

DIMENSIONS IN CHUMASH

Parshas Shoftim

The Mitzvos of the King and their Reasons

INTRODUCTION: THREE PROHIBITIONS AND TWO REASONS

One of the early sections in our parsha outlines the mitzvos that pertain to a king. The sages in Talmudic times already debate the question as to whether actually having a king is itself a mitzvah.¹ In other words, when the verse states, “**וְאָמַרְתָּ אֲשֵׁר מֶלֶךְ עַלְיִךְ**” – *And you shall say, ‘I will place a king over me,’*² are these to be taken as words of instruction regarding something we should say, or are they simply words of description regarding something we are likely to say, in response to which the Torah presents the mitzvos that will apply to such a king.

Specifically, there are three prohibitions that pertain to the king.³

1. He may not have too many horses.
2. He may not have too many wives.
3. He may not have too much gold and silver.

Notably, the reasons behind the first two prohibitions are also provided by the verses:

1. Acquiring too many horses will lead to developing ties with Egypt and possibly to moving part of the people back there.
2. Having too many wives will lead his heart astray.

The third prohibition, curiously, does not have a reason attached to it in the verse. This leaves the matter open to discussion among the classic commentators. Thus, for example, the Ibn Ezra explains that this is so that the king should not impose excessive taxes on the people for the purposes of filling his coffers. The Rambam, on the other hand, appears to have a different understanding of the nature and background of this prohibition. In Mishneh Torah,⁴ he writes:

וְלَا יַרְבֶּה לֹו כֹּסֶף לְהַנִּיחַ בְּגֻנוֹיו וְלְהַתְּגִּיאֹת בּוֹ אוֹ לְהַתְּגִּיאֹת בּוֹ

He should not amass gold and silver to place in his coffers and aggrandize himself or glorify himself with.

1 See Sifrei sec. 28.

2 Devarim 17:14. See Commentary of Ramban there.

3 Verses 16-17.

4 Hilchos Melachim 3:4

The Rambam appears to understand the reason for the king not amassing too much money is that it will lead him to be haughtiness and self-aggrandizement. It is worthwhile investigating what the basis of the Rambam's approach is. Interestingly, according to the commentators, the answer to this is to be found later on in the parsha.

THE CONCLUDING VERSE

In addition to the above three prohibitions that apply to the king, there is also a positive mitzvah, namely, for him to write an additional sefer Torah for himself.⁵ The concluding verse then reads:

לְבָلַתִּי רֹום לְבָבֶו מֵאֲחֵיו וְלְבָלַתִּי סָרֶם מִן הַמִּצְוָה יְמִין וִשְׁמָאל

So that his heart not become haughty over his brethren, and that he not swerve from the commandment right or left.

This final verse clearly contains the reason for the commandment in the verse that precedes it, namely, writing an additional sefer Torah. However, we note that the verse appears to present two reasons: that he not become haughty and that he not swerve from the commandments. Why two? Numerous Rishonim⁶ explain that these two reasons address the *two preceding mitzvos*: the prohibition for the king to amass too much and money and the mitzvah to write a sefer Torah. According to this approach, it turns out that the reason for the third prohibition is also mentioned in the Torah: namely, the first reason in the final verse, "So that his heart not become haughty." This would appear to be the Rambam's approach as well who, as we saw, formulated the prohibition as "amassing money to aggrandize himself with." [The halachic implications of this approach is that any personal fortune, even one not amassed through taxing the people, would be considered objectionable insofar as it could lead to haughtiness].⁷

Indeed, confirmation for this understanding comes from the Rambam himself in the *Sefer Hamitzvos*,⁸ where he states that the Torah revealed the reason for three mitzvos – the prohibitions that apply to the king. This led Shlomo Hamelech, the wisest of all men, to engage in those activities, confident that he would not fall prey to the consequences predicted – which he eventually did. We see that the Rambam explicitly states that the Torah provided reasons for *all three prohibitions*, indicating clearly that he sees the reference to avoiding haughtiness in the final verse as the reason for the third prohibition of amassing too much money.⁹

THE KING'S ADDITIONAL SEFER TORAH

With regards to the above approach, it remains to be explained as to why the Torah did not present the reason for the third prohibition straight away (as it did for the first two), waiting instead to present another mitzvah before providing the reasons for them both together. Indeed, perhaps we may suggest a different approach to the two reasons in the final verse, beginning by investigating the mitzvah of the king to write a second Torah scroll. What form does this second scroll take? The approach taken by many Rishonim is that it is an actual full Sefer Torah, identical

5 Verses 18-19.

6 See *Daas Zekeinim mi'Baalei HaTosafos*, *Rabbeinu Bachye*, *Chizkuni* and *Sefer Hachinuch* (mitzvah 502).

7 See *Chiddushei HaRan*, *Sanhedrin* 21b.

8 Negative Mitzvah 365.

9 Many have noted that the Gemara (*Sanhedrin* 21b) clearly states that the Torah revealed the reasons behind two mitzvos of the king. However, the Torah Temimah points out that the Gemara does not say that the Torah revealed "שְׁתִּי מִצְוָות – two mitzvos," but rather, "שְׁנִי מִקְרָאוֹת – two verses," and indeed, the three prohibitions of the king are contained within the two verses of 16-17!

to the one which every Jew needs to write for himself.¹⁰ However, there is a fascinating opinion of the Baalei HaTosafos,¹¹ who suggest that this second Torah was not an entire Torah scroll, but rather a smaller scroll with the *Aseres Hadibros* written on it! This approach will enable us to understand how the verse requires the king to have this second scroll with him at all times – which the Gemara¹² further elucidates as saying that it should be suspended from around his neck like an amulet! – something which would be very difficult with a full sefer Torah.¹³

Fascinating support for this approach can be seen by taking a closer look at verse 19, which states, concerning this second scroll:

וְהִתֵּה עָמוֹ וְקָרָא בָּו כֹּל יְמֵי חַיָּיו

It shall be with him, and he shall read in it all the days of his life.

Let us ask a simple question. The word for a scroll or book in Hebrew is “**סִפְר**”, which is a masculine noun. If so, then the verse should have said “**וְהִיה עָמוֹ**” using the masculine verb. In fact, however, it uses the feminine form: “**וְהִתֵּה**”! The reason for this, says R’ Shmuel David Walkin,¹⁴ is as per the Baalei Hatosafos, whereby the second Torah scroll is actually the **פרשה** (section) of the *Aseres Hadibros*. Since the word **פרשה** is feminine, the Torah uses the feminine form.

Fascinating!

That said, we note that the verse proceeds to use the masculine form when it says “**וְקָרָא בָּו כֹּל יְמֵי חַיָּיו** – *he shall read in it all the days of his life.*” Why the switch? It appears that the verse is describing the functions of *both of the king’s Torah scrolls*. The first, consisting of the parsha of *Aseres Hadibros*, is to be carried with him wherever he goes. However we will appreciate that when it comes to what he should read on an ongoing basis, it is not the Ten Commandments, but rather, his already existing (complete) sefer Torah; hence, the second command with regards to reading is phrased in the masculine.

BACK TO THE FINAL VERSE

It turns out that verse 19 describes the way the king should make use of each of the two Torah scrolls. In this light, we may see the continuation of that verse as describing the respective goals that can be attained thereby:

- ▷ “**לְמַעַן יַלְמֹד לִירָא אֶת הָאֱלֹקִים**” – *So that he will learn to fear Hashem, his God*” – refers to the parsha of *Aseres Hadibros*, whose presence with him wherever he goes will serve as an ongoing reminder that he is under Hashem’s ultimate authority.
- ▷ “**לְשִׁמְרֹה אֶת כָּל דְּבָרֵי הַתּُוֹרָה הַזֹּאת**” – *To observe all the words of this Torah*” – refers to the Sefer Torah which he will be reading all the days of his life.

Continuing in this vein, we may suggest that this is what is behind the two reasons mentioned in the final verse, for they represent the two negative outcomes that may be avoided through using these two Torah scrolls:

10 See e.g. Rashi to verse 18 and Rambam, *hilchos melachim* 3:1.

11 *Daas Zekeinim mi’Baalei HaTosafos*, verse 18.

12 Sanhedrin 22a.

13 See Rashash Sanhedrin ibid.

14 *Kisvei Aba Mari*, p. 175.

- ▷ “*So that his heart not become haughty over his brethren*” – having the parsha of *Aseres Hadibros* with him at all times will remind him that he is every bit as subject to its authority as are his citizens, and will thereby save him from haughtiness over them.
- ▷ “*and that he not swerve from the commandment right or left*” – constant study of his Sefer Torah will enable him to remain faithful to all its commandments.

Food for Thought.