YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Student summaries of sichot of the Roshei Yeshiva**

**Parashat Shoftim**

**Sicha of HarAV Yaakov Medan**

**“You Shall Surely Set a King Over You”**

Summarized by Aviad Lipstadt

Translated by David Strauss

**The Mitzva to Appoint a King**

*Parashat Shoftim* includes the mitzvato appoint a king over the people of Israel upon their entry into the land:

When you come to the land which the Lord your God gives you and shall possess it, and shall dwell therein; and shall say: I will set a king over me, like all the nations that are round about me; you shall surely set a king over you, whom the Lord your God shall choose; one from among your brothers shall you set king over you; you may not put a foreigner over you, who is not your brother. Only he shall not multiply horses to himself, nor cause the people to return to Egypt, to the end that he should multiply horses; forasmuch as the Lord has said to you: You shall henceforth return no more that way. Neither shall he multiply wives to himself, that his heart turn not away; neither shall he greatly multiply to himself silver and gold. (*Devarim* 17:14-17)

The *Tannaim* disagree about how to understand this command:

And thus Rabbi Yehuda said: Three commandments were given to Israel when they entered the land: to appoint a king, to cut off the seed of Amalek, and to build themselves the chosen house. Rabbi Nehorai said: This section was spoken only in anticipation of their future murmurings. (*Sanhedrin* 20b)

The Gemara records two opinions here regarding the question of why a king should be appointed. According to the first opinion, appointing a king is an absolute mitzva that applies when Israel enters the land: just as there is a mitzva to build the Temple and a mitzva to wipe out Amalek, so there is an obligation to appoint a king. The second opinion, however, maintains that the commandment to appoint a king is only a response to the "murmurings of Israel"; it does not reflect God's ideal plan for the world.

The Rambam gave a clear ruling regarding this controversy:

Israel was commanded to fulfill three *mitzvot* upon entering the land: To choose a king, as it is stated: "You shall surely set a king over you"; to wipe out the descendents of Amalek, as it is stated: "Erase the memory of Amalek"; to build God's chosen house, as it is stated: "Seek out His Presence and go there." (Rambam, *Hilkhot Melakhim* 1:1)

The Rambam clearly understood there to be an absolute mitzvato appoint a king over the people of Israel.

However, the plain meaning of the verses implies just the opposite. The Torah says the desire to appoint a king stems from an attempt to be "like all the nations," and it is difficult to see a mitzvah from the Torah in the desire to emulate the various peoples of the land. Furthermore, the various laws governing the monarchy – such as the limitations on the number of wives or horses allowed to the king – intimate that the Torah is not really interested in instituting a monarchy.

**Scripture’s Attitude Toward the Institution of the Monarchy**

***"But the Lord your God is your king!”***

The Torah's negative attitude towards the monarchy is also expressed in other places in the book of *Devarim.* In *Parashat Ki Tavo*,the Torah refers to the king as "the king whom you shall set over you" (*Devarim* 28:36). This suggests that the Torah sees the king as a purely human whim, rather than the implementation of a Divine idea.

The words of the prophets also set the institution of the monarchy in a gloomy light, criticizing the desire to appoint a king on the grounds that it contradicts God's kingdom in the world. The book of *Shmuel* contains a direct expression of this perspective, when Shmuel the prophet contrasts a king of flesh and blood to the Divine King:

And when you saw that Nachash the king of the children of Amon came against you, you said to me: No, but a king shall reign over us; but the Lord your God is your King. (I *Shmuel* 12:12)

The problem with a kingdom of flesh and blood lies in the fact that it eats away at the kingdom of God in the world, and to a certain extent can even contradict it. When a king rules over the people of Israel, there is a risk that the people will see him as the supreme authority instead of God. Years ago, I had several opportunities to visit Jordan, which is ruled by a royal family. On every corner and at every traffic light, you can find expressions of adoration and glorification of the king. His picture is on billboards everywhere, and his name is on everyone's lips. In a society similar to the one in Jordan, with a human king, it is very difficult to remember the Creator of the world, who must be worshipped.

Accordingly, the book of *Yeshayahu* describes the kingdom of God, not a human kingdom:

Thus says the Lord, the King of Israel, and his Redeemer the Lord of hosts: I am the first, and I am the last, and beside Me there is no God. (*Yeshayahu* 44:6)

Neither does historical experience support appointment of a king over the people of Israel. If we examine the kings of Israel over the years, we find that they did not all worship God. The kings had tremendous influence on the people, but they did not all use it wisely to lead the people on the right path. The very first king of Israel, Avimelekh, killed many people out of selfish considerations. In addition, the monarchy created many conflicts, in which many people were killed: during the split between the kingdom of Yehuda and the kingdom of Israel, hundreds of thousands of people were killed, and many more were killed over subsequent generations.

***"And his kingdom shall be higher"***

Despite everything that has been said, we cannot ignore the fact that in many places throughout the Bible, kingship is presented in a more sympathetic light. For example, the book of *Bereishit* is full of promises that the descendants of the patriarchs will be kings (see *Bereishit* 17:6 and 35:11). God's promises to Avraham, Yitzchak, and Yaakov imply that the monarchy is a worthy aspiration, not just a problem born out of a flawed reality.

Bilam's blessings are also filled with the motif of monarchy, and it would seem from his words that monarchy is an expression of the special virtue of Israel, not of its shortcomings:

Water shall flow from his branches, and his seed shall be in many waters; and his king shall be higher than Agag, and his kingdom shall be exalted. (*Bamidbar* 24:7)

***Solutions to the Contradiction***

**1. Two types of monarchy**

In order to resolve the contradiction between the different verses, it seems that we must distinguish between two types of monarchy. Both the stories of *Bereishit* and the prophecy of Bilam dealt with mighty empires that stretched across the Middle East. Whoever rules such an empire will almost certainly be given a royal title; even if he is not a member of a royal dynasty, he will still be given the title of "king."

It stands to reason, then, that neither Bilam nor the *Bereishit* stories refer to the founding of a royal dynasty; they merely describe a powerful ruler. If that is the case, perhaps one could say that the Torah praises individual rulers (if they rule righteously) but is less sanguine about dynasties. Moreover, in the kingdom that will be established in the land of Israel, between the sea and the Jordan, there is no practical need for an official monarch; indeed, if we pay attention, the Torah refers to the leader of the people of Israel as a *nasi* (e.g., *Vayikra* 4:22), and not as a king (*melekh*).

**2. The difference between the Written Law and the Oral Law**

However we resolve the inner-biblical question, it seems that the Sages did in fact see many advantages in the institution of the monarchy. According to the Gemara in *Sanhedrin*, three *Tannaim* maintain that there is a mitzvato appoint a king. I would like to offer a possible explanation for this position.

As a preface to the explanation, it should be noted that even if the Written Law does not always see the monarchy in a positive light, the Oral Law recognizes the importance of this institution. Why? Perhaps the difference is that the Written Law speaks of a utopian, almost perfect reality, where there really is no need for a monarchy. When the Oral Law adapts the Written Law to the reality on the ground, however, it "discovers" that there is indeed a need for a king.

**The Advantages of Royalty**

One must still ask what great need the Sages of the Mishna saw for a king. It seems to me that the answer lies precisely in the shortcomings of other alternatives: the lack of a king in Israel causes serious problems; resolving those problems requires a king.

In essence, the problem is that when there is no king in Israel, the people are liable to sink into tribal consciousness, instead of a national consciousness. In a world in which there is no one king over all of Israel, there is a serious risk that each tribe will retire to its tribal territory and forget the existence of the people of Israel as a whole. This would lead to deficiencies in two major areas:

**A. Political weakness**

The first issue is the political problems that would arise. The book of *Shoftim* is full of cases where each tribe considers itself a separate unit, rather than part of one great nation. In Devora’s song, she criticizes certain tribes that did not come to help in the war against Sisera:

Why did you sit among the sheepfolds, to hear the pipings for the flocks? At the divisions of Reuven there were great searchings of heart. (*Shoftim* 5:16)

The climax of this trend is reflected in the story of the concubine in Giva, when alienation between the tribes led to a war between the tribe of Binyamin and the other tribes, and the tribe of Benjamin was almost eradicated. Had there been a king at that time, he could have brought the tribes together and curbed the violence between them.

**B. The religious dimension**

The second disadvantage is not "external"' but "internal": in the long run, tribalism is liable to lead to assimilation. When a tribe does not see itself as part of the nation of Israel, it cuts itself off from the heritage of Avraham, Yitzchak, and Yaakov. It sees Reuven, Shimon, or Yissachar as the father of the nation, and finds nothing in common between itself and the other tribes. With such a perspective, it is very easy to assimilate into the nations among whom the people of Israel live. Throughout the generations, the great disasters that came upon the people of Israel did not stem from external factors, but from internal disintegration. To maintain the continuity of the nation, it is critical to maintain religious cohesion.

A solution to this problem could be a common religious center, in the form of the Temple: If all the people gather in the Temple to worship God, there will be a chance to maintain religious cohesion. But a Temple without a royal city cannot fulfill this role; the proof is the *Mishkan* in Shilo, which failed to become a center of religious attraction because it was not accompanied by a royal institution. Only a "king's Temple" within a "royal city" can prevent assimilation in the long run.

An example of the influence of a God-fearing king on the people can be found in the book of *Melakhim*, in the person of King Yoshiyahu. Yoshiyahu succeeded in uniting the people, and even made a national covenant with God:

And the king sent, and they gathered to him all the elders of Yehuda and of Jerusalem. And the king went up to the house of the Lord, and all the men of Yehuda and all the inhabitants of Jerusalem with him, and the priests, and the prophets, and all the people, both small and great; and he read in their ears all the words of the book of the covenant which was found in the house of the Lord. And the king stood on the platform, and made a covenant before the Lord, to walk after the Lord, and to keep His commandments, and His testimonies, and His statutes, with all his heart, and all his soul, to confirm the words of this covenant that were written in this book; and all the people stood to the covenant. (II *Melakhim* 23:1-3)

**In Our Time**

In our days, the people of Israel are responsible for many tasks, including facing enemies who rise up to destroy us. In order to succeed in this mission and protect the people of Israel, it is important to maintain unity. Precisely in our time, the presence of a king or some other unifying factor is needed more than anything else, to ensure that the people of Israel stand up to the tasks assigned to them.

(This *sicha* was delivered by Harav Medan on Shabbat *Parashat Shoftim* 5779 [2019].)