The *Sugya* of choosing a King- ch.8

Introduction:

We will initially be examining the *pesukim* in the *Torah* concerning the appointment of a King and the comments of the *Netziv* on this section (Rabbi *N.Z.Y. Berlin*.d.1896. Lithuania).

**דברים פרק יז**

1. כי תבא אל הארץ אשר ידוד אלהיך נתן לך וירשתה וישבתה בה ואמרת אשימה עלי מלך ככל הגוים אשר סביבתי:
2. שום תשים עליך מלך אשר יבחר ידוד אלהיך בו מקרב אחיך תשים עליך מלך לא תוכל לתת עליך איש נכרי אשר לא אחיך הוא:
3. רק לא ירבה לו סוסים ולא ישיב את העם מצרימה למען הרבות סוס וידוד אמר לכם לא תספון לשוב בדרך הזה עוד:
4. ולא ירבה לו נשים ולא יסור לבבו וכסף וזהב לא ירבה לו מאד:

 (יח) והיה כשבתו על כסא ממלכתו וכתב לו את משנה התורה הזאת על ספר מלפני הכהנים הלוים:

 (יט) והיתה עמו וקרא בו כל ימי חייו למען ילמד ליראה את ידוד אלהיו לשמר את כל דברי התורה הזאת ואת החקים האלה לעשתם:

1. לבלתי רום לבבו מאחיו ולבלתי סור מן המצוה ימין ושמאול למען יאריך ימים על ממלכתו הוא ובניו בקרב ישראל: ס

‘ When you will come into the land…………….and you will say ; I want to appoint upon myself a King like the nations around me’…..then shall you appoint a King, chosen from amongst your brothers………he shall not have many horses so that he does not return the people to Egypt to get more horses from there…….he shall not have many wives nor much riches……and when he is King he shall write a Torah scroll ……which he will carry with him at all times so as to remember to fear God and keep the Torah……and not become haughty and his kingdom will last a long time in the land……’

**רש"י דברים פרק יז פסוק כ**

 למען יאריך ימים - מכלל הן אתה שומע לאו. וכן מצינו בשאול שאמר לו שמואל שבעת ימים תוחל עד בואי אליך (שמואל א' י, ח) להעלות עולות וכתיב ויוחל שבעת ימים (שמואל א' יג, ח) ולא שמר הבטחתו לשמור כל היום, ולא הספיק להעלות העולה עד שבא שמואל ואמר לו נסכלת לא שמרת וגו' ועתה ממלכתך לא תקום (שם יג ז - יד). הא למדת, שבשביל מצוה קלה של נביא נענש:

*Rashi* points out that *Shaul* was an example of this final statement, in that his kingship was short lived due to his failure to follow the instructions and commands of the prophet, and thereby he lost the kingdom after 2 years.

The *Netziv* tries to put the Kingship into perspective and analyse whether this really was *a mitzvah* or not. He notes that the appointing of a King depends on the *amira* / speech )ואמרת(

of the people. This is not a speaking requirement (as with the counting of the *Omer)* but a voluntary request (*reshut*).However *Chazal* have pointed that it is a *mitzvah* / command to appoint a King. In which case how is this seeming contradiction reconciled?

*Netziv* answers this by explaining the difference between a republic and a monarchy. He says that certain countries have to be run in a monarchic fashion due to the desire of the people (such as in the U.K. today). Other countries have a mindset of a republic and firmly reject the concept of monarchy. So within the *mitzvah* there is a strong emphasis on the will of the people, which is reflected in their ‘*amira’.* The *Mishkan* stood for over 300 years before the people decided to ask for a King, and the mitzvah clearly depended on the people’s wishes, as seen in the historical events of the book of *Shmuel*.

On the basis of the above introduction the *Netziv* now has to deal with the problem in *Sefer Shmuel* of asking for a king, which was seen as a rejection of both *Shmuel* and God. If this is the wish of the people, what’s wrong with the request?

*Netziv* answers by saying that the reason for the negative response is not because of their requesting a military leader, which was a clear function of the King. He explains that the request was *pasul* / disqualified, because the people wanted a leader who would govern them according to the laws of the nations around them (secular law) thereby rejecting the laws (*mishpatim*) of the Torah. This is contained in their request that the King ‘judge us like the surrounding nations’, meaning according to their laws and practices. This was unacceptable and was criticized by God.

There are other approaches to this question and we will summarize some of the views expressed by *chazal /* *mefarshim.*

 *Talmudic* Opinions

**תלמוד בבלי מסכת סנהדרין דף כ עמוד ב**

 רבי נהוראי אומר: לא נאמרה פרשה זו אלא כנגד תרעומתן, שנאמר +דברים י"ז+ ואמרת אשימה עלי מלך וגו'.

Ra*v Nehorai* said; this parsha of the King’s election was only agreed to to counteract their complaints at this time…….

**תוספתא מסכת סנהדרין (צוקרמאנדל) פרק ד**

 וכן היה ר' יהודה אומ' שלש מצוות נצטוו ישראל בביאתן לארץ נצטוו למנות להן מלך ולבנות להן בית הבחירה ולהכרית זרעו של עמלק אם כן למה נענשו בימי שמואל אלא לפי שהקדימו עליהן

Rabbi *Yehuda* said; there were three *mitzvot* to perform upon entry to Israel; to appoint a King, to kill *Amalek* and build the Temple. If so, why was the appointment of *Shaul* seen as such a negative event? Because it was premature and before its designated time….’

**תלמוד בבלי מסכת סנהדרין דף כ עמוד ב**

 תניא, רבי אליעזר אומר: זקנים שבדור – כהוגן שאלו, שנאמר +שמואל א' ח'+ תנה לנו מלך לשפטנו, אבל עמי הארץ שבהן קלקלו, שנאמר +שמואל א' ח'+ והיינו גם אנחנו ככל הגוים ושפטנו מלכנו ויצא לפנינו.

‘Rabbi *Eliezer* said; the elders of the generation asked in a correct way for a king, as it says; give us a King to judge us. However the ignorant ones spoiled the whole enterprise by saying; let us be like all the nations around us and our King will judge us and go before us in battle. (The non Jewish model was seen to be wrong, as explained by Rabbenu *Nissim* (*Ran*) in the next section).

*Rishonim*:

4) *Ramban ( Nachmanides)*

**רמב"ן בראשית פרק מט פסוק י**

 וענין שאול היה, כי בעבור שדבר שאלת המלכות בעת ההיא נתעב אצל הקדוש ברוך הוא, לא רצה להמליך עליהם מן השבט אשר לו המלכות שלא יסור ממנו לעולמים, ונתן להם מלכות שעה. ולזה רמז הכתוב שאמר אתן לך מלך באפי ואקח בעברתי (הושע יג יא) , שנתנו לו שלא ברצונו, ולכן לקחו בעברתו, שנהרג הוא ובניו ונפסקה ממנו המלכות:

והיה כל זה מפני שהיה שמואל שופט ונביא ולוחם מלחמותיהם על פי ה' ומושיע אותם, ולא היה להם לשאול מלך בימיו,

‘ The matter concerning *Shaul* was as follows:since the election of a King was despicable in the eyes of God at that time, the person chosen was not from the tribe of *Yehuda,* the permanent tribe of Kings in the future.A temporary arrangement from the tribe of *Benjamin* was made and *Shaul* was chosen…….*Shaul* was eventually killed with his sons in battle as a consequence of this event…..All this was because *Shmuel* was still alive and capable of being the leader both judicially and militarily and they should not have requested a King at that time…’

5) *Ran ( Rabbenu Nissim-derashot # 11)*

In his famous collection of sermons, the *Ran* deals with this question in his own unique way.

‘In my opinion,they wanted that the main source of justice between man and man would be based on the jurisdiction of the King(and not God)……when they chose a King they were looking for a situation in which the King would judge the people according to his level of wisdom which would be the basis of his judgements ( i.e. they would be judged on the basis of secular law and not religious law).This was seen as a rejection of the judgement of *Shmuel* which was totally based in Torah law and was criticized by both *Shmuel* and God.

*Shmuel* brought about the miracle of the rainstorm (ch.12 v.16-17) to show them their error. Everything came from God, even the rain in the wrong season, as a sign that they must cleave to the spiritual and not just to the physical existence around them.’

*Shmuel* tried to rectify the error in their request and the *Ran* clearly points out that the request was wrong due to their reliance of the physical world and not on the more spiritual elements in their lives as represented by their relationship with God.

How far do the powers of the King extend?

**שמואל א פרק ח**

 ויאמר זה יהיה משפט המלך אשר ימלך עליכם את בניכם יקח ושם לו במרכבתו ובפרשיו ורצו לפני מרכבתו:

 (יב) ולשום לו שרי אלפים ושרי חמשים ולחרש חרישו ולקצר קצירו ולעשות כלי מלחמתו וכלי רכבו:

 (יג) ואת בנותיכם יקח לרקחות ולטבחות ולאפות:

 (יד) ואת שדותיכם ואת כרמיכם וזיתיכם הטובים יקח ונתן לעבדיו:

 (טו) וזרעיכם וכרמיכם יעשר ונתן לסריסיו ולעבדיו:

 (טז) ואת עבדיכם ואת שפחותיכם ואת בחוריכם הטובים ואת חמוריכם יקח ועשה למלאכתו:

 (יז) צאנכם יעשר ואתם תהיו לו לעבדים:

 (יח) וזעקתם ביום ההוא מלפני מלככם אשר בחרתם לכם ולא יענה ידוד אתכם ביום ההוא:

‘And he said: This is the law of the King who will reign over you.

He will take your sons and place them on his chariot and they will run before him.

They will be his army captains and his farmers, his weapon makersand chariot builders.

Your daughters will become his cooks and bakers and perfume makers.

He will take your farms and vineyards and give them to his servants.

He will take your best servants and animals and use them for his own purposes.

And you will cry out before your King who you have chosen, and God will not answer you on that day.’

There is a clear mandate here for the King to have absolute control over the people, both in terms of their physical existence and in terms of their property. This is confirmed by the following Talmudic comment.

**תלמוד בבלי מסכת סנהדרין דף כ עמוד ב**

 אמר רב יהודה אמר שמואל: כל האמור בפרשת מלך - מלך מותר בו. רב אמר: לא נאמרה פרשה זו אלא לאיים עליהם, שנאמר +דברים י"ז+ שום תשים עליך מלך - שתהא אימתו עליך.

‘Rabbi *Yehuda* said in the name of *Shmuel*: Everything stated in the *parshat Hamelech* (above), the King is allowed to do.

*Rav* said: This *parsha* was said as a threat over them (and not to be taken literally) as it says: You shall appoint over yourselves a King…meaning that his fear should be upon you.’

For further anlysis, see *Tosephot* (*Sanhedrin* 20b) who discusses the sin of King *Achav* in the story of *Naboth* vineyard (Kings 1 ch.21). See also the comments of *Ran* and *Rabbenu Yona .*

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How could *Shaul* become King. He was not from the tribe of *Yehuda*?

In a major essay on this topic the *Abarbanel* discusses the whole choice of Shaul.

‘Why he was chosen even though he was from the ‘wrong’ tribe’.

I will summarize his points although I recommend that the reader looks at the *Abarbanel*’s commentary (Sam. 1 ch.8) for more depth and insight.

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‘Why was *Shaul* initially chosen? 4 reasons:

* 1. His father, *Kish*, was a warrior and God saw that this would be inherited by his son who would lead Israel into war and overcome the enemy.
	2. His name was *Shaul* meaning ‘borrowed’. This was a sign that his Kingship would be borrowed i.e. temporary in nature and not long lasting.
	3. He is described as ‘*bachur vetov*’ meaning ‘chosen and good’. He was the best person for the job and especially in spiritual terms. He was in control of his desires and an outstanding individual.
	4. He ‘looked the part’. His appearance was pleasing and he was taller than his peers and outstanding in his looks (‘head and shoulders above everyone else’).

Surely however, there is still the issue of his tribe? Even with all these positive credentials, how could someone from the tribe of *Benjamin* become King?

**בראשית פרק מט פסוק י**

 לא יסור שבט מיהודה ומחקק מבין רגליו עד כי יבא <שילה> שילו ולו יקהת עמים:

‘The rulership shall not depart from *Yehudah* and the law giver from between his feet….”

This verse clearly predicts that kingship will be from the tribe of *Yehuda* and the verse particularly forecasts the future kingship of *David* and the messianic line.

The *Rambam* answers the question by stating that since the request for the King was not initially acceptable to *Shmuel* (see above) therefore a temporary King from another tribe was chosen, to express this displeasure at the time.

**הושע פרק יג**

 (יא) אתן לך מלך באפי ואקח בעברתי:

‘I will give you a King in my anger and take him away in my wrath’.

The *Rambam* also suggests that if *Shaul* had not sinned, he may have carried on being leader over part of Israel, such as over his own tribe, but the *Davidic* line would come about over the main part of the people as represented by the tribe of *Yehuda*. He may have remained subservient to the *Davidic* King.

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The *Abarbanel* takes a completely different approach to the question.

He maintains that the verse of לא יסור שבט מיהודהcan be understood in a completely different way and, in fact he makes two suggestions.

* 1. The verse indicates *Yehuda’*s superiority over his brothers (and the tribes as we find throughout *Nach*) but not necessarily in terms of Kingship but in terms of leadership only. Even when *Shaul* was King, *Yehuda* was the largest and most significant tribe and was counted separately from the other tribes.
	2. The other possibility is that this verse is a prophecy for the future in that even when the other tribes disappear due to exile, the tribe of *Yehuda* will always be around, even in the exile and will become the foundation for redemption in messianic days.

If these interpretations are accepted, then the verse is not referring to future Kingship. Consequently the Kingship of *Shaul* was acceptable as he was the right man for the job at that time.It was not a ‘*yichus*’/family background matter nor a tribal matter but purely dependant on the character and ability of the candidate (no *proteczia* !!)

The *Abarbanel* adds further that *Benjamin* was chosen to provide the first King as they were the smallest tribe (due to the events of *pilegesh begivah*: *Sefer Shoftim* ch 19) and would be a sign of the final reacceptance of *Benjamin*’back into the fold’ after those terrible events.

*David* eventually becomes King also because of his outstanding personal qualities and the fact that he was from *Yehuda* is a side issue and not the main reason for his being chosen as King.He proves his claim from the following verse:

**דברי הימים א פרק כח פסוק ד**

 ויבחר ידוד אלהי ישראל בי מכל בית אבי להיות למלך על ישראל לעולם כי ביהודה בחר לנגיד

‘(David is speaking :) And God chose me from my father’s entire house to be the King…for *Yehuda* was chosen as prince……..’

This verse clearly states that *David* was chosen not because of his *Yehuda* background but for his own merits.Once his righteousness has been established, God decides to perpetuate the Kingship in his family, but the true reason is *David*’s merit and not the merit of being part of the tribe of *Yehuda.*

*Abarbanel* concludes: “ I have explained this matter in a different way to the other *mefarshim / commentators* and God really chose *Shaul* as the King because of his spiritual compatibility for the job and the intention was that his family would be kings forever, and this in no way detracts from *Yaakov*’s blessing(as explained above).

Further references in this matter of *ShevetYehuda* not supplying the first King:

*Ramban* : *Bereshit* 49:10

*Derashot Haran: drasha* 7

*Meiri: Masechet Horiot* 12b

*Shem Mishmuel: Parshat Vayeshev* ( 5677) page 101.

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A clear lesson from this whole analysis is to remember the idea of not judging people only by their background / *yichus* but to respect people for who they are. I have heard from many students that this issue is a great problem in the ‘dating scene’ as it exists today, and I have told them to judge the ‘date’ as he/she really is and not just based on their background and *yichus*, which become in many cases an artificial basis for judgement and may in fact be very misleading. Both *Shaul and David* achieved greatness because of their own standing and spirituality and not just because their fathers were famous people.