

Our parshah begins, “וְהָיָה אִם עָקַבְתֶּם אֶת הַמִּשְׁפָּטִים” meaning, “And it will be that *if* you follow these ordinances,” a bunch of blessings will follow, implying some sort of linear moral cause and effect. But our parashah quickly undermines the notion of linear moral cause and effect.

After describing how Hashem will wipe out the previous inhabitants of the land in order for the Israelites to claim it, the text sounds a caution, Deuteronomy 9:4-6:

“. . . when Hashem your God has thrust them from your path, say not to yourselves, “Hashem has enabled us to possess this land because of our virtues”; it is rather because of the wickedness of those nations that the LORD is dispossessing them before you. (5) It is not because of your virtues and your rectitude that you will be able to possess their country; but it is because of their wickedness that Hashem your God is dispossessing those nations before you, and in order to fulfill the oath that Hashem made to your fathers, Abraham, Isaac, and Jacob. (6) Know, then, that it is not for any virtue of yours that Hashem your God is giving you this good land to possess; for you are a stiffnecked people.”

As Casey pointed out in Torah study yesterday, nothing about this feels any kind of good. Neither the “God’s on our side” promise of ethnic cleansing, nor the “but you’re not even good enough to deserve it; those people are just the worst.”

And I wholeheartedly agree. What I appreciate about the discomfort this text brings up is how *continuous* it is. Sometimes, when we read texts containing genocidal commandments, we like to tell ourselves, “oh, it was a different values system in such and such time,” or, “well, our ancestors were so persecuted it made sense that they had visions of power.”

But I cannot imagine any point in history at which it would have felt good to read these lines, this promise: Hashem is going to kill people for you – but your morality is pretty irrelevant. It's about them, and it's about your ancestors. You don't deserve this, but I'm giving it to you.

It's so uncomfortable that many commentators wind up wrestling different meanings out of it. The first meaning is that circumstance brought us into the land, but our morality will determine whether we get to stay there. Ha'amek Davar writes that the repetition about the wickedness of the other nations serve as a warning to the Israelites that they must behave better than those nations once they enter the land, or Hashem will wipe them out too.

Or HaChaim wants to rescue some of the Israelite's agency and Hashem's morality, and says we should read it as, "not *only* because of your righteousness," that in fact, this generation was righteous (remember, this is the generation *after* the Golden Calf and all of the other transgressions in the wilderness). He writes that the combination of the wickedness of the current inhabitants, the promise to the ancestors, AND the righteousness of that current generation of Israelites were *all* necessary to justify Hashem dispossessing the current inhabitants in order to settle the Israelites, but could not any of them alone have sufficed. He writes, "in addition to G'd's promise to the fathers it is also essential that their descendants be worthy of that promise. Accordingly, Moses told the people that their righteousness was not enough by itself to bring about their conquest of the Holy Land. In fact, their righteousness did not even help the oath to Abraham to be fulfilled. The only thing it was good for was to ensure that their conduct was no impediment to the good that G'd had promised being fulfilled now."

Rabbeinu Bahya, on the other points out a different problem – if the land was promised to the ancestors, how relevant was the morality of the current inhabitants? He concludes that it wasn't: "the land had been assigned to them only as a יִדְיוֹן, an object to be held in trust for the real owners." Maybe the current inhabitants aren't so bad after all, but Hashem is the landlord, and if the landlord wants to evict a tenant from the front apartment because her kids are moving back to town (so to speak), that's her right.

Obviously, these commentators are drawing widely divergent, even opposing conclusions. But what they all have in common is a discomfort with the base message that the text presents, and what it implies about the moral and historical agency of any particular community in any particular generation. It makes me realize that our ancestors, in each of their generations, were not so comfortable with ethnic cleansing, even hypothetical, after all, all the way back to Torah itself.

This parashah commanded our ancestors to claim a piece of land through a genocidal war. But it also commanded them not mistake their might for right, "that it is not for any virtue of yours that Hashem your God is giving you this good land to possess!" What were they to do with that morally ambiguous inheritance?

What are any of us to do with a morally ambiguous inheritance?

For sure, there is not any other kind of inheritance, whether of land or other resources, and certainly not of intellectual traditions. Every sacred text has its violent sections, its dehumanized others. What I appreciate about at least this moment in our Torah is the reminder that we are not inevitably better than those whom our ancestors dispossessed.

We have this inheritance for reasons that are out of our hands – decisions made by our ancestors, by other communities, and by God, to the extent that we see God as acting in history. We do not get to change the past, to deny it, or to wish it away.

But we do get to decide what we do with it. We get to remember that we don't necessarily deserve what we have – our troubles or our benefits, but we do have the power, as Or HaChaim put it, to ensure that [our] conduct is no impediment" to the fulfillment of future good. After Moshe spends many verses reminding the Israelites *why* they are not inherently deserving of entering the land, he begs the people, "Cut away, therefore, the thickening about your hearts and stiffen your necks no more. (17) For Hashem your God is God above all Gods and Master above all masters, the great, the mighty, and the awesome God, who shows no favor and takes no bribe, (18) but upholds the cause of the fatherless and the widow, and befriends the stranger, providing them with food and clothing.— (19) You too must befriend the stranger, for you were strangers in the land of Egypt.

It is, to be sure, a complicated legacy – to be told to dispossess people, though we are not inherently deserving, to be told that God loves the stranger, and we should aspire to be like God in our love of the stranger. But this is ours to wrestle with, as our commentators have before, and if we are to take seriously the command to love the stranger, so of repeated in Torah, we must acknowledge all that comes packaged with it. How will we take our morally flawed past, and integrate it into our aspirations for our future?