands we see the nations as Other, and as an impediment to the Israelites reaching their goal of inhabiting the land. They are to be discarded, to be swept away. But underneath that story lies another one: the story of peoples springing from a common origin, the reminder that the enemy is really "one of us," the Other is a member of the family.

Another thing to notice about the text is the mysterious little word at the end of verse 2: "t'khaneim." There are many translations of *t'khaneim,* from Onkelus' rendering that the Israelites should not *t'rakhem* the other peoples—show them compassion and mercy--to the Bavli's conclusion in Avodah Zarah 20a that the Israelites are not to give the other nations land, or free gifts, or an appreciative look. All these renderings suggest that "t'khaneim" refers to that first impulse toward the Other, from which the text fears intermarriage or idolatry will follow. Even a look that notices the attractiveness of the Other may lead Israel to stray. Even having other religious cultures somewhere nearby may lead the Israelites to abandon their own inheritance and follow someone else's. Even allowing some measure of fellow human feeling—mercy or compassion—could lead to disaster. To feel the compassion or mercy that invites the Other to take his place as fully human would cause an emotional landslide that would lead to Israel disappearing as itself. So tenuous is Israel's hold on its own identity and its religious obligations that that nascent identity may crumble if an Israelite's eyes meet the eyes of the Other in friendliness.

But what does all this insistence on not allowing any sort of interaction with the other tribes tell us? What is the implication of the long list of things the Israelites are not to do, including making a treaty/ covenant, engaging in whatever activity is meant by "lo

t'khaneim," marrying, or practicing the other's religious observances. The overall impression is that Israel is told no, no, no, because in every way—politically, socially, and culturally, it yearns for the Other. The text's prohibitions are pitted against an overwhelming longing for the Other, a longing that no amount of threat or command entirely overcomes. It is as if the text must spell out every possible form of interaction as forbidden, because if it only mentioned treaties (*brit*), then the Israelites would still marry, and if it only mentioned marriage, then the Israelites would still borrow cultural-religious practices from its neighbors. Thus while the text attempts to warn against the Other, the subtext records the memory that even in a time of struggle, even in a time of tribal squabbles, deep within the heart, the longing for the Other remained unshakable. Compassion, mercy, even desire, as well as interaction on every level—political, social, and cultural—are bundled together into what the text resists, because they all comprise pieces of a human impulse toward the Other that no amount of warning can erase. The conquest texts, strangely, perhaps more than any other biblical texts, give voice to the eternality of this longing among peoples, for no amount of resistance to the longing is effective. Like daisies that break through concrete, the love of other peoples, the curiosity about their cultures, the human resonance that comes through as compassion—all are undeniable, unquenchable, irresistible.

Of course, according to the text, this desire for the Other is as dangerous as it is inevitable, for it is a level of desire that threatens to sweep away Israel's memory of who it is and the core of its religious identity. Richard Nelson titles a section of his commentary on Deuteronomy, "Israel as a Countercultural Society." This suggestive title frames the biblical passage as a whole as a struggle against assimilation in general, and a

struggle against acquiescing to cultural values not inherent in the Israelites' own identity. The problem is that culture and its values are contagious, and as Nelson also points out, the only way the Israelites can think to resist the culture of their neighbors is to go into a kind of "theological quarantine" (Nelson, Deuteronomy 249). It is the need for that theological quarantine that leads to another key word in the text: *herem*.

The idea here of *herem*, when set against the desire for the Other, may be an objectification—a pushing out into the external realm—of the Israelites' deepest fear. Destroy, yes destroy the Other, says the text, but the destruction is what the Israelites themselves feel happening on an internal level. One friendly look, the text seems to say, and this emerging nation will cease to be itself; its boundaries will dissolve and it will merge into the Other entirely. Later in verse 16 the text encourages Israel to devour the Other, literally to eat them (*v'achalta*). But it is the Israelite nation that seems to feels it is on the verge of being devoured, consumed by the Other's culture.

On a psychological level, then, *herem* is the expression of the threat the Israelite nation itself feels that it may disappear at any moment. Even the divine threats of annihilation of the Israelites may be related to this fear. Such threats constitute one part real religious belief that there are terrible consequences for disobedience to God. The threats may also function, however, as an objective correlative that expresses the panic of a nation afraid it is already facing annihilation--it may melt away and be absorbed into the surrounding cultures.

In general, Israelite religion appears in the text as a cultural marker and a litmus test for the degree the Israelites have attained a distinct national identity. As much as God functions as an object of worship in these texts, God and the entire program of Israelite

belief and worship function on sociological and psychological levels as unifying elements in Israelite culture. Contemporary scholars like Ronald Hendel argue that the forms of religion recorded in the bible developed during the long period when the ancient Israelites were emerging as a distinct people (Hendel 47). Israelite cultic practices were focal points around which group identity coalesced, and in fact, that may be the way religion works in most cultures. This function of religion helps explain why there are no texts universally revered as sacred, even though many traditions have teachings and even stories and sayings in common. When we say a text or tradition or behavior is sacred, we usually mean "sacred to a particular community." Religion is both a product and a producer of distinct cultures. As the emerging Israelite nation encountered other forms of religious practice, it confronted the possibility that their developing religious identity—one of the main center-points of their uniqueness—might disintegrate. If they encountered someone else's religious culture too intimately, the center of their identity might not hold, and they would be lost to themselves.

So the text tells us both that the Israelites longed for their neighbors, and that they feared merging, being swallowed up by their neighbors, seduced by their neighbors' cultures, and perhaps even devoured by their own longing for their neighbors, if that longing were allowed to develop without restraint. If we look at the text from the perspective of this kind of emotional and cultural context, what does all this tell us? It tells us that the Israelite nation behaves here like a person on the threshold of sexual discovery, who vehemently claims to be uninterested in its object of desire, in order to cover up a confusion of feelings. In Deuteronomy, the entire nation of Israel is like an inexperienced lover rejecting a love interest precisely in proportion to the level of desire

felt, because the desire is accompanied by a fear of being overwhelmed and consumed. The biblical text cannot find a way to make Israel stop desiring its neighbors' cultures or its neighbors themselves, and it cannot conceive of a love that is moderate, that would enable Israel to remain an independent entity. The desire is overwhelming and total, and so is the fear of being swallowed up by that love. Absolute rejection—to the point of a fantasy that imagines the Other can be made to totally disappear (either through divine intervention or through Israelite violence)—is the only way to counteract a desire that is also absolute.

We come now to a third key word in the passage: *kadosh*. Israel is to be *kadosh*. The surrounding nations are to be *herem*. The text has set the two up as opposites, but a deeper look shows that the two states are connected. As Bruce Routledge suggests, *herem* describes the situation where God accepts the gift of booty or captives and holds them as "inalienable possessions" (Routledge 237-238). However, the Israelites, through their being an *am segullah* and an *am kadosh* (a treasured people, a holy people), are also God's inalienable possessions. In the bible, *segullah* can refer either to people (Deut. 7:6) or to physical treasure meant for the Temple (1 Chronicles 29:3). *Herem,* too, can refer either to inhabitants of a city, or to treasure taken in war—treasure that is not to be used by individuals but is dedicated to the Temple. So both the other nations and Israel are taken from the world of ordinary things and become the human equivalent of Temple treasures, exclusive possessions of God. As Richard Nelson explains, "That which is holy has an unmediated relationship to Yahweh" (Nelson, Deuteronomy 100). Like that which is *herem*, Israel in its role as an *am kadosh*, a holy people, has a direct, inviolable connection to the divine. Ultimately then, *herem* and *kadosh* both refer to being dedicated

to God. They are not truly opposites; they are shadows of one another, two sides of a single coin.

Once again, then, the text deconstructs the meaning it proclaims. The Other is not like us, says the text. The Other is entirely different and should be kept away. Even as the text insists on the otherness of the Israelites' neighbors, however, it admits that both the Israelites and the other nations belong to God in a special, inalienable way. The peoples of the land, like the Israelites, can be understood to be in a devoted relationship to God. They, too, are consecrated. They, too, have a relationship to the deity that is unique and that no one else may enter. Seen from this perspective, there is a kind of equality in this passage. Israel enters its own unique, inviolable relationship with God, and so do other nations.

Herem of the other nations is offered as the answer to the Israelites' fear that they will be carried away from God by love of the Other and the Other's culture. *Herem* is the removal of the Other from interaction with the Israelites, locking the Other away with God in an untouchable place, so that the Israelites can also lock themselves away with God in their own way. Becoming *kadosh* is both the means and the result of extricating Israel from a suffocating engulfment by the Other. *Herem* and *kadosh* are ways to disentangle Israel and the Other, while allowing each to fulfill its own destiny with God. Israel may long for the Other, but it must also allow itself and the Other to be separate, to have unique relationships with the divine. For Israel to be holy, to be *kadosh*, the text seems to say, it must allow the Other to have a relationship to God as direct, as unmediated, and as uncompromising as the relationship the Israelites experience.

On the surface of the text, of course, *herem*, has another meaning that is not so benign. When *herem* is applied to a person in the bible, as opposed to objects taken in battle, the only way to establish that perfect relationship to the divine is to seal the person away in death. Further death is the only realm in which the Other would truly be untouchable. The text seems to imply that if the nations were placed in any other state, anything less comprehensive than death itself, the Israelites would not be able to resist them. This, then, is the difference between *herem* and *kadosh* in the text: the person in *herem* relates to God but is removed from the world; the one who is *kadosh* relates to God and remains in the world.

Perhaps the distinction can best be explained by an observation made by David Kraemer[1] of the Jewish Theological Seminary. In an article on the Red Heifer in The Forward, David Kraemer looks to a passage in the Mishnah to explain the difference between pure and impure things in Jewish tradition: "'What is the difference between the impure and the pure [animals]?' 'The pure one, its soul belongs to heaven and its body belongs to its [human] owner, but the impure one, both its soul and its body belong to heaven'" (Mishnah Nedarim 4:3). Kraemer explains that what is thought of as impure is actually possessed by God as much as a pure thing is. God's possession of the impure thing, however, is absolute. God is its sole owner, and it is utterly consecrated to God's use so that no part may be used by anyone else. Kraemer's distinction between pure and impure can also be applied to the distinction between *herem* and *kadosh* in our text. What is in *herem* is a possession of God, and no longer relates in anything else. The completeness of this dedication is like the completeness of death, and, in fact, for human

[1] I am indebted to David Kraemer for personally walking me through these ideas when I wrote to him, and to directing me to his discussion of them in the Forward.

beings, who are naturally connected to and enticed by many things in this world, that kind of completeness can only be accomplished through death.

In the text, *herem*—that relationship with God that removes the consecrated item from all other interactions to the point where it cannot exist in this world, is assigned to the other nations. Emotionally, however, that degree of completeness of devotion to God, an intimacy impenetrable by other relationships and desires, seems to be what the Israelites themselves wish they could accomplish. They wish they could be consecrated completely to God, unwavering in devotion. They cannot seem to achieve this state, in reality, however, for they are impulsive and easily distracted, chronically filled with a multitude of yearnings that lead them off course.

The text, then, ironically assigns to the enemy the perfected state of consecration that the Israelites cannot themselves attain. At the same time, the text admits that such a state is not really possible outside of death. The Israelites may dream of being Temple treasures, sealed away with their God, belonging to YHVH alone, but the text knows nothing that breathes can sustain such intimacy with the divine. To be *kadosh* instead of *herem* is to negotiate between an identity as God's treasure and the identity given by the realities of a creaturely existence, which includes interaction with others in the world. This is a difficult dance: to love God well and loyally, and still to live in the world and to live with other human beings. The alternatives to trying to keep up that dance are perfect commitment to God on the one hand—which is known only in death—or giving up the struggle altogether and leaving behind an identity as God's people.

So, in the end, the Israelites settle for the ambiguous status of being *kadosh*, a state that will not entirely let them rest. They are bound to their God, but they are also

bound to the world and must contend with its calls and desires. They must learn to live simultaneously as treasure in the Temple and as human beings encountering others out in the light of the world. To both encounter the world and the other peoples and cultures within it, and to be committed to a particular path with God—that is what it means to be *kadosh*. Anything else is either abandoning religious identity on the one hand, or death on the other.

Finally, let us consider the text as metaphor. Talmudic commentary made the Land of Israel into a metaphor for the messianic promise. Building on this Talmudic reading, it is important to note that, according to the text, the Promised Land is not empty. Even as the text demands that entrance to that land be for Israel alone, it undercuts that demand with the acknowledgment that there is no possibility of entering the land as a single nation without reference to anyone else. The land is occupied. On a metaphoric level then, perhaps, when we enter the realm of messianic perfection, the secret the text tells us is that we never enter it alone, despite our fantasies to the contrary. This nuance is suggestive if we allow it to speak. Even while the text screams, "be alone in the land!" it reminds us such a thing is impossible, both in the land's earthly meaning and in its evocation of the messianic ideal. Entering the messianic promise requires an acknowledgement the tradition often has trouble with: that final redemption cannot be for one people alone; it must take into consideration the pluralistic nature of human society.

If we take all these observations together, this is a text of individuation on a national level, a text about coming of age, coming into one's self, learning to love and yearn for the Other without merging, without losing the sense of unique and holy journey. The text gives way to adolescent fears that the desire for the Other may devour us. It

fantasizes that the Other can be made to disappear so that we will not be tempted into a desire that threatens to overwhelm. The question for our age is whether the heirs of the text have grown up yet. As Walter Brueggemann suggests, given that it is the crisis of identity in the text that leads to its brutality "whether this tradition with its harshness is a resource or a temptation may well depend on whether the interpreting community faces primarily a crisis of excessive exclusiveness or a crisis of excessive accommodation" (Brueggemann 102). In other words, when the contemporary community faces the same crisis of identity born of "excessive accommodation" it is most likely to take up the more brutal elements of the text as its rallying cry. The ethical challenge of the text, then, is whether humanity is mature enough at last, to love other people and cultures without either merging into them, or, out of fear of that merging, turn on them with rage and violence. Is it time, now, for us to acknowledge the subtle lines of connection that lay buried under the text's overt declaration that the Other is nothing like us? Can we be realistic enough about what it means to be human that we can negotiate between our religious identity and our need to relate to other cultures, knowing that the only way to be absolutely untempted by anything outside our own culture is to be in *herem*, to be sealed in death? Can we finally hear the text whispering, through the situation it describes, that as much as we might fantasize about entering the messianic promise, no nation can do that alone? The crux of fulfilling that promise and finally entering the Promised Land is learning to negotiate how to live with one another.

The reading above is only one possibility among many that might correspond to the needs of our day to retain the text as sacred without allowing it to lead us into violence. The Israelites saw a kind of ultimatum written into their future: be separate or

be annihilated. The circumstances of modernity and recent history perhaps give us a different ultimatum: learn to live with one another or be annihilated. Reading Deuteronomy from the perspective of that knowledge of the world leads to noticing new possibilities in the text itself.

Above, various strategies of interpretation used throughout history were listed. One was missing: passing over the problematic passages in silence. The Mishnah's advice to evade the texts that most trouble us may not be responsible in an age where religious violence is a real threat. Unfortunately, it is usually the more moderate voices that evade the problems of a text, assuming everyone knows not to act on them. The silence of moderate voices leaves serious interpretation to those at the edges—a dangerous choice in a dangerous world. Ethical behavior, and an ethical engagement with tradition, comes only with reflection.

The introduction to this thesis mentioned that passages that approve of destroying neighboring peoples are the religious equivalent of the child pointing out that the emperor has no clothes. They call into question the very notion of sacred text. Jewish tradition, however, seems never to have expected that the text alone, received passively, would define us. As we have seen, every generation has interpreted the conquest narratives in its own way, often against the grain of the text itself, finding a way to harmonize the text with its own moral universe.

Kabbalistic tradition taught that when the Torah was given, each of the 600,000 who stood at Sinai received a single letter. According to the Pesikta de-Rav Kahana, a 5th century midrash, the Torah was as different to each who received it as was the taste of manna. So, too, with the generations, perhaps each receives its own understanding of

Torah, and the Torah is not complete until each generation speaks the word of Torah it was theirs to understand. As the Peskikta de-Rav Kahana continued, it commented on Exod 19:1 "On ***this day*** they came into the wilderness of Sinai." Responding to the connotation of the "this day" the midrash explained, "When you study My words of Torah, they are not to seem antiquated to you, but as fresh as though the Torah were given this day" (Piska 12. 21; tr. Braude). In reading the words of Scripture, freshly, from the perspective of its own reality, perhaps each generation can find itself at Sinai, receiving the words as if for the first time.

To assist with that fresh encounter with Torah, this thesis includes an appendix with handouts that can be used in Torah study by congregations and other groups. Each handout highlights elements of an interpretation discussed in the thesis and invites modern communities into engagement not only with the text itself but with the other generations that have struggled with it, wrestled with its difficulties, and found meaning sometimes in the wrestling itself. For if the tradition had a vision of each person receiving Torah differently, it also had a vision of those different insights coming into conversation with one another, even across the generations. Such a vision appears on almost every page of the Talmud, which speaks of rabbis generations apart as if they were sitting at a single table arguing amiably (or in some cases not-so-amiably) over a point of halachah. In post-Talmudic biblical interpretations, commentators also frequently based their interpretations not only on biblical text, but on the works of the major voices before them. Perhaps it is the conversation, the process of reflection, the wrestling with the passages that provoke us, as much as it is the text itself, that is sacred. The implication of Jewish tradition is both that the Torah is received differently by different people (and

different generations) and that it is only in coming together to create a conversation that the fullness of Torah can begin to be revealed. The questions in the appendix invite the contemporary community to take its place at the table where generations of interpreters have encountered the text and one another.

Works Cited

Adler, Rachel. Engendering Judaism. Philadelphia: The Jewish Publication Society, 1998.

Baal Shem Tov. Sefer Baal Shem Tov. Shemot. <www.baalshemtov.com>.

Berthelot, Katell. "Philo of Alexandria and the Conquest of Canaan." Journal for the Study of Judaism 38 (2007): 39-56.

Brueggemann, Walter. Deuteronomy. Nashville: Abingdon Press, 2001.

Clements, Ronald. The Book of Deuteronomy. Peterborough: Epworth Press, 2001.

Feldman, Louis. "The Command, According to Philo, Pseudo-Phil, and Josephus, to Annihilate the Seven Nations of Canaan," AUSS 41/1 (2003): 13-29.

Firestone, Reuven. "The Conception of Holy War in biblical and Qur'anic Tradition." Journal of Religious Ethics 24 (1996): 99-123.

-----. "Holy War in Modern Judaism? 'Mitzvah War' and the Problem of the Three Vows." Journal of the American Academy of Religion 74/4 (2006): 954–982.

Fishbane, Michael. Biblical Interpretation in Ancient Israel. Oxford: Clarendon Press, 1985.

Goldberg, Jeffrey. "Among The Settlers: Will They Destroy Israel?" The New Yorker May 31, 2004.

Hendel, Ronald. "Israel Among the Nations." Cultures of the Jews. Ed. David Biale. Vol. I. New York: Schocken Books, 2002. 43-75.

A Historical Atlas of the Jewish People. Ed. Eli Barnavi. New York: Schocken Books, 1992.

Kraemer, David. "The Logic of Impurity." The Forward 8 Jul 2005.

Nelson, Richard. Deuteronomy, A Commentary. Louisville: John Knox Press, 2002.

-----. Joshua, A Commentary. Louisville: John Knox Press, 1997.

Pesikta de Rav Kahana. Trans. William Braude. Skokie: Varda Books, 2002.

Ramban, Commentary on the Torah. Trans. Rabbi Charles Chavel. New York: Shilo Publishing House, 1976.

Routledge, Bruce. "The Politics of Mesha: Segmented Identities and State Formation in Iron Age Moab," *JESHO* 43/3 (2000): 237-238.

Sefer Ha-Mitzvot of Maimonides. Trans. Rabbi Charles Chavel. London: Soncino Press, 1967.

Schulweis, Harold. "The Ethics of the Neighbor." Journal of the Society for Textual Reasoning 4 (2005). <etext.virginia.edu/journals/tr/>.

Tigay, Jeffrey. The JPS Torah Commentary: Deuteronomy. Philadelphia: The Jewish Publication Society, 1996.

Waltzer, Michael. "The Idea of Holy War in Ancient Israel." Journal of Religious Ethics 22/2 (1992): 215-27.

Weinfeld, Moshe. Deuteronomy. The Anchor Bible, Vol. 5. New York: Doubleday, 1991.

Wright, Christopher. Deuteronomy. Peabody: Hendrickson, 1995.

Zemer, Moshe. Evolving Halakhah. Woodstock: Jewish Lights Publishing, 1999.

Appendix

Each of the following pages comprises a handout intended to be used for small group study.

1. The Seven Nations

Deut. 7:1 When YHVH brings you to the land to which you are going, to possess it, and sweeps the many nations from before you—the Hittites and the Girgashites and the Amorites and the Canaanites and the Perizites and the Hivites and the Jebusites—seven nations greater and mightier than you...

Gen. 15:18-21 On that day the LORD made a covenant with Abram, saying, "To your offspring I assign this land, from the river of Egypt to the great river, the river Euphrates: the Kenites, the Kenizzites, the Kadmonites, the Hittites, the Perizzites, the Rephaim, the Amorites, the Canaanites, the Girgashites, and the Jebusites."

Ex. 23:23 When My angel goes before you and brings you to the Amorites, the Hittites, the Perizzites, the Canaanites, the Hivites, and the Jebusites, and I annihilate them...

Josh. 3:10 "By this," Joshua continued, "you shall know that a living God is among you, and that He will dispossess for you the Canaanites, Hittites, Hivites, Perizzites, Girgashites, Amorites, and Jebusites."

Ezra 9:1 When this was over, the officers approached me, saying, "The people of Israel and the priests and Levites have not separated themselves from the peoples of the land whose abhorrent practices are like those of the Canaanites, the Hittites, the Perizzites, the Jebusites, the Ammonites, the Moabites, the Egyptians, and the Amorites."

Questions:

1.What does it mean that seven particular nations are listed in Deut. 7:1? Does the specificity mean the destruction is limited to them? Or are these seven to represent any tribes who might stand in the way of conquering the land? Further is the destruction to be limited to a particular time and place?

2. What do you make of the fact that a different list appears elsewhere? Is this evidence of what Clements calls "schematizing"—meaning that the list is not to be taken literally?

3. What are the implications for future generations of taking the list literally or making it a general trope that is to refer to whomever is in the land?

2. Are There Limits to the Destruction?

Reuven Firestone, "Conceptions of Holy War in Biblical and Qur'anic Tradition" 105
It must not be overlooked however, that the destruction of the idolatrous peoples was enjoined only within the consecrated land. No deuteronomic command extended this ruling beyond the boundaries of the land of Israel....

Berachot 28a
Is it not already said that, an Ammonite or a Moabite shall not enter into the community of God? R. Joshua said to him: Do Ammon and Moab still reside in the places where they dwelled? Sennacherib king of Assyria already went up and mixed up all the nations, as it says, "I have erased the borders of peoples and have plundered their treasures and have brought down as one mighty their inhabitants" and because of that whatever strays [from a group] is assumed to belong to the larger section of the group.

Shulchan Aruch Even Ha Ezer 4:10
"Nowadays the nations are all mixed up."

Questions:
1. What aspect of the biblical accounts of the conquest do these post-biblical quotations address?

2. How does the Talmudic passage or the statement from the Shulchan Aruch impact the understanding of the applicability of the biblical text in post-biblical times?

3. Herem

Deut. 7: 2 And when YHVH, your God gives them over to you and you smite them, utterly destroy them; don't make a covenant with them and don't show them favor.

Deut. 20:10-18 When you approach a city to attack it, you shall offer it terms of peace. If it responds peaceably and opens to you, all the people with in it will be forced labor to you and will serve you. If it does not make peace with you, but makes war with you, you shall besiege it; and when YHVH your God delivers it into your hand, you shall put all its males to the sword. But the women, the children, the livestock, and everything in the town—all its spoil--you shall take for yourself; you shall consume the spoil of your enemies which YHVH your God has given you. So you shall deal with all towns that lie very far from you, towns that do not belong to these nations. But the cities of these peoples, which YHVH your God is giving you as a heritage, you shall not let a soul remain alive. But you shall utterly destroy them: the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites—as YHVH your God has commanded you, lest they lead you into doing all the abhorrent things that they have done for their gods and you sin before YHVH your God.

Lev. Rab. XVII. 6 "Did anybody then go and announce to the Canaanites that Israel were coming into the land? R. Samuel b. Nahman said: Joshua had sent to them three proclamations: 'Whoever wishes to leave, let him leave; whoever wishes to make peace, let him make peace; whoever wishes to give battle, let him give battle.'"

Rashi—selections from comments on Deut. 20:10-18
When you draw near to a city...The verse speaks of an optional war.
All the people who are found within it...Even if you find in it people from the seven nations whom you have been commanded to destroy, you are allowed to let them live.
But if it does not make peace with you but makes war with you...Scripture teaches you that if [the city] will not make peace with you, its end will be to make war with you if you leave it and go off.
So that they will not teach you...But if they did t'shuvah and converted you are allowed to accept them.

Nachmanides: But the call for peace before applies even to an obligatory war. It requires us to offer peace-terms even to the seven nations, for Moses proclaimed peace to Sihon, king of the Amorites, and he would not have transgressed both the positive and the negative commandments in this section: "but you shall utterly annihilate them" (Deut 20:18), and "you shall let no soul remain alive" (Deut 20.16).

Questions:
1. Are Deut. 7:2 and Deut. 20:10-18 giving identical commands?
2. What issue does each post-biblical comment address? What underlying concern does each seem to have? Are all equally legitimate readings of the text?

4. Other Biblical Accounts of the Conquest

Deut 20: 16-18 But the cities of these peoples, which YHVH your God is giving you as a heritage, you shall not let a soul remain alive. But you shall utterly destroy them: the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites—as YHVH your God has commanded you, lest they lead you into doing all the abhorrent things that they have done for their gods and you sin before YHVH your God.

Joshua 10:40 "So Joshua smote all the country of the hills, and of the south, and of the vale, and of the springs, and all their kings: he left none remaining, but utterly destroyed all that breathed, as YHVH, the God of Israel commanded."

Josh. 11:19 There was not a city that made peace with the children of Israel, save the Hivites the inhabitants of Gibeon: all other they took in battle.

Judg. 1:28-9 And it came to pass, when Israel was strong, that they put the Canaanites to tribute, and did not utterly drive them out. Neither did Ephraim drive out the Canaanites that dwelt in Gezer; but the Canaanites dwelt in Gezer among them."

Ezra 9:1 "Now when these things were done, the princes came to me, saying, The people of Israel, and the priests, and the Levites, have not separated themselves from the people of the lands, doing according to their abominations, even of the Canaanites, the Hittites, the Perizzites, the Jebusites, the Ammonites, the Moabites, the Egyptians, and the Amorites."

Questions:

1. What does each of these texts suggest about the literalness of the command to annihilate the seven nations?

2. If the command is not to be taken literally, what is its rhetorical purpose?

3. In Joshua 11:19, the implication is that the Hivites accepted a peace treaty with Joshua, however the Hivites are among those whom the Israelites were commanded to kill. What if all the nations had accepted peace? How does this passage seem to interpret the biblical command?

5. The Other Commands in Deut. 7:1-5

Deut. 7:2-5
And when YHVH, your God gives them over to you and you smite them, utterly destroy them; don't make a covenant with them and don't show them favor. And don't marry them—your daughter don't give to his son, and his daughter, don't take for your son. For he will turn away your son from following me and they will serve other gods, and the rage of YHVH will blaze against you and swiftly annihilate you. Rather, thus you shall do to them: you shall pull down their altars and smash their pillars, and rip down their sacred trees, and burn their graven images in fire.

A Possible Outline of the Text:

When God brings you into the land and casts out the other nations (7:1), utterly destroy (*herem*), the nations (7:2) and observe these three prohibitions:

A. Political: Make no covenant (7:2)
B. Social:
    1) Show no mercy/ favor (7:2)
    2) Don't marry them (7:3)
C. Religious:
    1) Destroy their altars (7:5)
    2) Break down their images (7:5)
    3) Cut down their groves (7:5)
    4) Burn down their graven images (7:5)

Questions:
1. Why demand the people make no covenant after a command to destroy all the inhabitants of the land? If you've destroyed them all, what's the point of saying don't make a covenant?

2. Why is there a command about marriage after a command to destroy them? Why does the command regarding covenants come first?

3. Why no "chen?" Chen can mean favor. You could potentially read this line as "Don't look upon them with favor." Does that give a deeper clue to what the text is really afraid of?

6. Does looking at the language more closely tell us anything about how literally to take the command to destroy? Does it tell us anything about the underlying concerns of the biblical text?

6. Historical Reflections on the Conquest

Joshua 10:40 So Joshua smote all the country of the hills, and of the south, and of the vale, and of the springs, and all their kings: he left none remaining, but utterly destroyed all that breathed, as YHVH, the God of Israel commanded.

Mesha Stele, 830 BCE, Moab
And Kamosh* said to me: "Go! Take Nebo against Israel." And I went by night and fought against it from break of dawn till noon. And I took it and slew all: 7,000 men, boys, women, girls, and pregnant women, because I had devoted* it to Ashtar-Kamosh. And I took thence the altar-hearths of YHWH, and I dragged them before Kamosh.

*Kamosh is a Moabite deity.
*herem/ban.

Merneptah Stele* 1207 BCE., Egypt
"Israel is laid waste. Its seed is no more."

* Merneptah was a Pharaoh of Egypt. This stele records his total victory over and annihilation of a people named as "Israel." This is also the first time "Israel" appears on the scene of history in a text/ inscription.

Historical Atlas of the Jewish People 8:
...archeological research has found no traces of any sudden violent destruction of the major Canaanite towns. Jericho, for example was clearly not destroyed in the time of Joshua. On the other hand, excavations reveal that many small settlements began emerging on the outskirts of existing Canaanite towns, not in place of them.

Questions:
1. Does the fact that such destruction may not have happened change how we view the text in Deuteronomy? If it was not meant to be taken literally, why is it there?

2. The two inscriptions suggests a kind of rhetoric was common in ANE warfare—where the victor tended to exaggerate claims of victory. Is this the same kind of rhetoric used in the bible? What might that tell us about how we are to understand the passage?

7. Chosenness

Deut. 7:6 For you are a holy people to YHVH your God. YHVH, your God, has chosen you to be for him a treasured (segullah) people from all the peoples that are on the face of the earth.

Letter from the Hittite king to "Ammurapi King of Ugarit"
..."Now you belong to the Sun, your lord. You are his servant, his property*

*same root as segullah

1. Being chosen is portrayed as being a "treasured possession" and a servant in ANE culture. What does that really mean?

2. If the relationship of the "treasure" to the "lord" is one of being a servant, is there exclusiveness on both sides of the relationship? How can this cultural context help us understand the concept of chosenness in a new way?

3. Ironically, as with the idea of *herem*, this idea of being a lord's exclusive property and treasure is based on the cultural assumptions of the very people from whom the Israelites were trying to distinguish themselves. How can the closeness of the cultures help us understand what is going on in the biblical texts that emphasize the necessity to separate from the other nations? What is the biblical text really afraid of?

8. When Was Deuteronomy written?

2 Kings 22:8 And Hilkiah the high priest said unto Shaphan the scribe, I have found the book of the law in the house of YHVH. And Hilkiah gave the book to Shaphan, and he read it.

2 Kings 23:5 And he put down the idolatrous priests, whom the kings of Judah had ordained to burn incense in the high places in the cities of Judah, and in the places round about Jerusalem; them also that burned incense unto Baal, to the sun, and to the moon, and to the planets, and to all the host of heaven.

Some explanations of the text from historical context:

Brueggemann, Deuteronomy 18-19
"The 'historical' locus of the literature that became the book of Deuteronomy is likely to be situated in the eighth or seventh century, during the period of Assyrian domination, which is also the period of the great pre-exilic prophets in Israel. The covenant structure of the second speech... is parallel to and reflective of the form of the political treaties of the Assyrian empire in that period. A self-conscious Israelite community may have borrowed a covenant form deliberately **to offer its covenant with YHWH as a radical alternative to alliance with Assyria.**

Weinfeld, Anchor Bible, Deuteronomy 53
The national consciousness that developed in the period of Hezekiah and Josiah set in motion the work of Deuteronomic historiography that pretends to present the nation's history from the Exodus to the end of the monarchic period.

Weinfeld, Anchor Bible, Deuteronomy 52
The ban (*herem*) is "a utopian" program that "reflects the ongoing bitter struggle with the Canaanite religion from the time of Elijah until the time of Josiah."

Questions:

1. The passage from 2 Kings 22:8 may describe the discovery of the book of Deuteronomy. If so, the book would have been written some time between the 8th and 7th centuries B.C.E. and the Israelites' initial movement into the land of Canaan, whatever it was really like, would have been long over. Why, then, does the Deuteronomist set his message in Moses' mouth and address it to "the next generation" of Israelites?
3. According to 2 Kings 23:5 and the comments of the critics on this page, who or what is the real "enemy" the people are facing in Josiah's time? What is the text's real concern?
4. Does the historical context determine how literally we are to take the violence of the text?

9. Metaphorical Approaches to the Text

Here are a variety of attempts to glean something useful by turning the ideas of the text into abstractions or metaphors.

1. This text is about **distinctiveness**, cherishing what is distinct in our own tradition and resisting what is seductive in the surrounding culture. The harshness of the language suggests that the seductions were deep and compelling.

2. Richard Nelson, Deuteronomy: A Commentary, writes that Israel is called to be a "**countercultural** society" (94). Are we called to be countercultural?

3. "The practice of herem may be understood mythically ... as **the purgation of the threat of chaos**, and the implementation of the first commandment in all its fierceness, then explained historically as an anachronism" (Brueggemann 101).

4. Chosenness can be seen as vassalhood—as accepting "**servanthood.**" We are to utterly refuse anything that calls us away from our primary relationship (to God), our primary identity (as belonging to our own people), and our primary task (to serve God).

5. The Talmud associates the (re-)conquest of Canaan with the messianic promise which cannot be forced or rushed, but must wait until a time God ordains.

Questions:

1. If the command to kill other peoples is not is not to be taken literally, then what is this text really about? Do any of these abstractions resonate with you as a way to understand the text?

2. What are the implications of associating the Promised Land with the messianic ideal? Do the biblical visions of the conquest resonate with that metaphor? Why or why not?

10. General Discussion Questions:

Review the following possibilities

1. This is a text about how we teach our children (teaching the next generation) to love their tradition and resist being called away to "foreign gods." Our passage follows upon the retelling of the story of the Exodus "lest you forget." Its strategy of instilling identity is to demonize the other. Can we teach the same love of own tradition without the demonization?
2. Brueggemann writes that the text opposes "any cultural accommodation" with an awareness that the people are living in a world "pervaded with compelling alternative ways of faith" (Brueggemann 100). For Brueggemann the result is a "deep anxiety" which "characteristically makes a community defensive toward any outsider and reductionist toward any 'other' who is unlike 'us.'" Does that also describe our world? What does such a reality demand from us ethically?
3. Similarly, the text uses mythic memory (the story of the Exodus) to create identity, but it chooses to shape that memory in such a way that it justifies atrocities. How do we shape the mythic memories in our private lives, our families, and American society, and what do we justify with those myths?
4. "Absolute faith claims bring with them incipient violence. However the rhetoric may be explained, it is loaded with extreme visions of ferocity, all justified as a response to the love of God. Absolute certitude requires the elimination of the 'other' whose very existence is always an awkward note of protest against aboluteness" (Brueggemann 101). Can we take our passage not as a command, but as a temptation and warning?
5. "Whether this tradition with its harshness is a resource or a temptation may well depend on whether the interpreting community faces primarily a crisis of excessive exclusiveness or a crisis of excessive accommodation. Both questions must remain in the purview of a serious community of faith, but Deuteronomy faces only one of these crises." (Brueggemann 102). Which is our primary crisis today? Are we able to keep both in mind? When we do, are we able to mitigate the harshness of Deuteronomy by understanding it as one half of the response to which we are called, and not as a literal command?
6. Is it responsible, in our times, to let the text go without remark? "My purpose is simply to insist that discounting scriptural texts that are unattractive or problematic in the contemporary context is not the appropriate means of solving the moral questions....Where there is sacred justification and/or authority for war, the very act of participating in the violence can take on a hallowed significance." (Firestone, Holy War 100)

Questions:

1. Which statement resonates with you most? Why?
2. Review the sheet on the next page. Which statements around the edges do you resonate with most as an insight into possible interpretations of the text?

Rabbinic Approach

Did anybody then go and announce to the Canaanites that Israel were coming into the land? R. Samuel b. Nahman said: Joshua had sent to them three proclamations: 'Whoever wishes to leave, let him leave; whoever wishes to make peace, let him make peace; whoever wishes to give battle, let him give battle.' *Lev. Rab. XVII.6.*

Shulchan Aruch Even Ha Ezer 4:10
Nowadays the nations are all mixed up.

Literary Approach

Closer Reading: Why are they instructed not to make a covenant with the nations after they've been instructed to destroy them? Why are they instructed not to have mercy? Not to marry? If they're intent on destroying them, isn't marriage out of the question anyway?

Context: Retelling of the Sinai experience for a new generation.

Weight of Tradition: How does our passage compare with Deut 23:7 "You shall not abhor an Edomite for he is your brother. You shall not abhor an Egyptian, because you were a stranger in his land."

Historical Approach

Mesha Stele, 830 BCE, Moab.
And Kamosh said to me: "Go! Take Nebo against Israel." And I went by night and fought against it from break of dawn till noon. And I took it and slew all: 7,000 men, boys, women, girls, and pregnant women, because I had devoted* it to Ashtar-Kamosh. And I took thence the altar-hearths of YHWH, and I dragged them before Kamosh.
*herem/ban.

Merneptah Stele 1207 BCE., Egypt. "Israel is laid waste. His seed is no more."

Archeology: What do we know about the conquest?

Deuteronomy 7:1-6
1 When YHVH brings you to the land which you are going to, to possess it, and sweeps the great nations from before you—the Hittites and the Girgashites and the Amorites and the Canaanites and the Perizites and the Hivites and the Yevusites[1]—seven nations greater and mightier than you,
2 And when YHVH, your God gives them over to you[2] and you smite them, utterly destroy[3] them; don't make a covenant with them and don't show them mercy.[4]
3. And don't marry them—your daughter don't give to his son, and his daughter, don't take for your son.
4. For he will turn away your son from following me and they[5] will serve other gods, and the rage of YHVH will blaze against you and swiftly exterminate you.
5. Rather, thus you shall do to them: you shall pull down their altars and smash their pillars, and rip down their sacred trees[6], and burn their graven images in fire.
6. For you are a holy people to YHVH your God. YHVH your God has chosen you to be for him a treasured people from all the people which are on the face of the earth.

1. Different list given elsewhere.
2. Literally, "give them before you"
3. herem. Impf & infinitive absolute.
4. Literally "grace" or "favor."
5. Note pronoun shift.
6. Asheirah.

Num. 21:2-3 And Israel vowed a vow unto YHVH and said, If you will indeed deliver this people into my hand, then I will utterly destroy their cities. And YHVH hearkened to the voice of Israel, and delivered up the Canaanites; and they utterly destroyed them and their cities: and he called the name of the place Hormah.

Judg. 1:28-9 And it came to pass, when Israel was strong, that they put the Canaanites to tribute, and did not utterly drive them out. Neither did Ephraim drive out the Canaanites that dwelt in Gezer; but the Canaanites dwelt in Gezer among them.

2 Kings 22:8 And Hilkiah the high priest said unto Shaphan the scribe, I have found the book of the law in the house of YHVH. And Hilkiah gave the book to Shaphan, and he read it.

2 Kings 23:5 And he put down the idolatrous priests, whom the kings of Judah had ordained to burn incense in the high places in the cities of Judah, and in the places round about Jerusalem; them also that burned incense unto Baal, to the sun, and to the moon, and to the planets, and to all the host of heaven.

Limitation to the land:
It must not be overlooked however, that the destruction of the idolatrous peoples was enjoined only within the consecrated land. Reuven Firestone

Chosenness:
A letter from the Hittite emporer to the last king of Ugarit, Ammurapi reminds him he is his servant and treasure. (Weinfeld 368).

Religious Development: Both religious herem (as expressed in Mesha stela) and chosenness are stopping points on the journey from monolatry to monotheism.

Metaphorical Approach

"Israel is a counter-cultural society" Nelson, Deuteronomy. To what extent do we live in the same moment as the text, trying to create identity against seductive alternatives?