



My uncle, the Alshayter Rav zt"l, in his Sefer 'VaYomer Yaakov' on Parshas Shoftim, discusses the Mitzvah of appointing a king. He asks in the name of the Gaon of Levov how it can be that Shlomo HaMelech transgressed the prohibitive Mitzvos of having too many wives, when this prohibition is written explicitly in the Torah. He also notes that the Pesukim seem slightly out of order. It would seem more logical for the Torah to first mention the positive Mitzvah for the king to write a Sefer Torah as a means to guard against haughtiness and only then to list the prohibitions of excess that a king must avoid regarding wives, horses and wealth.

My uncle zt"l suggests that the anomaly in the order of the Pesukim may answer our question regarding Shlomo HaMelech. There are two types of Jewish kings. The first type is one that is chosen by the nation, 'from among your brothers you shall set a king over yourself' (Devarim 17:15) who requires anointing oil. The second is a king who is the son of a king, such as Shlomo HaMelech, who does not need to be anointed with oil but rules by birthright. Thus, Shlomo HaMelech may have thought the three prohibitions only applied to a king that was appointed by the people and not a king who ruled by birthright. It is noteworthy that Shlomo HaMelech did get anointed with oil when he was coronated, but that was only because of the uprising of his brother Avshalom, who declared himself king and tried to take the Malchus by force. The anointing was not necessary according to Halacha, but done in order to quell the rebellion.

Later in the Parsha we learn that in capital punishment cases, "by the testimony of two witnesses or three witnesses shall the condemned person be put to death. He shall not be put to death by the testimony of a single witness" (Devarim 17:6). From the first half of the Pasuk that at least two witnesses are required, it is obvious that one witness will not suffice, so why does the Torah need to explicitly write this. The Gemara (Makkos 6b) expounds from the redundant second half of the Pasuk the rule of Eidus M'Yuchedet, a scenario where two individuals testify to witnessing a murder, but neither witness saw the other one or has any knowledge that the other witness was there at the time. In such a capital case, we rule that even though there are two witnesses, since they did not see each other, they are both deemed as lone witnesses and the defendant may not be punished by death in this case.

The Meshech Chachma suggests based on the Rambam that in essence testimony can be achieved with even one witness. We see that in regard to regular prohibitions **אחד נאמן באיסורים** that one witness is believed. This is the basis for allowing a husband to accept the testimony of his wife regarding the laws of Niddah or Kashrus. However, in capital cases there was an additional requirement of a second witness who would then certify through his testimony that the first witness was indeed present. This is the explanation given by the Meshech Chachma why two witnesses who witness the event, but not each other are invalid, as neither can certify the other.

This may explain why two witnesses testifying that a person is innocent of murder can nullify and neutralize 100 witnesses that testify that a person is guilty. In essence, each group is composed of only one witness and one testimony. The other witnesses – whether one witness or ninety-nine witnesses – all corroborate that the original witness was indeed there. Therefore 100 witnesses do not give the content of the testimony more weight, but merely validate the presence of the first witness at the time of the testimony.

When it comes to monetary matters, we generally say **בעל דין כמאה עדים דמי** that admission of guilt is the equivalent of 100 witnesses. However, in capital cases, we say **אין אדם משימ עמו רשע** that we do not accept the admission of guilt from the accused. One explanation is that while a person can accept upon himself an obligation to pay money, one cannot accept upon themselves an obligation of corporal punishment.

However, after 120 years on earth, when we are all judged in the Beis Din Shel Maaleh, our Chachamim tell us that a man's limbs and organs will testify to his guilt or innocence. It would seem in the Olam HaEmes, when the body and soul are finally untangled from their coexistence on earth, the former is able to testify upon the latter. Although many of our organs come in pairs such as our eyes, ears and hands, many of our organs are singular, such as our heart, mouth and Makom HaErvah. Perhaps these organs can similarly testify about being accomplices to sins committed under the direction of the soul because other surrounding organs who may have not participated in a particular sin can at least certify with their testimony that the organ involved in the sin was in fact present.

May we use these weeks before the Ten Days of Repentance to spiritually fix our limbs and organs that have fallen into disrepair through our transgressions, so we can be written and sealed in the Book of Life for a sweet and happy New Year.