

שׁוֹפְטִים

MALCHUS

The seven week period between *Pesach* and *Shavuos* is a period of counting which serves as a constant call to introspection and self-improvement. This is evident from the seven levels of self-improvement enumerated in the *Sefirah* prayer:

חסד, גבורה, תפארת, נצח, הוד, יסוד ומלכות

Kindness, strength, splendor, eternity, glory, foundation, and majesty.

We must strive to grow from the initial level of “kindness” to the apex of perfection, “majesty.” Similarly, Rabbi Pinchas ben Yair (*Avodah Zarah* 20:) enumerates ten necessary steps to achieve perfection:

תורה, זהירות, זריזות, נקיות, פרישות, טהרה, קדושה, ענוה, יראת חטא, חסידות

Study, precision, zeal, cleanliness, restraint, purity, holiness, meekness, fear of sin, and piety.

The two lists, which attempt to teach the acquisition of perfection, culminate in “majesty” and “piety,” respectively. Majesty is recognized as the highest level of piety, which is, thus, the highest level of perfection.

Malchus — majesty — is the highest pinnacle of human achievement; it is the first and foremost appellation of Hashem:

"כה אמר ה' מלך ישראל וגאלו ה' צבאות"

Thus said Hashem the King of Israel, and its redeemer, Hashem of the Hosts: “I am the first and I am the last; and besides Me there is no other G-d” (*Yeshayah* 44:6);

מלך הכבוד

King of Glory (*Tehillim* 24:7);

מלך מלכי המלכים

King of Kings (*Bereishis Rabbah* 12:1).

Hashem invested mankind with earthly royalty based on the model of Heavenly royalty (*Berachos* 58•). He demonstrated His love for *Klal Yisrael* by declaring them to be a “*Mamleches Kohanim*” — “Kingdom of Priests” (*Shemos* 19:6) — and within *Klal Yisrael* Hashem manifested His kingdom by commanding:

שום תשים עליך מלך

“You shall set a king over you” (*Devarim* 17:15);

יהודה...ישתחוו לך בני אביך

“Yehudah...your father’s children shall bow down before you” (*Bereishis* 49:8).

The *Gemara* (*Sanhedrin* 19:) expounds that the honor to be bestowed upon a king of Israel is greater than the honor for any other person:

מלך שמחל על כבודו אין כבודו מחול

A king may not forgo the honor due him.

The king of Israel is the human manifestation of the Divine Kingdom, for the Torah clearly specifies his job description:

לשמור את כל דברי התורה הזאת ואת החקים האלה

to keep all the words of this law and these statutes (*Devarim* 17:19).

Although David and Shlomo were enthroned as kings over *Klal Yisrael*, they never forgot that Hashem was the true King and they were simply sitting upon a borrowed throne:

ויבחר בשלמה בני לשבת על כסא מלכות ה' על ישראל

He had already chosen Shlomo, my son, to sit upon the throne of the Kingdom of Hashem over Israel (*Divrei Hayamim* I 28:5);

וישב שלמה על כסא ה'

And Shlomo sat upon the throne of Hashem (*ibid.* 29:23).

The King of Israel in his role as surrogate for Hashem is to provide for the physical and spiritual needs of *Klal Yisrael*. The *Melech* must keep a *Sefer Torah* with him at all times (Rambam, *Hilchos Melachim* 3:1). Shlomo states in *Mishlei* (29:4):

מלך במשפט יעמיד ארץ

The King through justice shall maintain the Land.

Thus, on the night of *Tisha Be'av*, in our reading of *Eicha* (2:9), besides the lamentations for the destruction of the *Beis Hamikdash*, we mourn for the loss of the King of Israel:

מלכה ושריה בגוים אין תורה

Her king and officers are amongst the nations, there is no longer a Torah.

One must ask the following question. If human majesty is an attempted parallel to Divine perfection, why was the initiation of the House of David so inauspicious, so imperfect? The establishment of the House of David was fraught with what seemed like sin:

- 1) Tamar, Yehudah’s second wife, who bore the seeds of the House of David, was actually forbidden in union to Yehudah (see Ramban, *Bereishis* 38:8). Tamar was his daughter-in-law, who manipulated Yehudah into a seemingly lewd and carnal relationship. It was only due to Divine dispensation that Tamar was declared “permissible” to Yehudah (*Zohar, Bereishis* 38:14).
- 2) The founder of the nation Moav, from whom Rus and ultimately David were descended, was conceived in a drunken act of incest by Lot with his daughter (*Bereishis* 19:37).

- 3) Rus, the Moabite convert who bore the seeds of the House of David, arranged herself upon her future husband, Boaz, in a very brazen, even unchaste, manner (*Rus* 3:7). Her behavior was the complete antithesis of *tznius* —modesty— which is the hallmark of the Jewish woman.
- 4) Rus touched off slanderous talk about the fitness of David to rule because of her Moabite heritage. Actually, the injunction against accepting Moabite converts applied only to males, not to females (Rashi, *Rus* 4:1). Nevertheless, it did invite question as to David's eligibility to rule.
- 5) Prior to David's birth, his father, Yishai, separated himself from his wife, Nitzeves bas Eidel (Rashbam on *Bava Basra* 91•) for three years. During this period Yishai wished to cohabit with his wife's maidservant. The maidservant secretly informed his wife, who discreetly traded places with her. Under the guise of darkness, Yishai thought he was with the maidservant when David was conceived (*Yalkut to Tehillim* 118:28). This, however, was not a sin, for the *Gemara* (*Shabbos* 55:) tells us that Yishai was one of the four persons who was untainted by sin (see also *Bava Basra* 17•). Yishai, however, still viewed David as less than perfect. When Shemuel *Hanavi* came to inspect the sons of Yishai for the kingship, David was kept in the background.
- 6) The establishment of the Davidic kingdom only came about due to the default of Shaul *Hamelech* (*Shemuel* I 15:26). Had Shaul not sinned, his dynasty would have continued indefinitely (see Ramban, *Bereishis* 49:10). When the call was made by the nation for a king, Hashem called upon Shaul to reign, and neglected the House of Yehudah (*Shemuel* I 10:20).
- 7) Bas Sheva, the mother of Shlomo, was taken to wife by David in a questionable fashion. She was originally the wife of Uriyah *Hachiti*, who David sent to the front lines to be killed in the battle with the Amonites (*Shemuel* II 11:15). The *Gemara* (*Avodah Zarah* 5•; *Sanhedrin* 107•; *Shabbos* 56•), however, advises us that this was not a sin. How could the product of this questionable union inherit the position of king of Israel? (see Moed Katton 16:)
- 8) The reign of the House of David over all of *Klal Yisrael* lasted only two generations (*Shabbos* 56:). In fact, Hashem sent the prophet Achiyah *Hashiloni* to bless the imminent reign of Yeravam ben Nevat over the *Aseres Hashevatim* — the Ten Tribes — after only two generations of the Davidic dynasty (*Sanhedrin* 102•).

Indeed, the entire concept of the *mitzvah* of *minu'i melech* — appointing a monarch — is a nebulous one; it was offered to *Klal Yisrael* on a conditional basis:

כי תבא אל הארץ...ואמרת אשימה עלי מלך

When you will come to the land ...and you will say 'I will set a king over me'
(*Devarim* 17:14).

Although it was one of the three national *mitzvos* that were contingent upon the arrival in *Eretz Yisrael* (*Sanhedrin* 20:), it seems conditional upon the whim of *Klal Yisrael's* expressing the desire for a king. The Abarbanel, in his commentary on *Parshas Shoftim* (in disagreement with

most *Rishonim*), maintains that the appointment of a monarch is a volitional *mitzvah*, not an obligatory one. It seems akin to the *mitzvah* of *yefas to'ar* — the captive Gentile woman who is permitted in the heat of battle (*Devarim* 21:11) — which was merely a concession to the *yeitzer hara*. As Rashi (*Sanhedrin* 107:) indicates, complete rigidity in opposing the *yeitzer hara* will not meet with success; a small amount of compromise is essential. Similarly, the Torah permitted *Klal Yisrael* a certain leeway if they expressed a desire to be “like all the nations around us” (*Devarim* 17:14). If the *yeitzer hara* were to dominate *Klal Yisrael*, and they would reject Hashem as their sole King, desiring a human king like the other nations, the Torah offered monarchy as an alternative. The *Navi* testifies:

כי אין אדם אשר לא יחטא

There is no man that does not sin (*Melachim* I 8:46).

In fact, when *Klal Yisrael* actually asked Shemuel *Hanavi* to “make us a king...like all the nations” (*Shemuel* I 8:5), Hashem had to console Shemuel “for they have not rejected you [as a prophet], but they have rejected Me [Hashem], that I should not reign over them” (*ibid.* 7). Prior to this episode Hashem was the sole King over *Klal Yisrael*. At that time *Klal Yisrael* enjoyed a true theocracy with only a human teacher at their helm, so “that the congregation of Hashem should not be as sheep which have no shepherd” (*Bamidbar* 27:17). Moshe, Yehoshua and the *Shoftim* were leaders, teachers, judges, and shepherds, but Hashem was the King. Even when Gidon was offered the kingship it was incomprehensible to him; he protested: “I will not rule over you, neither shall my son rule over you; Hashem shall rule over you” (*Shoftim* 8:23). *Klal Yisrael* realized the error of their ways and asked Shemuel to reverse the monarchy, “For we have added unto all our sins this evil, to ask us a king” (*Shemuel* I 12:19; see *Sanhedrin* 20:). It was too late; once they had publicly uttered the words “Set a king over us,” their fate was sealed, and the *mitzvah* became operative.

However, human monarchy (including the period of *Mashiach*) is only a phase. *Klal Yisrael* yearns for the day when Hashem will personally resume the sole Kingship over His people (Maharal, *Chidushei Aggados Sanhedrin* 99•; *Pirkei D'Rebbe Eliezer* 11). The *Gemara* (*Sanhedrin* 99•) questions: how long will the epoch of *Mashiach* last? The *Gemara* offers several finite opinions, but the bottom line, explains the Maharal, is that immediately after the Messianic era, Hashem will finally take personal control over *Klal Yisrael*. This is precisely the prayer we utter three times daily in the *Shemoneh Esrei*:

השיבה שופטינו כבראשונה, ויעצינו כבתחלה, והסר ממנו יגון ואנחה ומלוך עלינו אתה ה' לבדך
בחסד וברחמים וצדקנו במשפט

Restore our judges as in earliest times and our counselors as at first; remove from us sorrow and groan; and reign over us — You, Hashem, alone — with kindness and compassion, and justify us through judgment.

Once it was established that monarchy had to be set up within *Klal Yisrael*, Hashem sought to invest it with perfection.

The apparent flaws in the establishment of the Davidic Dynasty are essentially its strengths. None of the aforementioned problems were really sins or actual shortcomings; they fundamentally parallel the striving of man. Man is expected to elevate himself from his lowly

position, through techniques such as the seven *Sefiros*, to an extremely lofty level. The establishment of the Kingdom of David from its seemingly humble origins to its glorious goal is the very essence of perfection.

The apparent shortcomings of the perfection of *malchus* can be understood by utilizing the model of the *Nachash Hakadmoni* — the Primeval Snake. The Snake is described as “More subtle than any beast of the field” (*Bereishis* 3:1). The ascendancy of the Snake, or in other words, the Satan’s power, lies in his ability to combine the sense of good with the sense of evil, thus leading to confusion and sin. The evil act is enveloped with a veneer of piety so that the sinner becomes confused enough to consider his despicable deed a *mitzvah*. The implied piety and virtue of that particular sinful deed is nonexistent, for the act is actually all evil. It is only the cunning power of the Snake, the ability to combine evil with seeming goodness, which confuses man to commit sin.

Malchus and piety, which are equated with perfection, are the antithesis of the Snake. The perfection of *malchus* must mirror the action of the Snake in an equal but opposite sense. *Malchus* is the epitome of goodness, but it must, nevertheless, have the seeming taint of sin. All the deeds enumerated earlier regarding *malchus Beis David* contain the sense of sin, but certainly are all acts of purity and perfection. Just as the epitome of evil, the Snake, is absolute evil which is perfumed with an aura of good, so too, the essence of perfection, *malchus*, is all good with an apparent taint of evil, which is not really evil at all. This can be understood as being similar to the principle presented by the Maharal (*Gur Aryeh, Vayikra* 2:13).

ירידה שהיא לצורך עלייה לא נחשבת לירידה

A demotion which is required for the purpose of elevation is no demotion at all
(see page 33).

In order to appreciate the early generations, it is important to understand the concept of *Kedoshei Elyon*— Holiness of the highest order. Yehudah, Peretz, Boaz, Yishai and David were all *Kedoshei Elyon*. If we were to imagine the greatness of our own *Rebbeim* combined with the piety of the Steipler *Ga’on*, the saintliness of the Satmarer Rebbe, and the devotion of the *Chofetz Chaim* we could then conjure up an awesome combination of holiness. Yet, this would reflect but a pittance of the holiness to be found in the earlier generations, whose greatness is almost unfathomable to us.

If we could look back through time and happen upon the *Chazon Ish* involved in what appeared to us to be a questionable act, we would automatically imagine a thousand reasons *not* to call that act a sin. This is because we know that his piety was sacrosanct, proven by history. *Al achas kama vekama* — how much more so — are we to understand that the seemingly scandalous acts of the *Avos*, the *Ro'im*,¹ the *Shivtei Kah*, and the *Kedoshei Elyon* are not really scandalous at all. All they have ever done, as related to us in *Tanach*, must be understood in their proper context: as the epitome of righteousness, albeit veiled in controversy.

The *Nachash Kadmoni*, the epitome of evil, presented an attractive proposition to Chava. His proposal was evil incarnate, but it was perfumed with the glamorous notion of limitless wisdom

1. The “Seven Shepherds”; see *Sukkah* 52:.

or eternal life. This is the technique of the *yeitzer hara* which is echoed throughout the generations. Each generation is presented with a false ideal which is shrouded by an alluring cloak of glamour — but it is hollow nevertheless. Those who can see through its shiny surface are able to easily identify the inherent falseness. Conversely, *kedushah* possesses an equal-but-opposite property. It is truly all righteousness, but can be cloaked with “discredit.” Those in the world who desire to recognize only the apparent scandal will reject the holiness within. In contrast, the astute individual will recognize the so-called disgrace as just a camouflage. He must peel away the masking veil to appreciate the intrinsic righteousness that lies within each deed.

Malchus, the epitome of righteousness, mirrors the *Nachash Kadmoni*, the epitome of evil. The general rule of *Olom Hazeh* is “*Zeh le’umas zeh asah ha’Elokim*” — “G-d made one thing corresponding to the other” (*Koheles* 7:14) — i.e. the realm of evil mirrors the realm of holiness. In dealing with evil versus righteousness, it is necessary to bear this in mind (*Zohar, Bereishis* 27:21).

In order to properly comprehend *malchus*, it is imperative to explore its origins from the basis of the *Imahos* (the Matriarchs). Leah was destined to marry Eisav, while Rachel was destined to marry Yaakov (*Bava Basra* 123•). It was due to Leah’s intense power of prayer that she was able to reverse her destiny and become the wife of Yaakov (*Midrash Tanchuma, Vayetzei* 4,6). Leah used this power of prayer to prevail upon Hashem to make her the dominant matriarchal figure of *Klal Yisrael* and to convert the gender of her seventh child from male to female (see *Berachos* 60•). Leah transmitted to her descendants her unique ability to cry out to Hashem. Her cry

הפעם אודה את ה'

Now I will praise Hashem (*Bereishis* 29:35)

resulted in

יהודה אתה יודך אחיך

Yehudah, you are he whom your brothers shall praise (*Bereishis* 49:8)

and in David’s,

הודו לה' כי טוב

Give thanks to Hashem, for He is good (*Tehillim* 118:1)

and in Daniel’s

וזמנין תלתה ביומא הוא ברך על ברכוהי ומצלא ומודא קדם אלקים

Kneeling upon his knees, three times a day, and prayed, and gave thanks to Hashem (*Daniel* 6:11).

Rachel, on the other hand, was confident (*Midrash Tanchuma, Vayetzei* 4) and stoic (*ibid.* 6). While her wicked father surreptitiously fooled her would-be husband, by substituting her sister in marriage, Rachel admirably held her silence. This trait was passed on to Yosef who, unlike Yehudah, was capable of withstanding temptation (*Bereishis* 39:8). Confidence and stoicism, however, do not necessarily lead to perfection, while *tefilah* and perfection go hand in hand. Rachel’s trait in her offspring led to several instances of rebelliousness against Hashem: *Sheivet Ephraim’s* ill-fated premature attempt to terminate the *Galus Mitzraim* (*Pirkei D’Rebbe Eliezer*

48) and the introduction and indoctrination of idol worship by Yeravam and Achav, whom the *Gemara* (*Sanhedrin* 90•) describe as having no share in the world to come.

Interestingly enough, *malchus* historically evolved into a synergism of Rachel and Leah. As *Klal Yisrael* entered *Eretz Yisrael*, they were led by Yehoshua, a scion of *Sheivet Efraim*, who initiated the era of the *Shoftim*, only to be succeeded by Kaleiv and Osniel son of Kenaz, of the seed of Yehudah. When actual kingship was established in *Eretz Yisrael*, Saul, a great-grandson of Rachel, initiated it; only to be succeeded by David, of the seed of Yehudah. After two generations of Davidic rule, a competing kingdom was established in the *Aseres Hashevatim* by Yeravam son of Nevat, of the line of Rachel, and was sanctioned by Hashem (*Melachim* I 11:31). Amazingly enough, Leah even had a direct synergistic hand in Rochel's descendents' claim to *malchus*. Leah was destined to have seven shevatim emanate from her. But, in deference to Rochel's honor, Leah prayed to Hashem that she should remain with six, thereby allowing Rochel to be thusly promoted to two shevatim. This resulted in Leah's seventh offspring being born as a female child, Dinah (*Bereishis* 30:21). Dinah was outraged by Shechem (*Bereishis* 34:2) and thereby had a daughter named Osnas (*Pirkei Rebbe Eliezer* 38), who was adopted by Potifar in *Mitzraim* (*ibid.*), and who ultimately married Yosef (*Bereishis* 41:45). From this union were born Ephraim and Menasseh (*ibid.* 41:50-52). The major challenges to the throne of Shevet Yehuda consistently came from Shevet Ephraim. Ephraim felt that he possessed the proper credentials for *Malchus* in *Klal Yisroel*. In essence, both Rochel and Leah were partners in the production of Ephraim. Paternally he came from Rochel, while maternally he was descended from Leah. In *acharis hayamim*, *Mashiach* ben Yosef will precede *Mashiach* ben David. Every major epoch of Jewish history is heralded by the seed of Rachel, only to be succeeded by the seed of she who was more powerful in prayer.

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