

KINGLY HONOUR

by Rabbi Eliyahu Hoffmann

Yisro, Moshe's father-in-law, brought Tziporah, Moshe's wife, after she had been sent away. (18:2)

Rashi writes that the above verse, which speaks of Tziporah having been sent away, refers to Moshe's arrival in Egypt. When Moshe came to Egypt at Hashem's behest, he brought along his wife and children. Aaron came out to greet Moshe, and seeing whom he brought along, promptly told Moshe to send them back. "We grieve for the ones that are already here—you want to add to their number?"

Many Rishonim (medieval commentaries) differ with Rashi. According to them, being sent away refers to Moshe's having divorced Tziporah before entering Egypt. But if she was divorced, why does the Torah still call her "Moshe's wife?"

This question is addressed by the Moshav Z'keinim (Mi-ba'alei Ha-tosafos). He answers that there is a fundamental difference between the ex-wife of a king (whether divorced or widowed) and any other divorced woman. Normally, a woman who has received a get (divorce document) from her husband is (after a short waiting period) permitted to marry other men (with the exclusion of Kohanim). The widow or ex-wife of a king is the exception. Because a king must be feared and honoured, it would be a slight to him if someone else were to take his divorced wife in marriage. She must remain single out of respect for her previous husband.

Moshe had the status of a king (see Zevachim 102). This explains why Tziporah was still called Moshe's wife, even after being divorced. Although technically she was no longer married to Moshe, she remained connected to him due to her inability to marry other men—because she had been the wife of Moshe.

We know that there are taryag (613) mitzvos in the Torah. In fact, the Torah has far more than 613 mitzvos, but not all its mitzvos are counted among the 613. Which mitzvos are included and which are not is a topic of much discussion among the mefarshim (commentators) who count mitzvos. One of the accepted principles for a mitzvah being 'counted' is that mitzvos that are not ongoing—only applying in a given time period (such as the mitzvah of tying the Pesach sheep to the bedposts in Egypt)—are not counted.

The Rambam counts the mitzvah of appointing a king as one of the 613 mitzvos. The Sefer Ha-chinuch (mitzvah 497) questions this based on the above principal. Once kingship was given to Dovid Ha-melech (King David), it was automatically transferred to his children and children's children for all

generations. Melech Ha-moshiach must also descend from David. Clearly, once the Davidic dynasty were given a monopoly on kingship, it ceased to be a mitzvah to appoint new kings, and thus is not an ongoing mitzvah but rather one that only applied for a given time-frame. If so, it should not qualify to be counted among the 613!

He writes that the mitzvah of appointing a king covers not only his initial selection (which no longer exists), but also our ongoing acceptance of his kingship through the fear and honour we demonstrate towards him. Thus the mitzvah did not lapse with the dynasty awarded David; although we may no longer appoint new kings, we will always be commanded to show them the honour and fear that is their due.

He not only answers the question; his answer gives us new insight into the concept of honouring and fearing a king. We would likely have understood the mitzvah to fear and honour a king much in the same way we perceive the mitzvah to honour and fear one's parents or teachers; i.e. we must fear them because their persona demands respect. In fact, according to the Chinuch, fearing a king is a branch of the mitzvah of appointing a king; we make him king by demonstrating our fear and respect for him.

This concept has important precedent with regard to Moshe. The Gemara (Sanhedrin 20b) says that the mitzvah of appointing a king was one of the first three mitzvos we received upon entering Eretz Yisrael. This means that although Moshe may have had the status of king, his 'monarchy' was not ordained by the mitzvah of appointing a king. And according to the position of the Chinuch—that fear of a king is not due to his elevated position in the community, but rather part of the mitzvah of appointing him—the normal laws that apply to fearing and honouring a king would not have applied to Moshe!

This brings us back to the question of Tziporah: Why was she still called Moshe's wife? According to the Sefer Ha-chinuch, she would not have been forbidden to marry other men after having been divorced by Moshe; even though Moshe was considered a king, his appointment was not Torah-ordained, and the mitzvah of fearing the king, which precludes his wife from remarrying, would not have applied.

(The Chinuch would, on the other hand, help us answer the Sefer Ha- Mikneh's question (Kiddushin 32b): How was Moshe permitted to serve Aaron, Yisro, and the Elders at the meal (see Rashi verse 12)? A king is not allowed to demean himself by performing such mundane tasks publicly—nor does he have the right nor the ability to forgo this honour! According to the above, however, Moshe's status of king would not have awarded him the honours of a king, which are tied in to Torah-ordained appointment, which he didn't have.)

Let us ask another question regarding the ex-wife of a king: Why is she forbidden to remarry? According to the Chinuch, fearing a king is tied-in to the mitzvah of appointing him. As such, it should only apply to the people under his rule—who appointed him king in the first place. In the time when

Yehudah and Yisrael each had their own king, people living in Yehudah, for instance, had no mitzvah to fear the Melech Yisrael since they didn't appoint him! (See D'var Avraham 2:32:19 who makes just this point). According to the Rambam, who holds that the prohibition to marry the king's ex-wife is part of the larger mitzvah of fear and respect, she should be prohibited only to the subjects under the rule of her ex-husband!

Also, if not marrying the king's widow is part of the mitzvah of fearing a king, which itself is part of the mitzvah to appoint a king, why should one be forbidden to marry his widow? Certainly there is no mitzvah to appoint a king (and fear him) once he is no longer alive?!

It appears there are two separate laws which apply to our conduct towards a king: The one law, which we have addressed, is part-and-parcel to appointing him; we must support his position by demonstrating our fear and respect. This law applies only to kings appointed by the public, and would not have applied to Moshe.

The second law is to show our respect for authority: When Moshe and Aaron went to warn Pharaoh about the plagues, Hashem commanded them to show him respect, despite his wickedness—because he was a king! Likewise, Eliyahu Ha-Navi showed great respect for King Achav, despite his extreme wickedness. (See Zevachim 102a). Not marrying any king's widow, as well as the laws of fear and respect that applied to Moshe Rabbeinu, are covered by this second category of respect: Not one necessitated by his appointment, but the respect that must be shown to all people in positions of authority, particularly a king.

The Gemara gives a limited status of 'king' to all Torah scholars. While one may not be forbidden to marry the widow of a Torah scholar who has passed away, this still gives us a small inkling into the level of respect the Talmud deems appropriate for those who dedicate their lives to Torah study.

It is also noteworthy that the Chasam Sofer (Choshen Mishpat 190) writes that the mitzvah of showing respect to kings and leaders (even secular ones) is not a mitzvah sichlis (a mitzvah that appeals to our sense of logic) but rather a chok—which we understand no more than we understand the mitzvah of Parah Adumah (the Red Heifer). In Western culture, where ridiculing leaders is commonplace, it is easy to see how society can quickly descend until authority loses their ability to guide us, everything and everyone is open to criticism (whether grounded or not), and (we) the masses wander aimlessly back and forth like a ship lost at sea. One who doesn't keep this mitzvah, he writes, is no different than a person who doesn't put on tefillin every day.

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