

## THE BOOK OF II SHMUEL

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### LECTURE 83: CHAPTER 12 (PART III)

#### THE ATTITUDES OF CHAZAL AND THE RISHONIM TOWARD THE EPISODE OF DAVID AND BAT-SHEVA

##### I. “ WHOEVER SAYS DAVID SINNED...”

The story of David and Bat-Sheva gave rise to many discussions over the course of the generations. This *shiur* will veer from our usual study of the plain sense of Scripture, and it will be dedicated to the attitudes toward this story found in *Chazal* and among the *Rishonim*.

R. Shmuel bar Nachmani famously stated: "Whoever says that David sinned is merely erring." In this study, we will examine whether these words are meant to lessen the severity of David's conduct, or only of its consequences retroactively. Is this approach the consensus among *Chazal*, or perhaps a minority opinion? Did the *Rishonim* adopt this attitude, or did they reject it? Let us open with the well-known Talmudic passage:

R. Shmuel bar Nachmani said in the name of R. Yonatan: Whoever says that David sinned is merely erring, for it is said: "And David behaved himself wisely in all his ways; and the Lord was with him" ([I Shmuel 18:14](#)). Is it possible that sin came to his hand, yet the *Shekhina* was with him? Then how do I interpret: "Why have you despised the commandment of the Lord, to do evil in His sight?" ([II Shmuel 12:9](#)). He wished to do [evil], but did not. ([Shabbat 56a](#))

R. Shmuel bar Nachmani argues that it is inconceivable that David sinned, for God was with him. The *gemara* notes that R. Yehuda Ha-Nasi also defended David's actions, but it first records an interesting comment of Rav:

Rav said: Rabbi [Yehuda Ha-Nasi], who is descended from David, seeks to defend him, and expounds [the verses] in David's favor.

In simple terms: R. Yehuda Ha-Nasi, who descended from the house of David, bends over backwards to expound the verses in David's favor. It is difficult to determine whether Rav's comment was intended as praise, or rather to intimate that R. Yehuda HaNasi tried to find merit in David's behavior because of his own genealogy, but that Rav himself had reservations about such an approach.<sup>1</sup>[1] In any event, R. Yehuda HaNasi set the groundwork for the approach that comes to David's defense:

"Why have you despised the word of the Lord, to do that which is evil in his sight?" ([II Shmuel 12:9](#)). Rabbi [Yehuda Ha-Nasi] said: The "evil" [mentioned] here is unlike every other "evil" [mentioned] elsewhere in the Torah. For of every other evil [mentioned] in the Torah it is written, "and he did," whereas here it is written, "to do." [This means] that he desired to do, but did not. "You have smitten Uriya the Chitite with the sword:" You should have had him tried by the Sanhedrin, but did not. "And have taken his wife to be your wife:" You have marriage rights in her. For R. Shmuel bar Nahmani said in R. Yonatan's name: Everyone who went out in the wars of the house of David wrote a bill of divorce for his wife..."And you have slain him with the sword of the children of Amon:" Just as you are not [to be] punished for the sword of the Amonites, so are you not [to be] punished for the death of] Uriyah the Chitite. What is the reason? He was rebellious against royal authority, saying to him, "And my lord Yoav, and the servants of my lord, are encamped in the open field" (ibid. 11:11).

R. Yehuda Ha-Nasi makes two claims regarding David's two sins. First, David did not engage in relations with a married woman, for Uriya the Chitite – like all members of David's army – gave his wife a bill of divorce before going out to battle. Second, Uriya the Chitite was liable to the death sentence because of what he said to David (which we discussed in *shiur 79*).<sup>2</sup>[2] Only

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1 [1] The Abravanel writes in his commentary to our chapter: "R. Yehuda Ha-Nasi sought to vindicate him owing to his familial ties and his being of the seed of the house of David, **and not in accordance with the truth.**"

2 [2] The *Rishonim* disagree as to what precisely in the words of Uriya can be deemed a challenge to David's kingdom. According to Rashi, the very reference to Yoav as "my lord" in the presence of the king is an act of rebellion, whereas Rabbenu Meir (Rashi's son-in-law) understands that Uriya was guilty of rebellion when he refused to go home as ordered by David (see [Shabbat 56a](#), s.v. *de-amar lei*).

one explicit criticism of David remains – that he sent Uriya off to die in battle, rather than try him in court.

The argument that "everyone who went out in the wars of the house of David wrote a bill of divorce for his wife" is a key argument in our discussion, and the *Rishonim* disagreed about how to understand it. Rashi (s.v. *she-bikesh get keritut* and *get keritut*) explains that this was a conditional bill of divorce; should the husband be killed in war or not return from battle, his wife would be divorced retroactively from the time that she received the *get*. The benefit of such a *get* is twofold: First, the woman will be regarded as a divorcee and will not require *yibum* should her husband die without children; second, if her husband does not return (if he is taken captive or if he is missing in action), she will be a divorcee, and not an *aguna*.<sup>3[3]</sup>

The Tosafot ([Ketubot 9b](#), s.v. *kol ha-yotzei*; [Gittin 74a](#), s.v. *amar Rabba*) raise the objection that when David had relations with Bat-Sheva, he could not have known whether or not Uriya would return from battle. Thus, Rashi's approach cannot explain how David could have acted the way he did. In effect, Tosafot's objection reveals the direction of Rashi's thinking. According to Rashi, R. Yonatan did not justify David's action. All that he said is that in the end God was with David, as Scripture says, and he did not have relations with a married woman. The fact that Bat-Sheva held a retroactive *get* does not diminish the severity of what David did from the outset.

The Tosafot, in any event, disagree with Rashi and understand – in accordance with the plain sense of the passage – that the *get* was an actual valid bill of divorce; Bat-Sheva was already divorced when David had relations with her. The Tosafot do not explain why, if this is the case, the prophet rebuked David for his conduct, but the Rashba writes ([Ketubot 9b](#), s.v. *kol ha-*

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3 [3] The Tosafot raised an objection against Rashi from a *mishna* in [Gittin \(73a\)](#), where R. Yehuda asserts that a woman who receives a conditional bill of divorce is deemed "a married woman for all purposes." According to this, such a *get* would not lighten David's sin in any way!

There are two ways to counter this objection: 1) Rashi himself explains (*Gittin*, ad loc.) that R. Yehuda's words do not relate to all conditional bills of divorce, but only to a *get* in which a man divorces his wife "from the time in which I am in the world;" in that case alone, she is regarded as a married woman until the last moment of her husband's life. 2) The Ramban ([Ketubot 9a](#), s.v. *get keritut*) writes that this answer is possible according to the Sages, who maintain (according to his reading) that the woman who receives such a *get* is divorced for all purposes, provided that the husband dies.

*yotzei*): "That which the prophet chided him, because he acted improperly, for [the soldiers] only divorced [their wives] so that they should not become *agunot*, but they trusted their wives to remain loyal."

The Tosafot's understanding is difficult for a variety of reasons. Among other things, it is difficult to understand how David could have wanted to send Uriya home in order to have relations with Bat-Sheva if she was divorced at that time. In any event, even according to this explanation, David's defense is very limited. David may not have formally violated the prohibition of having relations with a married woman, but from a moral perspective, he certainly sinned – he had relations with a woman whose husband had trusted that she would remain loyal to him, even if at the moment she was formally divorced from him.

We see, then, that *Chazal* did not try to reduce the severity of David's act; at best, they shifted it from the formal plain to the moral plain.

As for the argument itself, the approach that understands the episode according to the assumption of the existence of some kind of *get* that soldiers would give their wives before going off to battle is far from the simple sense of Scripture, and there is no allusion to this in the text. Indeed, it turns out that even in *Chazal* this position is that of a lone authority, and it is subject to dispute from several directions.

There is a frontal disagreement about this in the passage in [Ketubot \(9a\)](#), where the *gemara* asks how David could have married Bat-Sheva. After all, a married woman who had relations with someone other than her husband is forbidden both to her husband and to her lover! The *gemara* offers two answers. First, "there it was a case of compulsion." Second, Bat-Sheva was actually divorced, owing to the *get* given by those going off to war. The first answer, then, rejects the approach according to which Bat-Sheva was a divorcee at that time. Moreover, it is stringent with David and adds the element of coercion to the act of having relations with a married woman!<sup>4</sup>[4]

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4 [4] We already wrote in *shiur 79* that *Chazal* might not mean coercion in the physical sense, but may refer to the fact that the king sent men to bring him a woman.

Other sources in *Chazal* clearly assume that Bat-Sheva was a full-fledged married woman. Thus, for example, several sections from a passage in [Sanhedrin 107a](#):

R. Yehuda said in the name of Rav: One should never [intentionally] bring himself to the test, since David king of Israel did so and fell. He [David] said unto Him: Sovereign of the Universe! Why do we say [in prayer], "The God of Avraham, the God of Yitzchak, and the God of Yaakov," but not the God of David? He replied: They were tried by me, but you were not. He said: Sovereign of the Universe, examine and try me – as it is written, "Examine me, O Lord, and try me." He answered: I will test you, and yet grant you a special privilege; for I did not inform them [of the nature of their trial beforehand], yet, I inform you that I will try you in a matter of adultery...

Rava expounded: What is meant by the verse: "But in my adversity they rejoiced, and gathered themselves together: yea, the abjects gathered themselves together against me, and I knew it not; they did tear me, and ceased not" ([Tehillim 35:15](#))? David exclaimed before the Holy One, blessed be He: Sovereign of the Universe! You know full well, that had they torn my flesh, my blood would not have flown. Moreover, when they are engaged in studying the four deaths inflicted by the court, they interrupt their studies and taunt me [saying]: David, what is the death penalty of him who seduces a married woman? I reply to them: He who commits adultery with a married woman is executed by strangulation, yet he has a portion in the World-to-Come. But he who publicly puts his neighbor to shame has no portion in the World-to-Come...

He pleaded before Him: Sovereign of the Universe! Pardon me that sin completely [as though it had never been committed]. He replied: It is already ordained that your son Shelomo should say in his wisdom, " Can a man take fire in his bosom, and his clothes not be burned? Can one go upon hot coals, and his feet not be burned? So he that goes in to his neighbor's wife; whosoever touches her shall not be innocent" ([Mishlei 6:26-30](#)).

We can summarize by saying that the prevalent opinion in *Chazal* did not try to minimize David's sin. In great measure, it can be said that *Chazal* even tried to be more stringent with him than one could conclude from the plain sense of Scripture, both in viewing his act as one of coercion and in suggesting that David knew from the outset that God would test him in a matter relating to adultery.

## II. APPROACHES FOUND IN THE *RISHONIM*

In this framework, we cannot review all of the approaches taken by the *Rishonim*, and we shall limit ourselves here to some of the main ideas. The two most important commentators, Rashi and the Radak, disagree in their attitude towards the words of *Chazal*. Rashi adopts the approach of R. Shmuel bar Nachmani and adds a surprising element – that David sent Uriya to his death in order to overcome the halakhic problem of Bat-Sheva being a married woman:

In order that she be retroactively divorced, in which case he did not have relations with a married woman, for anyone who went out to war would write his wife a bill of divorce, on condition that he dies in war.

The Radak, in contrast, brings two approaches:

1) "For she was purified from her uncleanness" – this teaches that he did not lie with her when she was a *nidda*, for she had already purified herself from her uncleanness, as it says, "bathing," and it teaches that this bathing was to cleanse herself from being a *nidda*, and he did not transgress the prohibition of having relations with a *nidda*, but only the prohibition of having relations with a married woman.

2) And our Rabbis, of blessed memory, said: Every one who went out in the wars of the house of David wrote a bill of divorce for his wife, should he die in battle. Therefore, David brought about the death of Uriya so that she should be retroactively divorced.

An interesting position arises from the words of the Rivan, Rashi's son-in-law, who dealt with the question of why David did not lose his kingdom because of his sin, as did Shaul. (We dealt with this issue in the previous *shiur*, and there we saw the path taken by the Rivan and the difficulty with it.) The Rivan presents an interesting approach to the statement of R. Shmuel bar Nachmani (which is written in rhyme):

Know in truth that Shaul's entire decree was sealed/ that his kingdom did not continue and his sin was stained/ whereas David's decree was torn asunder, and did not go up on the scales/ Even though his sin involving Bat-Sheva was many times greater/ **and even though our Rabbis of blessed memory tried to vindicate him in his judgment/ their reward is great, but Scripture does not leave its plain sense/** Why did he merit that he was pardoned/ while Shaul died in his trespass/ even though he was only lenient in the matter of Amalek/ ... Shmuel even cried out for him all the night/ but he was not answered and God did not turn to his prayer/ But Shaul did not confess in the manner of those who confess their sins/ rather he came with excuses/...and he said that he had pity on the best of the flock/ he condemned the people and vindicated himself/ as if he were walking in his innocence/ It was about this that God was angry with him, teaching you how difficult it is in His eyes/ the sin of a sinner who does not recognize his sin/ but displays himself as one who has not sinned/ as if he had been seduced/ But the perfect David, as soon as Natan the prophet reproached him and offered the parable of the rich man and the poor man/ confessed and was not ashamed, even though he was the anointed king/ and he did not find excuses/ he opened and said, I sinned before God/ See what Natan answered him regarding his confession and his wholeness/ The Lord has also put away your sin, you shall not die. (*She'eilot U-Teshuvot Chakhmei Proventzia*, no. 71, s.v. *nitztanen dami*)

In conclusion, let us bring the piercing words of the Abravanel in our chapter, which end with the main lesson to be learned from the episode as we presented it in the previous *shiur*:

These words of our Sages, of blessed memory, follow the paths of the *midrash*...How can we say that he wanted to act, but did not act, when Scripture testifies to his entire evil act in most explicit manner, and if David did not sin, how could he say, "I have sinned before God"? And why did he whole-heartedly repent and say: "For I know my transgressions; and my sin is ever before me" ([Tehillim 51:5](#)). The verse that brought them to this, "And David had great success in all his ways; and the Lord was with him," is before this story, and does not negate his sinning afterwards. For if David was then very successful in his actions, and God was with him in everything that he did, all the more so would God be with him, even though he truly sinned, because he received his punishment and he repented. **And therefore I cannot accept lightening the severity of David's sin, and I will not deny the simple truth**, and how should I be appeased by the bill of divorce that they said people would give their wives? Now the verse that they bring as proof is far from that, for David told Uriya to go that night to his house and to leave in the morning, which shows that there was no bill

of divorce, and this was proper seclusion. This is just like what they said there in the *gemara* that Uriya rebelled against the king and was [therefore] liable to the death sentence because he said, "and my lord Yoav," calling Yoav his lord before the king. To sum up, **if Scripture called him a sinner, and he confessed to his sin, how can a person be in error if he believes him? It is better that I say that he grievously sinned and greatly confessed, and fully repented, and received his punishment, and thus his sins achieved atonement.**

(Translated by David Strauss)

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