

Heaven and Earth as Constitutional Witnesses: Ha'azinu, Shabbat Shuva, and the Recalibration of Power in the Ten Days of Return

Aryeh Leib Thorne Toren · 18 September 2026

Ha'azinu · Shabbat Shuva · recalibration of power in the Ten Days

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7 Tishrei 5787 / Friday, 18 September 2026

Parashat Ha'azinu · Shabbat Shuva · Aseret Yemei Teshuvah

I. From Field to Palace: The Season Has Changed

Eleven days ago, on 25 Elul 5786, the operative image of the season was still the King in the Field. Accessibility was maximized. Formal barriers were lowered. Human initiative stood first: *Ani le-dodi ve-dodi li*. Free will was not an ornament of the month; it was the month's constitutional claim.

That claim has not been repealed. It has been relocated.

On 7 Tishrei the King is no longer in the field. The days of Elul have closed. Rosh Hashanah has already seated judgment. The Fast of Gedaliah has already named the cost of political fracture after sovereignty is achieved. Tomorrow is Shabbat Shuva. Yom Kippur begins at sundown on 9 Tishrei. The architecture of approach has changed. One does not stroll into the palace as one approached the King among the sheaves. One comes with words, with confession, with the knowledge that heaven and earth have been summoned as witnesses who do not die.

The continuity of the Covenantal Recalibration series requires that this relocation be named precisely. Elul taught that free will is real and that non-domination is the political form of that theological fact. Tishrei teaches that free will, once exercised, is not private. It is witnessed. It is recorded. It is judged under a higher law that no earthly office may rewrite. Ha'azinu is the song that makes that structure audible.

II. The Song and the Season

Parashat Ha'azinu is written in the Torah scroll in two facing columns, a visual architecture unique among weekly portions. The form is not decoration. It is testimony set in parallel: heaven and earth, closeness and distance, fidelity and betrayal, judgment and restoration. The song is commanded as a witness that will not be lost when Moshe dies (Devarim 31:19–21). The people are to place it in their mouths. The land and the sky are to remember it when the people forget.

The opening verse is the constitutional preamble of the song:

הָאֲזִינוּ הַשָּׁמַיִם וְתִשְׁמַע הָאֲרֶץ אִמְרֵי־פִי

Give ear, O heavens, and I will speak; and let the earth hear the words of my mouth.

(Devarim 32:1)

Rashi, following the Sifri, supplies the first and still decisive reason: Moshe is mortal. Tomorrow he dies. If Israel later claims that it never accepted the covenant, who will contradict the claim? Therefore he summons two witnesses that exist forever. Heaven and earth will visit reward and consequence—rain and drought, produce and famine—according to Israel’s fidelity. The witnesses are not spectators. They are the medium through which the covenant is enforced in history.

A second line of interpretation, also in the Sifri and developed by later mefarshim, distinguishes the verbs. *Ha’azinu* is the language of nearness; *tishma* is the language of distance. Moshe, says the Sifri, was close to heaven and distant from earth. The Rebbe, in the sichah on Ha’azinu and Shabbat Teshuvah, reads this not as biographical color but as a demand of the season. The teshuvah of the Ten Days reaches the essence of the soul, a level higher than the “heavenly” powers of intellect and the “earthly” powers of speech and deed. On Shabbat Shuva that essence-teshuvah is joined to Shabbat itself—the day whose letters rearrange to *teshuvah*—so that every Jew can stand, for a measured hour, “close to heaven and distant from earth.”

A third line, emphasized by Ramban and by readings that bind Ha’azinu back to Bereishit, identifies these heavens and this earth with the first heaven and earth of creation. They enter covenant with Israel. The world that was spoken into being is now asked to testify that a particular people accepted a particular law. Creation itself is conscripted into constitutional service.

These readings do not cancel one another. They name three offices of the same witness: permanence against human mortality; moral nearness and distance within the human soul; and the enlistment of created order under Divine sovereignty. Together they form what later political theory would recognize, in a different idiom, as a constitution that is not self-authored.

III. Shabbat Shuva: Return That Does Not Negotiate the Standard

The Shabbat that begins tonight takes its name from the Haftarah: *Shuva Yisrael ad Hashem Elokekha*—“Return, O Israel, unto the Lord your God, for you have stumbled in your iniquity” (Hoshea 14:2). Ashkenaz custom continues with Yoel 2:15–27; many communities add Mikhah 7:18–20. The prophetic sequence is exact. First the initiative of return. Then words in place of bulls: *une-shalmah parim sefateinu*. Then the repudiation of substitute sovereignties: “Assyria shall not save us; we will not ride upon horses; nor will we say any more to the work of our hands, You are our gods” (Hoshea 14:4). Then Divine response as dew, root, and fragrance. Then, in Yoel, the gathering of the people, the sanctification of a fast, the reversal of the devouring army, and the promise that “My people shall never be ashamed.” Then, in Mikhah, the God who pardons iniquity, does not retain anger forever, and casts sins into the depths of the sea.

The Talmud (Yoma 86b) already hears in *shuva... ad Hashem* a distinction between teshuvah from fear, which reaches “until” God but leaves a remainder of distance, and teshuvah from love, which rearranges the past itself. The Rebbe’s account of the Ten Days intensifies the same distinction without dissolving it. Ordinary teshuvah works through the inner powers of the

soul. The teshuvah of these days reaches the essence. Shabbat Shuva is the highest of the seven intervening days because it repairs not only the weekdays of the year that has closed, but the Shabbatot themselves—the days that were already a form of return.

None of this is sentimental. Hoshea's return includes a political clause. The people must stop treating empire, cavalry, and handmade power as saviors. That is not quietism. It is the refusal to outsource covenantal responsibility to a dominating patron. The same verse that rejects Assyria does not reject hishtadlut. It rejects the lie that a foreign horse can occupy the place of the Rock.

IV. Hayom Yom, 7 Tishrei: Teshuvah That Sees

The Hayom Yom for 7 Tishrei records the fourth method of knowing God: *be-khol derakhekha da'ehu*—"In all your ways, know Him." One who sets heart and mind upon all that happens to him and around him perceives Godliness in actual evidence. The Mittler Rebbe's remark is preserved without softening: men of affairs have an advantage over secluded scholars, because they can witness manifestations of Godliness in the grain of events. This, the entry concludes, is the avodah of teshuvah that comes from seeing hashgachah peratit. The placement is not accidental. On the seventh of Tishrei, between the coronation of Rosh Hashanah and the atonement of Yom Kippur, the daily word is not withdrawal. It is attention. The palace does not abolish the world. It requires that the world be read as addressed.

This is the Chassidic intensification of a Rambam that is often cited and less often inhabited. In Hilkhhot Teshuvah 5–6, Rambam places free will at the foundation of the entire system of commandment, reward, and repentance. A person is free. Divine knowledge does not coerce. The mitzvah of teshuvah presupposes an agent who can turn. In Hilkhhot Teshuvah 2:2 he adds a second, more exacting witness: complete teshuvah is that in which "He who knows hidden things will testify of him that he will never return to this sin again." Heaven and earth are the public witnesses of the covenant. The Knower of hidden things is the inner witness of the turn.

Hilkhhot Melakhim supplies the political counterpart. The king is commanded, not invited, to write a Torah scroll and to read in it all the days of his life, "so that his heart not be lifted above his brothers" (Devarim 17:19–20; Hilkhhot Melakhim 3). He may not multiply horses, wives, or silver. The office exists. It is limited. The limitation is not a liberal afterthought grafted onto a sacral throne. It is the Torah's own device against domination by the very power created to protect the people.

Tanya and Iggeret HaTeshuvah do not dissolve this structure into mood. They locate the work in the soul's architecture: the animal soul's claims, the Divine soul's voice, the intermediate space in which a human being actually chooses. Elul made the choice accessible. The Ten Days make the choice consequential at the level of essence. Ha'azinu makes the choice public before creation.

V. Opinions Within Orthodoxy

The tradition is not a single political sermon.

One stream, sober and historically earned, emphasizes the necessity of strong authority under conditions of threat. The edah that has survived empire, expulsion, and massacre has reason to prize cohesion, rabbinic discipline, and the capacity of a sovereign to act without paralysis. In this reading, Ha'azinu's warnings against "a base nation" and the hiding of the Face are arguments for unity and for leadership that can bear the weight of judgment. The danger of this stream, when uncorrected, is that necessity becomes a habit, and habit becomes a license for arbitrary power.

A second stream, equally rooted, reads the same texts as a permanent suspicion of concentrated power. The king's Torah, the prophet's rebuke, the division of offices among king, priest, and judge, the institution of the edah as more than a mass of subjects—these are taken as the Torah's republican nerve. Ha'azinu's witnesses are then not only cosmic enforcers but a reminder that no human court is final. The danger of this stream, when uncorrected, is that suspicion of power becomes inability to wield power at the hour when non-domination itself requires force.

A third stream, Chassidic and essentialist, treats the political question as secondary to the soul's return. If the essence is awakened, institutions will follow. The danger here is quietism dressed as inwardness: a teshuvah that sees hashgachah everywhere except in the construction of accountable offices.

Torah as foundational framework does not flatten these streams. It ranks them. Authority is real because the covenant is real. Authority is limited because the covenant is higher than the office. Inward teshuvah is indispensable because law without turn becomes husk. But inward teshuvah that refuses public responsibility has not heard Ha'azinu. Heaven and earth are not summoned to witness a private mood. They are summoned to witness a people's fidelity in history.

VI. Republican and Academic Counterparts—and Their Limits

Modern republican theory offers a vocabulary that, used with discipline, can clarify without replacing the Torah's claim.

Philip Pettit's account of freedom as non-domination is the most serviceable of these vocabularies. Liberty, on this view, is not merely the absence of interference. It is the absence of a standing capacity for arbitrary interference. A person or a people is unfree if another agent can intervene at will and with impunity, even if that agent happens, today, to refrain. The constitutional task is to close that capacity: law, contestation, and institutional design that make domination costly and visible.

Daniel Elazar's work on covenantal federalism and the Jewish political tradition locates a Hebraic origin for compound polities bound by oath rather than by conquest alone. Yoram Hazony's recovery of biblical particularism insists that peoples, not only individuals, are moral agents, and that a nation under covenant is not an embarrassment to be dissolved into cosmopolitan procedure. Eric Nelson's *Hebrew Republic* traces the early modern use of Deuteronomy and the Israelite constitution by republican thinkers who found in limited monarchy and higher law a weapon against sacral absolutism. Michael Walzer and related readers of Exodus and Deuteronomy treat the biblical polity as a standing argument about membership, law, and the critique of kings.

These accounts have strengths. They name domination as a structural fact rather than a mood. They recover the Hebraic sources of Western constitutionalism from the amnesia of purely secular genealogy. They allow a Jew who takes Torah as binding to speak in the public square without first translating every sentence into a liberal idiom that cannot bear particular covenant.

They also have limits, and the limits matter in the Ten Days.

Pettit's non-domination, if detached from a higher law that is not itself the product of the people's present will, can become another procedure: freedom as well-designed contestation among interests. Torah does not deny contestation. It denies that the standard of justice is generated by the contest. Hazony's particularism, if detached from the prophetic constraint on national self-worship, can harden into a nationalism that no longer hears Ha'azinu's indictment of Israel's own corruption. Elazar's federal covenant, if treated as a completed historical form rather than a demand, can become antiquarian. Academic Hebraism generally prefers the Bible as resource to the Bible as commanding voice. That preference is intelligible in the university. It is insufficient in the palace of Tishrei. The constructive resolution is not a blend that splits the difference. It is a ranking. Torah remains the foundational and corrective framework. Republican theory is a set of analytic instruments that become truthful when they describe what Torah already requires: that power be real, bounded, answerable, and unable to occupy the place of the Rock. Where republican theory illuminates non-domination, it is received. Where it would make the people the final author of the law that binds them, it is refused. Where academic reading flattens prophecy into literature, the season itself refutes the flattening. Heaven and earth are not metaphors in this week. They are the witnesses Moshe actually called.

VII. The Song's Political Theology

Ha'azinu is not only a liturgy of warning. It is a compressed political theology.

God is the Rock; His work is perfect; all His ways are justice (32:4). The contrast is immediate: a generation that acts corruptly is not merely mistaken. It is *lo banav mumam*—a warped generation whose defect is that it no longer knows itself as children. Ingratitude is the first political sin of the song. The people forget the Rock that bore them. They grow fat and kick. They sacrifice to demons that are not God. Then come the hiding of the Face, the invitation of a “no-people,” the almost-destruction that is stayed lest the enemy misread the blow as their own strength.

Two claims follow for any serious politics.

First: national disaster is not self-interpreting. The enemy will always offer a pagan reading—our hand has prevailed. The song forbids that reading even when it forbids Israel's complacency. History is judged; it is not handed over to the victor's theology.

Second: restoration is not the cancellation of judgment. “See now that I, I am He... I put to death and I make live” (32:39). The same Sovereign who hides the Face returns the people and renders vengeance to His adversaries. Geulah in this song is not a mood of reconciliation that leaves domination in place. It is the reassertion of a justice that both Israel and the nations have evaded.

For covenantal republicanism this is decisive. A people under Torah may not treat its own sovereignty as self-justifying. It also may not treat the domination of others as a mystery beyond judgment. The witnesses remain in office.

VIII. Contemporary Resonances: Hormuz, Elections, and the Contest over the Standard

The present hour does not require allegory. It requires naming.

1. Hormuz as the question of domination

Through 2026 the Strait of Hormuz has been treated by Tehran as more than a battlefield tactic. After the year's campaigns—the twelve-day climax of a multi-front war, subsequent closure and contested reopening, the collapse or voiding of a U.S.–Iran memorandum, and the attempt to convert geography into a permit-and-route regime—Iranian officials have spoken of the strait as a domain of sovereign management. American officials have answered that the waterway remains open under rules no single coastal power may rewrite at will, even as analysts dispute who in fact holds the choke. Energy prices, Red Sea pressure from Yemen, and a coming week of speeches at the United Nations have made the dispute a global fact rather than a regional file.

Torah does not supply a naval doctrine. It does supply a criterion. A commons of passage upon which many peoples depend, when placed under the arbitrary will of one regime, is a structure of domination whether or not ships move on a given Tuesday. Pettit's language is useful here precisely because it distinguishes interference that happens from the standing capacity to interfere with impunity. A permit regime that can be tightened, politicized, or withdrawn at discretion is domination even when it is politely administered. The counter-claim of open passage under law that no riparian tyrant authors is, however imperfect in execution, an attempt to institutionalize non-domination in a strategic waterway.

The song's warning cuts in both directions. Israel and its allies are not absolved by the wickedness of an adversary. Ha'azinu will not permit a pagan reading of anyone's victory. But neither will it treat a theocratic chokehold on the world's energy commons as a merely "regional" dispute. The Rock's justice is not provincial.

2. Elections as covenantal accountability—and as a target of domination

Israel votes on 27 October 2026 for the 26th Knesset. The outgoing Knesset completed a full term, a rarity after the years of repeated dissolution. Lists have been filed. Polls in mid-September show a contested field and a plausible deadlock, with the balance discussed in terms of blocs, thresholds, and the role of Arab-majority lists. That is the lawful surface of a free people choosing its officers.

Beneath the surface, the Shin Bet has warned the Knesset that Iran is the primary foreign actor seeking to shape the election, with Russia and China also named, and with AI-generated fabrications now among the tools of influence. The State Comptroller had already found, as of March 2026, that the state still lacked a comprehensive doctrine and a single coordinating body against such campaigns. The ballot box may be physically intact while the public square is entered by a foreign will.

This is domination aimed at the faculty Elul named: free will. A people can lose its bechirah not only when a king multiplies horses, but when a hostile regime multiplies deepfakes. High, deliberate turnout remains a civic form of teshuvah—a turning toward responsibility rather

than resignation. It is not sufficient. The covenantal demand is also institutional: that the contest be held under a law that foreign arbitrary power cannot rewrite, and that citizens learn to hear the difference between argument and manufactured panic.

Hoshea's clause belongs here as well. "Assyria shall not save us." Neither shall a foreign information operation tell Israel who it is. Return is first a refusal of substitute sovereignties.

3. The Ten Days as the interior of both contests

Hayom Yom's instruction—to see hashgachah in what happens to us and around us—does not mean reading every headline as a coded miracle. It means refusing the opposite error: that events are only material, only force, only narrative. The businessman who sees Godliness in the grain of affairs is not a mystic on holiday from responsibility. He is the figure who can distinguish a chokehold from a channel, a ballot from a puppet show, a king from a Rock.

IX. Synthesis

The synthesis for 7 Tishrei 5787 is therefore strict.

Free will remains the premise. Rambam does not retire in Tishrei.

Witness is the new emphasis. What was accessible in the field is now testified before heaven and earth and before the Knower of hidden things.

Limited office remains the political form. The king who writes his own Torah is the image that still judges every cabinet, general staff, and campaign. Non-domination remains the structural demand. It applies to a strait, to an election, and to the interior of a household. It does not mean the absence of power. It means the absence of arbitrary power.

Teshuvah remains the engine. Without the turn, constitutional language is costume. Without public fidelity, the turn is unfinished.

Torah remains the foundation and the corrective. Republican theory may describe. It may not command. Academic Hebraism may recover. It may not replace the voice that called heaven and earth to attention.

The work of these hours, before Shabbat Shuva and before the fast that follows, is not to invent a new politics. It is to stand inside the old one with open eyes: to take words, to refuse substitute saviors, to keep the commons from becoming a private choke, to treat the coming ballot as accountability rather than spectacle, and to know that the witnesses Moshe summoned have not been excused from the courtroom.

X. Closing

Ha'azinu ends toward vengeance and cleansing, toward a people restored and enemies repaid. The last word of the season, however, is not the last verse of the song. It is the word that names the Shabbat: *Shuva*. Return. Not as a slogan and not as a technique for improving outcomes. Return as the act by which a people admits that it is witnessed, that its offices are limited, that its will is real, and that no strait, no empire, and no campaign may occupy the place of the Rock.

Gmar chatimah tovah.

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