

# Separation of Powers in the Book of Deuteronomy

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*All translations are from the New Jewish Publication Society version (1985)*

#### 1. Psalm (Tehillim) 72:1–2

אֵלֹהִים מְשַׁפֵּטֵיךָ לְמֶלֶךְ תִּגְוֶה וְצִדְקֹתֶיךָ לְבֵר־מֶלֶךְ: <sup>ב</sup>יְדִינוֹ עֲמִידָה בְּצִדְקָה וְעֲנִיִּיךָ בְּמִשְׁפָּט:

<sup>1</sup>Of Solomon.

O God, endow the king with Your judgments,  
the king's son with Your righteousness;

<sup>2</sup>that he may judge Your people rightly,  
Your lowly ones, justly.

#### 2. Isaiah (Yeshayahu) 11:1–5

<sup>1</sup>But a shoot shall grow out of the stump of Jesse,  
A twig shall sprout from his stock.

וַיֵּצֵא חֹטֶר מִגִּזְעֵי יִשָּׁי  
וַיִּצְרַח מִשָּׂרְשָׁיו יִפְרֹחַ:

<sup>2</sup>The spirit of the LORD shall alight upon him:  
A spirit of wisdom and insight,  
A spirit of counsel and valor,  
A spirit of devotion and reverence for the LORD.

יִנְחָה עָלָיו רוּחַ יְ-הוָה  
רוּחַ חֵקְמָה וּבִינָה  
רוּחַ עֲצָה וּגְבוּרָה  
רוּחַ דָּעַת וַיִּרְאַת יְ-הוָה:

<sup>3</sup>He shall sense the truth by his reverence for the LORD:  
He shall not judge by what his eyes behold,  
Nor decide by what his ears perceive.

יִהְרִיחוּ בַיִּרְאַת יְ-הוָה  
וְלֹא לְמַרְאֵה עֵינָיו יִשְׁפֹּט  
וְלֹא לְמִשְׁמַע אָזְנוֹ יוֹכִיחַ:

<sup>4</sup>Thus he shall judge the poor with equity  
And decide with justice for the lowly of the land.  
He shall strike down a land with the rod of his mouth  
And slay the wicked with the breath of his lips.

וְשֹׁפֵט בְּצֶדֶק דְּלִים  
וְהוֹכִיחַ בְּמִישׁוֹר לְעַנְוֵי־אֶרֶץ  
וְהַכֵּה אֶרֶץ בְּשֵׁבֶט פִּי  
וּבְרוּחַ שְׁפָתָיו יָמִית רָשָׁע:

<sup>5</sup>Justice shall be the girdle of his loins,  
And faithfulness the girdle of his waist.

וְהָיָה צֶדֶק אֲזֹר מְתַנְּנוֹ  
וְהָאֱמוּנָה אֲזֹר חֲלָצָיו:

### 3. Deuteronomy (Devarim) 17:8–13

<sup>8</sup>If a case is too baffling for you to decide, be it a controversy over homicide, civil law, or assault—matters of dispute in your courts—you shall promptly repair to the place that the LORD your God will have chosen,

כִּי יִפְלֵא מִמֶּךָ דְבַר לְמִשְׁפָּט  
בֵּירוֹדָם לְדָם בֵּירוֹדָיו לְדִין וּבִין לְנַעַל  
לְנַעַל דְּבָרֵי רִיבַת בְּשַׁעֲרֵיךָ וְקִמַּמְתָּ  
וְעָלִיתָ אֶל־הַמָּקוֹם אֲשֶׁר יִבְחַר יְ-הוָה  
אֶל־לְהִיָּדְ בּוֹ:

<sup>9</sup>and appear before the levitical priests, or the magistrate in charge at the time, and present your problem. When they have announced to you the verdict in the case,

וּבֹאֲתָ אֶל־הַכֹּהֲנִים הַלְוִיִּם וְאֶל־הַשֹּׁפֵט  
אֲשֶׁר יִהְיֶה בַּיָּמִים הָהֵם וְדַרְשָׁתָּ  
וְהִגִּידוּ לְךָ אֵת דְּבַר הַמִּשְׁפָּט:

<sup>10</sup>you shall carry out the verdict that is announced to you from that place that the LORD chose, observing scrupulously all their instructions to you.

וְעָשִׂיתָ עֲלֵיךָ כְּדִבְרֵי אֲשֶׁר יִגִּידוּ לְךָ  
מִן־הַמָּקוֹם הַהוּא אֲשֶׁר יִבְחַר יְ-הוָה  
וְשִׁמַּרְתָּ לַעֲשׂוֹת כְּכֹל אֲשֶׁר יֹרֶד:

<sup>11</sup>You shall act in accordance with the instructions given you and the ruling handed down to you; you must not deviate from the verdict that they announce to you either to the right or to the left.

אֶעֱלֶיךָ הַתּוֹרָה אֲשֶׁר יֹרֶד  
וְעַל־הַמִּשְׁפָּט אֲשֶׁר־יֹאמְרוּ לְךָ תַעֲשֶׂה  
לֹא תִסּוֹר מִן־הַדְּבָר אֲשֶׁר־יִגִּידוּ לְךָ  
יָמִין וּשְׂמָאל:

<sup>12</sup>Should a man act presumptuously and disregard the priest charged with serving there the LORD your God, or the magistrate, that man shall die. Thus you will sweep out evil from Israel:

יְבוֹהָאִישׁ אֲשֶׁר־יַעֲשֶׂה בְּזָדוֹן לְבַלְתָּי  
שָׁמַע אֶל־הַכֹּהֵן הָעֹמֵד לְשָׂרֵת שָׁם  
אֶת־יְ-הוָה אֶל־לְהִיָּדְ אוֹ אֶל־הַשֹּׁפֵט וּמֵת  
הָאִישׁ הַהוּא וּבְעֵרַתְּ הָרַע מִיִּשְׂרָאֵל:

<sup>13</sup>all the people will hear and be afraid and will not act presumptuously again.

יִוְכַל־הָעָם יִשְׁמְעוּ וַיִּירָאוּ וְלֹא יִזְדוֹנוּ  
עוֹד: {ס}

**4. Deuteronomy 17:14–20**

<sup>14</sup>If, after you have entered the land that the LORD your God has assigned to you, and taken possession of it and settled in it, you decide, “I will set a king over me, as do all the nations about me,”

<sup>14</sup>כִּי־תֵבֵא אֶל־הָאָרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ וִירְשָׁתָהּ וְיָשַׁבְתָּהּ בָּהּ וְאָמַרְתָּ אֲשִׁימָה עָלַי מֶלֶךְ כַּכֹּל־הַגּוֹיִם אֲשֶׁר סְבִיבֹתַי :

<sup>15</sup>you shall be free to set a king over yourself, one chosen by the LORD your God. Be sure to set as king over yourself one of your own people; you must not set a foreigner over you, one who is not your kinsman.

<sup>15</sup>וְיֵשׁוּם תַּשִּׁים עָלֶיךָ מֶלֶךְ אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיךָ בּוֹ מִקִּרְבֵּי אַחֶיךָ תַּשִּׁים עָלֶיךָ מֶלֶךְ לֹא תֹכֵל לָתֵת עָלֶיךָ אִישׁ נָכְרִי אֲשֶׁר לֹא־אַחֶיךָ הוּא :

<sup>16</sup>Moreover, he shall not keep many horses or send people back to Egypt to add to his horses, since the LORD has warned you, “You must not go back that way again.”

<sup>16</sup>וְיִרְקֹ לֹא־יִרְבֶּה־לּוֹ סוּסִים וְלֹא־יִשְׁיב אֶת־הָעָם מִצְרַיִמָה לְמַעַן הַרְבֹּות סוּס וְיִהְיֶה אָמַר לָכֶם לֹא תִסְפֹּן לָשׁוּב בְּדֶרֶךְ הַזֶּה עוֹד :

<sup>17</sup>And he shall not have many wives, lest his heart go astray; nor shall he amass silver and gold to excess.

<sup>17</sup>וְלֹא יִרְבֶּה־לּוֹ נָשִׁים וְלֹא יִסּוּר לְבָבוֹ וְכֶסֶף וְזָהָב לֹא יִרְבֶּה־לּוֹ מְאֹד :

<sup>18</sup>When he is seated on his royal throne, he shall have a copy of this Teaching written for him on a scroll by the levitical priests.

<sup>18</sup>וְיִהְיֶה כְּשִׁבְתּוֹ עַל כִּסֵּא מַמְלַכְתּוֹ וְכָתַב לוֹ אֶת־מִשְׁנֵה הַתּוֹרָה הַזֹּאת עַל־סֵפֶר מְלִפְנֵי הַכֹּהֲנִים הַלְוִיִּים :

<sup>19</sup>Let it remain with him and let him read in it all his life, so that he may learn to revere the LORD his God, to observe faithfully every word of this Teaching as well as these laws.

<sup>19</sup>וְיִהְיֶה עִמּוֹ וְקָרָא בּוֹ כָּל־יְמֵי חַיָּיו לְמַעַן יִלְמַד לְיִרְאָה אֶת־יְהוָה אֱלֹהֵי לִהְיוֹ לְשֹׁמֵר אֶת־כָּל־דְּבָרֵי הַתּוֹרָה הַזֹּאת וְאֶת־הַחֻקִּים הָאֵלֶּה לַעֲשׂוֹתָם :

<sup>20</sup>Thus he will not act haughtily toward his fellows or deviate from the Instruction to the right or to the left, to the end that he and his descendants may reign long in the midst of Israel.

<sup>20</sup>כִּלְבַּלְתִּי רוּם־לְבָבוֹ מֵאַחֵיו וּלְבַלְתִּי סוּר מִרְהַמְצָנָה יָמִין וּשְׂמָאוֹל לְמַעַן יֵאָרִיךְ יָמִים עַל־מַמְלַכְתּוֹ הוּא וּבָנָיו בְּקִרְבֵּי יִשְׂרָאֵל: {ס}

**5. Deuteronomy 16:18**

שֹׁפְטִים וְשֹׁטְרִים תִּתְּנֶנּוּ בְּכָל־שְׁעָרֶיךָ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ לְשִׁבְטֶיךָ וְשֹׁפְטוּ אֶת־הָעָם מִשְׁפָּט־צְדָק :

You shall appoint magistrates and officials for your tribes, in all the settlements that the LORD your God is giving you, and they shall govern the people with due justice.

**6. Deuteronomy 31:10–13**

<sup>10</sup>And Moses instructed them as follows: Every seventh year, the year set for remission, at the Feast of Booths,

וַיִּצַו מֹשֶׁה אוֹתָם לֵאמֹר מִקַּץ | שְׁבַע שָׁנִים בְּמַעַד שְׁנַת הַשְּׁמִטָּה בְּחַג הַסֻּכּוֹת:

<sup>11</sup>when all Israel comes to appear before the LORD your God in the place that He will choose, you shall read this Teaching aloud in the presence of all Israel.

אֲבִיבֹא כָּל־יִשְׂרָאֵל לִרְאוֹת אֶת־פְּנֵי יְ-הוָה אֶל־לְהִיךְ בַּמָּקוֹם אֲשֶׁר יִבְחַר תִּקְרָא אֶת־הַתּוֹרָה הַזֹּאת נֹגֵד כָּל־יִשְׂרָאֵל בְּאָזְנֵיהֶם:

<sup>12</sup>Gather the people—men, women, children, and the strangers in your communities—that they may hear and so learn to revere the LORD your God and to observe faithfully every word of this Teaching.

יִהְיֶה לְךָ אֶת־הָעָם הָאֲנָשִׁים וְהַנְּשִׁים וְהַטּוֹף וְגֵרְךָ אֲשֶׁר בְּשַׁעְרֶיךָ לְמַעַן יִשְׁמְעוּ וְלִמְעַן יִלְמְדוּ וְיִרְאוּ אֶת־יְ-הוָה אֶל־לְהִיכֶם וְשָׁמְרוּ לַעֲשׂוֹת אֶת־כָּל־דְּבַר יְהוָה הַזֹּאת:

<sup>13</sup>Their children, too, who have not had the experience, shall hear and learn to revere the LORD your God as long as they live in the land that you are about to cross the Jordan to possess.

וַיִּבְנִיחֶם אֲשֶׁר לֹא־יָדְעוּ יִשְׁמְעוּ וְלִמְדוּ לִירְאֵה אֶת־יְ-הוָה אֶל־לְהִיכֶם כָּל־הַיָּמִים אֲשֶׁר אַתֶּם חַיִּים עַל־הַיַּרְדֵּן אֲשֶׁר אַתֶּם עֹבְרִים אֶת־הַיַּרְדֵּן שָׁמָּה לְרִשְׁתָּהּ: {פ}

**7. Deuteronomy 18:9–22**

<sup>9</sup>When you enter the land that the LORD your God is giving you, you shall not learn to imitate the abhorrent practices of those nations.

טְּכִי אֲתָה בָּא אֶל־הָאָרֶץ אֲשֶׁר־יְ-הוָה אֶל־לְהִיךְ נָתַן לָךְ לֹא־תִלְמַד לַעֲשׂוֹת כְּתוֹעֲבַת הַגּוֹיִם הָהֵם:

<sup>10</sup>Let no one be found among you who consigns his son or daughter to the fire, or who is an augur, a soothsayer, a diviner, a sorcerer,

לֹא־יִמָּצֵא בְּךָ מַעֲבִיר בְּנוֹ וּבִתּוֹ בָּאֵשׁ קִסָּם קִסָּמִים מְעוֹנָן וּמְנַחֵשׁ וּמְכַשֵּׁף:

<sup>11</sup>one who casts spells, or one who consults ghosts or familiar spirits, or one who inquires of the dead.

אִוְחָבֵר חֲבֵר וְשֹׁאֵל אוֹב וַיִּדְעוּנִי וְדַרְשׁ אֶל־הַמֵּתִים:

<sup>12</sup>For anyone who does such things is abhorrent to the LORD, and it is because of these abhorrent things that the LORD your God is dispossessing them before you.

כִּי־תוֹעֲבַת יְ-הוָה כָּל־עֲשֵׂה אֵלֶּה וּבְגִלַּל הַתּוֹעֲבַת הָאֵלֶּה יְ-הוָה אֶל־לְהִיךְ מוֹרִישׁ אוֹתָם מִפְּנֵיךָ:

<sup>13</sup>You must be wholehearted with the LORD your God.

יִתְמָיִם תְּהִיֶּה עִם יְ-הוָה אֶל־לְהִיךְ:

<sup>14</sup>Those nations that you are about to dispossess do indeed resort to soothsayers and augurs; to you, however, the LORD your God has not assigned the like.

יִכְיֶה הַגּוֹיִם הָאֵלֶּה אֲשֶׁר אַתָּה יוֹרֵשׁ  
אוֹתָם אֶל־מַעֲנָנִים וְאֶל־קִסְמִים יִשְׁמְעוּ  
וְאַתָּה לֹא כֹּן גַּתָּו לָךְ יְיָ הַנְּהוּ אֶ־לְהִידָּ:

<sup>15</sup>The LORD your God will raise up for you a prophet from among your own people, like myself; him you shall heed.

וַיָּנִיחַ מִקִּרְבְּךָ מֵאַחֶיךָ כְּמִנִּי יִקְרִים לָךְ  
יְיָ הַנְּהוּ אֶ־לְהִידָּ אֶלְיוֹ תִשְׁמָעוּן:

<sup>16</sup>This is just what you asked of the LORD your God at Horeb, on the day of the Assembly, saying, “Let me not hear the voice of the LORD my God any longer or see this wondrous fire any more, lest I die.”

וַיִּכְּלֵל אֲשֶׁר־שָׂאֵלְתָּ מֵעַם יְיָ הַנְּהוּ  
אֶ־לְהִידָּ בְּחָרֵב בְּיוֹם הַקָּהָל לֵאמֹר לֹא  
אֶסָּף לִשְׁמֹעַ אֶת־קוֹל יְיָ הַנְּהוּ אֶ־לְהִי  
וְאַתָּה הָאֵשׁ הַגֹּדֵלָה הַזֹּאת לֹא־אֶרְאֶהָ  
עוֹד וְלֹא אֶמּוֹת:

<sup>17</sup>Whereupon the LORD said to me, “They have done well in speaking thus.

”וַיֹּאמֶר יְיָ הַנְּהוּ אֵלַי הֵיטִיבוּ אֲשֶׁר  
דִּבְרוּ:

<sup>18</sup>I will raise up a prophet for them from among their own people, like yourself: I will put My words in his mouth and he will speak to them all that I command him;

”וַיָּנִיחַ אֶקְרִים לָהֶם מִקִּרְבֵּי אַחֵיהֶם  
כְּמוֹדִי וְנִתְּתִי דְבָרִי בְּפִיו וְדִבֶּר אֵלֵיהֶם  
אֵת כָּל־אֲשֶׁר אֶצְוֶנוּ:

<sup>19</sup>and if anybody fails to heed the words he speaks in My name, I Myself will call him to account.

”וְהָיָה הָאִישׁ אֲשֶׁר לֹא־יִשְׁמַע אֶל־דְּבָרֵי  
אֲשֶׁר יְדַבֵּר בְּשֵׁמִי אֲנֹכִי אֶדְרֹשׁ מֵעַמּוֹ:

<sup>20</sup>But any prophet who presumes to speak in My name an oracle that I did not command him to utter, or who speaks in the name of other gods—that prophet shall die.”

”כִּי־אִם הִנְבִּיא אֲשֶׁר יִזְדָּ לְדַבֵּר דְּבָר  
בְּשֵׁמִי אֵת אֲשֶׁר לֹא־צִוִּיתִיו לְדַבֵּר  
וְאֲשֶׁר יְדַבֵּר בְּשֵׁם אֱלֹהִים אַחֵרִים וּמֵת  
הִנְבִּיא הֵהוּא:

<sup>21</sup>And should you ask yourselves, “How can we know that the oracle was not spoken by the LORD?”—

כִּי־וְכִי תֹאמַר בְּלִבְבְּךָ אֵיכָה גִדַּע  
אֶת־הַדְּבָר אֲשֶׁר לֹא־דִבְּרוּ יְיָ הַנְּהוּ:

<sup>22</sup>if the prophet speaks in the name of the LORD and the oracle does not come true, that oracle was not spoken by the LORD; the prophet has uttered it presumptuously: do not stand in dread of him.

כִּי־אֲשֶׁר יְדַבֵּר הִנְבִּיא בְּשֵׁם יְיָ הַנְּהוּ  
וְלֹא־יִהְיֶה הַדְּבָר וְלֹא יָבֵא הוּא הַדְּבָר  
אֲשֶׁר לֹא־דִבְּרוּ יְיָ הַנְּהוּ בְּזִדּוֹן דִּבְּרוּ  
הִנְבִּיא לֹא תִגּוֹר מִמֶּנּוּ: {ס}

8. Deuteronomy 13:2–6

<sup>2</sup>If there appears among you a prophet or a dream-diviner and he gives you a sign or a portent,

<sup>3</sup>saying, “Let us follow and worship another god”—whom you have not experienced—even if the sign or portent that he named to you comes true,

<sup>4</sup>do not heed the words of that prophet or that dream-diviner. For the LORD your God is testing you to see whether you really love the LORD your God with all your heart and soul.

<sup>5</sup>Follow none but the LORD your God, and revere none but Him; observe His commandments alone, and heed only His orders; worship none but Him, and hold fast to Him.

<sup>6</sup>As for that prophet or dream-diviner, he shall be put to death; for he urged disloyalty to the LORD your God—who freed you from the land of Egypt and who redeemed you from the house of bondage—to make you stray from the path that the LORD your God commanded you to follow. Thus you will sweep out evil from your midst.

כִּי־יִקֹּוֹם בְּקִרְבְּךָ נָבִיא אֹו חֹלֵם חֲלוֹם וְנָתַן אֵלָיִךְ אֹות אֹו מוֹפֵת:

וַיֹּבֵא הָאֹות וְהַמוֹפֵת אֲשֶׁר־דִּבֶּר אֵלָיִךְ לֵאמֹר גַּלְיָה אַחֲרַי אֱלֹהִים אַחֲרַיִם אֲשֶׁר לֹא־יְדַעְתֶּם וְנִעְבַּדְם:

דְּלֹא תִשְׁמַע אֶל־דִּבְרֵי הַנְּבִיא הַהוּא אֹו אֶל־חֹלֵם הַחֲלוֹם הַהוּא כִּי מִנְטָה יִהְיֶה אֱלֹהֵיכֶם אֲתֶכֶם לְדַעַת הַיִּשְׁכֶּם אַהֲבִים אֶת־יְ-הוָה אֶ-לֵהֵיכֶם בְּכָל־לִבְבְּכֶם וּבְכָל־נַפְשְׁכֶם:

הֵאֲחֲרַי יְ-הוָה אֶ-לֵהֵיכֶם תִּלְכוּ וְאֹתוֹ תִירָאוּ וְאֶת־מִצְוֹתָיו תִּשְׁמְרוּ וּבִקְלוֹ תִשְׁמְעוּ וְאֹתוֹ תַעֲבֹדוּ וְכוּ תִדְבְּקוּן:

וְהַנְּבִיא הַהוּא אֹו חֹלֵם הַחֲלוֹם הַהוּא יוּמָת כִּי דִבְרַסְרָה עַל־יְ-הוָה אֶ-לֵהֵיכֶם הַמוֹצִיא אֲתֶכֶם מֵאֶרֶץ מִצְרַיִם וְהַפְּדֶךָ מִבֵּית עֲבָדִים לְהַדְיִיחְךָ מִיְ-הוָה אֲשֶׁר צִוָּךְ יְ-הוָה אֶ-לֵהֵיךָ לְלַכֵּת בָּהּ וּבַעֲרָתָהּ הָרַע מִקִּרְבְּךָ: {ס}