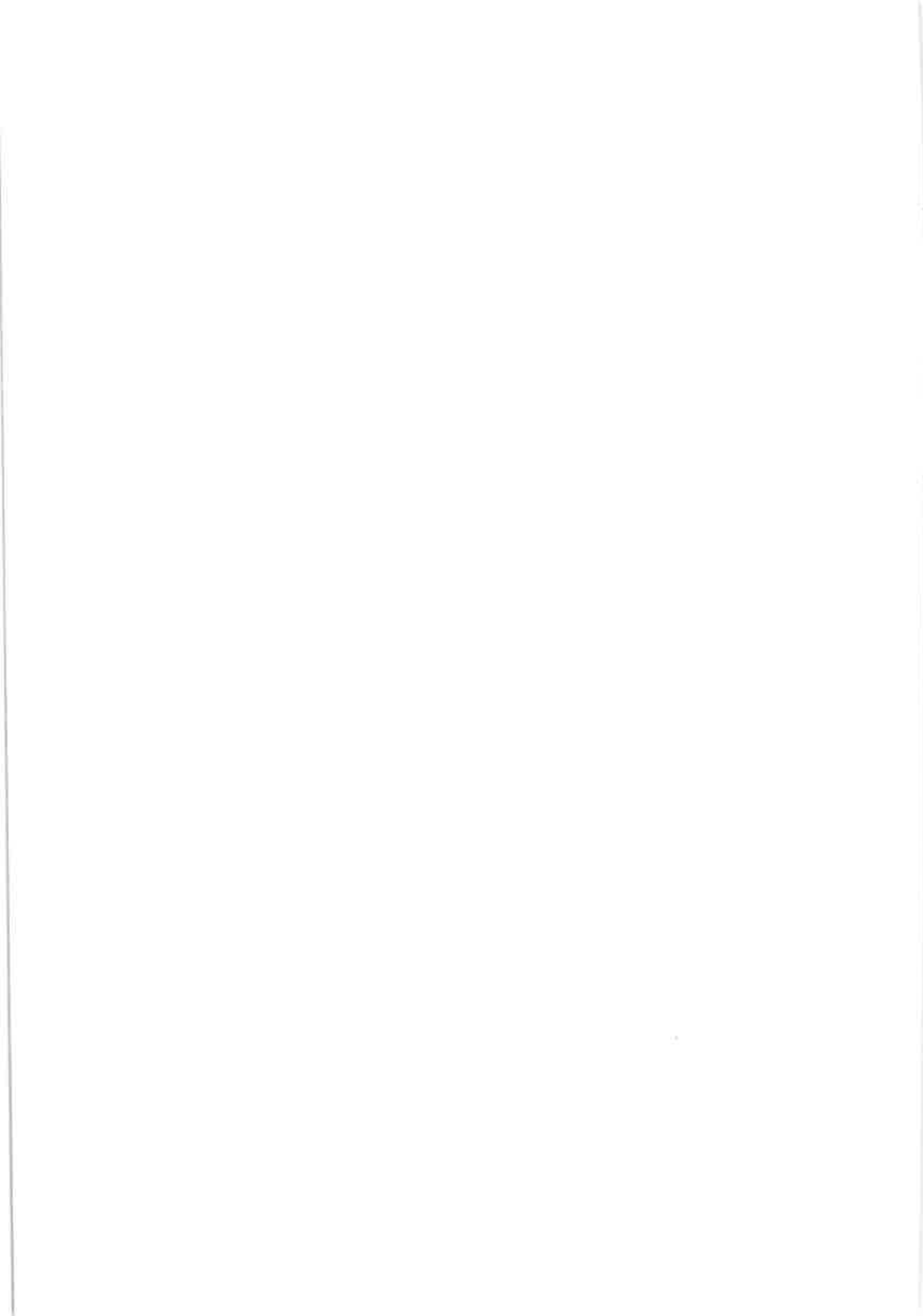
THE FOURTH JEWISH LAW FELLOWSHIP LECTURE

KING DAVID'S ADULTERY

by

Calum M. Carmichael

The Yarnton Trust
for
THE OXFORD CENTRE
FOR POSTGRADUATE HEBREW STUDIES
and
THE INSTITUTE OF ADVANCED LEGAL STUDIES



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King David's Adultery

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When I was first asked to provide a topic for to-day's lecture, I gave as a title "David's Adultery." Wisely, I was asked to be more specific. I need not tell this audience about the difficulties of interpreting statements, legal or otherwise. Take the Rabbinic precept, "Talk not much with womankind" (*Aboth* 1:5). The Rabbis, using the first of Hillel and Ishmael's hermeneutical rules, the *qal waḥomer*, "the light and the weighty," commented, "This refers to one's own wife, all the more to that of another man." A young novice, not familiar with the hermeneutical rule, translated their comment as, "In the case of one's own wife this precept is easy of fulfilment, but it is difficult in that of another man's."[1]

King David walking one evening on the roof of his palace saw Bathsheba bathing herself, conceived a desire for her, enquired who she was, learned that she was the wife of Uriah the Hittite, sent for her and had intercourse with her. Pregnancy ensued. In order to have it appear that Uriah was the father of the child, David summoned him back from the battlefield where he was engaged in a war against the Ammonites. David asked Uriah for a report on how the battle was faring. He then sent Uriah home to make love to his wife. The problem was that Uriah observed the customary rule not to have sexual relations while on military duty.[2] David was alert to this re-

[1] Cited by David Daube in his review of F. Schulz's *History of Roman Legal Science*, *Journal of Roman Studies*, 38 (1946), 115.

[2] I am sceptical that this rule has to do with some notion that sexual activity interferes with military prowess in the sense that it saps male energy. More likely is the aim to hold out to the warriors the prospect of acquiring women as part of the spoils of war. The Rabbis were alert to the way in which sexual appetite goads the warrior when they claimed that the rule about the captive woman in

straint and that was why he resorted to language with a double meaning. He told Uriah to return to his house and wash his feet. He meant the genital feet, feet in Hebrew as in other languages, having this transferred sense.[3] Uriah did not take the hint and slept instead outside the palace door.

No doubt if Uriah had openly protested David's order, David needed but have said that all he meant was for Uriah to wash his feet in the literal sense. That Uriah did understand David's remark in a sexual sense is indicated by his response to David when the latter asked him why he had not returned to his house. Uriah replied that in light of the fact that his companions were all engaged in warfare, "Shall I then go into my house, to eat and to drink, and to lie with my wife?" David tried again the next day to have Uriah return to his wife, and plied him with drink, but Uriah did not go. David then resorted to sending Uriah back to the battlefield as if he were an honoured emissary bearing messages between the king and the commander of the forces. In reality he sent him with a letter that contained his own death sentence. The message to Joab the military commander was that Uriah be placed in the hottest part of the fighting so that he would die at enemy hands.

David was himself once the object of such a ploy. King Saul sent him into battle with the promise that the king's daughter, Michal, would be David's reward, but the move was an attempt by Saul to have David killed (1 Sam 18:20-25). In regard to Uriah, Joab did as he was bidden and Uriah died in battle. Bathsheba mourned his death and she and David became husband and wife. The child was born but became sick and died. Bathsheba again conceived and Solomon was born. So far as the historical record is concerned all of the above data, from the adultery to the account of Solomon's birth, may well be accurate.

I wish to concentrate on the interpretation that has been imposed on the probable historical facts, in particular, to focus on the legal and ethical aspects of the narrative which are no less engaging

Deut 21:10-14, whom they argued may well be married, was a concession to human weakness, the deliberate giving in to a wrong. Not to permit such an appropriation, they thought, would lead to uncontrolled licentiousness on the part of the warriors (*Siphre* on Deut 21:10-14, *b. Kidd.* 21b f). See David Daube, *Collected Works: Talmudic Law*, 1, ed. C. M. Carmichael (Berkeley: 1992), 7.

[3] For example, in German the advice to the bridegroom: "Man muss nicht die Füsse in fremde Schuhe stecken."

than the literary.[4] There are many such aspects. For example, a view expressed in the Book of Deuteronomy is that if one keeps the commandments blessings and life ensue, if not curses and death befall the malefactor (Deuteronomy 28). The narrator of the court history, sharing the same view and applying it to David, interprets his adultery as the end of his rise to power and favour and the beginning of an inexorable decline.[5]

The story might also be used in working out different stages in the history of the law of adultery. The death penalty for the offence was aimed at David but not at Bathsheba. The story may reflect that stage in the law of adultery when the public authorities regarded the man, but not the woman, as culpable. The law looked away from the woman's role, her fate being left to her offended husband, inapplicable in Bathsheba's case because of Uriah's death in battle. In the absence of the Deuteronomic law requiring both the man and the woman to be put to death, a woman's position might seem a more fortunate one. However, as David Daube argues, while in terms of her possible physical survival this may be true, from all other angles her position was simply a reflection of her lowly status.[6] When the law chose to take account of the woman's role in adultery society was conferring personhood on her, a step forward in terms of the history of women's rights. To be sure, by granting this kind of right society typically exacted a high price: she paid for the advance by coming under a capital sentence for adultery.

Whether or not the narrative can be used to yield historical knowledge about developments in the law of adultery is a question we have to leave open. What can be analysed with more assurance is the actual judgment on David's adultery that is recorded in the narrative. The prophet Nathan, somehow finding out about the adultery, told David what turned out to be a parable. A rich man had many flocks and herds in contrast to a poor man who possessed but one ewe lamb. The man had an especially intimate attachment to the lamb, it was like a daughter to him, but that attachment ended when the rich farmer took the lamb in order to serve it to a traveller who

[4] For an excellent analysis of the literary aspects and sound arguments for the view that the material is first and foremost storytelling, see D. M. Gunn, *The Story of King David: Genre and Interpretation* (Sheffield: 1978).

[5] See R. A. Carlson, *David, the Chosen King* (Stockholm: 1964).

[6] See "Biblical Landmarks in the Struggle for Women's Rights," *Juridical Review* (1978), pp. 177-197.

had arrived.

When Nathan recounted this story to David, on the surface, he was not telling a parable. He was calling for the king's legal judgment. We know little about the Israelite kings' role as judges, other than that they did now and then hear cases. What Nathan asked David to judge was an offence about the theft of an animal. The interesting aspect of the case lies solely in the wildness of David's judgment. He pronounced a sentence that called for four-fold restitution of the animal, a reasonable judgment in line with the one laid down in the collection of rules in the Book of Exodus (21:37). But, remarkably, he went quite overboard and also placed the offender under a capital sentence.[7]

The explanation for the harshness of David's judgment is two-fold. First, he failed to observe an elementary rule for any judge who hears a case, namely, to get at the legal facts and to keep out extraneous features not pertinent to these facts. In the same collection of rules in the Book of Exodus about the theft of an animal there is a rule that bears all the marks of an address to judges: "Thou shalt not favour a poor man in his cause" (Exod 23:3).[8] Nathan's prosecutorial skill in relaying the circumstances of the poor man whose lamb had been taken by the rich man swayed David's emotions so much that he gave the wrong judgment involving a death penalty.

Secondly, and more profoundly, the reason why David's emotions caused him to give the wrong judgment in the case of theft was because of his prior offence against Uriah. It was his emotions then that got the better of him and resulted in his taking another man's wife. The penalty for adultery was a capital one. The effect of David's initial wrongful desire for Bathsheba was that when his emotions were again put to the test in judging what happened to the poor man's lamb, he gave the wrong judgment in regard to the lamb--but the right one in regard to the person the lamb represented, namely, Bathsheba.

A parable, in line with its original Greek etymology, means the

[7] A. A. Anderson rightly upholds a meaning that brings the culprit under a sentence of death, *2 Samuel*, WBC, vol. 11, 162. He cites Jonathon's reply to Saul after the latter had described David as *ben maweth*: "Why should he be put to death?" (1 Sam 20:31, 32, cp. 1 Sam 26:16).

[8] Interestingly, that law was originally focused on a shepherd's economic status. See C. M. Carmichael, *The Origins of Biblical Law* (Ithaca: 1992), 187-189.

throwing of something alongside something else, an account of one event shedding light on another. Nathan's case of the theft of the lamb was really meant to bring to David's mind his appropriation of Bathsheba. Its cleverness is of a very high order and warrants further comment.

Many critics find the contents of the parable problematical when they try to align its details with the particulars of David's conduct. I find no such difficulty. The parable points solely to David's adultery and does not include his consequent evil against Uriah. For some critics the parable's omission of David's role in Uriah's death points to a fractured relationship between the story about the lamb and David's offences. It would, however, be a mighty task for any composer of parables to effectively include both the veiled depiction of his adultery and a veiled account of how he eliminated Uriah. Moreover, it was surely sufficient for David to be judged on the adultery alone. That offence entailed a capital sentence and once David recognised that it was this offence Nathan was on about, he would immediately know that his eradication of Uriah had to be added to his offence of adultery. As the parable stands, it is a model of simplicity and ingenuity in accomplishing a risky political task. Someone without secular power not only communicated to someone with supreme power about his tyrannical ways, but had the tyrant damn himself.[9]

The rich man and his many flocks stood for David with his many wives. The association between women and domestic animals--there are similar associations for men--is evidenced elsewhere. For example, the name of Jacob's wife, Rachel, means an ewe, and their daughter, Dinah, was in focus in the legal proverb about how as the daughter of an ox she was (sexually) ploughed by the son of an ass, by Shechem the son of Hamor (Deut 22:10, Genesis 34, 49:5-7). When Samson declared that the men of his city could not have

[9] I make no judgment as to whether or not there actually was a development whereby Nathan confronted David with the case about the poor man's lamb. I incline to think that its historicity is in doubt, that the development is built into the overall story in order to account for David's avoidance of earthly penalties at the time. The narrator introduces the notion that David repented of his misdeeds in order to come to terms with such lack of punishment. While we can readily surmise that David's adultery was known in courtly circles, for example, among his servants who brought Bathsheba to him, it is not very believable that Nathan could go to him and present such a simple case of theft. Note D. M. Gunn's comments about parables and their narrative settings, *The Story of King David*, 41, 42.

solved the riddle he had given them unless they had ploughed with his heifer he was referring to their seducing his wife into giving the solution. The poor man and his one ewe lamb represented Uriah and his sole wife Bathsheba. How much we should deduce from the notion of the lamb as an intimate family pet--certainly we can infer the existence of animals as pets--and like a daughter who sat on his lap is problematical. It would not have done to suggest a sexual relationship between the man and his animal.[10] From a broader perspective, we should not be too surprised to find in the general culture an older man's young wife described as like a daughter. This might be especially so in polygamous set-ups such as David's own one where there may have been daughters of around the same age as a young wife.

Interpreters have been at a loss to comprehend the reference in the parable to the traveller (*helekh*) whose needs had to be catered for.[11] In fact, it is one of the most significant links between the parable and the narrative about David and Bathsheba. The term used, unique to this context, is derived from the verb to walk, *halakh*. It refers back, and hence the uniqueness of the term, to the initial action that set in motion all the subsequent events, namely, when David walked on the roof of his palace and his sexual desire travelled in the direction of the naked Bathsheba.[12] Biblical literature elsewhere thinks of desire in this way.[13] We noted how David's emotions in making the wrong judgment in the case of the theft of the animal were linked to his initial lack of control of his emotions in satisfying his desire for Bathsheba.

The rich man had the ewe lamb prepared for the satisfaction of the traveller's appetite. No attention is drawn to the fact that the lamb would first have been slaughtered. The focus is on the lamb as food. The parallel between sexual appetite and appetite for food is well established in biblical material. In Proverbs the lips of a loose

10 Uriel Simon, "The Poor Man's Ewe-Lamb: An Example of a Juridical Parable," *Biblica* 48 (1967), 229, compares the statement about how the lamb ate of its owner's morsel, drank from his cup, and lay in his bosom with Uriah's words about eating, drinking, and lying with his wife.

11 Uriel Simon is an exception, "The Poor Man's Ewe-Lamb," 226.

12 Note too the link between a journey and sexual desire when David directed Uriah to go to his home "and wash his feet," that is, his sexual feet once his other feet had arrived at their destination.

13 Eccles 6:9 speaks of the "wandering [*halakh*] of desire." Cp. Job 9:26, Prov 13:12, Jer 3:19. In the Adam and Eve story the serpent signifies curiosity, intellect in human beings.

woman drop honey (Prov 5:3), a man has to drink water from his own well (Prov 5:15), and bread eaten in secret is pleasant (Prov 9:17). The way of an adulterous woman is that she eats, wipes her mouth, and says, "I have done no wickedness" (Prov 30:20). All these are sexual references. The Rabbinic interpretation of the statement in Gen 39:6 that Potiphar left all that he had in Joseph's hand, that Potiphar "knew not aught save the bread which he did eat" may be accurate in getting at the original meaning of the odd statement (*Genesis Rabba* on 39:6). The Rabbis understood the statement about the bread to mean that only Potiphar's wife was off limits to Joseph.

One other link between the parable and the historical narrative is worth mentioning. Nathan had David unwittingly pronounce a judgment of death on himself for his theft of the ewe lamb, that is, Bathsheba. David's unwittingness corresponded to Uriah's when David had him carry to the warfront a message that, unknown to him, contained his own death sentence.

One consequence of David's adultery was that the child Bathsheba conceived by him became ill and eventually died. The narrator interprets its death as punishment for David's adultery. The principle of punishment that underlies this judgment is manifestly not the principle of communal responsibility, namely, that the child was somehow tainted by and hence also answerable for the offence of adultery.[14] Rather the principle is one of individual responsibility. David alone was held responsible for the offence but he was punished indirectly by the loss of a member of his household, a form of punishment that David Daube terms "ruler punishment."[15]

A most interesting aspect of the child's death was David's peculiar behaviour both before and after it died. When the child was ill David mourned greatly as if it were already dead. He stopped eating and lay on the earth all night. When the child died his servants feared that he would take his mourning to such lengths that he would do himself harm. David's conduct, however, proved to be the opposite of what they feared. He washed, anointed himself, changed his clothing, and ate again.

Two comments might be made about his conduct. First, we should link David's inappropriate emotions both before and after the

14 Contrary to A. A. Anderson, *2 Samuel*, 163.
15 See *Studies in Biblical Law* (Cambridge: 1947), 163-166.

child's death to the role of his emotions when he sought his sexual encounter with Bathsheba, and again when he overreacted to the man's theft of the animal. Secondly, there emerges a striking view of wrongdoing that is also found in other laws and narratives of the bible. According to this view an act of wrongdoing mixes matters that relate to death and those that relate to life. Often the punishment will bring out the nature of the wrongdoing. I recently came upon an amusing illustration from a small upstate New York town. A certain youth got the daughter of an Italian immigrant family pregnant. The Italian father sent a tuxedo to the youth with the message, "Wear this at your wedding or your funeral." He wore it at his wedding.[16]

In biblical material the failure to keep the two opposites life and death apart often constitutes an offence. The prohibition at the heart of the system of *kashrut* against boiling a young animal in its mother's milk--the very milk that had given life to the animal before it was slaughtered--is infused with the notion that life and death should be kept apart.[17] David's grievous mourning when the child was alive but life-affirming behaviour when it died may point to the wrongdoing surrounding its birth. David's offence was that he had Uriah killed in order to make it appear that Uriah was the child's father--a horrifying use of death to cover for the origin of life.

The consequences of David's adultery show up in incidents involving his other children. Consider, for example, how his son Amnon violated his daughter Tamar and how another son, Absalom, avenged the misdeed and slew Amnon. Amnon had a half-sister Tamar for whom he conceived a great desire. Like David his father, he wished to have immediate gratification. Unlike Bathsheba, Amnon's object of desire was in fact available to him, should he have fulfilled certain formalities. The narrative pre-supposes that a marriage between a brother and a half-sister was possible for the period of time in question, that such a union did not yet come under the Levitical lists of prohibited degrees of consanguinity. The narrator states that Amnon humbled (*'nnah*) her. "To humble" is a technical legal term, wrongly translated in most versions to mean he had

16 *The Washington Post*, article on "Teenage Sex," March 24th, 1991.

17 See C. M. Carmichael, "On Separating Life and Death: An Explanation of Some Biblical Laws," *Harvard Theological Review* 69 (1976), 1-7.

forced her.[18] Rather it refers to his failure, as the text elsewhere spells out, to consult her father with a view to arranging a marriage.

At first glance David's role in both Amnon's seduction of Tamar and Absalom's subsequent slaying of Amnon seemed a peripheral one. Amnon had David grant him permission to have Tamar come to his private quarters and provide him with food. Amnon, feigning illness, was seeking an opportunity to gratify his sexual appetite. We might note again the association between food and sexuality. In any event, we are not only meant to recall David's seduction of Bathsheba but, more to the point, we are meant to see that he was unwittingly setting up his own daughter to be seduced. Such a development was the inevitable consequence of David's wrongdoing. The inscrutable workings of providence visited a mirroring retribution on the offender, and members of a family were but instruments in heaven's hands to accomplish that retribution.

Amnon succeeded in his seduction of Tamar. Unlike David who loved and married Bathsheba, Amnon's attitude was quite the opposite after he had seduced Tamar: "The hatred wherewith he hated her was greater than the love wherewith he had loved her" (2 Sam 13:15). That hatred was to lead to his murder. Again, it was David who, unwittingly, sent Amnon to his fate. Another son of David, Absalom, sought permission of his father to have Amnon join him at a sheepshearing festival. There, Amnon, in a drunken state, reminiscent of his feasting with his sister, was slain.

A most peculiar feature of the narrative again indicates how David's original misdeed determined subsequent events. David mourned the loss, not of the dead son Amnon--"for he was comforted concerning Amnon, seeing he was dead" (2 Sam 13:39)--but of the living son Absalom, who had taken refuge in another part of the country because he had killed Amnon. David's soul longed for Absalom, and mourned for him day in and day out. Surely we are meant to recall David's strange conduct when he mourned for the love-child by Bathsheba when the child was yet alive, but was unconcerned after it had died.[19] Such topsy-turvy reactions in dealing with the

18 On the legal character of "to humble," see David Daube, *The Exodus Pattern in the Bible* (London: 1963), 65, 66. That force is also involved in the humiliation of Tamar emerges in 2 Sam 13:14.

19 There is consequently no need to resort to the textual surgery which transposes texts so that David's mourning refers to the dead Amnon. For such an attempt, see P. Kyle McCarter, AB 9, *II Samuel* (Garden City: 1984), 332.

living and the dead remind me of a folk-tale found only in Yorkshire. The wife of a dying man asked him if there was anything he would like before he died. He requested that she give him some boiled ham. She told him that he could not have it because it was for the mourners!

David's emotional attachment to Absalom brought disaster to father and son. The disastrous developments all relate to David's original offences against Uriah. For example, what happened to Absalom is intended to recapitulate what happened to Uriah. The way in which the narrator links the two lives is remarkable. Consider the following parallels.

David had Uriah return to Jerusalem because of a woman, Bathsheba. Uriah stopped short of going to his home, although David had wanted him to go. After Absalom had taken refuge because of his murder of Amnon, David had him return to Jerusalem on the advice of a woman, the so-called wise woman of Tekoah.[20] Absalom stopped short of entering his father's house, because David, in contrast to his wish for Uriah, did not want him to take that final step. One feature of this parallel development is that in each instance David compounded an offence. By having Uriah return to Jerusalem David was covering up for his adultery. By having Absalom return David was setting aside his murder of Amnon.

Another noteworthy contrast is between Nathan's fictitious case about the theft of the lamb and the fictitious case the woman of Tekoah told David, about the threatened death of her one remaining son who had murdered his brother. Nathan's aim was to have David convict himself of his wrongdoing, whereas the woman of Tekoah's aim was to have David discount Absalom's murder of Amnon. The reason for this contrasting turn of events is that by overlooking Absalom's offence, David prepared the ground for the punishments that Nathan predicted would befall him, namely, the violation of his concubines and the violence that the sword would bring to his own household.

One more contrast is worthy of attention. When Uriah stopped short of going to his own home the reason was his loyalty to Joab and fellow soldiers who were camped in the open field. David wanted him to offend against that commitment. When Absalom by contrast

20 When she appeared before David she had pretended to be mourning a son. We might recall David's strange mourning habits.

tried to return to his father's house, he offended against the military commander Joab by setting Joab's field of grain on fire. Absalom did this in the hope of pressuring Joab to convince David to receive him in person. David's refusal to have him in his presence was what prompted Absalom to offend. The overall significance of these contrasting developments is that by Uriah not going to his house he brought disaster on himself and future disaster on David. Absalom in turn by insisting on going to his father's house brought disaster on himself and his father.

After David received Absalom, Absalom rebelled against his authority and succeeded in forcing him from his kingship in Jerusalem. Absalom symbolically made claim to the kingship by setting a tent on the roof of the palace and, in full view of the public, he lay with each of his father's ten concubines. Such temporary accommodation is perhaps the equivalent of the accommodation needed by the "traveller"--identified, we recall, as David's sexual desire--in Nathan's parable. In any event, Absalom's display of sexual prowess recalls the secret seduction of Bathsheba by David when he let his desire wander from the same roof in the direction of the bathing Bathsheba. What David did in secret, Absalom did in the open, and where David's sexual desire was dominant, Absalom's was, we can infer, not a factor. His was a political act, not one where emotions overrode judgment. The fact that Absalom's sexual activity occurred within the family of David reminds us that David's adultery was, in the nature of things, a violation of a family tie.

David's adultery was followed by the cold, calculating manner in which he disposed of Uriah. When David took up arms against his upstart son Absalom, his emotional state is again cause for wonder. He made a request, wholly inappropriate in the midst of a decisive battle, that the enemy's leader, Absalom, be treated gently. "Deal gently for my sake with the young man, even with Absalom" (2 Sam 18:5). The contrast is with his callous treatment of Uriah. The military commander Joab ignored the request and had Absalom killed. Absalom's offence was that he had defied his father's authority. He died because Joab defied that same authority's order to deal gently with him.

Absalom's death was a humiliating one. Riding upon his mule in the midst of a forest, he got his head caught on a bough of a tree as the mule passed on. Suspended there between "heaven and earth," Joab cast three darts at him and the servants of Joab then proceeded

to put an end to him. It is remarkable that in warfare an enemy leader can become so accessible and consequently so easily disposed of. Absalom's fate recalls how Uriah's death in battle was similarly humiliating. Uriah was one of David's outstanding warriors but he was all too easily killed because he fought too close to a wall.

Uriah's death was compared to the humiliating death of the first king of Israel, namely, Abimelech (Jud 9:50-57). Abimelech, it was recalled by Joab (speaking on behalf of David, 2 Sam 11:21), died after a woman dropped a millstone on his head. Joab's (David's) comparison of Uriah's death to Abimelech's death was an apt one. It brought out the fact that a woman had played a role in each death. It was soldiers who actually killed Uriah, but it was his commander Joab who deliberately placed him in such a vulnerable spot. Joab in turn was taking his orders from David, who was giving them because he had committed adultery with Bathsheba. The chain of causation leads to her role in the adultery. This comparison between Uriah's death and Abimelech's provides us with the only evidence that the narrator regards Bathsheba as culpable for her part in the adultery. It cannot surprise that the narrator's interest in causation extends to details of the saga. The entire narrative is a magnificent exploration of the role of cause and effect in human affairs.

Not only Uriah's destiny, but Absalom's also may be compared with Abimelech's. Each obtained the kingship by underhanded means. Each was guilty of fratricide. Each died a humiliating death. Each was associated with imagery involving trees. In the parable about how the trees sought to appoint a king to rule over them, the worthy trees, those representing the status quo, olive, fig, and vine disdained the position. Derisively, it was offered to the bramble, which responded with an unwitting prediction about the humiliating circumstances of its demise (Judges 9:7-15, 52-54). The inferior Abimelech was the person, the bramble, whom the parable had targeted. As for Absalom, his suspension upon a tree signified the ignominious end to his reign as king.

When David awaited the outcome of the battle, his sole intent was to hear how his son had fared. When he learned that he had been killed, he uttered his famous dirge, "O my son Absalom, my son, my son Absalom! would I had died for thee, O Absalom, my son, my son!" (2 Sam 19:1). In its immediate context, it is a heart-rending lament. In a wider context it is the judgment that Absalom's death was the one that David should have suffered for his offences. David

continued to mourn Absalom, a state of emotion that was regarded as quite inappropriate by his subjects. The consequence was the break-up of his kingdom. David's mourning for Absalom was but a continuation of his emotional problems from the moment he let his eye fasten on Bathsheba.

Let me turn to some final observations about the legal and ethical aspects of the entire story. The profound view of how David was paid back in similar coin for his adultery and subsequent disposal of Uriah is what makes the story such a compelling one. Heaven, we are to believe, works this way in the pursuit of justice. What might appear to be innocent, certainly unwitting, actions on the part of David were really pre-determined by his preceding guilty actions. A modern reader is reminded of Freud's claim that what appear to be accidents, errors, and tragic occurrences are often but masks for what Freud calls semi-intentional harm on the part of those involved.[21] The biblical perspective is well expressed in the classical Vietnamese saying (from the *Tale of Kieu*), "Happiness or misfortune is prescribed by the law of Heaven, but their source came from ourselves." Heaven had David send Tamar to her seducer and heaven had David send the seducer to his death at the hands of his brother.

The historical fact that David got off with his act of adultery and elimination of Uriah no doubt determined the narrator's quest for other ways to suggest that wrongdoing met with its just deserts. Alas, in interpreting events as they do, the ancient writer(s) presents a view of justice that is profoundly unsatisfactory. The actors in the drama of unfolding retribution were but instruments in heaven's hands, mere objects to satisfy a craving for justice. Tamar was sexually violated in order to pay back David for his adultery. Her brother Amnon behaved in ways that were both morally and legally wrong, but not to the extent that he deserved to die, and certainly not that he should have died in a quite lawless way at the hands of his brother Absalom. The fate of Amnon and Tamar was tied to David's action to cover up his adultery. The craving for justice reveals right values, rises to the heights in suggesting a unified view of all human action, but also depicts justice as cold, impersonal, and anti-human. The topic is the enormous one of the tension often latent in the claims of religion as against those of the law. The narrator writes from the viewpoint of an ideal religious and moral order

21 See *Psychopathology of Everyday Life* (London: 1966), 122-126.

because the legal order failed to visit consequences upon David for his wrongdoing.

It can be shown that biblical lawgivers opposed the kind of justice found in the narrative sources of the bible. Where these sources described vicarious penalties, the lawgivers set down penalties directed at the culprit only. The inspiration for the formulation of the majority of biblical laws was in fact the lawgivers' focus on the legal and ethical problems that were thrown up by such narrative sources as the saga of David's rise and fall. One example of such a legal construction derived from the David saga is the Deuteronomic law about the criminal whose body is to be hung up for public exposure after his execution (Deut 21:22, 23). In this rule the lawgiver refers, not just to a man who has been executed, but unnecessarily for the drafting of a law, to the execution of a man who "has committed an offence worthy of death." The reason for this statement is his negative reaction to the fate of the sons of Saul whom David handed over to the Gibeonites for execution. These sons were not punished for any offence they committed. They were put to death and their bodies exposed because the Gibeonites were avenging Saul's offence against them.

Another link between the laws and the narratives in the bible casts new light on Nathan's parable. Biblical lawgivers often formulate rules after the fashion of the formulation of proverbs, particularly those proverbs that encapsulate a feature of a story. A prime illustration of this process is the way in which biblical rules about the Passover enshrine aspects of the story of the Exodus. The characteristic feature of Nathan's parable is precisely that of the relationship between biblical laws, especially those in the form of legal proverbs, and their narrative sources. Rules such as not to sow a vineyard with two different kinds of seeds, not to plough with an ox and an ass together, and not to put on *sha'aṭnez*, wool and linen together, all constitute clever, cryptic judgments on patriarchal conduct.[22] So too is Nathan's parable a cryptic judgment on David's conduct with Bathsheba.

[22] For an analysis of all of the above rules, see C. M. Carmichael, *Law and Narrative in the Bible* (Ithaca: 1985), 150-155, 185-205.