

If, after you have entered the land that the Lord your God has assigned to you, and taken possession of it and settled in it, you decide: "I will set a king over me, as do all the nations about me," you shall be free to set a king over yourself, one chosen by the Lord your God. Be sure to set as king over yourself one of your own people; you must not set a foreigner over you, one who is not your kinsman. --- Deut. 17:14-15

Three commandments were given to Israel when they entered the land: to appoint a king, as it says *You shall surely set over you a king...* --- Maimonides, **Mishneh Torah**, Laws concerning Kings 1:1, based on teaching of Rabbi Yehudah in Talmud, **Sanhedrin** 20b

The 173rd mitzvah is that we are commanded to appoint over us a king of Israel to unite our entire nation and lead us. --- Maimonides, **Sefer Ha-mitzvot**, Positive Commandment 173.

We are commanded to appoint over us a king of Israel who will unite us and lead us as he sees fit. --- **Sefer Ha-Chinukh**, 13th c., #497

You shall surely put over you a king - A positive commandment. --- **Sifrei**, #157

Rabbi Nehorai said: This section was spoken only in anticipation of their future murmurings, as it is written, and you say, Let me put a king over me... --- Talmud, **Sanhedrin** 20b

You shall surely put over you a king: Permitted. --- Ibn Ezra, 12th c.

Not only is appointing a king not a positive commandment, it is completely undesirable "...because kingship is very harmful to the general public." ... "If requesting a king were a positive commandment, how could even Samuel be angry with Israel for requesting a king, it being evil in God's view?" This is in light of the

verses: “Behold, you are old and your sons do not walk in your ways; now appoint for us a king to govern us like all the nations.” But the thing displeased Samuel when they said, ‘Give us a king to govern us.’ And Samuel prayed to the Lord" (I Samuel 8:5-6). --- based on Abravanel (15th c.) on the parsha.

The law about the king continues Deuteronomy’s policy of limiting the power and prestige of human authorities. It says nothing about the king’s authority or obeying him or about any governmental functions performed by him. The only positive responsibility that Deuteronomy assigns the king is copying and studying God’s Teaching. The aim of this law is to limit the king’s power and to emphasize that he is as much subject to God’s law as are the people as a whole. --- Chaim Potok in **Humash Etz Hayim**, p. 1092.

A king was necessary for ancient sovereignty, and for military and political leadership. But unlike Egyptian kings, an Israelite king was expected to know and apply the laws of the Torah, not to become the law itself nor to be an absolute ruler himself. In fact, because of the potential power of a king, choosing one was thought to be too weighty for the Israelites to elect or select themselves, and therefore God must choose him. The Israelites—indeed, all human societies—are constantly challenged to recognize and remember that the power of a human being can never be absolute. --- Rabbi Rachel Sabath Beit-Halachmi, contemporary

Over the course of this week’s reading, the Torah presents a careful balance among four specific elements of power in ancient Israel: the judges, the priests, the prophets, and the king. No one element has absolute authority. Judges may assert their authority in matters of criminal and civil offenses; prophets may assert their vision about wrongdoing and future consequences; priests may hold sway over the primary ritual elements of ancient Israelite life, the sacrificial cult; and the king may rule *over them*. But none of these powerful figures can be dominant over the others.

Of course, the **parashah** is laying out the idealized model. How it worked in real life is another matter, one which we can only infer from the meager evidence that we have. For example, just considering the stories of Saul and David as the Bible reports them to us gives us a good deal of insight into the complexity of operating

this system of what we might call “checks and balances,” in the same way that reading the United States Constitution only gives us a picture of the way that the three branches of our government are “supposed to” work. As we have seen in a variety of instances sometimes a “check” on one branch of government may not lead to much “balance” in the world of realpolitik. Yet without the ideal we would have no standard by which to evaluate the real, and these chapters in our Torah reading give us a picture of what the Bible viewed as the proper functioning of a system of government.

For me the most powerful and moving part of the description in **Shoftim** is the delineation of the limitations on the king. Sometime in the future, God says, you will be settled in **Eretz Yisrael** and you will want to set a king over yourselves to be like *all the other nations* (17:14). With almost an exasperated acceptance, God tells them if that’s what you want, you can do it. But there are restrictions that need to be in place—you can’t choose someone who is not one of your own people; the king can’t keep many horses, nor can he have many wives. – Dr. Barry Holtz, contemporary

The very concept of a king, **melekh**, is rooted in the emanation **malkhut** [kingship]. ... The mystical dimension of the directive that the king has to write a [Torah scroll] for himself is that the emanation **malkhut** “receives” the written Torah, whereas the emanation itself is perceived of as being the “oral Torah.” --- **Shnei Luchot Ha-Brit**

Why did the king need two scrolls of the Law [as Rashi understands Deuteronomy 17:18]? Because the greater the person, the more stringently must he take upon himself the yoke of the Law in order to remain humble. A king in Israel must take upon himself a double yoke of the Law of God. It was for the same reason that the king had to remain in a bowed position throughout the prayer service. It was to symbolize that, as the king, he had to work harder than others to attain humility. --- **Yalkut David** (David Posner), 1965

Even though the Bible is ambivalent on the subject of kings and kingship in many passages, the concept of kings was generally viewed as a positive feature of ancestral texts. Thus God’s mentioning that there were to be kings in Israel’s future should surely be seen as an enrichment of the overall promise. --- Frank Anthony Spina, The Faith of the Outsider