

Standing Firm, Choosing Life, and the Architecture of Non-Domination: Chai Elul, Nitzavim, and the Covenant in Contested Dominion

On the eighteenth of Elul – Chai Elul – the Baal Shem Tov and the Alter Rebbe were born. Chassidic tradition records that this day injects chayut, vital life-force, into the entire service of Elul and specifically into the dynamic of “Ani leDodi veDodi Li” – I am my Beloved’s and my Beloved is mine. The Previous Rebbe taught that Chai Elul marks the beginning of the avodah of the approaching year: the twelve remaining days of Elul function as a day-for-month accounting, with the eighteenth corresponding to Tishrei itself. The Baal Shem Tov revealed that service of God is possible and necessary; the Alter Rebbe showed how it can be internalized through intellect and will. On this day the month of Elul, already the season in which the King is in the field – accessible, approachable, waiting for every soul – receives a new infusion of life.

The weekly portion that now approaches, Nitzavim–Vayeilech, places before Israel the starkest possible articulation of free will and the possibility of return. “See, I have set before you today life and good, and death and evil... I call heaven and earth to witness against you today: life and death I have set before you, the blessing and the curse; therefore choose life, that you and your descendants may live” (Devarim 30:15, 19). The covenant is not made only with those standing present but with those not yet born (29:13–14). Teshuva is not an afterthought appended to the curses of Ki Tavo; it is the structural possibility that the covenant itself remains open. Rambam codifies the principle with characteristic clarity in Hilchot Teshuvah 5:1–3: free choice is granted to every human being; the capacity to turn toward the good or the evil is in one’s own hands; this is a fundamental pillar of the Torah and the mitzvot. Without it, reward and punishment, and the very concept of repentance, collapse into absurdity.

Chassidus deepens the same teaching. The Tanya and the discourses of the Rebbeim insist that the Jewish soul’s essential connection to God is the ground of true freedom. Choice is not merely the absence of external compulsion; it is the capacity of the nefesh ha-Elokit to determine action from its own deepest self. The higher form of teshuvah is not primarily bitter self-reproach but the joyful reorientation of the entire being toward its source – precisely the vitality that Chai Elul injects into Elul’s work.

This theological architecture finds a natural conversation partner in classical and contemporary republican political theory. Philip Pettit’s republicanism of non-domination distinguishes freedom as non-interference (the liberal ideal) from freedom as non-domination: the condition of not being subject to the arbitrary will of another. A person or a people is free only when the power that might interfere is constrained by law, by institutional design, and by a shared understanding that no agent stands above the rules. Yoram Hazony’s biblical particularism and nationalism recover the Hebraic insistence that peoples are formed by covenant, language, and shared memory, and that universal empire is a threat to the particular goods of national self-rule. Daniel Elazar’s covenantal federalism reads the biblical polity as a matrix of overlapping covenants – vertical between God and the people, horizontal among the tribes and between rulers and ruled – that limit power while enabling collective action. Classical republicanism, from Polybius through Machiavelli to the American founders, sought mixed government and the rule of law precisely to prevent the concentration of arbitrary power.

Within Orthodoxy there is a spectrum of emphasis. Some voices stress the radical accessibility of the King in the Field and the nearness of teshuvah; others underline the severity of the curses and the necessity of collective accountability. Within republican thought there is likewise a spectrum: pure non-domination theorists who prioritize institutional design against arbitrary power; nationalists who prioritize the particular people as the bearer of freedom; federalists who seek layered covenants. Torah does not dissolve these differences; it judges them. The foundational text remains the divine covenant that both empowers and limits human authority. Rambam's Hilchot Melachim insists that a king of Israel is bound by the Torah, must write a second scroll for himself, and is forbidden to multiply horses, wives, or silver and gold beyond measured need. The king is not a sovereign in the modern sense; he is a constrained agent under higher law. The same chapter that limits the king also commands the war against Amalek and the maintenance of honest weights and measures (Ki Teitzei). Domination that pretends to sovereignty while trampling justice is the enemy; limited authority exercised under covenant is the model.

The contemporary application is immediate. The Strait of Hormuz is a textbook site of contested dominion. Iranian claims of permanent control, the capacity to close or threaten a chokepoint of global commerce, and the retaliatory logic of the past six months constitute an assertion of arbitrary power over the economic life of many nations. Non-domination requires that no single actor hold unaccountable veto power over a vital artery. The U.S. blockade and the ongoing military exchanges are themselves subject to the same criterion: power must be constrained by law, by alliance, and by a realistic assessment of costs to the innocent. Neither pure isolation nor pure imperial projection satisfies the republican-Torah standard. The goal is an architecture in which the strait remains open under rules that no party can unilaterally rewrite.

Israeli elections, scheduled for 27 October, are another arena of covenantal accountability. Turnout is not merely a procedural statistic; it is the people standing, nitzavim, before the covenant of self-rule. Fractures on the right, the rise of new lists, and the near-parity of blocs test whether the political community can still choose life together – life measured by the integrity of institutions, the honesty of weights (including electoral weights), and the refusal to allow any faction permanent arbitrary power. Limited kingship, the king who carries the Torah, is the model: authority exists to serve the covenant, not to dominate it.

Elul's King in the Field teaches that the highest Authority makes Himself approachable. The human response is free choice exercised in teshuvah. Nitzavim teaches that the covenant binds those present and those yet unborn. Republican theory, when corrected by Torah, supplies institutional language for non-domination. The synthesis is neither quietist nor utopian. It is the sober, joyful work of a people that knows it may choose, that is commanded to choose life, and that must build political forms in which no Amalek – external or internal – can permanently dominate.

On Chai Elul the vitality is given. The remaining days of the year are the accounting. The election and the contested strait are the fields in which the King still walks. Choose life.

Extended Bibliography (selected, with hyperlinks)

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