KOL ISHAH: HEARING WOMEN’S VOICES

A SHAVUOT STUDY GUIDE ON SEXUAL MISCONDUCT IN THE HEBREW BIBLE AND IN JEWISH TRADITION

A PROJECT OF THE CCAR TASK FORCE ON THE EXPERIENCE OF WOMEN IN THE RABBINATE

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Today, more than ever, we are aware of women’s struggles to be heard, to be safe, to be free from objectification and sexualization. The #MeToo Movement has brought to light just how widespread and systemic sexual misconduct has been for women not only today but throughout history—including within the Jewish tradition.

As Reform Jews, we believe that traditional texts can speak to our current situation. This study guide will examine women’s voices—both silenced and amplified—in some of our biblical and post-biblical texts. Our goal is to bring community members into conversation with one another and with texts around the important issue of acknowledging sexual harassment and mistreatment of women.

We aim on the one hand to acknowledge the silencing of women in our traditional texts and on the other to elevate the female voices that do speak boldly and are heard in our tradition. In so doing, we hope to empower women of today, and the men who stand by them, to find themselves in our texts and to be co-creators of a new reality where equality and safety are protected and valued.

The texts on this topic are voluminous. We have tried to address the issue from many angles, recognizing that covering all of this material would likely require many sessions. We invite facilitators to review the material in its entirety and make choices that would best suit their community.

Note: The traditional texts on this topic presume a heteronormative viewpoint: men are attracted to women and vice versa. As modern Jews, we recognize that our communities are diverse, encompassing a broad spectrum of gender identifications and sexual orientations. We use these texts as a jumping-off point, inviting the reader to bring his/her identity into the conversation.
Part 1: Introducing *Kol Ishah*: A Woman’s Voice

The term *Kol Ishah* refers to a halachic concept in which men are prohibited from listening to a woman’s singing voice, on the basis that it might be sexually arousing. For this reason, women are traditionally not permitted to sing in mixed company. The prohibition against hearing women’s voices is rooted in a verse from the Songs of Songs, the Biblical love poem, in which a male lover is praising his female lover’s appearance and voice:

**SONG OF SONGS 2:14**

יְהוָ֖ה יִבְנֵ֣י חַֽלְוַ֑י בְּנַעֲרֵ֥י הַמַּדְרָכָ֑ה שָׁנַּ֖לֶג בְּבֵיתֵ֣י הֶ֗צִּיְרַֽי לִבְנֵ֥י יִֽוָ֝נַתִּ֗י בְחַ֛גְוֵי הַסֶּלַ֜ע בְּבֵיתֵ֥י הַמַּדְרָכָ֖ה שָׁנַ֣לֶג בְּבֵיתֵ֥י הֶ֗צִּיְרַֽי

O my dove, in the cranny of the rocks, Hidden by the cliff, Let me see your face, Let me hear your voice; For your voice is sweet and your face is lovely.

This chapter of the Song of Songs reflects two lovers praising one another. It reflects a mutual sexual longing between two partners.

Elsewhere, the Torah discusses sexuality not in terms of love but in terms of forbidden sexual relationships called *עריות* - *arayot* (the singular *ﬠֶרְוָ֑ה* – *ervah* means “nakedness”).

**LEVITICUS 18:5-7**

אִ֥ישׁ אֵ֖ין אֱלֹהִ֑י יִשַּׁרְבֶּ֧ה לֵ֖א אוֹלֶ֛ה לְעֹלֶ֖ה שָׁנַ֣לֶג בְּבֵיֵ֣י הַמַּדְרָכָ֑ה שָׁנַ֥לֶג בְּבֵ֖י הַמַּדְרָכָֽה

You shall keep My laws and My rules, by the pursuit of which man shall live: I am the LORD. None of you shall come near anyone of his own flesh to uncover nakedness (*ﬠֶרְוָ֑ה*): I am the LORD. Your father’s nakedness, that is, the nakedness of your mother, you shall not uncover; she is your mother—you shall not uncover her nakedness.

**Question for Discussion:**

Why is the Bible so concerned with forbidding certain types of sexual interactions?

The Talmud, in *B'rachot* 24a, brings these two concepts together. In the midst of a debate over whether a man may recite the *Sh'ma* in potentially immodest situations...
(when sharing a bed with another man, when another person is unclothed in the same space), the Talmud enters into a discussion of the potential for a man to become sexually aroused when seeing a woman’s body or hearing her voice. For the first time, Ḵol Ishah (the voice of a woman) is connected with Ervah (nakedness):

**Babylonian Talmud, B'rabot 24A:**

R. Isaac said, “An exposed handbreadth in a woman constitutes nakedness *(ervah).*” R. Hisda said: “A woman’s leg constitutes nakedness, as it says, ‘Uncover the leg, pass through the rivers,’ and it says afterwards, ‘Your nakedness shall be uncovered, yea, thy shame shall be seen’” (Isaiah 47:2-3).

אמר שמואל קול באשה ערוה שנא' )שיר השירים ב, יד( כי קולך ערב ומראך נאוה

Samuel said: “A woman’s voice is to be regarded as nakedness *(ervah),* as it says, ‘For your voice is sweet and your face is lovely’” *(Song of Songs 2:14).* R. Shesheth said: “A woman’s hair is an ervah, as it says, ‘Your hair is as a flock of goats’” *(Song of Songs 4:1).*

Questions for Discussion:

The verse from Isaiah draws a parallel between “nakedness” and “shame.” What is the implication of this connection? How does it color the rest of the conversation around women’s sexuality? Why do you think the woman’s voice came to be included in the category of “nakedness?” If the Song of Songs reflects a mutual longing, why does the Talmud choose to sexualize and restrict only the woman’s voice?

By the late Middle Ages and into the modern period, the authoritative codes of Jewish law had expanded the prohibition to include almost any kind of contact with a woman.

**Shulchan Aruch, Even Haézer 21:1**

A man is forbidden to gaze at women doing laundry. He is forbidden to gaze at the colorful garments of a woman whom he recognizes, even if she is not wearing them, lest he come to have [forbidden] thoughts about her. If one encounters a woman in the marketplace, he is forbidden to walk behind her, but rather [must] run so that she is beside or behind him. One may not pass by the door of a promiscuous woman [or: a prostitute], even four cubits [around 6–8 ft or 2–2.5 m] distant. If one gazes even at the little finger of a woman with the intent to have pleasure from it, it is as though he gazed at
her shameful place (בְּבֵית הַתֹּרֶף - b’veit hatoref). It is forbidden to listen to the voice of an ervah [a forbidden woman] or to look at her hair.

**Question for Discussion:**
What picture does this text paint of the woman’s body and the effect it has on men? What is the implication of the text’s nomenclature for a woman’s genitalia as beit hatoref—literally a “place of filth/obscenity” according to the Jastrow Dictionary of Targumim, Talmud and Midrashic Literature (1926)?

While there are more liberal interpretations of Kol Ishah (for example, Rabbi Samson Raphael Hirsch, allowed men and women to sing Shabbat songs together, since the voices could not be distinguished from one another) there is nonetheless a clear strain within Jewish tradition that seeks to silence women’s voices, viewing them as a threat to men’s self control. As a result, women were traditionally silenced because of concern about men’s inability to control their urges, and were treated as second class citizens, sexual objects, or as a source of threat and danger.


One of the ways women’s voices are literally silenced in the Orthodox world is through the notion of kol ishah, that is, the idea that a woman’s voice is so alluring that it constitutes a distraction to the men who hear it and interferes with their ability to concentrate in prayer. It is one of the means by which women are deprived of the opportunity to lead services. Even in secular settings (e.g., modern popular music), Orthodox men do not listen to women singing, again, because the sound of their singing is so alluring that it might lead them to sinful thoughts.

In modern society as well, women’s voices have often been silenced, particularly when it comes to the pervasive reality of sexual assault and harassment. The shame surrounding rape and sexual abuse is so real and pervasive that victims have been encouraged to stay silent rather than to speak out and risk ostracization or condemnation. Silence breeds powerlessness; to speak is to wield power. The purpose of the #MeToo Movement is, in part, to fight against the silence, to allow Kol Ishah—Women’s Voices—to be heard.
Questions for Discussion:
How has the sexualization of women served to oppress them in traditional Jewish practice? Can you point to parallels of this sexualization and silencing of women in modern secular society? In what ways does this serve to oppress?
Part 2: Sexual Assault in the Bible: Two Case Studies

Case One - Dinah

**Genesis 34: The Rape of Dinah**

(1) Now Dinah, the daughter whom Leah had borne to Jacob, went out to visit the daughters of the land. (2) Shechem son of Hamor the Hivite, chief of the country, saw her, and took her and lay with her by force. (3) Being strongly drawn to Dinah daughter of Jacob, and in love with the maiden, he spoke to the maiden tenderly. (4) So Shechem said to his father Hamor, “Get me this girl as a wife.” (5) Jacob heard that he had defiled his daughter Dinah; but since his sons were in the field with his cattle, Jacob kept silent until they came home. (6) Then Shechem’s father Hamor came out to Jacob to speak to him. (7) Meanwhile Jacob’s sons, having heard the news, came in from the field. The men were distressed and very angry, because he had committed an outrage in Israel by lying with Jacob’s daughter—a thing not to be done. (8) And Hamor spoke with them, saying, “My son Shechem longs for your daughter. Please give her to him in marriage. (9) Intermarry with us: give your daughters to us, and take our daughters for yourselves: you will dwell among us, and the land will be open before you; settle, move about, and acquire holdings in it.” (10) Then Shechem said to her father and brothers, “Do me this favor, and I will pay whatever you tell me. (11) Ask of me a bride-price ever so high, as well as gifts, and I will pay what you tell me; only give me the maiden for a wife.” (12) Jacob’s sons answered Shechem and his father Hamor—speaking with guile because he had defiled their sister Dinah— (13) and said to them, “We cannot do this thing, to give our sister to a man who is uncircumcised, for that is a disgrace among us. (15) Only on this condition will we agree with you; that you will become like us in that every male among you is circumcised. (16) Then we will give our daughters to you and take your daughters to ourselves; and we will dwell among you and become as one kindred. (17) But if you will not listen to us and become circumcised, we will take our daughter and go.” (18) Their words pleased Hamor and Hamor’s son Shechem. (19) And the youth lost no time in doing the thing, for he wanted Jacob’s daughter. Now he was the most respected in his father’s house. (20) So Hamor and his son
Shechem went to the public place of their town and spoke to their fellow townsman, saying, (21) “These people are our friends; let them settle in the land and move about in it, for the land is large enough for them; we will take their daughters to ourselves as wives and give our daughters to them. (22) But only on this condition will the men agree with us to dwell among us and be as one kindred: that all our males become circumcised as they are circumcised. (23) Their cattle and substance and all their beasts will be ours, if we only agree to their terms, so that they will settle among us.” (24) All who went out of the gate of his town heeded Hamor and his son Shechem, and all males, all those who went out of the gate of his town, were circumcised. (25) On the third day, when they were in pain, Simeon and Levi, two of Jacob’s sons, brothers of Dinah, took each his sword, came upon the city unmolested, and slew all the males. (26) They put Hamor and his son Shechem to the sword, took Dinah out of Shechem’s house, and went away. (27) The other sons of Jacob came upon the slain and plundered the town, because their sister had been defiled. (28) They seized their flocks and herds and asses, all that was inside the town and outside; (29) all their wealth, all their children, and their wives, all that was in the houses, they took as captives and booty. (30) Jacob said to Simeon and Levi, “You have brought trouble on me, making me odious among the inhabitants of the land, the Canaanites and the Perizzites; my men are few in number, so that if they unite against me and attack me, I and my house will be destroyed.” (31) But they answered, “Should our sister be treated like a whore?”

Questions for Discussion:
Where is Dinah’s voice in this text? What was her experience throughout this ordeal, and how do you know? Verses that mention Dinah—by name or otherwise—are underlined above. Do you see anything surprising about the frequency with which her name appears in this text?
Where is Dinah’s Voice?

Contemporary Reflection, by Rabbi Laura Geller from The Torah: A Women’s Commentary, Edited by Rabbi Tamara Cohen Eskkenazi, PhD and Rabbi Andrea L. Weiss, PhD, (Reform Judaism Publishing, a division of CCAR Press, 2015), p. 204–205.

[The previous chapter (Genesis 32:23) tells that Jacob crosses the river with “his eleven children.” But Jacob already at this point has twelve children. What about Dinah, his daughter? What happened to her? Rashi, quoting a midrash, explains: “He placed her in a chest and locked her in [to hide her from Esau].” Hiding Dinah—locking her up—is a powerful image about silencing a woman. And that silence echoes loudly through the rest of the Torah.

What happens to Dinah in the aftermath of her ordeal? We do not know. We never hear from her, just as we may never hear from the women and girls in our generation who are victims of violence and whose voices are not heard. But the legacy of Jacob as Israel, the one who wrestles, demands that we confront the shadowy parts of ourselves and our world—and not passively ignore these facts. The feminist educator Nelle Morton urged women to hear each other “into speech.” Dinah’s story challenges us to go even further and be also the voices for all of our sisters.

Questions for Discussion:
This is one of many places in the Torah where women are silenced or not mentioned by name. What are the societal implications of the silencing of women? What is the connection between the silencing of women’s voices and the incidence of sexual violence?
The Question of Consent

**GENESIS 34:2**

Shechem son of Hamor the Hivite, chief of the country, saw her, and took her and lay with her by force.

**THE TORAH: A WOMEN’S COMMENTARY, EDITED BY RABBI TAMARA COHEN ESKENAZI, PHD AND RABBI ANDREA L. WEISS, PHD, (NEW YORK: REFORM JUDAISM PUBLISHING, A DIVISION OF CCAR PRESS, 2015), PP. 190-191.**

A crucial question for modern interpreters is whether or not Dinah was raped. When considering the modern concept of rape—characterized by an aggressive act and lack of mutual consent—there is little question as to what happens to Dinah; the author tells us that Shechem saw her, took her, lay with her, and humiliated her. To us, this string of verbs screams “rape….“ The assumption made by most interpreters is that Dinah did not consent to the sexual act. However, the question of consent, so central to the modern notion of rape and of women’s rights in general, is entirely ignored in this text. Dinah’s consent is not the issue.

**COMMENTARY OF HAAMEK DAVAR**

ויישכב אתה. כבר נתבאר ב' ויקרא ט''ה דבכ''מ דכתיב בשכיבת אשה לשון Winnipeg והיינו הושיא אתוה משמוע

 ובאנוס. ובראש כליב עמה. אפ לא שיש לה אתיה דרשר. וה' כתיב אתה שיהיה באנוס.

“And he lay with her”...with regard to sexual relations with a woman, the language of אתוה - *otah* has a meaning of forcing. Whereas when it is consensual, it is written “with her.” Here it is written *otah*, hence it is a case of rape.

There are three cases in the Torah when the preposition אח (et) is used to refer to sexual relations (Bilhah in Genesis 35:22, Dinah in Genesis 24:2, and Tamar in 2 Samuel 13:14). In each of the three cases, the woman is not considered a willing partner, as indicated by the use of that preposition.
The word את (et) is not translatable into English, but its grammatical function in Hebrew is to show that the word that follows it is an object—the object of the verb that preceded it.

... by using the preposition et in these three incidents, the Torah does have an important lesson: No means no. In these three instances, it is clear that the motivation for rape is not desire. The issue is power, as we have learned in our modern times. Rape is a violent act, an act of establishing authority and power through fear. In the case of Dinah, she was a pawn in the fight between the possessors of the Land (Shechem and his father, Hamor) and the newcomers (Jacob and his sons). In taking her by force, Shechem tried to establish his power over the Land and his right to do whatever he deemed right in that Land.

...This message as relevant today as it was centuries ago, as men continue to use and abuse women as pawns in the power game. Rape is about power, but it will never secure the power that the rapist seeks. And every time a woman affirms, “No means no,” we will all know that the Torah supports her.

Questions for Discussion:
What is the relevance of the preposition et (indicating an object) as opposed to im (“with”) when it comes to sexual relations? What does Rabbi Lia Bass mean when she infers that “rape is about power?”

In ancient times, no unmarried girl or woman, at any age, had the right of consent, and a married woman could not consent to anyone other than her husband. Only widows, divorcees, and prostitutes had any control over their own sexuality. To sleep with a girl before acquiring the consent of her parents was to treat her as if no one was responsible for her sexuality, no one was guarding it, and no one controlled it. A young girl with sexual autonomy could be only a prostitute. As Dinah’s brothers say in their defense, “Shall our sister be treated as a prostitute?”
Questions for Discussion:
How does this ancient powerlessness of women continue to be felt even in today’s society? Widows, divorcees, and prostitutes, described here as the only women who had control over their sexuality, were also marginalized and vilified in ancient society. Is there a parallel today? In what ways are women still caught between powerlessness or vilification?

The Talmud discusses sexuality and consent, concluding that even within a marriage, sex must be consensual.

Eiruvin 100b:

Rami bar Hama said that Rav Asi said: It is prohibited for a man to force his wife in the conjugal mitzvah, i.e., sexual relations, as it is stated: “And he who hastens with his feet sins” (Proverbs 19:2). [The term “his feet” here is a euphemism for intercourse.] And Rabbi Yehoshua ben Levi said: Anyone who forces his wife to perform the conjugal mitzvah will have unworthy children as a consequence. Rav Ika bar Hinnana said: What is the verse that alludes to this? “Also, that the soul without knowledge is not good” (Proverbs 19:2).

That was also taught in a baraita: “Also, without knowledge the soul is not good”; this is one who forces his wife to perform the conjugal mitzvah. “And he who hastens with his feet sins”; this is one who has intercourse with his wife and repeats [the act in a manner that causes her pain or distress].

Questions for Discussion:
Why is it important that the Rabbis of the Talmud recognize that there can be rape or non-consensual sex in a marriage? Is it surprising to you? Using the Rabbinic understanding of marriage as a model, what voice should a woman have in consenting to sexual relations?

In the United States, all colleges and universities that receive federal funding are required to adhere to strict policies surrounding sexual misconduct and consent. As part of these policies, Queens University of Charlotte defines consent as follows:

Queens University Sexual Misconduct & Interpersonal Violence Policy 2017

Consent cannot be inferred through silence or lack of resistance. Consent to one activity does not constitute consent to other sexual acts. Past sexual activity does not constitute consent for future acts. A minor cannot provide consent under any circumstances. If at any time consent is uncertain, the initiating party should stop
and obtain verbal consent. The use of any force, display of force, coercion, or intimidation typically negates consent. Individuals who are incapacitated may not legally give consent to sexual activity. Incapacitation includes, but is not limited to, being highly intoxicated, passed out, or asleep.

Questions for Discussion:
How does the traditional Jewish approach as described in the Talmudic text compare to the legal approach taken on college campuses today?
Blaming the victim:

GENESIS 34:1:
Now Dinah, the daughter whom Leah had borne to Jacob, went out to visit the daughters of the land.

The commentators are interested in the word Vateitzei - “She went out.”

RASHI TO GEN 34:1:

[She is called] the daughter of Leah, and not the daughter of Jacob; because of her yeitzi-atah [going out], she is called the daughter of Leah for she too was a yatz’anit [a woman who goes out]. As it is said "and Leah went out towards him" (and on her they coined the parable like mother like daughter).

(Translated by Gilad J. Gevaryahu, “And Dinah the daughter of Leah went out: The Meaning of Tatz’anit in Rashi’s Commentary,” Jewish Bible Quarterly, Vol. 37, No. 2, 2009.)

Rashi’s source for this idea is Midrash Rabbah 8:12, which comments that a man must “subdue” his wife:

MIDRASH RABBAH 8:12:

“And conquer her.” The man must master his wife so that she will not go out to the market, for every woman who goes to the marketplace will eventually become a victim [be struck with an accident]. How do we know this? From Dinah as it is written “and Dinah went out.”

This view is not universal, however. Abarbanel disagrees.

ABRABANEL ON GENESIS 34:1:

The Torah does not bring the phrase "and Dina came out" to criticize Dinah as a "self-exposing daughter of a self-exposer; like mother, like daughter" as Rashi z”l has. Leah was a modest woman, to the point that Yaakov did not see anything until the moment he came to her. (Translation from Sefaria)

This teaches that [Dinah] didn't go out for wrong reasons, God forbid. [She went out] only to see the girls in the land … since there were no other girls except her
in Yaakov’s house, and she wanted to learn from them… as young girls tend to do. (Translated by Dina Coopersmith, Women in the Bible: The Power to Transform Evil, Jewish Pathways, 2010, http://jewishpathways.com/files/05-PDF-Women.pdf)


“V’teitzei Dinah - and Dinah went out.” Girls of marriageable age would not normally leave a rural encampment to go unchaperoned into an alien city. The text casts a critical eye upon Dinah’s unconventional behavior through use of the verbal stem “to go out.” Like its Akkadian and Aramaic equivalents, the verb can connote coquettish or promiscuous conduct. “Lirot biv’not haaretz - to visit with the daughters of the land”— this phrase too carries undertones of disapproval.

Questions for Discussion:
The tradition debates whether Dinah’s “going out” made her vulnerable to assault. Is this a case of blaming the victim and if so, why is this problematic?

Rabbi David Rose, Jewish Women International:
Very often, society blames the victim. And sadly, the victims of abuse often blame themselves…. We need to say clearly this perspective is wrong, dangerous, and hurtful. An abused woman is hurt not because of anything that she did. Abuse is about power and control.

Questions for Discussion:
In what instances are women still blamed for their own rape? What is the psychological effect on a victim of believing that she was responsible for her violation? How might we as a society combat this kind of thinking?
The confounding of rape and love

(2) Shechem son of Hamor the Hivite, chief of the country, saw her, and took her and lay with her by force. (3) Being strongly drawn to Dinah daughter of Jacob, and in love with the maiden, he spoke to the maiden tenderly.

Shechem rapes Dinah, and then declares his love for her. In response to this, author Ellen Frankel creates a modern interpretation:


OUR DAUGHTERS ASK: Does Shechem really fall in love with Dinah at first sight? He doesn't seem the type!

DINAH ANSWERS: You're right! Read the story carefully and note the order of events: Shechem, son of Hamor (whose name means "ass"), first saw me, then took me, and then lay with me by force.

Only after these actions did he feel "STRONGLY DRAWN" to me and "IN LOVE WITH THE MAIDEN." And only then did he finally speak "TO THE MAIDEN TENDERLY" and ask that his father "GET ME THIS GIRL AS A WIFE" (34:2-4). OUR MOTHERS COMMENT: How clearly the Torah understands the nature of rape! As we have reaffirmed in our own time, sexual violation is an act of violence, not desire. Shechem is driven not by animal instincts but by human aggression and appetite, the lust to possess, not to mate. It is first a lust of the eye, and only later of the heart.

Questions for Discussion:
Do you think Shechem and Dinah were acquaintances beforehand? Does it matter?

While we are uncertain if Shechem and Dinah knew each other before the Biblical rape, familiarity, and sometimes even friendship with the perpetrator is common in the case of rape today.

MYTHS & FACTS ABOUT SEXUAL VIOLENCE, COLGATE UNIVERSITY:
Among college students, in 94% of cases of sexual assault the perpetrator knows the victim. Sexual assaults often occur in the residence of either the perpetrator or the victim. In the general community, more than 80% of rapes are committed by acquaintances. This can range from someone known to the survivor only by
sight, to individuals with whom they are very close: a best friend, a lover, or husband.

Questions for Discussion:
Why do you suppose most sexual assaults are perpetrated by people that the victims know? What forms of education are needed to reduce such sexual assaults?
The Impact of Silence

(5) Jacob heard that he had defiled his daughter Dinah; but since his sons were in the field with his cattle, Jacob kept silent until they came home.

While Jacob keeps silent regarding the rape of Dinah for a limited period of time, the silence of family members can be common and pervasive.

Rabbi David Rose of Jewish Women International writes, “Domestic violence happens precisely because people are silent. Only when we break through the silence, can we end the abuse and violence that continues to occur in our community.”

Questions for Discussion:
Why might victims and their families today choose to keep silent? What is the effect of silence on the victim of assault? What is the effect of breaking the silence, of willingly talking about sexual assault?
2 SAMUEL 11

Late one afternoon, David rose from his couch and strolled on the roof of the royal palace; and from the roof he saw a woman bathing. The woman was very beautiful, and the king sent someone to make inquiries about the woman. He reported, “She is Bathsheba daughter of Eliam [and] wife of Uriah the Hittite.” David sent messengers to fetch her; she came to him and he lay with her—she had just purified herself after her period—and she went back home.

The woman conceived, and she sent word to David, “I am pregnant.”

Thereupon David sent a message to Joab, “Send Uriah the Hittite to me”; and Joab sent Uriah to David. When Uriah came to him, David asked him how Joab and the troops were faring and how the war was going. Then David said to Uriah, “Go down to your house and bathe your feet.” When Uriah left the royal palace, a present from the king followed him. But Uriah slept at the entrance of the royal palace, along with the other officers of his lord, and did not go down to his house. When David was told that Uriah had not gone down to his house, he 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 are located at Succoth, and my master Joab and Your Majesty’s men are camped in the open; how can I go home and eat and drink and sleep with my wife? As you live, by your very life, I will not do this!”

David said to Uriah, “Stay here today also, and tomorrow I will send you off.” So Uriah remained in Jerusalem that day. The next day, David summoned him, and he ate and drank with him until he got him drunk; but in the evening, [Uriah] went out to sleep in the same place, with his lord’s officers; he did not go down to his home. In the morning, David wrote a letter to Joab, which he sent with Uriah. He wrote in the letter as follows: “Place Uriah in the front line where the fighting is fiercest; then fall back so that he may be killed.”

So when Joab was besieging the city, he stationed Uriah at the point where he knew that there were able warriors. The men of the city sallied out and attacked Joab, and some of David’s officers among the troops fell; Uriah the Hittite was among those who died.

Joab sent a full report of the battle to David.
He instructed the messenger as follows: “When you finish reporting to the king all about the battle, the king may get angry and say to you, ‘Why did you come so close to the city to attack it? Didn’t you know that they would shoot from the wall? Who struck down Abimelech son of Jerubbesheth? Was it not a woman who dropped an upper millstone on him from the wall at Thebez, from which he died? Why did you come so close to the wall?’ Then say: ‘Your servant Uriah the Hittite was among those killed.’”

The messenger set out; he came and told David all that Joab had sent him to say.

The messenger said to David, “First the men prevailed against us and sallied out against us into the open; then we drove them back up to the entrance to the gate. But the archers shot at your men from the wall and some of Your Majesty’s men fell; your servant Uriah the Hittite also fell.”

Whereupon David said to the messenger, “Give Joab this message: ‘Do not be distressed about the matter. The sword always takes its toll. Press your attack on the city and destroy it!’ Encourage him!”

When Uriah’s wife heard that her husband Uriah was dead, she lamented over her husband.

After the period of mourning was over, David sent and had her brought into his palace; she became his wife and she bore him a son. But the LORD was displeased with what David had done...

Questions for Discussion:
Where is Batsheva’s voice in this text? What was her experience throughout this ordeal, and how do you know?
Some scholars, including Dr. Richard M. Davidson, a Christian scholar of Old Testament at Andrews University in Michigan, argue that this is essentially a case of “power rape.”


Two verbs found at the heart of this action-packed scene have David as their subject: David “takes her” and he “lies with her.” The word חֶ֗ה יִּקָּ וַ [“take”] in this context (of sending royal messengers) should probably be understood in the sense of “fetch” or “summon” and clearly implies psychological power pressure on the part of David and not voluntary collusion on the part of Bathsheba (pp. 87-88).

This narrative concerning Bathsheba and King David represents an indictment directed solely against the man and not the woman, against David and all men in positions of power whether civil or ecclesiastical or academic who take advantage of their “power” and victimize women sexually (p. 95).

Jewish tradition agrees, insofar as Batsheva is not held responsible for her role in the encounter with David. Through the prophet Nathan’s parable in I Samuel, the Biblical text identifies David solely as the guilty party:

**I Samuel 12:**
[And Nathan said to David,] “Why then have you flouted the command of the LORD and done what displeases Him? You have put Uriah the Hittite to the sword; you took his wife and made her your wife and had him killed by the sword of the Ammonites. Therefore the sword shall never depart from your House—because you spurned Me by taking the wife of Uriah the Hittite and making her your wife.”

**Questions for Discussion:**
What is Nathan’s message to David about his sexual encounter with Batsheva? Why does the prophet hold the king alone responsible, and not Batsheva?

Today, policies surrounding sexual misconduct take the notion of power differential into account:
**QUEENS UNIVERSITY OF CHARLOTTE—SEXUAL MISCONDUCT AND INTERPERSONAL VIOLENCE POLICY**

Even though a relationship is consensual, in circumstances where one party in the relationship holds a Power Differential over the other, questions can be raised about the validity of the consent, conflicts of interest, favoritism, or the relationship could result in the potential for harm to the other party involved. [Queens University of Charlotte is in the process of adopting a much more restrictive policy that prohibits consensual romantic or sexual relationships between employees (both faculty and staff) and students (of all categories).]

*Questions for Discussion:*
Could Batsheva have said no to King David? Why or why not? What are this story’s parallels in modern times—examples of sexual misconduct that involve a power differential? Dr. Richard Davidson notes (see above passage) that this takes place in “civil, ecclesiastical, and academic” realms; which industries are particularly prone to this?
Some commentators through the generations avoid addressing King David's abuse of power and sexual exploitation of Batsheva. Some go as far as to reread the texts as proclaiming David's innocence.

**THE BOOK OF ZOHAR. CHAPTER “THE NIGHT OF THE BRIDE”, PART 1. TRANSLATED BY MICHAEL LAITMAN.**

132. When this happened to King David, fear enveloped him. Right then, Domeh [the ruler of hell] ascended before the Creator, and said: “Master of the world, it says in the Torah: ‘And the man that commits adultery with another man’s wife…’ David broke his covenant, is it not so?” The Creator replied to him: “David is righteous, and his holy covenant remains pure, for it is known to Me that Bat Sheva was destined for him since the creation of the world.”

**BABYLONIAN TALMUD, SHABBAT 56A**

Rabbi Shmuel bar Naḥmani said that Rabbi Yonatan said: Anyone who says that David sinned with Bathsheba is nothing other than mistaken, as it is stated: “And David succeeded in all his ways; and the Lord was with him” (I Samuel 18:14). Is it possible that sin came to his hand and nevertheless the Divine Presence was with him?

... As Rabbi Shmuel bar Naḥmani said that Rabbi Yonatan said: Anyone who goes to a war waged by the royal house of David writes a conditional bill of divorce to his wife. That was done to prevent a situation in which the soldier’s wife would be unable to remarry because the soldier did not return from battle and there were no witnesses to his fate. The conditional bill of divorce accorded [Bat Sheva] the status of a divorcee and freed her to remarry.

**Questions for Discussion:**
Can you cite contemporary examples of whitewashing or forgiving sexual misconduct by popular leaders? Why do you think this happens?
Part 3: The Consequences of Rape

The Talmud discusses the reparations that a rapist must pay for his crime.

_Talmud, K’tubot 39a:_
MISHNAH: A man who seduces a woman must pay her father payments for humiliation, degradation, and the fine [for his crime]. A rapist, in addition, gives payment for the pain.

We can glean from the Talmudic debate that follows (K’tubot 39a-40a) that the effects of rape include:

[1] **Humiliation** (_boshet_): The emotional suffering and indignity.

[2] **Degradation** (_p’gam_): Effect on a woman’s social status. (In ancient times, a woman’s marriageability was related directly to her virginity.)

[3] **Pain** (_tzaar_): The physical pain associated with being forced to have sex. [After a lengthy discussion, the Talmud concludes that even though consensual sex can sometimes involve pain, “One who has intercourse against a woman’s will is not comparable to one who has intercourse willingly.”]

**Questions for Discussion:**
What are the consequences for a woman’s well-being of being raped? Do you agree with the Talmud’s three categories? Do they still apply today? Are there others?

The Centers for Disease Control and Prevention (CDC), interestingly, outlines the consequences of sexual assault by means of essentially the same three categories: physical pain, psychological or emotional humiliation, and social degradation.

**Sexual Violence: Consequences**
_The Centers for Disease Control and Prevention Website_

**Physical**
- More than 32,000 pregnancies result from rape every year with the highest rates of rape-induced pregnancy reported by women in abusive relationships
- Some long-term consequences of sexual violence include:
  - Chronic pain
  - Gastrointestinal disorders
○ Gynecological complications  
○ Migraines and other frequent headaches  
○ Sexually transmitted infections  
○ Cervical cancer  
○ Genital injuries

**Psychological**

Victims of sexual violence face both immediate and chronic psychological consequences. Immediate psychological consequences include the following:

- Shock
- Denial
- Fear
- Confusion
- Anxiety
- Withdrawal
- Shame or guilt
- Nervousness
- Distrust of others
- Symptoms of post-traumatic stress disorder
  - Emotional detachment
  - Sleep disturbances
  - Flashbacks
  - Mental replay of assault

Chronic psychological consequences include the following:

- Depression
- Generalized anxiety
- Attempted or completed suicide
- Post-traumatic stress disorder
- Diminished interest/avoidance of sex
- Low self-esteem/self-blame

**Social**

Sexual violence also has social impacts on its victims, such as the following:

- Strained relationships with family, friends, and intimate partners
- Less emotional support from friends and family
- Less frequent contact with friends and relatives
- Lower likelihood of marriage
- Isolation or ostracism from family or community
Questions for Discussion:
How does the CDC list compare to the Talmud’s list? What issues have remained the same over the past 1500 years? Do similar consequences result from cases of sexual harassment and assault?
Women's voices have often been silenced in Jewish tradition. And yet, there are women throughout the Bible who speak out, who use their voices—often at great personal peril—to seek a better life for themselves, others around them, and society.

Ruth, whose story Jews traditionally read on Shavuot, suddenly finds herself as a young widow in a foreign land. She speaks out to convey her loyalty to her mother-in-law Naomi and to the Jewish people. As well, she fearlessly seeks out Boaz, the potential redeeming kinsman, seeking sustenance and security for herself and Naomi.

Naomi said to her two daughters-in-law, “Turn back, each of you to her mother’s house. May the LORD deal kindly with you, as you have dealt with the dead and with me! May the LORD grant that each of you find security in the house of a husband!” And she kissed them farewell.

They broke into weeping again, and Orpah kissed her mother-in-law farewell. But Ruth clung to her. Ruth replied, “Do not urge me to leave you, to turn back and not follow you. For wherever you go, I will go; wherever you lodge, I will lodge; your people shall be my people, and your God my God. Where you die, I will die, and there I will be buried. Thus and more may the LORD do to me if anything but death parts me from you” (Ruth 1:8-9, 14-17).

Esther, whose story we read on Purim, approaches King Ahasuerus, risking her own life, to plead for the safety of the Jewish people, who have been singled out for annihilation.

Queen Esther replied: “If Your Majesty will do me the favor, and if it pleases Your Majesty, let my life be granted me as my wish, and my people as my request. For we have been sold, my people and I, to be destroyed, massacred, and exterminated (Esther 7:3-4).

Toward the end of the Israelites’ wilderness wandering in the book of Numbers, the five daughters of Zelophehad, whose father has died, approach Moses, as stewards of their family line, to ask to receive their father’s share of the Land of Israel.

They stood before Moses, Eleazar the priest, the chieftains, and the whole assembly, at the entrance of the Tent of Meeting, and they said,
“Our father died in the wilderness. Let not our father’s name be lost to his clan just because he had no son! Give us a holding among our father’s kinsmen” (Numbers 27:2-4)!

Questions for Discussion:
How do these women use their voices to advocate for their own well-being? What dangers does each one face? How do they effect change in society?

Each of these cases must be taken in its historical context—occurring thousands of years ago in the midst a Patriarchal society. None of these women were truly considered equal by society. And yet, in each of these cases Kol Ishah—the Woman’s Voice—is an agent for change and goodness. In each of these cases, strong and courageous women speak out in difficult circumstances. The #MeToo Movement is also about hearing women’s voices, rather than silencing them, giving voice to the oppression and mistreatment that women don’t usually talk about, out of fear and shame.

In reviewing the Scriptural and Rabbinic texts on women’s voices, Rabbi Judith Abrams notes that despite the traditional prohibition of Kol Ishah, there is even greater textual support for women publicly using their voices.


The prohibition is all the more surprising because Scripture and Rabbinic literature assume that women sing publicly. Of course, Miriam and the women sing at the shores of the sea (Exodus 15:20-21). Women take part in loud public rejoicing (Nehemiah 12:43). When Jeremiah wants to mourn, he does not call on male singers, he calls for women to sing ... I believe there is far more textual support affirming the right of women to sing in public and at services than there is for banning it. “May the sounds of joy and salvation be heard in the tents of the righteous” (Ps. 118:15)!


I believe the rabbis were correct in their assessment that Kol Ishah—the voice of a woman has power. Just look at the decades of accomplishments of great women in our community.
Kol ishah—a woman's voice has power when it is in dialogue with a man's voice to debate the challenges our community and country are facing and to decide on the best path to take.

Kol ishah—a woman's voice has power when it is in dialogue with society -- when it speaks not only to the children inside the home but to all children.

Kol ishah—a woman's voice has impact when it joins in the chorus of those who cry out for the equality for all human beings: educational equity, racial equality, economic opportunity, and religious freedom for all.

Kol ishah—a woman's voice has power when it demands the Divine image within every human being be acknowledged and respected.

Questions for Discussion:
Can you share examples of women using their voice today in powerful ways? In bringing our text study into conversation with the #MeToo Movement, what voices from Jewish tradition do you think need to be elevated? In what areas of our Jewish and secular lives today are women's voices still not being heard? What work is being done to shift this power imbalance? What work still needs to be done?
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