SACRED SPACES

Must Power Corrupt? Judah, David, and the Bible's Model Policies for Safeguarding the Public

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This series of text studies focus on abuses of power in the biblical stories of Judah and David. Commentary and questions for discussion invite readers to reflect on why, even with the best of intentions, organizations so often fail to prevent or stop abuses of power by communal leaders. Discussing these biblical examples provides a foundation for developing more effective organizational policies.

There is broad consensus in the Jewish communal world: we oppose abuse and favor safeguarding our communities, especially its more vulnerable elements. Many of us have invested time, energy, and significant resources in building prevention policies and protocols for handling abuse and supporting victims. Yet, with alarming frequency, when the suspected abuser is a leader in the community—a rabbi, a youth director, a major philanthropist—communities tend to disregard their commitment to best practices and leave the potential offender in place, often for many years. Too often, it is not our philosophical commitment to safety or even our carefully constructed policies that put an end to the problem. Instead, communities tend to ignore such abuse for years, or even decades, keeping whistleblowers and alleged victims at bay by marginalizing or, at times, vilifying them. Often,

communities split into combative "pro"and "con"camps, which reflect pre-existing rifts regarding other communal issues. In many cases, as frustrations mount, someone goes to the press, after which an expose is printed, a scandal ensues, and the community is shamed. In most cases, the leader is then dismissed, but the community bears permanent scars from the ordeal. Despite promises to learn from their experience, no systemic changes are made to the institution.

In this four-part essay, I propose a series of text-study sessions that are meant to encourage a systemic, affirmative approach to the cycle described above and that might accompany communities during their process of policy building. These sessions—all rooted in the Bible, each confronting a different aspect of this dangerous cycle—are intended to alert communal stakeholders (board, administration, spiritual and communal leadership) and the public at large to the recurring and enduring nature of the problems surrounding abuse of power by a communal leader. My hope is that the disturbing patterns described in the Bible, many of which persist to this day, will help readers recognize and become passionate about the need to create, and consistently enforce, measures that ensure the health and safety of our communities.

The text studies presented here are of varying lengths; some are followed by questions, thoughts, and suggested contemporary applications of the Bible's themes and messages. These studies can be used for communal learning, as introductory invocations at board meetings, as sermons in synagogues, and in a host of other settings.

They focus on two biblical leaders, Judah and David, whose stories parallel one another in salient ways. Together, the stories prefigure many of the problems that face communities today. In particular, the stories underscore the dangers presented by the gifted, powerful leader.

TEXT 1: JUDAH, DAVID, AND THE "PERETZ" FIGURE THAT LINKS THEM

King David has much in common with his most prominent ancestor, Judah, and, in fact, the two biblical figures are linked by a genealogical list that concludes the book of Ruth:

> וְאֵלֶּה תּוֹלְדוֹת פָּרֶץ פֶּרֶץ הוֹלִיד אֶת־חֶצְרוֹן:
> וְחֶצְרוֹן הוֹלִיד אֶת־רָם וְרָם הוֹלִיד אֶת־עַמִּינָדָב:
> וְעַמִּינָדָב הוֹלִיד אֶת־נַחְשׁוֹן וְנַחְשׁוֹן הוֹלִיד אֶת־שַׂלְמָה:
> וְשַׂלְמוֹן הוֹלִיד אֶת־בֹּעַז וּבֹעַז הוֹלִיד אֶת־עוֹבֵד:
> וְעֹבֵד הוֹלִיד אֶת־יִשָׁי וְיִשַׁי הוֹלִיד אֶת־דָּוִד:

> This is the line of Peretz; Peretz begat Hetzron, Hetzron begat Ram, Ram begat Amminadab, Amminadab begat Nahshon, Nahshon begat Salmon, Salmon begat Boaz, Boaz begat Obed, Obed begat Jesse, Jesse begat David (Ruth 4:18-22).

THOUGHTS ON THE TEXT

The name Peretz derives from the verb *p-r-tz*, which means to "burst forth"—and we would be remiss if we ignored the potential symbolism of this name. Both Judah and his descendant David will exhibit "breakout"qualities, some positive and some negative.

On the positive side, both will possess a rare innate aptitude for leadership, in which they depart from familiar modes of thought and behavior, acting with originality and bold initiative. Moreover, these leaders will "burst" out of the expected order of ascension to power, leaping over older siblings and other rivals, gaining virtually universal recognition from the public. From their narratives, it appears that both Judah and David possess a good measure of charisma. Those around them tend to defer to them and to follow their lead, no matter where it may take them.

On the negative side of "bursting forth" at the height of their powers, both Judah and David shatter the barriers separating morality from immorality. At times, they blur and even cross the lines between their own will and that of God, and between gratifying their own desires and impulses and promoting the benefit of the people they lead.

In the next section, we will focus on Judah, our first "Peretz" figure. It is instructive that when Jacob blesses his son on his deathbed, he refers to Judah as "a lion's whelp." The lion is the most appropriate animal to symbolize the dual potential of Judah and other powerful "Peretz"-type leaders: while such leaders are the natural, unchallenged rulers of the jungle, they are also the jungle's most ferocious predators.

CONTEMPORARY APPLICATIONS OF THE TEXT

Naturally, communities seek bold, charismatic, and inspiring leadership. In the rare event that leaders with these qualities present themselves, we are often dazzled by their brilliance and feel privileged to have them among us. As a result, we tend to follow them blindly, investing them with virtually unlimited authority. If suspicions are raised about the behavior of such leaders—if there are hints that they have engaged in "*peritzot*" (burstings) of negative kinds—we often dismiss our doubts, even at the cost of ignoring the dictates of the very policies we have created.

In our efforts to ensure the safety of our institutional spaces, we must begin by acknowledging that *anyone* in an organization is capable of abuse. With this recognition, institutions must create transparent, comprehensive policies that specifically address *all* levels of the institution and its leadership; they must include a carefully itemized system of oversight and a clear chain of reporting. When reports of harassment or abuse are made, policies must be immediately implemented, without personal feelings impeding professional action.

DISCUSSION QUESTIONS

1. In what historical scenarios or works of fiction have individuals followed charismatic leaders blindly, dismissing suspicions and affording them the benefit of the doubt?

2. How might we consider establishing institutional structures so that no one, no matter how gifted or how senior, is above our safety standards?

3. How do policies specifically prevent organizations from allowing personal feelings to impede professional action?

TEXT 2: JUDAH AND REUBEN AND THE "MAH BETZA" MENTALITY

In Genesis 37, we encounter the murderous rage of Jacob's sons, who are envious of their younger brother, Joseph. In response to their desire to kill Joseph, Reuben, Jacob's firstborn son, steps forward.

> וַיִּשְׁמַע רְאוּבֵן וַיַּצִּלֵהוּ מִיָּדָם וַיֹּאמֶר לֹא נַכֶּנּוּ נָפֶשׁ:
>
> וַיֹּאמֶר אֲלֵהֶם רְאוּבֵן אַל־תִּשְׁפְּכוּ־דָם הַשְׁלִיכוּ אֹתוֹ אֶל־הַבּוֹר הַזֶּה אֲשֶׁר
>
> בַּמִּדְבָּר וְיָד אַל־תִּשְׁלְחוּ־בוֹ לְמַעַן הַצִּיל אֹתוֹ מִיָּדָם לַהֲשִׁיבוֹ אֶל־אָבִיו:
>
> Reuben heard and saved him [Joseph] from them. He said, 'Let us not kill.' Reuben said to them, 'Do not spill blood. Cast him into this pit in the desert, but do not lay a hand on him.' This was to save him from them, to return him to his father (Gen. 37: 21-22).

Let us now compare Reuben's efforts with those of his younger brother Judah, Jacob's fourth son:

> וַיֹּאמֶר יְהוּדָה אֶל־אֶחָיו מַה־בֶּצַע כִּי נַהֲרֹג אֶת־אָחִינוּ וְכִסִּינוּ אֶת־דָּמוֹ:
>
> לְכוּ וְנִמְכְּרֶנּוּ לַיִּשְׁמְעֵאלִים וְיָדֵנוּ אַל־תְּהִי־בוֹ כִּי־אָחִינוּ בְשָׂרֵנוּ הוּא
>
> וַיִּשְׁמְעוּ אֶחָיו:
>
> "Judah said to his brothers, 'What gain is there if we kill our brother and cover his blood? Let's sell him to the Ishmaelites, and our hand will not be upon him, for he is our brother, our flesh.' And his brothers heeded" (Gen. 37: 26-27).

THOUGHTS ON THE TEXT

Both Reuben and Judah argue against actively killing Joseph; instead, both suggest plans that will passively lead to Joseph's death while leaving their hands technically clean.

But while Judah speaks only once, Reuben speaks twice. We may deduce from the double preface to Reuben's speech that his first — and thus preferred — argument, the moral imperative not to kill (*lo nakenu nafesh*), was ignored by his brothers. Despite his birthright, it appears that Reuben simply does not bear the authority to sway his younger brothers in a moral direction. Instead, following what was arguably a non-responsive pause, Reuben starts again. This time, in order to win his brothers' cooperation, he suggests an immoral plan of passive murder. As the text twice attests, Reuben's motives are pure, but, lacking the authority to lead his brothers in a moral direction, he resorts to subterfuge to rescue Joseph.

Unlike Reuben, Judah's first and only argument is deeply *immoral* and chillingly utilitarian: *mah betza*, what is to be gained by killing Joseph? Better, he contends, to make a profit by selling him to traveling merchants. Implicit in his plan is that Joseph would eventually die from the transaction, but the brothers' hands will not be sullied: "*yadeinu al tehi bo*."

Viewing his brother as object, not subject, Judah speaks the cold language of cost-benefit. But why does Judah end his short speech with what seems to be a moral, even emotional, flourish ("for he is our brother, our flesh")? I suggest that Judah seeks to camouflage his unscrupulous sentiments by overlaying them with righteous language. Perhaps he is talking not only to his brothers but to himself, rationalizing and justifying, purposely blurring the lines between fratricide and fraternal responsibility.

CONTEMPORARY APPLICATIONS OF THE TEXT

As we noted in Text 1, some leaders possess a natural ability to command public allegiance. When these leaders are guided by ethical and professional considerations, they are capable of greatness. But when leadership is tainted by unethical, often personal, concerns and desires, there can be great danger to the public, including the "cost-benefit" calculation Judah performs. In my own experiences addressing abuse in communal spaces, I have encountered "cost-benefit" calculations of two types:

At times, powerful leaders allow themselves to treat carefully chosen — often deliberately "groomed" — communal members in ruthlessly instrumental ways, seeking, and often deriving, personal benefit (sexual, psychological, financial) from them. These leaders console themselves with the notion that their overall contributions to the community are so vast as to outweigh — and even justify — any indiscretions they may commit.

Often, communities collectively adopt a "cost-benefit" approach toward problematic leaders. Frequently, they allow a leader's positive contributions to eclipse any harm they might have inflicted on a select

few. In such cases, even when the leader's problematic nature is not in doubt, if the arithmetic points to more gain than loss, the status quo is considered "worthwhile," and the leader is left in place. The "cost-benefit"game is frequently played by colleagues of troubled leaders. When I once appealed to a prominent rabbi to take seriously reports of sustained abuse by a fellow rabbi, the great sage responded, "Yes, I've heard the rumors, but what can we do? Charisma is so hard to come by." Noting the shocked expression on my face, he went on to explain: "Yes, his behavior raises some red flags, but you know, genius often has a dark side."

To push back against such long-standing attitudes, we must lose our naivete and know that some of our leaders are capable of seeking personal gain from community members. Based on this understanding, we must create institutional codes of ethics that clearly articulate the philosophical ideals and priorities that define us as a community.

DISCUSSION QUESTIONS

1. Can you think of known historical or global situations in which people with power have asked "*mah betza*?"— essentially asking, with selfish and morally dubious motives, "What do I stand to gain from this interaction?"

2. What are the dangers in approaching moral decisions from a stance of cost-benefit analysis?

3. How might an entire community mistakenly ask "*mah betza*?" when deciding whether to defend or call out a leader's behavior?

4. How can institutional policies help to prevent this cost-benefit calculation on the part of perpetrators, colleagues, or entire communities?

TEXT 3: JUDAH AND TAMAR, A SUMMARY

Note: To get the most from this section, it is recommended to read Genesis 38 in its entirety.

In his comments to the opening verse of Genesis 38, in which we are told that Judah "went down from among his brothers," Rashi, the preeminent 11th century Bible commentator, claims that the brothers blame Judah for their father's devastation at their false report of Joseph's death. As their leader, he had the power to save them from their own worst impulses but failed to do so. It appears that Judah's "descent" suggests a moral decline as well as a plunge in status. Beginning with his brothers and continuing into his relationship with his daughter-in-law Tamar in Genesis 38, Judah maintains his "*mah betza*" mentality, viewing human beings as instruments to satisfy his own impulses and desires. To briefly summarize this narrative:

- After "seeing" a Canaanite woman, Judah "takes" her as a wife (Gen. 38: 2). In "seeing"and "taking" her, Judah views her as an instrument to satisfy his own impulses. [1]

- Following the death of his first two sons, Judah shirks his responsibility to find a husband for his twice-widowed daughter-in-law Tamar (verse 11). As a result, Tamar is left in limbo, waiting for the redemption that only Judah can provide. Thinking only of his own benefit (allaying his fears for his son's safety), Judah permits himself to pay the relatively small "cost" of sacrificing Tamar's future.

- Taking matters into her own hands, Tamar veils herself and stands at a crossing. Judah assumes she is a prostitute; without hesitation, he propositions and sleeps with her (verses 14-16).

- Later, when Judah receives word that Tamar is pregnant (unknown to him, with his own twin sons), he immediately pronounces her death sentence. Without considering his own role in events or her desperate circumstances, Judah considers her worthless, deserving to die without a hearing (verse 24).

Remarkably, the story of Judah and Tamar ends on a positive note. At the critical moment, Tamar sends a missive to Judah, which includes the pivotal term "*hakker na*, recognize now" (verse 25). This term contains a dual message. First, it challenges Judah to "recognize" his negative patterns of behavior, not only in the current situation but going back to his role in the story of Joseph. In fact, those same words were uttered by Judah and his brothers in deceiving their father (Gen. 37: 32); with the words "*hakker na, recognize now*," they had demanded that their father falsely identify Joseph's blood-soaked cloak as proof that he had been devoured by a wild animal.

Tamar's "*hakker na*" carries a second message to Judah, challenging Judah to step up and "recognize" his great, but largely untapped, leadership potential. Remarkably, Judah rises to Tamar's challenge, publicly acknowledging his guilt and expressing sincere remorse.[2] Significantly, in his later interactions with his father and brothers–including Joseph Judah will demonstrate the lasting nature of his embrace of his leadership role.[3]

DISCUSSION QUESTIONS

1. What does remorse look like to you? What qualities make clear that an apology is sincere and not only in service of the apologizer?

2. Even as there have been numerous cases of powerful leaders exposed for misconduct and called to account in recent years, there have been few public expressions of remorse. In what ways can Judah's expression of remorse serve as a model for contemporary leaders who are called to account?

3. Why do you think it took so long for Judah to recognize the wrong of his ways? What interventions might have occurred earlier in his life to prompt remorse? Who was in a position to redirect him, and how might they have done so?

PART II

Having explored the character of Judah and his many errors, followed by Tamar's powerful words that cause him to pause, reflect, and express remorse, we now turn to the story's biblical parallel, the narrative of David and Batsheba. Viewed together, the stories of Judah and David accentuate the enduring problem of leaders who succumb to the corrupting sway of power as well as the compliant behavior of the societies that surround such leaders.

TEXT 4: DAVID AND BATSHEBA

Like Judah, David is not the oldest sibling in his family. In a Cinderella story of sorts, David is chosen by God despite the presence of seven older brothers (1 Samuel 16: 10) and, like Judah, David exudes authority and charisma. Throughout David's narrative, people not only defer to him but fall in love with him — even those we might have considered his natural rivals, such as King Saul, Saul's son Jonathan, and Saul's daughter Michal (1 Sam. 16, 18, 20). It is worth noting that nowhere does the text mention that David reciprocates anyone's love. Brimming with charisma, he is its natural recipient.

As time passes, David's power grows. Eventually, the pure-spirited, harp-playing poet becomes corrupted. The story of David and Batsheba presents a low point in the narrative of David, King of Israel. Here is the story, in slightly abridged form:

וַיְהִי לִתְשׁוּבַת הַשָּׁנָה לְעֵת צֵאת הַמַּלְאָכִים וַיִּשְׁלַח דָּוִד אֶת־יוֹאָב וְאֶת־עֲבָדָיו עִמּוֹ וְאֶת־כָּל־יִשְׂרָאֵל וַיַּשְׁחִתוּ אֶת־בְּנֵי עַמּוֹן וַיָּצֻרוּ עַל־רַבָּה וְדָוִד יוֹשֵׁב בִּירוּשָׁלָ͏ִם: {ס}

וַיְהִי לְעֵת הָעֶרֶב וַיָּקׇם דָּוִד מֵעַל מִשְׁכָּבוֹ וַיִּתְהַלֵּךְ עַל־גַּג בֵּית־הַמֶּלֶךְ וַיַּרְא אִשָּׁה רֹחֶצֶת מֵעַל הַגָּג וְהָאִשָּׁה טוֹבַת מַרְאֶה מְאֹד:

וַיִּשְׁלַח דָּוִד וַיִּדְרֹשׁ לָאִשָּׁה וַיֹּאמֶר הֲלוֹא־זֹאת בַּת־שֶׁבַע בַּת־אֱלִיעָם אֵשֶׁת אוּרִיָּה הַחִתִּי:

וַיָּבֹא אוּרִיָּה אֵלָיו וַיִּשְׁאַל דָּוִד לִשְׁלוֹם יוֹאָב וְלִשְׁלוֹם הָעָם וְלִשְׁלוֹם הַמִּלְחָמָה:

וַיֹּאמֶר דָּוִד לְאוּרִיָּה רֵד לְבֵיתְךָ וּרְחַץ רַגְלֶיךָ וַיֵּצֵא אוּרִיָּה מִבֵּית הַמֶּלֶךְ וַתֵּצֵא אַחֲרָיו מַשְׂאַת הַמֶּלֶךְ:

וַיִּשְׁכַּב אוּרִיָּה פֶּתַח בֵּית הַמֶּלֶךְ אֵת כָּל־עַבְדֵי אֲדֹנָיו וְלֹא יָרַד אֶל־בֵּיתוֹ:

וַיַּגִּדוּ לְדָוִד לֵאמֹר לֹא־יָרַד אוּרִיָּה אֶל־בֵּיתוֹ וַיֹּאמֶר דָּוִד אֶל־אוּרִיָּה הֲלוֹא מִדֶּרֶךְ אַתָּה בָא מַדּוּעַ לֹא־יָרַדְתָּ אֶל־בֵּיתֶךָ:

וַיֹּאמֶר אוּרִיָּה אֶל־דָּוִד הָאָרוֹן וְיִשְׂרָאֵל וִיהוּדָה יֹשְׁבִים בַּסֻּכּוֹת וַאדֹנִי יוֹאָב וְעַבְדֵי אֲדֹנִי עַל־פְּנֵי הַשָּׂדֶה חֹנִים וַאֲנִי אָבוֹא אֶל־בֵּיתִי לֶאֱכֹל וְלִשְׁתּוֹת וְלִשְׁכַּב עִם־אִשְׁתִּי חַיֶּךָ וְחֵי נַפְשֶׁךָ אִם־אֶעֱשֶׂה אֶת־הַדָּבָר הַזֶּה:

וַיֹּאמֶר דָּוִד אֶל־אוּרִיָּה שֵׁב בָּזֶה גַּם־הַיּוֹם וּמָחָר אֲשַׁלְּחֶךָּ וַיֵּשֶׁב אוּרִיָּה בִירוּשָׁלַ͏ִם בַּיּוֹם הַהוּא וּמִמָּחֳרָת:

וַיִּקְרָא־לוֹ דָוִד וַיֹּאכַל לְפָנָיו וַיֵּשְׁתְּ וַיְשַׁכְּרֵהוּ וַיֵּצֵא בָעֶרֶב לִשְׁכַּב בְּמִשְׁכָּבוֹ עִם־עַבְדֵי אֲדֹנָיו וְאֶל־בֵּיתוֹ לֹא יָרָד:

וַיְהִי בַבֹּקֶר וַיִּכְתֹּב דָּוִד סֵפֶר אֶל־יוֹאָב וַיִּשְׁלַח בְּיַד אוּרִיָּה:

וַיִּכְתֹּב בַּסֵּפֶר לֵאמֹר הָבוּ אֶת־אוּרִיָּה אֶל־מוּל פְּנֵי הַמִּלְחָמָה הַחֲזָקָה וְשַׁבְתֶּם מֵאַחֲרָיו וְנִכָּה וָמֵת: {ס}

וַיְהִי בִּשְׁמוֹר יוֹאָב אֶל־הָעִיר וַיִּתֵּן אֶת־אוּרִיָּה אֶל־הַמָּקוֹם אֲשֶׁר יָדַע כִּי אַנְשֵׁי־חַיִל שָׁם:

וַיֵּצְאוּ אַנְשֵׁי הָעִיר וַיִּלָּחֲמוּ אֶת־יוֹאָב וַיִּפֹּל מִן־הָעָם מֵעַבְדֵי דָוִד וַיָּמָת גַּם אוּרִיָּה הַחִתִּי:

וַיִּשְׁלַח יוֹאָב וַיַּגֵּד לְדָוִד אֶת־כָּל־דִּבְרֵי הַמִּלְחָמָה:

וַיְצַו אֶת־הַמַּלְאָךְ לֵאמֹר כְּכַלּוֹתְךָ אֵת כָּל־דִּבְרֵי הַמִּלְחָמָה לְדַבֵּר אֶל־הַמֶּלֶךְ:

וְהָיָה אִם־תַּעֲלֶה חֲמַת הַמֶּלֶךְ וְאָמַר לְךָ מַדּוּעַ נִגַּשְׁתֶּם אֶל־הָעִיר לְהִלָּחֵם הֲלוֹא יְדַעְתֶּם אֵת אֲשֶׁר־יֹרוּ מֵעַל הַחוֹמָה:

מִי־הִכָּה אֶת־אֲבִימֶלֶךְ בֶּן־יְרֻבֶּשֶׁת הֲלוֹא־אִשָּׁה הִשְׁלִיכָה עָלָיו פֶּלַח רֶכֶב מֵעַל הַחוֹמָה וַיָּמָת בְּתֵבֵץ לָמָּה נִגַּשְׁתֶּם אֶל־הַחוֹמָה וְאָמַרְתָּ גַּם עַבְדְּךָ אוּרִיָּה הַחִתִּי מֵת:

וַיֵּלֶךְ הַמַּלְאָךְ וַיָּבֹא וַיַּגֵּד לְדָוִד אֵת כָּל־אֲשֶׁר שְׁלָחוֹ יוֹאָב:

וַיֹּאמֶר הַמַּלְאָךְ אֶל־דָּוִד כִּי־גָבְרוּ עָלֵינוּ הָאֲנָשִׁים וַיֵּצְאוּ אֵלֵינוּ הַשָּׂדֶה וַנִּהְיֶה עֲלֵיהֶם עַד־פֶּתַח הַשָּׁעַר:

וַיֹּרוּ הַמּוֹרִים אֶל־עֲבָדֶיךָ מֵעַל הַחוֹמָה וַיָּמוּתוּ מֵעַבְדֵי הַמֶּלֶךְ וְגַם עַבְדְּךָ אוּרִיָּה הַחִתִּי מֵת: {ס}

וַיֹּאמֶר דָּוִד אֶל־הַמַּלְאָךְ כֹּה־תֹאמַר אֶל־יוֹאָב אַל־יֵרַע בְּעֵינֶיךָ אֶת־הַדָּבָר הַזֶּה כִּי־כָזֹה וְכָזֶה תֹּאכַל הֶחָרֶב הַחֲזֵק מִלְחַמְתְּךָ אֶל־הָעִיר וְהָרְסָהּ וְחַזְּקֵהוּ:

וַתִּשְׁמַע אֵשֶׁת אוּרִיָּה כִּי־מֵת אוּרִיָּה אִישָׁהּ וַתִּסְפֹּד עַל־בַּעְלָהּ:

וַיַּעֲבֹר הָאֵבֶל וַיִּשְׁלַח דָּוִד וַיַּאַסְפָהּ אֶל־בֵּיתוֹ וַתְּהִי־לוֹ לְאִשָּׁה וַתֵּלֶד לוֹ בֵּן וַיֵּרַע הַדָּבָר אֲשֶׁר־עָשָׂה דָוִד בְּעֵינֵי יְהֹוָה: {פ}

At the turn of the year, the time when **messengers** went out, David **sent** Joab with his officers and all Israel with him, and they devastated Ammon and besieged Rabbah; and David remained in Jerusalem. Toward evening, David arose from off his bed, and walked upon the roof of the king's house and **saw** a woman bathing; and the woman was very beautiful. And David **sent** and inquired after the woman….'That is Bathsheba… the wife of Uriah the Hittite.' And David **sent messengers**, and **took** her; and she came to him, and he lay with her—she had just purified herself after her impurity. The woman conceived; and she **sent** word to David, and said: 'I am pregnant.' And David **sent** a message to Joab, '**Send** me Uriah the Hittite.' And Joab sent Uriah to David …David asked him…how the war was going, And David said to Uriah: '**Go down** to your house and wash your feet.'… But Uriah slept at the door of the king's house with all the servants of his lord, and did not **go down** to his house.

David…said to Uriah, 'You just came from a journey; why didn't you **go down** to your house?' Uriah answered David: 'The ark, and Israel, and Judah, abide in booths… shall I then go into my house, to eat and to drink, and to lie with my wife? As you live…I will not do this thing.' And David said to Uriah: 'Stay here today also, and tomorrow I will let you go.' So Uriah stayed in Jerusalem that day, and the next. David summoned him, and he ate and

drank with him until he got him drunk; but in the evening [Uriah] went to lie on his bed with the servants of his lord, but did not **go down** to his house. In the morning, David wrote a letter to Joab, and **sent** it by the hand of Uriah. And he wrote…: 'Set Uriah in the forefront of the hottest battle, and retreat from him, that he may be smitten, and die.' Joab… assigned Uriah to the place where he knew that valiant men were… and there fell some of the people, even of the servants of David; and Uriah the Hittite died also.

Then Joab **sent**… and the **messenger** said to David: 'The men prevailed against us… and some of the king's servants are dead, and your servant Uriah the Hittite is dead also.' Then David said to the **messenger**: 'Thus shall you say to Joab: Let not this thing displease you, for the sword devours in one manner or another…' And when the wife of Uriah heard that Uriah her husband was dead, she mourned for her husband. And when the mourning was past, David **sent** and took her home to his house, and she became his wife, and bore him a son. But the thing that David had done displeased the Lord (2 Samuel, 11: 1-12:1).

THOUGHTS ON THE TEXT

Like Judah, who "saw" and impulsively "took" a forbidden Canaanite woman, David "sees" and "takes" the beautiful Batsheba despite the fact that she is a married woman (verses 2 and 4). As in the story of Judah, there are moral "descents" in this tale.[4] But in this story, it is not the leader himself who "goes down;" in his efforts to cover his sexual misconduct, David repeatedly beseeches Batsheba's husband, Uriah, to "go down" to his house and refresh himself, hoping that he will then sleep with his wife. In one of the central ironies of the story, Uriah the Hittite (a branch of the Canaanite nation) acts in a way that is morally superior to that of David King of Israel. There are strong hints in the text that he is aware of David's true intentions but refuses to act as accomplice. For example, when Uriah explains his refusal to "go down" to his home, he adds the detail that David had so shrewdly omitted: "The ark, and Israel, and Judah, abide in booths… shall I then go into my house, to eat and to drink, and to *lie with my wife*? As you live…I will not do this thing" (verse 11). Despite David's efforts to entice and cajole, even to the point of sacrificing his own life, Uriah refuses to descend to David's low moral position.

 In the passage, there is elaborate repetition of certain keywords: in particular, the Hebrew root "*sh-l-h*, to send" appears seven times, and the noun "*mal'akh*, messenger" appears six times. Together, these words highlight David's extensive and complex system of messengers, who shield him from visibility and consequently, from accountability. David's system parallels Judah's threefold use of his own messenger,

a mysterious figure named Hira the Adullamite (Gen. 38: 1, 12, 20), who facilitates Judah's morally dubious actions.

With its emphasis on these ubiquitous messengers, I believe the biblical text seeks to highlight the pivotal role played by the enablers and protectors—"messengers" of all sorts—without whom errant leaders could not successfully endanger the public.

CONTEMPORARY APPLICATIONS OF THE TEXT

Who are today's "messengers? "As in the story of David and Batsheba, today's powerful leaders often surround themselves with a thick web of active protectors and enablers. But why would decent communal members actively support a leader who is suspected of serious, sustained misconduct? Why, instead of looking out for the community, do protectors often rush to impugn the motives, the honesty, or even the sanity of alleged victims?

Some possible reasons

- Sometimes, the cost-benefit calculation values respect for the erudition and accomplishments of the accused leader or the tangible benefits (money, jobs, members) the leader has brought to the community, which are viewed as "canceling out" possible harm the leader might have caused.

- If the leader has provided emotional support or greatly needed resources to community members, those members may have positive feelings, including debts of gratitude, toward the leader. As a result, community members may refuse to seriously consider claims of wrongdoing by the leader.

- Sometimes, community members fear they will suffer personal retaliation if they speak out against, or even fail to actively support, a powerful leader. As we know, standing up against a powerful voice leaves us vulnerable; we may worry about being disbelieved or ostracized.

- Prominent community members often feel a sense of collegiality with others in positions of leadership, and as a result, will zealously defend them, even to the point of overlooking clear signs of misconduct. Adding to this might be a component of self interest: communal leaders may want to ensure that colleagues would rush to their defense, should such a need arise. Often, after prolonged support of an errant leader, colleagues feel they no longer have the option of speaking out, and must continue supporting and defending their problematic peer.

- Finally, the face of the accused is evident to all while the faces of victims and potential victims are often unseen. Facing the accused often prompts misguided sympathy for their situation if their employment were to be terminated: What would become of their livelihood? What of their families? How would they bear the shame of exposure? Missing entirely from the list of concerns is the welfare of an unprotected public and the unseen victims.

In addition to active enablers, ordinary communal members are often unwittingly complicit in keeping abusive leaders in place. As trauma expert Judith Lewis Herman has famously warned:

"It is very tempting to take the side of the perpetrator. All the perpetrator asks is that the bystander do nothing… The victim, on the contrary, asks the bystander to share the burden of pain. The victim demands action, engagement, and remembering."

DISCUSSION QUESTIONS

1. How can we, as members of Jewish organizations and communities, reverse the default stance of silence?

2. What steps might enable us to replace the often adversarial relationship between institutions and alleged victims to one of cooperation?

3. How can we prompt ourselves and our communities to feel empathy for faceless victims as we often do for accused leaders?

4. What protections can we offer witnesses and whistleblowers?[6]

TEXT 5: "SHE CAME TO HIM"

One of the great unresolved questions in the narrative of David and Batsheba is her role in the unfolding developments. Was her sexual union with David consensual? Did she share David's desire to be rid of her husband, Uriah, so that she could become David's wife and queen of Israel?

In search of clues, we go back to three verses in the story:

•   "And David sent messengers, and took her; and she came to him, and he lay with her—she had just purified herself after her impurity" (4).

•   "The woman conceived; and she sent word to David and said: 'I am pregnant.' And David sent a message to Joab, 'Send me Uriah the Hittite'" (5).

•   "And when the wife of Uriah heard that Uriah her husband was dead, she mourned for her husband" (26).

THOUGHTS ON THE TEXT

On the one hand, when we consider whether David's interest in Batsheba was reciprocated, the text asserts that Batsheba "came to him" (verse 4). But, on the other hand, one might reasonably argue that there is nothing optional about a king's summons and that Batsheba's arrival at David's doorstep was a foregone conclusion.

In support of the notion that Batsheba was David's victim and not his willing partner, we note her near absence of speech. Aside from the two critical words, "*harah anokhi*, I am pregnant," she is silent throughout the narrative. Remarkably, those two Hebrew words are more than David expends on her; even in response to her dramatic revelation, David says nothing to Batsheba. Instead, he launches into problem-solving mode, seeking to cover the deed by having Joab send Uriah back from the front so that David could induce him to sleep with his wife.

Perhaps most revealing of Batsheba's feelings is the manner in which she receives the news of her husband's death: "And when the **wife of Uriah** heard that Uriah **her husband** was dead, she mourned for **her husband**." Note descriptions of Batsheba and Uriah: she is "wife of Uriah" and, twice, he is "her husband." With exquisite subtlety, the text conveys the tragedy that has befallen this couple. Because of a king's desire and his virtually unlimited power, a man is dead, a marriage forever shattered.

CONTEMPORARY APPLICATIONS OF THE TEXT

As revelations of abuse continue to come to light, we often face confusion about how to manage conflicting narratives, how to define consent, how to understand the passage of time between an alleged act of abuse and the reporting of the alleged act, and much more. At the core of these issues is the element of hierarchy, in which a powerful figure uses his/her power to sexually harass or assault a vulnerable subordinate. It is now widely understood that defenseless people will often act in ways that appear to signal consent but are, in fact, the result of intimidation and psychological manipulation.

It is also understood that those who have suffered at the hands of a powerful figure are often confused and terrified; as a result, they may be reluctant to come forward. In fact, many such victims feel compelled to continue interacting with the powerful leader, often silently enduring repeated acts of abuse. Often, it takes years or even decades for such victims to fully comprehend what has happened, to understand that they were not willing participants, and to feel secure enough to come forward with their stories.

With this knowledge, we are better able to understand the complex nature of the text's statement that Batsheba "came to" David. Then, as now, in responding to a summons of a dominant personality, the usual rules of consent simply do not apply. In constructing our policies, we must never lose sight of the unique rules that govern hierarchical relationships, and we must make sure that our policies clearly reflect this understanding.

DISCUSSION QUESTIONS

1. How does an imbalance of power shape relationship dynamics?

2. How can we ensure that sometimes necessary hierarchies in our organizations do not enable leaders to simply "see" and "take" what they want?

PART III

After studying these two biblical narratives and considering the models they offer us today, we can draw a few additional parallels between them. In doing so, we come to appreciate the enormity of David's misdeeds and consider our own beliefs about apologies, repentance, and restitution.

TEXT 6: ADDITIONAL COMPARISONS BETWEEN DAVID AND JUDAH

When Judah realizes how he had mistreated Tamar, he offers a soul-searching, itemized confession: "She is more righteous than I; for I did not give her to Shelah my son" (Gen. 38: 26). David, on the other hand, offers only a two-word Hebrew declaration, *hatati la-Adonai*, which translates as: "I have sinned to the Lord" (2 Sam. 12: 13). Compared to Judah's confession, David's act of repentance disappoints. Unlike Judah, David does not enumerate his sins, nor does he mention Uriah and Batsheba, the people he has irrevocably harmed. With his sparse words, "*hatati la-Adonai*, I have sinned to the Lord," it is as if David has committed a generic transgression against God alone.

In addition to this essential difference, we note the contrast in the behaviors of Judah and David following their apologies. At the end of Judah's story, we are told that Judah "is never intimate with her again." Perhaps this is Judah's determined corrective to his earlier problematic sexual behavior; despite the problematic implications of his decision, he will not risk using Tamar in an instrumental way ever again. [5] While Judah's choices throughout his life are not reversible, he commits to better behavior moving forward and, according to the text, follows through on his promises of reform. David's behavior, however, suggests that he is less than fully contrite. Unlike Judah, who ended his sexual relationship with the woman he had wronged, David brazenly, permanently, takes Batsheba as a wife.

On one level, it is impressive that the mighty David takes any responsibility for his deeds, even with his rather generic apology. His contrition is more striking when compared to that of his predecessor, King Saul. When Saul fails to live up to God's command, he repeatedly blames the nation while offering a series of excuses for himself. In contrast, David offers no self-justifications. He claims with simplicity and with clarity, "I have sinned to the Lord." Nonetheless, when compared with the words and actions of his forebear, Judah, David's words of penitence—especially in the context of his continued spurning of God's moral law– are woefully inadequate.

A final contrast between Judah and David may be found in two texts that highlight the long-term ramifications of their actions. On his deathbed, Jacob, father of Judah, declares (Gen. 49:10):

> ...לֹא־יָסוּר שֵׁבֶט
>
> "the scepter **will not depart**, *lo yasur shevet*, from Judah."

With his prophetic words in the passage, Jacob acknowledges Judah's significant wrongdoing but, at the same time, predicts that his kingship will endure forever. Perhaps because of his true contrition and the amends he has made, Judah is now assured that the "scepter will not depart" from his household. In contrast, here are the words spoken by the prophet Nathan to David, following his crimes against Uriah and Batsheba:

> וְעַתָּה לֹא־תָסוּר חֶרֶב מִבֵּיתְךָ עַד־עוֹלָם ...
>
> "the sword **will not depart**, *lo tasur herev*, from your household forever."

In an ironic twist on Jacob's words to Judah, the prophet Nathan tells David that the sword, not the scepter, will forever be part of David's line, and that although David will remain king, his reign will be soaked with blood. In fact, as a result of the blood he had spilled, David's great desire to build God's Temple was to be forever denied (1 Chr. 22:7-8). The contrast between the metonymic scepter and sword highlights the vast difference between each character's response to his wrongdoing, and between the permanent consequences to their legacies. As a unit, the stories of Judah and David act as a potent cautionary tale about powerful leaders and the support systems that surround them. Their similarities accent the enduring, dangerous patterns that require constant communal vigilance. Their differences underscore the spiraling nature of the problem, with the story of David not only echoing but grievously escalating the events in Judah's narrative. The spiral in these stories serves as a warning as to the incalculable personal and communal toll, with ripples far into the future, that could be exacted by abuse.

CONTEMPORARY APPLICATIONS OF THE TEXTS

If we fast forward from the pages of the Bible to the pages of today's newspapers, we see that many of the behaviors described in the biblical narrative—the misguided actions of both leaders and followers-- persist to this day. All too often, communities and their leaders engage in a cost-benefit analysis in human souls, viewing others, often the most vulnerable among them, as objects, not subjects. Too many leaders continue to see themselves as above the dictates of morality and God's law, and too many of their followers follow blindly, relinquishing control, oversight and good moral judgment.
The biblical stories we have studied remind us of the need– today, as back then– to look squarely into the faces of victims and potential victims, to view matters from their vulnerable perspective, and to feel personally and communally challenged to do more to protect them.

DISCUSSION QUESTIONS

1. Why is an itemized confession like Judah's more meaningful than an all-encompassing one like David's?

2. Judaism values *teshuva* (repetenance), and those who want to overlook leaders' wrongdoing often point to the principle of *teshuva* as a reason to keep or reinstate a leader. To what degree is *teshuva* a helpful principle in instances of abuse or harassment, and in what ways does *teshuva* still have limitations?

3. As we have seen, despite Judah's sincere *teshuva*, there are permanent restrictions in his ongoing relationship with Tamar. Are there situations today, even after an abusive leader has repented, in which that leader should never be reinstated?

4. Based on these two stories or your own knowledge, how can abuse of power have long-lasting effects beyond those of the individuals involved?

PART IV

Now that we have examined texts about two specific Jewish leaders, we can explore some of the Torah's more general commands regarding leadership. Through these, we can see that the Torah anticipates and addresses some of the concerns we continue to have with communal leaders today. By attending to the Torah's wisdom, we can avoid the missteps common in communities with charismatic leaders whose power is unchecked.

TEXT 7: THE BIBLE'S CODES AND POLICIES

At the Bible's first mention of the institution of monarchy, God attaches the following instruction:

שׂוֹם תָּשִׂים עָלֶיךָ מֶלֶךְ אֲשֶׁר יִבְחַר יְהֹוָה אֱלֹהֶיךָ בּוֹ מִקֶּרֶב אַחֶיךָ תָּשִׂים עָלֶיךָ מֶלֶךְ לֹא תוּכַל לָתֵת עָלֶיךָ אִישׁ נׇכְרִי אֲשֶׁר לֹא־אָחִיךָ הוּא:

רַק לֹא־יַרְבֶּה־לּוֹ סוּסִים וְלֹא־יָשִׁיב אֶת־הָעָם מִצְרַיְמָה לְמַעַן הַרְבּוֹת סוּס וַיהֹוָה אָמַר לָכֶם לֹא תֹסִפוּן לָשׁוּב בַּדֶּרֶךְ הַזֶּה עוֹד:

וְלֹא יַרְבֶּה־לּוֹ נָשִׁים וְלֹא יָסוּר לְבָבוֹ וְכֶסֶף וְזָהָב לֹא יַרְבֶּה־לּוֹ מְאֹד:

וְהָיָה כְשִׁבְתּוֹ עַל כִּסֵּא מַמְלַכְתּוֹ וְכָתַב לוֹ אֶת־מִשְׁנֵה הַתּוֹרָה הַזֹּאת עַל־סֵפֶר מִלִּפְנֵי הַכֹּהֲנִים הַלְוִיִּם:

וְהָיְתָה עִמּוֹ וְקָרָא בוֹ כׇּל־יְמֵי חַיָּיו לְמַעַן יִלְמַד לְיִרְאָה אֶת־יְהֹוָה אֱלֹהָיו לִשְׁמֹר אֶת־כׇּל־דִּבְרֵי הַתּוֹרָה הַזֹּאת וְאֶת־הַחֻקִּים הָאֵלֶּה לַעֲשֹׂתָם:

לְבִלְתִּי רוּם־לְבָבוֹ מֵאֶחָיו וּלְבִלְתִּי סוּר מִן־הַמִּצְוָה יָמִין וּשְׂמֹאול לְמַעַן יַאֲרִיךְ יָמִים עַל־מַמְלַכְתּוֹ הוּא וּבָנָיו בְּקֶרֶב יִשְׂרָאֵל: {ס}

> Set a king over yourself… But he shall not keep many horses… and he shall not have many wives… nor shall he amass silver and gold to excess. When he sits on his royal throne he must have a copy of this teaching written for him on a scroll… let him read it all his life… so that he will not act haughtily (his heart will not swell) toward his fellows… (Deut. 17: 15-20).

THOUGHTS ON AND CONTEMPORARY APPLICATIONS OF THE TEXT

Long before Lord Acton cautioned that "power tends to corrupt, and absolute power corrupts absolutely," the Torah sought to create an ethical and psychological framework that would instill humility in the hearts of powerful leaders.[7] Leaders were to understand that their power was, in fact, not absolute; the monarch, like every other mortal, remains subject to God's authority. Preemptively, long before any king is appointed, God sets down a code of ethics, charging leaders to practice humility in thought and in deed.

God's instruction acts as a model for today's communities: we too, are called upon to write codes of ethics, which reflect the philosophical and ethical foundations on which our institutions stand. In addition to promoting humility among our leaders, our foundational principles should include respect for each communal member as God's unique, infinitely valuable creation. They should reinforce our commitment to respecting boundaries, complying with all local and federal laws, providing support for victims, and creating transparent systems of oversight. At the heart of our codes lies God's call to build a "holy camp" in which God's presence will dwell.

Based on the codes our institutions construct, specific policies are then developed: the daily dos and don'ts of communal functioning that are meant, to the greatest extent possible, to prevent abuses of power and to promote institutional health. In the biblical model, God's policies attempt to prevent hubris by prohibiting the king from having too many horses, wives, or wealth. Today, our concerns are centered more on emotional and physical boundary crossing. As a result, one beneficial practice that has been adopted by many institutions is to limit a leader's one-on-one interactions with communal members to situations that are both observable and interruptible. It is the job of each institution to identify its particular safety needs and to build policies that best address them.

DISCUSSION QUESTIONS

1. Why is it important to limit leaders' power? In what contemporary institutions do limits on power potentially lead to greater equity and justice?

2. Why are policies important? Why should we have them in place even when our institutions seem to be functioning effectively?

TEXT 8: CREATING OUR OWN FORTUNES

While Text 7 offers methods of potential prevention of leaders' abuse of power, ensuring that they remain humble and always remember the needs and feelings of others, this text addresses response, guiding us on the best ways to handle a leader's transgressions.

אֲשֶׁר נָשִׂיא יֶחֱטָא וְעָשָׂה אַחַת מִכָּל־מִצְוֹת יְהֹוָה אֱלֹהָיו אֲשֶׁר
לֹא־תֵעָשֶׂינָה בִּשְׁגָגָה וְאָשֵׁם:

אוֹ־הוֹדַע אֵלָיו חַטָּאתוֹ אֲשֶׁר חָטָא בָּהּ וְהֵבִיא אֶת־קׇרְבָּנוֹ שְׂעִיר עִזִּים
זָכָר תָּמִים:

When a chieftain will sin… he shall bring as his offering… (Lev. 4: 22 , 23).

The language of this verse is anomalous. In the numerous verses that relate to sins of the general population, the conditional term "*im*" (if) is used: *if* an individual will sin, such and such offering must be brought. But when a chieftain sins, the text opts for the language of certainty: "*asher, when* a chieftain will sin…" On the most basic level, the non-conditional language hints at the inevitability of leaders going astray. Because they are subject to greater temptations, it is virtually certain that some will succumb to the lures of power.

We can carry this lesson with us, recognizing that leaders need more, not fewer, checks on their power. We know from historical precedent and our own experiences that even the wisest leaders can fall prey to sin, forgetting the value of humility and the full humanity of every person. By phrasing the possibility of leaders' sins in the language of certainty, Leviticus reminds all members of all communities to recognize our leaders' human fallibility and, consequently, always to be prepared to address misconduct should it arise. Even though the verse's meaning seems clear, in the mind of the great biblical interpreter Rashi, it actually hints at something more. Note the creative wordplay in which Rashi indulges as he defines the Hebrew word "*asher*:"

אשר נשיא יחטא. לְשׁוֹן אַשְׁרֵי — אַשְׁרֵי הַדּוֹר שֶׁהַנָּשִׂיא שֶׁלּוֹ נוֹתֵן
לֵב לְהָבִיא כַּפָּרָה עַל שִׁגְגָתוֹ, קַל וָחֹמֶר שֶׁמִּתְחָרֵט עַל זְדוֹנוֹתָיו
(ספרא):

"*Asher* (which typically means "when") is related to the term *ashrei* (fortunate): fortunate is the generation whose chieftain takes care to bring atonement for his error…"

I would like to echo Rashi's claim that a generation whose leaders take responsibility for their actions is indeed fortunate. But, based on the cautionary narratives of Judah and David, I want to expand on Rashi's sentiment by invoking the great 19th century poet Emily Dickinson, who said:

> "Luck is not chance–
> It's toil–
> Fortune's expensive smile
> Is earned…"

Our experiences, from biblical days to our own, have taught us that the good fortune of having virtuous leaders and safe communities does not happen on its own; it is "toil" and must be "earned." As our sacred texts instruct—particularly the foreboding stories of Judah and David—blind faith in our leaders is neither safe nor desirable.

We must do the hard work of prevention, building codes and policies tailored to the specific needs of our institutions. We must build transparent systems so that abuse, when it does occur, will be dealt with clearly and decisively. My hope and prayer is that the next generations will say of ours: *ashrei*, how fortunate was that generation, which created systems—to be replicated, maintained, constantly reviewed and updated–that ensure our safe and sacred communal spaces.

DISCUSSION QUESTIONS

1. Why are the pathways of both prevention and response necessary when considering how to keep our communities safe?

2. What are two or three of the top values that define your institution and should govern your policies?

Endnotes

[1] The formula of impulsive, and forbidden, "seeing" and "taking" first appears in Genesis 3:6, when the woman "sees" and "takes" the forbidden fruit. This formula is repeated numerous times in the Bible, often in relation to impulsive, forbidden action.

[2] Later, in our comparison of the actions of Judah with those of King David, we will more closely analyze the nature of Judah's words of contrition.

[3] Most notably, as a corrective for his cold-hearted treatment of Joseph and in a true act of leadership, Judah later offers to sacrifice his own life to protect his youngest brother, Benjamin (Gen. 44:33).

[4] In fact, the Hebrew word *y-r-d*, meaning "descent," appears no fewer than four times in this narrative (vss. 8, 11, 13).

[5] If we read the verse as Judah's commitment to abstinence, Tamar will by necessity be forever abstinent as well.

[6] The Torah, in Leviticus 19:16, demands action on the part of the bystander: "you shall not stand by the blood of your brother."

[7] Letter to Bishop Mandell Creighton, April 5, 1887. Historical Essays and Studies, edited by J. N. Figgis and R. V. Laurence (London: Macmillan, 1907).

This piece is part of the Respect & Responsibility: A Jewish Ethics Study Guide that is a joint project of Sacred Spaces and the Center for Jewish Ethics. Learn more at www.jewishsacredspaces.org.