

Moshe already told Yisroel that they should write down this song. He begins.

הָאֲזִינוּ הַשָּׁמַיִם וְאֶדְבָּרָה וְתִשְׁמַע הָאָרֶץ אִמְרֵי־כִי:

“Hear, the heavens, and I will speak. And the Land should listen to my mouth’s words.” (Devarim 32:1).

This is a poetic way to commence a song, but why does Moshe involve the heavens and the earth? What do the heavens and earth symbolize? Why do the heavens and the earth have to pay attention? And why do the heavens have to hear while the earth has to listen (a more focused listening)?

Gemara Rosh Hashana 31a says, *this pasuk, along with six others, was recited by the Leviim when the Shabbos offering was prepared.*

Gemara Soferim 12:8 says, *each Aliyah of this torah portion starts with a different pasuk that the Leviim used to recite while the Shabbos offering was prepared.*

Rashi says, *he called upon the heavens and earth to be witnesses after he passes away. Also, if Yisroel acts worthy than the heavens and earth will yield their rewards, rain and produce.*

Ibin Ezra says, *heavens are the angels and earth is the peoples. The correct interpretation is that they last forever and will be witnesses forever. Similar to the stone Yehoshua set up for his covenant.*

Ramban says, *the heavens refer to the multiple heavens mentioned in Bereishis. They and the earth were bound by this covenant.*

Chizkuni says, *there is one earth but there are multiple layers to heaven, thus heavens. Moshe was on earth so he addressed those farthest first, and then asked the earth to listen.*

In Yeshayahu it says, **שִׁמְעוּ שָׁמַיִם וְהָאֲרֶץ אָזְנוֹ** “Listen o heavens and land, hear.” (Yishiah 1:2). Chizkuni says, *Moshe was closer to earth so he told the heavens to give ear and Yeshayahu was closer to heaven so he told the earth to give ear. Daas Zekeinim says, Moshe was closer to heaven, as he had been there receiving the Torah, so he told the Land to listen carefully. Yeshayahu was on earth so he told the heavens to listen carefully. Chizkuni is saying that “give ear” is more focused while Daas Zekeinim says “listen” deontes paying closer attention.*

Ohr Chaim says, *it adds “to the words of my mouth” and not simply “my words” and he did not concisely say ‘heaven and earth listen’ because Moshe was stressing the importance of both the heavens and earth. They are two components of man. A spiritual and a physical and he addressed both equally.*

Tur HaAroch says, *it should be interpreted as ‘give ear o heavens so that the earth will listen when I speak.’ Moshe was calling on the heavens to aid the earth’s involvement.*

A song is not meant to be literal. It is meant to be allegorical and to convey a feeling, emotion, and message. It is meant to be remembered long after one forgets the

memorized texts. It is also meant to give a deeper meaning to a message that seems plain on the surface.

Yeshayahu gives a similar preamble to his entire book. Yeshayahu was the first one to be called “נָחֻן” a seer. In fact, the previous navi says that “seeing” was rare. (Shmuel I 3:1). A seer is different from a regular navi as he does not merely get inspiration and deal good advice. He is able to actually see the past, present, or future, and understand it as if actually seeing it. In this same vein Yeshayahu is introduced and gives his preamble. שְׁמַעוּ שָׁמַיִם וְהָאֲרֶץ כִּי הַדְּבָר בְּנִימִים גִּדְּלֹתִי וְרוֹמַמְתִּי וְהֵם פָּשְׁעוּ בִּי. “Listen heavens and give ear o land, because Hashem spoke. ‘I reared children and brought them up; and they have rebelled against me.’” (Yeshiah 1:2). He does not call *the* heavens or *the* earth. The purpose of talking to heavens and earth is different than Moshe’s, as we will explain.

“Give ear o the heavens.” Moshe concluded talking to Bnei Yisroel about keeping the Torah. He had already exhausted the messages from Hashem. He spent the entire book of Devarim telling them about the important mitzvos and reiterating the significant steps in their history. He warned, cajoled, and admonished them. He taught them how to love Hashem and gave them enough fodder of the evils to come if they disobeyed so that they feared Him, too. Another “song” to bring home this point is superfluous. The point of the Ha’Azinu song is for the world to know. Specifically, the heavens and the Land of Eretz Yisroel.

There is no אֶת here to make the heavens a proper noun. It is not אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ. (Bereishis 1:1). Moshe could not warn ministering angels and other heavenly beings that are out of his jurisdiction. However, he could ask the heavens itself to give ear. If the heavens give an ear then perhaps all of its encompassing dwellers will also heed and understand. While the heavens generally had to give ear, it was *the heavens* – the sky that is visible, that had to give ear. Be ready. When Yisroel enters the Land then it must be ready with rain.

“And I will speak.” This is future tense. Moshe would soon be joining the celestial beings in heaven after he passed. He was also asking for permission. He was about to sing about the greatness of Hashem and the Land, so he was asking for an audience. More than that he was also respectfully deferred to the heavens before speaking about them. He was also about to command it. “Speak” means to command. *Give ear o heavens, I am giving you a request.*

“And the Land should listen (carefully).” We already pointed out there is no proper noun here referring to all the earth and all its creatures therein. Moshe was talking to *the Land* – Eretz Yisroel. He was telling the Land to also listen carefully. It is not just Yisroel that will have to keep the Torah. The Land itself will have to follow it and be bound by it. All the promises of the Land flowing milk and honey, producing crops enough for three years, and the grazing that will satiate the people, all must come to fruition. The promises of the Land spitting out the people, drying up, and its soil becoming like iron also must come to pass – under the ascribed conditions.

The Land has to pay attention because it had to produce. The reason the heavens did not have to listen as closely is because rain is natural for the heavens. Weather changes. However, it was the Land that would either have to produce an inordinate

amount of yield despite bad farming practices (but good mitzva practices) or produce little despite the best rains and cultivations. The Land would have to yield or hold back supernaturally, and that is why it had to pay attention carefully.

"To my mouth's words." *To the words I utter.* Hashem already put the words in my mouth.

Moshe was in both the heavens and earth. He was drawn out of the water as a baby and spent time in the heavens on Har Sinai. Thus, he spoke familiarly to them.

Moshe also spoke directly to the skies above the Land so he says *the* heavens. He refers to Eretz Yisroel so he says *the* Land. He asks the heavens to do what is natural but the earth to do something unnatural, so the skies merely give ear while the Land has to listen carefully.

In contrast, Yeshayahu was talking to heavens and earth as he saw them. It was not all the heavens nor all of the earth. It was not specifically Eretz Yisroel. *Listen heavens and give ear o land.* He was directing his words toward Yisroel but talking indirectly. He talked to the ministering angels Heavens and Earth, warning them that if Yisroel can be seen as wayward then the heavens and earth themselves are unsafe from Hashem's retribution. Rebuke is better when directed at another. He was also saying, *listen carefully those far like heavens and near like land. Certainly, Yisroel shall heed.* He does not refer to his own speaking or words because he is conveying a message from Hashem. He is giving a message that the Creator is fed up with Bnei Yisroel. *Listen carefully heavens and give ear earth, Hashem is frustrated with His people.*

This message ties in nicely to the shtikel on Succos. *See infra.* May the message always ring clear and true.

Sitting in the Succah is described as follows:

בַּסֻּכּוֹת תֵּשְׁבוּ שִׁבְעַת יָמִים כָּל־הָאֶזְרָח בְּיִשְׂרָאֵל יֵשְׁבוּ בַּסֻּכּוֹת:

“In booths you shall settle for seven days. Every citizen in Yisroel shall dwell in booths (Succos).” (Vayikra 23:42).

Who are included in “every citizen?” Does “in Yisroel” refer to the land or the people? Why is reside repeated?

Mishnah in Succah 2:10 says, “reside” means sit, sleep, and bring utensils into it.

Gemara in Arachin 3b says, “reside” means a man and wife reside there together. This Gemara infers that women are obligated in succah.

Gemara Kedushin says, *there is the mitzva of residing in a succah, which is a positive, time-bound mitzva, as it is written: “In succos you shall reside seven days” (Vayikra 23:42), referring to seven specific days of the year. However, it says “all citizens.” Nevertheless, the reason women are exempt from this mitzva is that Hashem writes in the continuation of the verse: “All of the citizens” and the definite article “the” is an exclusion, and serves to exclude the women from the obligation to reside in a succah. Woman being exempt from time-bound mitzvos is a Rabbinic decree. Certainly, “every citizen” works to include them. How can the Gemara say that “the” excludes women? They certainly are citizens of Yisroel. The Gemara continues, Abaye says, we needed this verse to exclude women, otherwise “reside” would seem to include them.*

This Gemara is also brought down in Succos and it explains, *this lesson from “every citizen” that women are exempt is brought down by Moshe from Har Sinai. Otherwise, women would be obligated.* It can be noted that Gemara Yerushalmi does bring down that women are exempt from succah, briefly. Gemara Yerushalmi Kedushin 1:7 says, *what are examples of time-bound positive mitzvos? Sukkah, shofar, lulav, and tefillin.* However, it does not discuss how to deal with the pasuk of “the citizens.” It could be that the general obligation to build a sukkah and specifically eat and sleep in it, is time bound and only an obligation on men. Women, however, are still citizens and must settle in one. The first part of the pasuk is time bound “Settle in a booth for seven days.” However, the second part of the pasuk “every citizen must dwell in booths (Succos)” is not time bound. Yes, it is done during the seven days but it is not time-bound. That must be why the Bavli used the words “the citizens” to exempt the women.

According to both the Yerushalmi and Bavli women are exempt from positive time-bound mitzvos. Thus “Settle in a succah seven days” does not apply to women. However, “All of the citizens of Yisroel should reside in succos” is superfluous. Why say it again? This part does apply to women. The Yerushalmi rules that a woman is not obligated to purposely go to the succah to eat or sleep. A man is. However, if she does

want to eat or sleep then she must do it in a succah. The Bavli rules that she is not even required to do that, because “the citizens” exempts her.

However, there is also the obligation (as stated below) to dwell in a booth to create the mindset remembering the *geula*, that should apply equally to men and women. It appears to me that Chazal in Bavel—centuries after the Churban—instituted this exemption for women because the obligation to sit in a succah outside of Eretz Yisroel (when there are no ‘citizens of Yisroel’ (ibid) or produce to gather in (ibid 29:39)) and certainly when there was no Beis HaMikdash is merely Rabbinical. On the other hand, as Torah is not time bound or dependent on Eretz Yisroel (except certain mitzvos specifically tied to the land) and it would seem the obligation is mandatory on every Jew for all generations and the Rabbinical exemption of women of a Torah obligation is perplexing. *Tzarich iyun*.

Gemara Succos 28b says, *converts are included in “every citizen” as they are naturalized*.

There are many Gemaras rich with halachic discussion on this pasuk, but that is beyond the scope of this piece.

Ramban says, *we do not need a verse to teach us that converts (resident aliens) are obligated because the Torah says “You shall have one Law both for you and the alien.” (Bamidbar 9:14). Therefore, this pasuk teaches that it is not enough for one man of the household to fulfill the obligation. Everyone must dwell in the succah.*

Chizkuni says, *all citizens are referring to naturally born Bnei Yisroel. They are reminded that at the time when they ingather their yield they should move out into the elements. For the next six months until Pesach nothing is certain. Winter is coming. They must learn to be reliant on Hashem and not forget Him in their abundance.*

Rashbam says, *even those that own houses must move into booths for the chag.*

Tur HaAroch says, *the citizen excludes those that do not live in the Land permanently, like mariners and travelers. To live in a booth for the seven days would be a great hardship on their livelihood.*

“In succos.” This is the not the first time the Torah mentions succos. “And they traveled from Succos, and they encamped in Ethem, at the edge of the desert.” (Shmos 13:20). Oddly, it does not state when Bnei Yisroel arrived in Succos. “And they traveled from Ramses and encamped in Succos.” (Bamidbar 33:5). Thus, Ramses—the area of Goshen they dwelled in, was the start point. They encamped in Succos. “Encamped” signals a temporary dwelling like a succah booth. Succos, then, is tied to their dwelling in Goshen, Mitzrayim. The term succos was mentioned also by Yaakov. “And Yaakov journeyed onto [what would be named] Succos and he built himself a house for himself and booths for his animals. Thus, the place was later called Succos.” (Bereishis 33:16). Yaakov was returning from Charan, Aramea southward. He made it to Shchem. Venturing to Goshen would be out of his way. This Succos by Goshen must be a different place, named after the encampment of Bnei Yisroel.

Succos is vital to Hashem's message for Bnei Yisroel. At a time of gathering their plenty (they were mostly an agricultural society), they must not forget Succos. They cannot forget that Yaakov, even on the road, cared for his animals. He built a house for himself and he also built shelter for his animals. They must also not forget how they lived in Goshen. They dwelled in booths. Just as the place in Canaan was named Succos after Yaakov's booths, the place near Goshen would be called Succos because of Bnei Yisroels' booths. Even dwelling there for centuries, they were still "temporary" residents there as Mitzrayim was not their home. They went from slaves to conquerors and sovereigns. They did not dwell in succos in the desert to celebrate Chag HaSuccos. The pasuk clearly states "citizen" and "when you gather your yield" (Vayikra 23:39). Both are tied to when they entered actual Eretz Yisroel. Living in succos booths is another reminder, six months later, of the *geula* from Mitzrayim. Thus, the *moadim* are bookended by *geula*.

"Settle there for seven days." A person is not considered settling anywhere unless it is at least seven days. While it is a definite period – only seven days – the obligation is to settle there. This is akin to cleaning out the house for Pesach. For seven days the house is 'turned over' with no chometz. In Succos the obligation is to leave the house and settle in the Succah, that is the new home. This is the reminder, too, that even when the Beis HaMikdash stood, Hashem settles in this world in a temporary home. Even those that own booths must go out of their booth and dwell in a succah.

"Every citizen in Yisroel." This connection to leaving Mitzrayim applies to all those who are citizens in the Land be they born Bnei Yisroel or new residents. The Torah is one constitution for all those living in the Land. It would be logical to think that those that did not come out of slavery would have no need to be reminded of that *geula*. However, the *geula* and living in the Land free under the Torah, is a benefit of all living in the Land. They also must be reminded of Hashem's protection and greatness because this is Hashem's land.

This includes men, women, and children – all citizens and born Bnei Yisroel. This would seem to exclude living in succos outside of Eretz Yisroel as they are not citizens of the Land and there is no gathering of produce (see *ibid*). However, living in the succos is not tied to gathering of the produce, but the Chag and the arba minim are. The succah is tied to the Chag only to settle there for seven days. *Every citizen in Yisroel* is not dependent on the Land. It is linked to the nation. Everyone who is Bnei Yisroel or who naturalizes into Bnei Yisroel. That is why the term is not גֵּר meaning resident alien, but אֲזִכָּרִי. This term refers to a naturalized Yisroel, i.e. a convert. Thus, this pasuk is teaching that all who follow the Torah must abide by this important Law and lesson.

"Settle in Succos." This is repeated. The word Succos is spelled without a vav in this pasuk two times. In the next pasuk it is with a vav. Each of these refer to the booths and the place in Goshen. The next pasuk says בְּסֻכּוֹת to include both Yaakov's Succos and the Goshen Succos. Hashem was with Yaakov because he protected his loved ones and his property. He cared for his animals. Bnei Yisroel did the same in Goshen despite being mistreated. They were in hard bondage for centuries and yet they protected their families and their animals. They then gave up one of these animals for Hashem as a korban Pesach. *In booths settle for seven days, every naturalized citizen in Yisroel, be it born or alien.*

All should settle in booths. *They shall settle in Succos.* They are now all one – born Yisroel and naturalized Yisroel – and they shall settle in Succos. Not literally in the placed called Succos but the mindset of the Succos.

Therefore, even with plenty and living seemingly secure in the Land, Succos is meant to remind Yisroel of Hashem's ever-present role in their lives. Moshe adjured the skies and the land. Yeshayahu directed Hashem's frustration at the heavens and earth. Remembering the lesson of Succos keeps Bnei Yisroel from straying.

Have a Chag Sameach.