

Covenantal Accountability in the Field

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Ki Tavo, Elul, and the Architecture of Non-Domination

In the thirteenth day of Elul 5786 the people of Israel stand again in the open field of the King. The Alter Rebbe's classic parable teaches that in Elul the King leaves the palace and enters the ordinary places where His subjects live and labor. Accessibility is radical; judgment is postponed; free will is maximized. The same month that opens the gates of teshuvah also frames Parashat Ki Tavo, the portion that places the individual Israelite farmer before the altar with a basket of first-fruits and requires him to recite a personal and national history of dependence, gratitude, and covenantal obligation.

The farmer declares: "An Aramean sought to destroy my father... and He brought us to this place and gave us this land, a land flowing with milk and honey. And now, behold, I have brought the first of the fruit of the ground which You, O Lord, have given me" (Devarim 26:5–10). The declaration is not mere liturgy. It is a public renunciation of self-sufficiency and an affirmation that dominion over the land is held under higher law. Immediately thereafter the Torah moves to the dramatic ceremony of blessings and curses on the two mountains, a national acceptance of the covenant whose terms include both flourishing and the terrifying tochacha. Free will is the hinge: "See, I have set before you today life and good, death and evil" is the recurring Deuteronomic refrain that reaches its sharpest expression here.

Rambam, in Hilchot Teshuvah 5 and Hilchot Melachim, insists that free will is the foundation of the entire Torah. Without it, neither reward nor punishment, neither commandment nor repentance, retains meaning. In Hilchot Melachim the ideal king is limited: he writes a Torah scroll for himself, reads it all his days, and is forbidden to multiply horses, wives, or silver and gold beyond measure. Sovereignty is real yet bounded by the higher sovereignty of the divine law. The king who forgets this becomes a tyrant; the people who forget it invite the tochacha.

Chassidic thought deepens the free-will theme. The Rebbe repeatedly returns to the Elul field as the place where the arousal from below meets the arousal from above. Teshuvah is not primarily emotional catharsis but the reassertion of the soul's essential freedom to choose the good. Tanya's language of the two souls and the constant battle within the heart finds its seasonal intensification in Elul: the field is level ground; every Jew, regardless of prior standing, can approach.

Republican political theory supplies a complementary vocabulary. Philip Pettit's conception of freedom as non-domination—freedom not merely as non-interference but as the secure status of not being subject to the arbitrary will of another—resonates with the Torah's rejection of both foreign domination and domestic arbitrary power. Yoram Hazony's recovery of biblical particularism and the nation as a covenantal order, and Daniel Elazar's work on covenantal federalism and the Hebraic sources of republican thought, illuminate the same architecture. Classical republicanism's mixed constitution, its suspicion of concentrated power, and its insistence on civic virtue find an older and deeper articulation in the limited kingship of Shoftim and the personal accountability of Ki Tavo.

Within Orthodoxy, approaches diverge. Some streams emphasize the hierarchical authority of the king or the sage as near-absolute within the bounds of Torah. Others, drawing on the same Rambam and on the historical experience of Jewish self-government, stress the covenantal consent of the governed and the ongoing right—and duty—of the people to hold power accountable. Academic republicanism likewise divides between more civic-humanist readings that privilege virtue and more institutional readings that privilege constitutional design. The Torah prioritizes neither pure institutionalism nor pure charismatic hierarchy; it demands both a Torah-bound institutional order and the free-willed moral agency of persons who must bring their first-fruits and accept the blessings and curses.

Applied to the present moment, the Strait of Hormuz appears as a textbook case of contested dominion. One power seeks to convert geographic choke-point into arbitrary leverage over global energy and commerce; another asserts freedom of navigation under a different conception of order. Non-domination requires that no single will, whether Iranian, American, or any other, hold the capacity to dominate the common channels of the sea. The Torah's suspicion of concentrated power that multiplies horses and chariots (or mines and missiles) without limit supplies a normative critique that secular realism alone cannot generate.

Israeli elections scheduled for 27 October 2026 likewise stand under the sign of covenantal accountability. The people are not subjects of a perpetual government; they are partners in a covenant who periodically reconstitute the limited authority under which they live. High turnout, informed choice, and the rejection of both messianic absolutism and cynical resignation are the political analogues of the farmer's first-fruits declaration and the people's acceptance of the covenant on the two mountains. Elul's King-in-the-Field accessibility reminds every citizen that the window of free choice remains open until the coronation of Rosh Hashanah.

The synthesis is therefore clear. Orthodox Jewish theology supplies the foundational anthropology of free will, the limited character of human sovereignty, and the seasonal urgency of teshuvah. Republican theory supplies analytic tools for diagnosing domination and designing non-dominating institutions. The Torah remains the corrective framework: any theory of freedom that severs itself from the higher law collapses into either license or new forms of domination. In the open field of Elul, with the first-fruits basket in hand and the mountains of blessing and curse before us, the task is to choose life—personal, national, and geopolitical—under the banner of covenantal non-domination.

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