YESHIVAT HAR ETZION

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**PARASHAT HASHAVUA**

**PARASHAT SHOFTIM**

The Rule of the People

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Preface

What is the biblical view of the concept of leadership? It seems that there is no simple answer to this question. Leaders are central to the biblical narrative, with entire passages devoted to their life stories and the values that guided them. These narratives generally provide insight into life in the given time period, and in this sense a study of the leader is a reasonable study of the generation and the period. Alongside the wealth and diversity of leadership stories throughout Tanakh, there is a biblical passage whose subject matter is leadership: the passage concerning the king.

The commandment of the king in *Sefer Devarim*

When you come into the land which the Lord your God gives to you, and you possess it and dwell in it, and say, “I will set a king over me, like all the nations that are around me” – then you shall surely appoint (*som tasim*) a king over you, whom the Lord your God shall choose; [one] from among your brethren you shall set as king over you, you may not set a stranger over you, who is not your brother.

But he shall not multiply horses for himself, nor cause the people to return to Egypt, in order to multiply horses, since the Lord has said to you, You shall not henceforth return any more that way. Nor shall he multiply wives for himself, that his heart not turn away; neither shall he greatly multiply silver and gold for himself. And it shall be, when he sits upon the throne of his kingdom, that he shall write for himself a copy of this Torah in a book out of that which is before the *kohanim*, the *leviim*. And it shall be with him, and he shall read in it all the days of his life, that he may learn to fear the Lord his God, to keep all the words of this Torah and these statutes, to do them, that his heart not be lifted up above his brethren, and that he not turn aside from the commandment, to the right or to the left, in order that he may prolong his days in his kingdom – he, and his children, in the midst of Israel. (*Devarim* 17:14-20)

The two opening verses of the unit describe a future historical process that culminates in the appointment of a king (vv. 14-15). This is followed by laws limiting the king’s authority and power (16-17), the commandment to write a Torah scroll (18-19), and, finally, the moral guidance that will ensure the survival and well-being of the king and the endurance of his dynasty (19-20).

A number of questions arise in analyzing this passage:

1. What is the nature of the process that is described in these verses? What is special about the particular aspects singled out here?
2. Is the appointment of a king a commandment, an optional performance,[[1]](#footnote-1) or a sin? To state the question differently: is the Torah’s use of the phrase “like all the nations” in describing this request indicative of a problem?
3. What is the source of the king’s authority? Is he a representative of the people or of God? Note that the phrase “you shall surely appoint a king over you” implies that the nation appoints, whereas the phrase "whom the Lord your God shall choose” indicates that it is God.
4. The verses set down limitations on the king’s authority, but do not define his role at all. What message is contained in this silence?
5. “And he shall write himself a copy of this Torah (*mishneh ha-Torah ha-zot*) in a book” – what is the nature of this writing? Is the king commanded to function as a scribe? And what is being referred to here as “*mishneh Torah*”?

This passage also certain more fundamental questions:

1. In what way is the king of Israel different from kings of other nations?
2. What is the status of the people in the kingdom? What place does democracy occupy in the perspective of this passage?

We propose a close and attentive reading of the text with a view to discerning the answers to these questions.

“I shall set a king over me”

When you come into the land which the Lord your God gives to you, and you possess it and dwell in it, and say, “I will set a king over me, like all the nations that are around me”….

As noted, this verse describes a future process: “When you come into the land”. This is the point of departure for the passage – the physical entry into the land. In the next phrase, “which the Lord your God gives (*noten*) to you,” the land is identified as being given to the people and as being transmitted to it. The formulation in the present tense (*noten* – gives) denotes an ongoing process of transference from God’s domain to the domain of the nation.

The next phrase, “and you possess it,” describes a legal process. Previously, there were other nations that were sovereign over the land; now the land passes into the hands of the Jewish people. Sovereignty creates a sense of the people being rooted in its own place rather than strangers or interlopers. Both of these stages – the entry into the land and the possession of it – took place during the time of Yehoshua.

The next phrase is, “and dwell in it.” Dwelling in the land denotes permanence and rootedness. The focus here is on a psychological state, on a tranquility that allows for development. This stage had its beginnings at the end of Yehoshua’s time,[[2]](#footnote-2) and continued during the time of the Judges and afterwards.

The next stage represents a change in mindset, when the day comes that the nation seeks to change its system of governance. Returning to the verses: “I will set a king” refers to appointment, and thus, the nation seeks to appoint its own leader.[[3]](#footnote-3) The term “over me” indicates one who will hold a position of authority over the people.[[4]](#footnote-4) The phrase, “like all the nations that are around me,” means like the other nations, where kings ascend the throne in an earthly fashion with no Divine involvement in the process. We detect here, in view of the nation’s maturation, a sort of overt or covert dialogue that develops with the surrounding nations. This stage began to be realized towards the end of Shmuel’s life, more than three hundred and fifty years after the people of Israel entered the land.

The passage describes a process of maturation and the consolidation of a new position amongst the people. This position is formulated in the singular, addressed to the nation as an organic entity. With the entry into the land, there is interaction between the nation and the domain within which it finds itself, and a profound process is set in motion. It starts with physical dwelling, inheritance, belonging, and rootedness, and ultimately there is a movement in the collective consciousness, with the nation’s desire to appoint its own leadership and to invest it with authority. Thus far, the nation has had a model of leadership that is unique, fundamentally different from the model among other nations, with the leaders serving as God’s emissaries.[[5]](#footnote-5) Now, the nation’s power has matured, and it seeks to assume responsibility over its political life and the manner in which it is ruled.

“You shall surely set a king over yourself”

Thus far we have analyzed the Torah’s description of the nation’s request. Let us continue with God’s response to this request:

Then you shall surely appoint (*som tasim*) a king over you, whom the Lord your God shall choose; [one] from among your brethren you shall set as king over you, you may not set a stranger over you, who is not your brother. (17:14-15)

The verse begins, “you shall surely appoint a king over you,” wherein God commands the nation to appoint a king. This is unique insofar as the trigger for this commandment is a process undergone by the people. The next phrase, “whom the Lord your God shall choose,” stands in contrast to the nation’s request, which focuses on its role in the appointment, as here God emphasizes His own involvement in the appointment process. What is the relationship between the two elements? At first glance, they seem to contradict one another: on one hand, the nation is invested with authority to appoint the king; on the other hand, God chooses the king.

The final phrase in this verse, “[one] from among your brethren you shall set as king over you; you may not set a stranger over you, who is not your brother,” teaches that you must appoint a king from among your nation, not a foreigner.[[6]](#footnote-6) This command shows that it is the nation that decides and appoints the king, for if the decision was God’s, the command would be meaningless. This description once again raises the question of God’s involvement in the process. Before addressing it, let us review the nation’s role thus far: “And you say” – the trigger for the entire process is the initiative on the part of the nation; “I shall set” – it is the nation that appoints, as the sovereign power and source of authority; “over myself” – the appointment is “over myself,” I make myself subservient to this authority; “like all the nations that are round about me” – who appoint their kings; “Then you shall surely set a king over you” – Divine agreement and a command that becomes a reality based on the people’s request.[[7]](#footnote-7) Alongside this, comes the stipulation – “[One] from among your brethren you shall set as king over you,” directing the nation’s choice, but retaining its status as decisive.[[8]](#footnote-8)

Against this background, then, how is the phrase “whom the Lord your God will choose” to be understood? What is the meaning of the assertion that God chooses the king?[[9]](#footnote-9)

“Whom the Lord your God will choose”

There are two contexts in *Sefer Devarim* in which we find the phrase, “which the Lord will choose”: one is “the place which the Lord will choose to cause His Name to dwell there” (e.g., 12:11), and in our *parasha* – the king whom “the Lord your God will choose”. In both instances, the text speaks of a future process that culminates in God’s choice, of a place and a man respectively. An analysis of chosen place reveals that this choice takes place at a late stage of the process. Only after the nation achieves rest from all its enemies and dwells safely will God cause His Name to rest in the place. The realization of this process came about only in the days of Shlomo, and thus only in his time was the building of the Temple possible. Thus, God’s “choice” and His causing His Name to dwell in the place was actually an affirmation and validation of a lengthy human process. At the conclusion of the process, God validates it, by causing His Presence to dwell in the structure and establishing His name there.[[10]](#footnote-10)

Here, too, the Torah describes a lengthy process, in the course of which the nation seeks dominion and responsibility over its political life. God is responsive, and the request becomes a commandment and an instruction. Alongside the Divine agreement, there is another important dimension: “whom the Lord your God will choose”. This phrase comes following the instruction to appoint a king, and it teaches that it is not enough to appoint a king based on discretion alone. Indeed, you who will determine who the king will be, but you must realize that the next stage is God’s choosing him as well. God needs to confirm the appointment, and, beyond that, to invest His Presence in the king’s endeavors and in the kingdom as a whole.[[11]](#footnote-11) This notion sets up a barrier to offset the apparent similarity to the other nations that one might have otherwise understood from this passage. Indeed, it is proper to learn from them (that the nation should assume responsibility for its fate and its direction); yet, the Jewish people have a different story, containing an extra dimension: the special connection between the nation and God, or, the presence of values, spirituality, and vision which God chooses to invest with His Presence. The existence of this dimension guides the process of appointing a king in such a way that the nation seeks a king who will find favor in God’s eyes, such that in the wake of his appointment God will choose to cause His Name to rest upon the king and upon the kingdom.

Essence and meaning

This passage describes an historical process that starts with leaders who are God’s emissaries, continues with a process of development and maturation, until, eventually, a turning point comes where the nation seeks to change the system. The people no longer want leadership whose authority is Divinely derived; they want leadership whose authority they have bestowed. Put simply, the nation seeks to assume responsibility for its own path and its own decisions.

This process is comparable to the maturing process of the individual.[[12]](#footnote-12) A child is initially cared for by his parents, and he gradually matures and assumes responsibility for his actions and his life. Sometimes this transition is accompanied by elements of rebellion, but the process is essentially one of growth and maturation, where the individual becomes aware of his inner desires, developing his own answers to the question, “What do I want?,” and assumes responsibility for his choices.[[13]](#footnote-13) Another analogy is marriage. A young man grows up and marries his wife, establishing a new life and family. His parents do not decide who his wife will be, nor do they determine the course of his life in other crucial realms. Nevertheless, his desire that his chosen spouse find favor with his parents is reflective of his discretion. Furthermore, this desire transforms the story of the bond between man and wife into part of a greater story, to which his parents and extended family also belong.

“He shall not greatly multiply…”

The next three verses in our passage set forth three prohibitions: the king may not acquire a multitude of horses, nor marry many wives, nor accumulate tremendous quantities of gold and silver. There are two aspects to these prohibitions. On the overt level, the objective of these prohibitions is limitation and restraint. On the covert level, this idea is inverted: “He shall not multiply for himself” – he is limited if it is for his own sake, but he may increase these where necessary for the sake of the nation or the kingdom.[[14]](#footnote-14) Moreover, the text is in fact validating that he may (or perhaps even “must”) have horses, he may have wives, and he may have silver and gold, only warning him to avoid excess. Thus, King David had several wives and remained within the bounds of what was permitted him;[[15]](#footnote-15) whereas King Shlomo had so many wives (a thousand) that it was forbidden, and also accumulated many horses and much silver and gold, giving a sense of how important these are for establishing a king and a monarchy. Leveraging his position vis-à-vis the nation and the kingdom, he enhances the standard of living, establishing and developing his reign and his kingdom.

But he shall not multiply horses for himself, nor cause the people to return to Egypt, in order to multiply horses, since the Lord has said to you, You shall not henceforth return any more that way.

Horses are a means of transport, a cavalry for waging war, a conduit for communication, and a symbol and embodiment of power and strength for the army and the kingdom. As noted, there is no prohibition to own horses; it is only the excess that is forbidden. “He shall not multiply horses for himself,” the text stipulates, highlighting the personal aspect that is problematic. This prohibition is related to another – the return to Egypt. In the physical sense, Egypt is the world-renowned center of the market for horses. In the metaphorical sense, a horse symbolizes a life of strength and nobility; it conveys the power of its owner who rides it. Owning many horses may disturb the delicate balance between the king as decision-maker and leader and the king as a functionary who is led and dictated to by reality. A king who has many horses may end up oppressing and subjugating the world of the spirit. This is a “return to Egypt” – a return to the ancient superpower that propagated subjugation and very much symbolized a negation of the value of freedom.[[16]](#footnote-16)

“Nor shall he multiply wives for himself, that his heart not turn away…”. In the ancient world, kings had many wives, and this was perceived as a strategy for building up their rule. There is a practical explanation for this – marriages created useful alliances and systems of contacts, but there was also a spiritual component to this. The woman symbolizes the inner essence of this world and its life movement; part of the king’s ability to rule within the complex reality of life is predicated on significant exposure to the feminine element of the world.[[17]](#footnote-17) This spiritual position was permitted to the king, but with an important caveat: “that his heart not turn away…”. The heart is the inner orientation from which the king is liable to be drawn away.

“Neither shall he greatly multiply silver and gold for himself” – silver and gold symbolize control and ability. The joining of these to the previous status symbols may allow the king almost boundless power. There is no prohibition to own a lot of silver and gold; the prohibition concerns the exaggerated, ostentatious use of them, leading to a loss of self-boundaries and a sense of intoxicating strength.

“And he shall write a copy of this Torah”

And it shall be, when he sits upon the throne of his kingdom, that he shall write for himself a copy of this Torah in a book out of that which is before the kohahim, the Leviim. And it shall be with him, and he shall read in it all the days of his life, that he may learn to fear the Lord his God, to keep all the words of this Torah and these statutes, to fulfill them….

“And it shall be, when he sits upon the throne of his kingdom, that he shall write for himself” – the king is commanded to write a book. This commandment is meant to be fulfilled “when he sits (*khe-shivto*) upon the throne of his kingdom” – in other words, as part of the process of establishing his reign, not “once (or “after”) he sits” (*achar shivto*). “He shall write for himself” – the writing should be associated with him. It is interesting to note the relationship between this attribution and the prohibition “he shall not multiply for himself” that has repeated itself over and over. The attribution to the king is the same (“*lo*”) in both cases, emphasizing that the writing of the Torah here is also “*lo*”: it must be personalized for this specific king in his specific kingdom. Let us examine this attribution more closely.

“A copy of this Torah in a book” – the commandment is not for the king to act as a scribe, writing a Torah scroll. He must write “*mishneh Torah*,” a transmission of the Torah. This is apparently an original creation of the king, applying the eternal Divine Torah to the terminology and conceptual framework of the generation. It would seem that this meaning explains the Sages’ choice to refer to *Sefer Devarim* as *Mishneh Torah*. Moshe is a leader, comparable to a king, and *Sefer* *Devarim* is a paradigm of the *mishneh Torah* that the king must write in every generation.[[18]](#footnote-18)

The verse continues that the Torah shall be written “before the *kohanim*, the *Leviim*” who embody the eternal word of God. This is a critical aspect for inspiring a system of laws suited to the generation – the *mishneh Torah*.

And it shall be with him and he shall read in it all the days of his life, that he may learn to fear the Lord his God, to keep all the words of this Torah and these statutes, to fulfill them.

“And it shall be (*ve-hayeta*) with him” – in the feminine form; thus, this refers not to the book that the king must write [*sefer* is a masculine noun], but rather to “this Torah” [Torah is a feminine noun] of which the book is a transmission. The formulation “it shall be with him” suggests a profound, existential connection. “And he shall read in it” – in the book he has written. The verses describe here a dual movement: an deep link of the king to the Torah, the Divine source, and, accordingly, a physical focus on the book that is written in the language of the generation, to which he is committed, as its author. “In order that he may learn to fear the Lord his God, to Keep all the words of this Torah” – fascinatingly enough, the phrase that sums up the point of this writing once again focuses the king not on the book, but on “the words of this Torah,” which illuminate the book that he has written. In other words, the king writes a book, reads it, and is committed to it, and this focus binds him to the fear of God, as well as to observance of the words of this Torah – in their entirety, with all their breadth and depth.

In order that his heart not be lifted up above his brethren, and that he not turn aside from the commandment, to the right or to the left, in order that he may prolong his days in his kingdom – he, and his children, in the midst of Israel.

The king’s status is elevated above the people, and he must beware of “his heart” being “lifted up”. The position that he holds, and the responsibility that rests upon him, can easily distance him from commitment to the Torah. This being the case, he is commanded not to stray from the commandment “to the right or to the left”. The Rambam includes a unique expression in his explanation of this verse:

The Torah’s emphasis was that his heart not go astray, as the verse warns, ‘that his heart not turn away,’ *for his heart is the heart of the entire congregation of Israel*. Therefore the verse commanded him to have it [his heart] cleave to the Torah more so than the rest of the nation, as it is stated, “all the days of his life” (Rambam, *Hilkhot Melakhim* 3:6).

The verse concludes, “in order that he may prolong his days in his kingdom – he and his children, in the midst of Israel.” The establishment of a dynasty, as a manifestation of regime stability, is one of the characteristics of a strong government that is capable of bringing about processes and changes. This stability is described as a final milestone in our unit, thereby serving as the result of proper conduct on the part of the king and as the ultimate goal for the unit as a whole.

Realization during biblical times

When did this historic transition actually take place? A comparison between this passage and the time period of Shmuel indicates only a very partial realization at that time. The nation, apparently inspired by our passage, did indeed request a king, but was still far from the essential stage that our unit describes. They demand, “Appoint a king for us, to judge us, like all the nations,” addressing themselves to the prophet as the source of authority rather than themselves. The expression “to judge us” likewise indicates a model that closely resembles that of the period of the judges, rather than leadership over all aspects of national life. This discrepancy pertains to many different components.[[19]](#footnote-19) There are also significant gaps at the stage of realization of this request with the kingdom of Shaul.

The first concrete steps towards the realization of our passage occur in the time of David. This development has many manifestations that are reflected throughout the stories about David, pointing to a fundamental change that sets him apart from all his predecessors. An extensive discussion of this development lies beyond the boundaries of our present discussion, but the following points will suffice to illustrate it. David is anointed as king by Shmuel, but this is not the source of his power.[[20]](#footnote-20) He receives a vote of confidence from the people when all the tribes of Israel, along with all the elders, come to coronate him.[[21]](#footnote-21) This confidence was developed over many years of familiarity with him, and represented a profound expression of the nation’s will;[[22]](#footnote-22) he is anointed by the people with oil (*II Shmuel* 2:2, 5:3),[[23]](#footnote-23) and this is an expression of the sanctified value embodied in this vote of confidence.[[24]](#footnote-24) In fact, the nation serves as the source of David’s strength, and at difficult moments he is aware of this and acts accordingly.[[25]](#footnote-25) His path to the kingdom is accordingly one of great patience; he does not rush to conquer positions of power, but rather waits and receives power and confidence from the people, when they are ready.[[26]](#footnote-26)

Beyond the question of the source of power, David establishes a strong and structured kingdom as a new phenomenon in Israelite history. In contrast to Shaul, who maintains a modest lifestyle, with just one wife and one concubine, who builds no capital city, no palace, has no strong army, and maintains no contacts with neighboring kings, David paves a new road in all of these realms. His first step as king over all of Israel is to build a capital city and to name it after himself – the “city of David” (*II Shmuel* 5:6-10). Next, Chiram, king of Tyre, builds him a palace (ibid. 11-12). He takes concubines and wives in Jerusalem (ibid. 13), builds a well-developed system of government administration, and maintains dialogue with all the surrounding kings.[[27]](#footnote-27)

Afterword

The unit concerning the king describes an historical turning point, one might even say a revolution. Up until a certain point, the leaders are God’s emissaries, speaking His word, and bringing spirituality and a higher morality into the world. When the Jewish people enter the land and undergo processes that last hundreds of years, the nation’s stature grows and matures, becoming independently significant and seeking to have its say. The day comes when the nation wants to manage its own life just as other nations manage their own lives; it seeks leaders who are its emissaries; it seeks to give expression to human law, nature and culture – “like all the nations that are round about me”. God responds, “Then you shall surely set a king over yourself,” and He blesses this development. A new era begins, in which human expression emerges at its best – in creativity, in welfare, and in the tremendous energies and possibilities that lie with a sovereign power that builds the life of a nation and a kingdom.

It was King David who crossed the historical threshold of this vision and brought the kingdom to new heights. The climax of this development came in the time of Shlomo, in the form of his great wealth, the culture, the wisdom that was an attraction for many nations, and – above all – the Temple, which was indeed inhabited by the Divine Presence, with an openness to the nations of the world and “the foreigner who comes from a distant land” (*I Melakhim* 8:41-43).

All of this came to an end with the Destruction, which cut short the public life of the nation and the glory of the kingdom. Along with this story of the past, our unit would also seem to convey the story of the future. God makes room for a well-developed kingdom and a rich national life; the nation, for its part, orients its life towards God’s future choosing of it and its endeavor. This choosing tells the nation and the world at large of the greatness of a world in which God can cause His Presence to rest.

Translated by Kaeren Fish

1. A different subject in *Sefer Devarim* is introduced similarly: “When the Lord your God enlarges your border… and you say, ‘I will eat meat’, because you long to eat meat, then you may eat meat, to your heart’s desire” (12:20). The words, “and you [will] say, ‘I will eat meat’”, is descriptive, not prescriptive. Eating meat is an optional matter concerning which the Torah sets down laws and regulations. The introduction to our unit likewise describes a future situation: “…and you [will] say, ‘I will set a king over me, like all the nations that are around me’.” However, in this case, the continuation is instructive, or prescriptive: “you shall surely appoint a king over you whom the Lord your God shall choose.” [↑](#footnote-ref-1)
2. In a certain sense, this stage began with the division of the land among the tribes (chapter 13 onwards). *Chazal* divide the period into two stages of equal duration: “Over seven years they conquered, and over seven years they divided [the land]” (*Zevachim* 118b). [↑](#footnote-ref-2)
3. This is reflected in the narrative in *Sefer Shmuel*: “And it was, when Shmuel was old, that he set (*va-yasem*) his sons judges over Israel” (*I Shmuel* 8:1). The nation, however, has a different request: “And they said to him: Behold, you are old, and your sons do not walk in your ways; now, set for us (*sima lanu*) a king to judge us, like all the nations” (8:5). The use of the term *sim*, in both instances, is understood as Shmuel appointing a leader to serve as his replacement. [↑](#footnote-ref-3)
4. Had the formulation been, “I shall set a king for myself”, it would have reflected the intention to appoint a figurehead devoid of authority. Indeed, this is the expression that the people uses in *Sefer Shmuel* (“set for us”), in contrast to our unit – a contrast we shall note below. To “set over us” defines the status and authority of the king “over us”; he is empowered to set policy and to make decisions. Examples of this concept include, “And his brothers said to him, ‘Shall you indeed reign over us? Or shall you indeed have dominion over us?” (*Bereishit* 37:8); “And Avshalom set Amasa over the army in place of Yoav” (*II* *Shmuel* 17:25). [↑](#footnote-ref-4)
5. Moshe is clearly a leader appointed by God to serve as His emissary; there is no human involvement in his appointment: “Come now, therefore, and I will send you to Pharaoh, that you may bring My people, the children of Israel, out of Egypt” (*Shemot* 3:10). Yehoshua is also God’s emissary; at the same time, Moshe is involved in his appointment, as is the nation: “And Moshe spoke to the Lord, saying: Let the Lord God of the spirits of all flesh set a man over the congregation… And the Lord said to Moshe: Take you Yehoshua, son of Nun – a man in whom there is spirit, and lay your hand upon him, and set him before Elazar, the *kohen*, and before the entire congregation, and give him a charge in their sight. And you shall bestow some of your honor upon him, that all the congregation of the children of Israel may be obedient.” (*Bemidbar* 27:16-22). There is no description of the appointment of Eli as leader, so it is unclear if God was directly involved. Rather, there is a covert assumption that the leader is the foremost individual in the nation. A similar situation exists in relation to Shmuel, but, unlike Eli, who was the *Kohen Gadol*, the basis for his appointment is the prophecy that he receives. This reappearance of prophecy is immediately followed by a description of the beginning of Shmuel’s leadership: “And the Lord appeared again in Shilo, for the Lord revealed Himself to Shmuel in Shilo, by the word of the Lord. And the word of Shmuel came to all of Israel…” (*I Shmuel* 3:21; 4:1). [↑](#footnote-ref-5)
6. The formulation of this phrase in plural is at variance with the singular form which has, until this point, addressed the organic entity of the nation. In this phrase, each individual is called upon to appoint a king from among his brethren, his fellow Jews. [↑](#footnote-ref-6)
7. The principle that the appointment of a king or governor requires the people’s approval is mentioned in many sources, both ancient and modern. See, e.g., *Midrash Shmuel* 26; Radak on *I Melakhim* 2:28; Responsa *Kol Mevasser* II:42; Responsa *Avnei Nezer*, YD 312:5. [↑](#footnote-ref-7)
8. Indeed, these instructions for the process of the appointment lead the Netziv (*Ha’amek Davar*, *Devarim* 17:15) and Rav Kook (*Mishpat* *Kohen* 144) to view the Divine choice of the king as a condition that is not essential. [↑](#footnote-ref-8)
9. The commentators address this gap between Divine choice of the king and the practical instructions according to which the nation is to make the appointment. See Ramban’s commentary and the Netziv’s *Ha’amek Davar*. [↑](#footnote-ref-9)
10. See our lengthy discussion of this in the *shiur* on [*Parashat Re’eh*](http://etzion.org.il/en/choosing-jerusalem). [↑](#footnote-ref-10)
11. A review of the use of the root “*b-ch-r*” (to choose) in Tanakh reveals that it denotes an inner expression that is not necessarily the first or most obvious possibility presented by the situation. For example: “It is not because you were more numerous than any people that God desired you and chose (*va-yivchar*) you - for you were the fewest of all peoples - but because the Lord loved you, and because He would keep the oath which He swore to your forefathers that the Lord brought you out with a mighty hand, and redeemed you from the house of bondage, from the hand of Pharaoh, king of Egypt” (*Devarim* 7:-8). These verses describe God’s love in the present for His people, based on two factors: His love for them, and His keeping of the promise to the forefathers. The obvious question is: what is the meaning of this “choosing” of the progeny, when they are already chosen by virtue of the promise made to the forefathers? In this instance, *bechira* does not denote the actual determination. The determination was made already several generations previously, and God committed to it by oath. The subject at this point is the inner position; the *bechira* here is the desire, God’s love for His people (in the present) which affirms an existing oath, as though making the choice all over again. Another example: “And because He loved your forefathers, He therefore chose (*va-yivchar*) their progeny after them, and brought you out – he Himself being present, with His mighty power – from Egypt” (*Devarim* 4:37). Here again the formulation suggests a renewed choosing of the forefathers’ descendants.

    A different interpretation of the “choosing” in our unit is proposed by Ramban: “In my opinion, the plain meaning of the phrase ‘that [the Lord] will choose’ is that anyone who reigns over a nation does so by Divine decree… And thus they said: Even the lowliest officeholder is appointed in heaven (*Bava Batra* 58a). The Torah says: ‘Then you shall surely appoint a king over you’ – anyone who is decreed in heaven to rule as king… And similarly, according to the plain meaning of the text, ‘the place that the Lord your God will choose’ means that wherever they build the Temple for God is by the will of God.” Ramban connects the Divine choice with man’s initial act of choosing. This philosophical statement identifies human action as being determined in heaven. In contrast, the interpretation we propose here is that the Divine choice is a further stage: after the king has been appointed by you, there is another stage where God chooses to rest His Name upon that king. [↑](#footnote-ref-11)
12. The signs of this process are numerous and complex, just like the signs of maturity in an adolescent, who undergoes changes and processes that may be discerned in his maturity, his consciousness, his developing discernment and perception, etc. [↑](#footnote-ref-12)
13. In kabbalistic terms, this stage is referred to as “*nesira,*” literally sawing, harking back to the separation of woman from man in the Garden of Eden, in chapter 2 of *Bereishit*. Initially, man encompassed woman as part of himself, but God put him into a deep sleep, removed one side of him, built it into a woman, and brought her to man. He declares that this creation is “bone of my bones, and flesh of my flesh” – but, in contrast to the previous situation, when she was part of him, she now has a domain and a life of her own. This fact creates a new status: the woman has an autonomous existence; communication is “face to face”, with each side exercising choice and reciprocity. [↑](#footnote-ref-13)
14. Along these lines, our Sages taught: “He shall not multiply horses for himself” - one might think that this means he may not even have enough for his horsemen and chariots. The text therefore states: ‘*lo*’ [for himself]: for himself he may not increase, but he may increase as many as are required for his chariots and horsemen. Which horses then are referred to [in the prohibition]? Horses that stand idle” (*Sanhedrin* 21b). [↑](#footnote-ref-14)
15. According to the mishna, David married eighteen wives and this is the maximum number permitted according to Halakha. According to other tannaim, David had twenty-four or forty-eight wives, but all agree that he remained within the bounds of what was permissible. [↑](#footnote-ref-15)
16. The role of the horse trade in Egypt goes beyond its being a major market there. In various prophecies that depict the nature and character of the country, this element is highlighted as well. See, for example, *Yeshayahu* 31:1-3; *Yechezkel* 23:19-20. [↑](#footnote-ref-16)
17. Upon reaching Jerusalem, David marries several wives, and this is perceived as a clear empowerment of his kingdom: “And David took more concubines and wives from Jerusalem after he had come from Chevron, and more sons and daughters were born to David” (*II Shmuel* 5:13). In general, women occupy a central and important place in his kingdom, and this fact is integral to its growth. This stands in contrast to earlier leaders, including Yehoshua, Eli and Shmuel, about whose wives we know nothing. Note the following central narratives in the David story: his marriage to Merav and Mikhal (*I Shmuel* 18); Mikhal’s love of David (the only instance where the Tanakh records a woman’s love for a man); David taking two more wives (ibid. 25:53); repeated enumerations of his wives, highlighting their importance (ibid. 30:5; *II Shmuel* 2:2); David stipulates Mikhal being returned to him as a condition for uniting the kingdom (ibid. 3:13); the story of David and Bat-Sheva and his repentance also highlight the important of this aspect; the story of Avishag the Shunamite (*I Melakhim* 1), and more. The fact that the Sages of the Mishna and the Talmud look to the number of David’s wives as the measure of how many are permitted is indicative of David’s proper approach to this area. [↑](#footnote-ref-17)
18. This explanation bears a strong resemblance to the the following description: “Then Yehoshua build an altar to the Lord God of Israel at Mount Eval… and he wrote there upon the stones *mishneh Torat Moshe*, which he wrote in the presence of the children of Israel” (*Yehoshua* 8:30-32). Although Yehoshua is not a king, his action here seems like a realization of the command in the Torah, “And it shall be, when he sits upon the throne of his kingdom, that he will write for himself of *mishneh ha-Torah* in a book”. Yehoshua enters the land, holds the ceremony at Mount Gerizim and Mount Eval, and there he writes a “*mishneh* of the Torah of Moshe” upon stones. *Chazal* and the commentators offer different interpretations of this writing. Some speak of the writing of the Torah in seventy languages (*Sota* 32a); according to this midrashic view, the “writing” here means adaptation of the Torah to reality. Others speak of the writing of the call to peace (in the name of R. Elazar ben Shimon, *Mekhilta* on *Devarim* *Parashat Re’eh*); Ibn Ezra cites Rav Sa’adia Gaon who maintains that Yehoshua wrote the commandments of the Torah in concise form; and more. [↑](#footnote-ref-18)
19. Examples of some of these discrepancies: “And all the elders of Israel gathered together and came to Shmuel, at Rama. And they said to him, Behold, you are old, and your sons do not walk in your ways; now, make us a king to judge us, like all the nations” (*I Shmuel* 8:4-5). In contrast to the description in *Sefer Devarim*, the motive here is an actual necessity: Shmuel is old, and his sons do not follow his path. The need for some justification and explanation on the part of the nation is an expression of a lack of maturity that precludes the spiritual position presented in the passage in *Devarim*. Note the plural form (“And they said”), in contrast to our unit, which is formulated in the singular (“And you [singular] shall say”). The elders who appeal to Shmuel are merely emissaries of the nation; there is no possibility of an appeal in the singular, expressing the desire of the collective, since the nation has not achieved this level of maturity. The demand for immediate leadership means that the nation is asking for a solution to a manifest problem, rather than embarking on a new vision for its long-term future. “Make us a king” – it is Shmuel who is being asked to appoint the king, in contrast to our passage, where the source of authority lies with the nation itself: “I shall set over me…”. The nation is not yet ready to make the appointment itself, since its inner desires and goals are not yet clear. “For us” – in contrast to the formulation in our passage, where the nation wants a king “over me,” in a position of authority, the request for a king “for us” reflects a sort of reciprocity. This constriction of the power of the king reflects a situation where the source of authority lies not with the nation, but rather in the hands of the prophet whom they approach. “A king to judge us” – the nation speaks of a king, but the verb harks back to the model that repeats itself throughout *Sefer Shoftim*: a leader who has no mechanism of leadership, such as ministers and servants, and thus fills a mainly judicial function, rather than leadership over all aspects of national life. “Like all the nations” – with no mention of “round about me”, as the request is formulated in our *parasha*: “the nations” here are a vague concept that is not predicated on contact with the nations living on Israel’s borders. These are just some of the discrepancies. [↑](#footnote-ref-19)
20. The anointment takes place while Shaul is still king, and it does not cause any immediate change in David’s status. David will become king after he is anointed by the nation – once as king in Yehuda (*II Shmuel* 2:2), and a second time as king over all of Israel (*II Shmuel* 5:3). Moreover, a review of the verses in *I Shmuel* 15 shows that the anointment of David is an instruction that Shmuel receives as a result of his lack of recognition that God does not want the monarchy to continue through Shaul. Otherwise, the anointment of David at this stage would not have been necessary, and the kingdom would have been handed over in a more natural manner from Shaul to David (see *I Shmuel* 15:35; 16:1). [↑](#footnote-ref-20)
21. This is clearly indicated in their words: “And all the tribes of Israel came to David in Chevron, and spoke, saying: Behold, we are your flesh and blood. Even in the past, when Shaul was king over us, it was you who led Israel out and brought them back; and the Lord has said to you: You shall be a shepherd for My people Israel, and you shall be a prince over Israel. So all the elders of Israel came to the king to Chevron, and King David made a covenant with them in Chevron before the Lord, and they anointed David king over Israel.” (*II Shmuel* 5:1-3) [↑](#footnote-ref-21)
22. The confidence of the people can also be discerned in the love shown him. Shaul loves David: “And David came to Shaul and he stood before him, and he loved him greatly, and he became his armor-bearer” (*I Shmuel* 16:21); Yehonatan loves David: “And it was, when he was finished talking to Shaul, that Yehonatan’s soul was bound up with the soul of David, and Yehonatan loved him as his own soul” (*I Shmuel* 18:1); “And Yehonatan made David swear again out of his love for him, for he loved him as he loved his own soul” (20:17); all of Israel loves David: “And all of Israel and Yehuda loved David, for he went out and came in before them” (18:20); “And Shaul commanded his servants, saying: Speak with David secretly, and say: Behold, the king delights in you, and all his servants love you; now therefore be the king’s son-in-law” (18:22, see also 18:5); Mikhal loves David: “And Mikhal, daughter of Shaul, loved David, and they told Shaul, and the matter pleased him” (18:20); “And Shaul saw it and he knew that God was with David, and that Mikhal, daughter of Shaul, loved him” (18:28).

    Shaul, in contrast, is unknown among the people at the time of his coronation. Admittedly, there is another ceremony of coronation following his victory over Ammon, but nonetheless the discrepancy between this vote of confidence in the king in the wake of factory in his first battle, and the broad and deep feelings that the people have towards David is remarkable. [↑](#footnote-ref-22)
23. The significance of this anointment is that it recalls the inauguration and sanctification set forth explicitly in the Torah in relation to the *Mishkan* and its vessels: “And Moshe took the anointing oil and he anointed the *Mishkan* and all that was in it, and he sanctified them” (*Vayikra* 8:10), as well as the dedication of the *kohanim*: “And he poured from the anointing oil upon the head of Aharon, and he anointed him to sanctify him” (*Vayikra* 8:12). [↑](#footnote-ref-23)
24. Shaul, too, is anointed – but by the prophet, not by the people. He monarchy is twice validated by the people (*I Shmuel* 10:24; 11:14-15), but in neither instance is there an act of anointment. [↑](#footnote-ref-24)
25. For instance, in his words to Goliat, David speaks of his source of strength: “I come to you in the name of the Lord of Hosts, the God of the armies of Israel, Whom you have taunted” (17:45). His strength lies in the fact that he comes in the name of the “Lord of Hosts, the God of the armies of Israel”, whose honor he seeks to defend. Shaul, in contrast, receives his strength from Shmuel, not from the people. In the presence of the people he assumes a position of personal example, and the people are inspired by his spiritual perfection. [↑](#footnote-ref-25)
26. This is so throughout the period that he flees from Shaul, while showing respect to Shaul personally and to the institution of the monarchy. Even after Shaul’s death he waits seven and a half years until the nation is ready to coronate him. [↑](#footnote-ref-26)
27. The difference between Shaul and David in this area is quite noteworthy. Shaul initiates several wars, all launched as battles against evil. This is given clear expression in the following description: “So Shaul took the kingdom over Israel, and he fought against all his enemies on every side - against Moav and against the children of Ammon, and against Edom, and against the kings of Tzova, and against the Pelishtim, and wherever he turned, he caused them damage (*yarshi’a*, literally made them wicked)” (*I Shmuel* 14:47). The text describes a single act of war (“fought”), and a list of victims of other nations. This description suggests a perception that the same perception underlies all of these battles – they are all part of the war of the “good guys against the bad guys”. The concluding phrase, “and wherever he turned, *yarshi'a*,(literally he made them wicked)”, likewise conveys Shaul’s negative view towards them. In addition, there is no description of Shaul speaking to any foreigner; his contacts with other nations are always in the context of war (with the exception of the Keini, whom he removes from among Amalek prior to his war with the latter). David is different: the scope of his battles is greater than those of Shaul, but the background to them is a moral dialogue. Each battle is preceded by an event or context in the wake of which the battle takes place, and no two battles are alike. Under his leadership the battles against other nations are a form of communication, and in many instances, when the battle is over, contact and confidence is established between the two sides. This is the case in the battle against Gat, which produces a special relationship between Akhish, king of Gat, and David (“and Akhish answered and said to David, I know that you are good in my sight, as an angel of God…” – *I Shmuel* 29:9); likewise concerning Ittai the Gittite, who swears allegiance to him (“And Ittai answered the king and he said, As the Lord lives, and as my lord the king lives, in whichever place the lord my king shall be whether in death or life, there also your servant will be” – *II Shmuel* 15:21); Shuvi, son of Nachash, of Ammon, saves David during the rebellion of Avshalom (*II Shmuel* 17:27), despite the heavy fighting between David and his fellow Jews (*II Shmuel* 11); the Kereiti and the Peleiti are foreign fighters in David’s army; David maintains dialogue with the Giv’onim (*II Shmuel* 21), with Chiram, king of Tyre (*II Shmuel* 2:5), King Aravna, and more. [↑](#footnote-ref-27)