

## [The Israel Koschitzky Virtual Beit Midrash](#)

### **The Eliyahu Narratives Yeshivat Har Etzion**

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#### **Shiur #63: Navot**

#### **Part 1: The Episode of Navot and the "Rights of the King"**

The story of the killing of Navot is one of the most shocking episodes in all of *Tanakh*. The chain of events leading to this abominable act is described up until verse 16; from verse 17 onward the text describes the dramatic confrontation between Eliyahu and Achav, which takes place in Navot's vineyard.

(2) Achav spoke to Navot, saying: Give me your vineyard that it may be for me for a vegetable garden, for it is near to my house; I shall give you in its stead a better vineyard [or,] if it is good in your eyes, I shall give you its worth in money.

Navot responds with a categorical refusal; Achav is inconsolable in his disappointment, and Izevel intervenes – all leading to the killing of Navot and the inheritance of his vineyard.

In order to be able to judge the characters in our chapter – and their actions – in a balanced light, and in order to understand the actions themselves, we must first address the question: did Achav, King of Israel, not have the legal right to take over the vineyard of Navot, which bordered on his palatial estate, and annex it to his own garden? If this was indeed his right, as king, why did he – or Izevel – not simply do so, resorting instead to such base machinations in order to have Navot removed from the scene? This question is also important for our understanding of Navot's refusal. If Achav's request is anchored in his legal rights as king, then Navot's response is unjustified. Hence, some of the responsibility for what happens must lie with Navot himself!

To clarify this issue, which is just one detail out of an entire system of rules determining the status of the king of Israel, let us recall Shemuel's enumeration of the (future) king's rights. When the elders of Israel approach Shemuel to ask for a king (I *Shemuel* 8), God tells him:

(9) And now, listen to what they say, but you shall surely testify before them and tell them the rights of the king who will rule over them.

Shemuel goes on to warn the people as to what the king is able to do:

(11) He said: This shall be the custom of the king who will rule over you. He will take your sons and commandeer them for his chariot, and as his horsemen, and they shall run before his chariot.

(12) And he shall appoint himself officers of a thousand and officers of fifty, to carry out his plowing and his reaping, and to fashion his instruments of war and the instruments of his chariot.

(13) And he shall take your daughters as perfumers and cooks and bakers.

(14) And he shall take the best of your fields and your vineyards and your olive yards, and give them to his servants....

Shemuel goes on for another three verses, describing what the king is liable to do, and then concludes as follows:

(18) And you shall cry out on that day because of your king whom you have chosen for yourselves, but God will not answer you on that day.

The list of despotic norms set out in these verses is referred to by Shemuel as "*mishpat ha-melekh*" – the king's custom (or right). Is the king indeed permitted to do all of this?

The Tanaim and Amoraim are divided in this regard, as recorded in *Sanhedrin* 20b:

"Rav Yehuda said in the name of Shemuel: All that is mentioned in the 'king's custom' (Rashi: in *Sefer Shemuel* – 'Your sons... and your daughters he shall take...' etc.) is permitted to the king.

Rav said: This was only told to them in order to threaten them."

Rav's view - that the king is actually forbidden to act in this way – seems the most compatible with the literal text in *Sefer Shemuel*. The impression arising from reading these verses is one of a cruel, despotic regime; hence, the description seems to be meant not to render all of this permissible, but rather to show the people to what level a monarchy may descend, so as to deter them and dissuade them from asking for a king. The term "*mishpat ha-melekh*," according to this view, means "custom" (or perhaps it is meant ironically, as Abarbanel suggests, since the word "*mishpat*" is

usually used in the sense of "justice"), rather than legitimate legal right. Clearly, according to this view, Achav had no right at all to demand Navot's vineyard.

From the narrative in our chapter, too, it is clear that neither Achav nor even Izevel, nor the elders and the people, nor even Navot himself, believed that the king had any legal right to arbitrarily take possession of the estate of one of his subjects – not even with fair compensation.

Indeed, this is spelled out explicitly in *Sefer Yechezkel* 46:18 – "The prince shall not take of the people's inheritance, to relieve them deceitfully of their possession; he shall give his sons an inheritance from his own possessions, in order that My people not be scattered each man from his possession."

Our chapter sheds light on the status of royalty in Israel in those times. Radak explains Izevel's plotting in verses 9-10, to stage a false trial, as follows:

"We must ask: Since the officers and nobles knew that the matter was false, why was all of this necessary? They could simply kill him at Izevel's orders, with no need for testimony or anything else!

The answer: the elders of the city and the officers were few in number, and they collaborated with Izevel. For if the elders were to reveal the matter to the people, they – and certainly those who were close to Navot, in the city - would now allow [Navot] to be killed for no reason. And if Izevel were to try to kill him with no trial, she would not be able to do so, for even seizing the vineyard was beyond her strength. For Achav and Izevel, although they were wicked in the eyes of heaven, worshipping idolatry, if they were to kill and rob without trial, Israel would rebel against them, for they would not tolerate a king over them who did not impose justice in the land... Therefore Izevel sought some pretext by which Navot could be killed lawfully – since the property of those put to death by royal command becomes the property of the crown."

Izevel, daughter of the King of Tzidon, unquestionably bristles against these "limitations" in her mocking words to Achav:

(7) Are you now ruler over Israel?!

But even she – the daughter of a foreign king, undoubtedly familiar with other concepts of royalty – is forced against her will to act within the framework of those limitations imposed upon the Israelite institution of royalty. She is not empowered to seize the field, nor is she able to order the summary execution of a citizen. Such

actions, negating the perception of royalty prevailing in Israel, would cause the nation to rise up and rebel against the royalty.

The reign of Achav and Izevel is certainly corrupt – both in religious terms, and morally and socially. The elders and nobles of the city of Yizre'el – that aristocratic stratum close to the king – were faithfully obedient to Izevel and her secret accomplices to this crime. However, this moral corruption had to be hidden from the eyes of the common people, for if the matter became known, there would be revolution. Hence the need for a staged trial, held – for all outward appearances – in accordance with Torah law.

Our chapter proves, then – quite paradoxically – how the law of the Torah concerning the status of royalty in Israel was indeed entrenched, and its intention inculcated amongst the nation. In ancient society (as in our times under certain despotic regimes) it would be inconceivable that a king should be so limited in his rights in relation to the rights of his subjects, as arising from our chapter.

The intention of the Torah with regard to the status of the king in Israel is set out in detail in the commandment concerning the king, in *Sefer Devarim*, concluding with the following words of summary: "Lest his heart be held higher than his brothers, and lest he deviate from the commandment to the right or the left" (17:20).

The king in Israel does not stand above the law; he and his fellow mortals are subject to the same Divine laws and statutes.

Our chapter also illuminates quite clearly the limitation of the absolute status of the king by means of the prophet who confronts him. This was the case ever since the first king – Shaul, who was confronted by Shemuel. In many cases the prophets warn of **religious** corruption in the king's rule over the nation. This is also Eliyahu's principal task with regard to Achav and his household. But in our chapter, Eliyahu's mission focuses on rebuke for the social, moral aberration. This rounds out the picture of Eliyahu as a prophet who is zealous for God not only in relation to commandments between man and God, but also in relation to the commandment governing interpersonal relationships.

Translated by Kaeren Fish