

Humility — Limiting the Power of Kings

A D'var Torah on *Parashat Shoftim* (Deut. 16:18 – 21:9)

By Alan I. Friedman

“Shoftim v'shotrim titen-l'cha b'chol-sh'areycha ... lish'vateycha....”

“You shall appoint magistrates and officials for your tribes in all of your cities....”

Parashat Shoftim addresses the new social reality that would emerge when the Israelites entered and conquered the Promised Land following the death of Moses. God foretells that, when the people possess the land and settle in it, they will desire to set a king over themselves, like all the nations that are around them.¹ Aware that eventually, after they had forged a nation, the people would need a central authority, God gives permission for appointment of such a ruler (“You shall be free to set a king over yourself”),² with the proviso that the king be chosen (or, at least, endorsed) by God³ — thus rooting the monarchy in divine approval.

In spite of God’s permission (or command), Israel functioned without a king for over 300 years — from Joshua until Saul — under the leadership of the Judges. When the people approached the prophet Samuel to appoint a king over them, he was reluctant; ultimately he acquiesced. Samuel’s crowning of Saul as king of Israel in the eleventh century BCE initiated the monarchical system of government in Jewish history.

Once on the throne, the king had broad powers. Deuteronomy, therefore, emphasized that a superior divine law applied to both king and people and that kingship of Israel was “an aspect of carrying out God’s covenantal plan. Hence, the king, though he was chosen by the people, was believed to occupy his place only ‘by grace of God.’”⁴

After stipulating that a person chosen as king must be “one of your own people” and not a foreigner, the Torah places restrictions or limitations on a king in three areas: he must not keep too many horses; he must not have

¹ This phrase means that the Israelites will request a form of government similar to that of neighboring countries, *not* that they will request a king who acts like kings of neighboring countries. Israel, then, did not need to be different from other nations in the form of its political leadership, but rather in the manner in which its political leaders act.

² Some translations convey permission (“You shall be free to....”); others state an imperative commandment (“You shall surely....”). It is not clear whether the Torah obligates or merely allows for the appointment of a king.

³ God’s choice, or God’s endorsement of the people’s choice, would be expressed through the voice of a prophet.

⁴ “The Monarchy,” *The Torah – A Modern Commentary*; Edited by W. Gunther Plaut; Union of American Hebrew Congregations; 1981; pp. 1460-61.

too many wives; and he must not amass too much silver and gold.⁵ It is unusual for the Torah to provide the reason for a commandment, but for two of these three commandments explicit rationale is given.

A king should not have too many horses lest he become reliant on Egypt, where horses were raised. Specifically, "...he shall not ... send people back to Egypt to add to his horses, since Adonai has warned you, 'You must not go back that way again.'" Centuries later, Maimonides (Rambam) offered a stringent commentary on this parashah's prohibition on returning to and settling in Egypt. He wrote,⁶ "It is permitted to dwell anywhere in the world, except for the Land of Egypt ... it is forbidden to settle there." For Nachmanides (Ramban), a contemporary of Maimonides, the more consequential issue in prohibiting a return to Egypt was behavioral. Nachmanides recognized that the unsavory practices of the Egyptians might hold some appeal for the Israelites and tempt them to imitate Egyptian customs. To prevent the people from being seduced to stray from God's holy teachings by returning to Egypt, he said, the Torah legislates against it.

The rationale for not having too many wives was to prevent the king's heart from going astray. King Solomon had loved many foreign women, and, according to tradition, he had 1000 wives. (What better way to form an alliance with a neighboring country than by marrying the daughter of that country's king?) The Torah does not prohibit polygamy. However, since the king was expected to curb his appetites and be an example of moderation and obedience to the Torah, he was allowed to have no more than 18 wives.^{7,8} In the end, one of Solomon's wives practiced idolatry in the palace, and Solomon was held accountable.⁹

The Torah gives no reason for not permitting a king to amass too much gold and silver, probably because no explanation was needed. The temptations of excess wealth were as obvious then as they are now. King Solomon's large treasury was a corrupting influence, and the onerous taxes that Solomon imposed caused the nation to be split after his death.¹⁰

⁵ These restrictions are taken to be a criticism of King Solomon, who kept 1400 horses (I Kings 10:26 ff) and had many foreign wives (I Kings 11). How can this be if the commandments of *Parashat Shoftim* were given before the Israelites entered the Promised Land in ~1405 BCE and Solomon did not reign until 970 to 931 BCE? One explanation is that the author had a prophetic vision. Critical consensus, however, dates Deuteronomy to the late seventh century BCE. If the consensus is correct, the words of *Parashat Shoftim* actually were written ~300 years *after* Solomon's reign.

⁶ Mishneh Torah, *Hilchot Melachim*, Chapter 5, Laws 7-12.

⁷ *The Chumash: The Stone Edition*; Edited by Rabbis Nosson Scherman and Meir Zlotowitz; Mesorah Publications, Ltd.; 1993; p. 1029.

⁸ Three times more than King David's six wives, according to Rashi.

⁹ Commentary by Rabbi Avi Geller, Senior Lecturer, Aish HaTorah; undated.

¹⁰ Rabbis Scherman and Zlotowitz; *op. cit.*; p. 1029.

After addressing proscribed behaviors for a king, *Parashat Shoftim* turns to those compulsory behaviors intended to instill humility. When the king sits on his royal throne, “he shall have a copy of this Teaching written for him on a scroll by the Levitical priests.¹¹ It shall be with him,¹² and he shall read from it all the days of his life so that he will learn to revere Adonai, his God, to observe all the words of this Teaching¹³ and these decrees, and to follow them. Thus he will not act haughtily toward his fellows or deviate from the Instruction to the right or to the left...”

Rashi had an expanded understanding of this commandment and took the word *משנה* (*mishneh*), “which implies duplication, to mean that a king must in fact have two ... scrolls: ‘One which comes and goes with him, and one which remains in his treasure house.’¹⁴... He must carry the [scroll] with him, literally on his sleeve, as a visible symbol in the public sphere, but also keep it safe in his most private place as a true guide to his private practice.”¹⁵

Maimonides amplified Rashi’s interpretation. He said that if a king inherited these scrolls from his father, “he must nevertheless write a new one for himself; but if his father did not leave him any, he must write two.”¹⁶

Humility is not easy for an “ordinary” person to attain. For those in elevated positions, it is even more difficult. Power corrupts, and the trappings of majesty can go to one’s head. For this reason the king is commanded not to become haughty and not to consider himself better than his brethren. With the Law at his side at home and away as a constant reminder of proper behavior, the king is to understand that he serves at the pleasure of God and that only Adonai is King of all.

Even though we are not literally royalty, all Jews should consider themselves to be the offspring of kings. We need to hold ourselves to the highest standards of conduct and consider how the Torah’s commandments to the king apply to us in both our public and our private lives. Judaism is a precious gift. We must not only proudly display our gift in public but also protect and preserve it in our private treasure house, the Jewish home.¹⁷

AIF 08-16-04 Shoftim – DvarTorah.doc

¹¹ Other translations: “... he is to write for himself on a scroll a copy of this Teaching, taken from that of the priests, who are Levites” and “... he shall write for himself two copies of this Teaching in a scroll, from before the Kohanim, the Levites.” “From before” refers to an authoritative (or original) copy of the scroll kept before (that is, in the custody of) the priests.

¹² Not just the scroll shall be with him, but the values contained therein, as well.

¹³ It is not clear whether “this Teaching” refers to the “Law of the King,” to the book of Deuteronomy, which contains the Law of the King, or to the entire Torah. Rashi took it to mean the entire Torah.

¹⁴ Tachash World, Online Chumash Text and Rashi Notes.

¹⁵ Commentary by Rabbi Joshua Heller, Director of Distance Learning and Educational Technology, Jewish Theological Seminary of America; 2000.

¹⁶ Rabbis Scherman and Zlotowitz; *op. cit.*; p. 1029.

¹⁷ Rabbi Joshua Heller; *op. cit.*