

מִצּוֹת עֲשֵׂה שֶׁל תּוֹרָה לְסַפֵּר בְּנִסִּים וְנִפְלְאוֹת שֶׁנַּעֲשׂוּ לְאַבּוֹתֵינוּ בְּמִצְרַיִם בְּלֵיל חֲמִשָּׁה עָשָׂר בְּנִסָּן שֶׁנֶּאֱמַר (**שמות יג ג**) "זָכוֹר אֶת הַיּוֹם הַזֶּה אֲשֶׁר יֵצְאתֶם מִמִּצְרַיִם" כְּמוֹ שֶׁנֶּאֱמַר (**שמות כ ח**) "זָכוֹר אֶת יוֹם הַשַּׁבָּת". וּמִנֵּין שֶׁבְּלֵיל חֲמִשָּׁה עָשָׂר תִּלְמּוֹד לומר (**שמות יג ח**) "וְהִגַּדְתָּ לְבִנְךָ בַּיּוֹם הַהוּא לֵאמֹר בַּעֲבוּר זֶה" בְּשָׁעָה שִׁישׁ מִצָּה וּמְרוֹר מִנְחִים לְפָנֶיךָ. וְאֵף עַל פִּי שְׁאִין לוֹ בֶּן. אֲפִלּוֹ חֲכָמִים גְּדוֹלִים חֲיִבִּים לְסַפֵּר בִּיצִיאַת מִצְרַיִם וְכָל הַמַּאֲרִיךְ בַּדְּבָרִים שֶׁאַרְעוּ וְשֶׁהָיוּ הָרִי זֶה מְשֻׁבָּח:

מִצָּה לְהוֹדִיעַ לְבָנִים וְאֲפִלּוֹ לֹא שְׁאֵלוֹ שֶׁנֶּאֱמַר (**שמות יג ח**) "וְהִגַּדְתָּ לְבִנְךָ". לְפִי דַעְתּוֹ שֶׁל בֶּן אֲבִיו מִלְמָדוֹ. כִּי־צַד. אִם הָיָה קָטָן אוֹ טַפֵּשׁ אוֹמֵר לוֹ בְּנִי כָּלֵנוּ הָייְנוּ עֲבָדִים כְּמוֹ שֶׁפָּתָה זֶה אוֹ כְּמוֹ עֶבֶד זֶה בְּמִצְרַיִם וּבִלְיָלָה הַזֶּה פָּדָה אוֹתָנוּ הַקְדוֹשׁ בְּרוּךְ הוּא וַיֹּצִיאֵנוּ לְחֵרֶת. וְאִם הָיָה הֵבֶן גְּדוֹל וְחָכָם מִדִּיעוֹ מֵהַ שְׁאֲרֵעַ לָנוּ בְּמִצְרַיִם וְנִסִּים שֶׁנַּעֲשׂוּ לָנוּ עַל יְדֵי מֹשֶׁה רַבֵּנוּ הַכֹּל לְפִי דַעְתּוֹ שֶׁל בֶּן:

Rambam (Hilchot Chametz U'Matzah 7:1-5) cites the obligation to retell the stories of the miracles that occurred at the time of the Exodus from Egypt on the night of the 15<sup>th</sup> of Nissan. He associates this with the verse **זָכוֹר אֶת הַיּוֹם הַזֶּה אֲשֶׁר יֵצְאתֶם מִמִּצְרַיִם** using the verse of **וְהִגַּדְתָּ לְבִנְךָ בַּיּוֹם הַהוּא** to pin down the date and time when this should be done. He then focuses on the obligation to instruct the children using the verse of **וְהִגַּדְתָּ לְבִנְךָ**.

Why does Rambam cite two verses regarding the obligations of the evening? Which of them is primary? Is the obligation on this night to instruct or relate the miracles? Who is the intended audience of these apparently different requirements?

If one cannot perform the obligations of the evening, can he appoint a representative, שליח, to perform them on his behalf? For example, if one cannot be at home with his children on Seder night, can he fulfill his obligation by appointing a representative to perform it on his behalf?

In Sefer Hamitzvot (מצות עשה קנז), Rambam says:

הַיָּא שְׁצוֹנוֹ לְסַפֵּר בִּיצִיאַת מִצְרַיִם בְּלֵיל חֲמִשָּׁה עָשָׂר מִנִּסָּן בְּתַחֲלַת הַלַּיְלָה כְּפִי צְחוֹת לִשּׁוֹן הַמַּסְפֵּר. וְכָל מִי שִׁיוֹסִיף בְּמִאֲמַר וַיֹּאֲרִיךְ הַדְּבָרִים בְּהַגְדֵּל מֵהַ שֶׁעָשָׂה לָנוּ הַשֵּׁם וּמֵהַ שֶׁעָשׂוּ לָנוּ הַמִּצְרַיִם מַעֲוֹל וְחָמֶס וְאִיךָ לִקַּח הַשֵּׁם נִקְמַתָּנוּ מֵהֶם וּלְהוֹדוֹת לוֹ יִתְעַלָּה עַל כָּל טוֹב שֶׁגִּמְלָנוּ יִהְיֶה יוֹתֵר טוֹב כְּמוֹ שֶׁאֲמַרְוּ וְכָל הַמַּאֲרִיךְ לְסַפֵּר בִּיצִיאַת מִצְרַיִם הָרִי זֶה מְשׁוּבָּח, **וְהַכְּתוּב שָׁבָא עַל הַצּוּי הַזֶּה הוּא אֲמַרְוּ וְהִגַּדְתָּ לְבִנְךָ בַּיּוֹם הַהוּא** וּבֵא הַפִּירוּשׁ וְהִגַּדְתָּ לְבִנְךָ יִכּוֹל מֵרֵאשׁ חֹדֶשׁ תִּלְמּוֹד לומר בַּיּוֹם הַהוּא יִכּוֹל מִבְּעוֹד יוֹם תִּלְמּוֹד לומר בַּעֲבוּר זֶה לֹא אֲמַרְתִּי אֵלָּא בְּשָׁעָה שִׁישׁ מִצָּה וּמְרוֹר מִנְחִים לְפָנֶיךָ כְּלוֹמַר מִתַּחֲלַת הַלַּיְלָה אֵתָּה מַסְפֵּר. וְלִשּׁוֹן מִכִּילְתָּא מְכַלֵּל שֶׁנֶּאֱמַר כִּי יִשְׁאַלְךָ בֶּןְךָ יִכּוֹל אִם יִשְׁאַלְךָ בֶּןְךָ אֵתָּה מִגִּיד לוֹ כֹּ' תִלְמּוֹד לומר וְהִגַּדְתָּ לְבִנְךָ אַע"פ שֶׁאֵינוֹ שׁוֹאֵל, **אֵין לִי אֵלָּא בְּזִמָּן שִׁישׁ לוֹ בֶּן בִּינוּ לְבִין עֲצָמוּ בִּינוּ לְבִין אַחֲרֵים מִנִּין תִּלְמּוֹד לומר וַיֹּאמֶר מֹשֶׁה אֶל הָעָם זָכוֹר אֶת הַיּוֹם הַזֶּה**, רוֹצֵה לומר שֶׁהוּא צוֹה לְזַכְרוֹ כְּמוֹ שֶׁאֲמַר זָכוֹר אֶת יוֹם הַשַּׁבָּת. וְכִבֵּר יָדַעַת לִשּׁוֹן אֲמַרְוּ וְאֲפִלּוֹ כָּלֵנוּ חֲכָמִים כָּלֵנוּ נְבוֹנִים כָּלֵנוּ יוֹדְעִים אֵת הַתּוֹרָה כְּלָה מִצָּה עֲלֵינוּ לְסַפֵּר בִּיצִיאַת מִצְרַיִם. וְכִבֵּר הַתְּבַאֲרוּ מִשְׁפָּטֵי מִצָּה זֶה בְּסוּף פְּסָחִים. (בֵּא אֶל פְּרַעָה, זְמָנִים הַלְכוֹת חֲמֵץ וּמִצָּה פ"ח):

Rambam reverses the usage of the verses, deriving the obligation to retell the story in great detail from the verse **וזכור את היום הזה לבנך** while using the verse of **זוהי הלילה הזה** to teach us about the audience requirements to fulfill the obligation. Why does he reverse the order of how he applies the verses?

Rambam introduces each section of Mishne Torah with a brief synopsis of the Mitzvot discussed in that section. It is interesting to note that he introduces the laws related to the night of the Seder in his synopsis to **הלכות חמץ ומצה** with the following:

**לספר ביציאת מצרים באותו הלילה**

While in the **מנין המצוות להרמבם**, he summarizes the obligation as:

**לספר ביציאת מצרים בלילה הראשון של חג המצות שנאמר והגדת לבנך ביום ההוא**

While Rambam is very clear in Sefer Hamitzvot as to the core obligation of the evening, **וזכור את היום הזה לבנך**, he is more ambiguous in Mishne Torah.

The Gemara (פסחים קטז עמוד ב) says:

**בְּכָל דּוֹר וָדוֹר חַיִּיב אָדָם לִרְאוֹת אֶת עַצְמוֹ כְּאִלּוּ הוּא יֵצֵא מִמִּצְרַיִם, שֶׁנֶּאֱמַר (שְׁמוֹת יג), וְהִגַּדְתָּ לְבִנְךָ בַּיּוֹם הַהוּא**

**לֵאמֹר, בְּעֵבוֹר זֶה עָשָׂה ה' לִי בְּצֵאתִי מִמִּצְרַיִם. לְפִיכָּה אֶנְחֵנוּ חַיִּיבִין לְהוֹדוֹת, לְהַלֵּל, לְשַׁבַּח, לְפָאֵר, לְרוֹמֵם, לְהַדָּר, לְבָרֵךְ, לְעֵלֶה, וּלְקַלֵּס, לְמִי שֶׁעָשָׂה לְאַבְרָהָם וְלְנוֹ אֶת כָּל הַנִּסִּים הָאֵלֶּה, הוֹצִיאָנוּ מֵעֲבָדוֹת לְחֵירוֹת, מִיָּגוֹן לְשִׁמְחָה, וּמֵאֲכָל לַיּוֹם טוֹב, וּמֵאֲפֵלָה לְאוֹר גָּדוֹל, וּמִשְׁעָבוֹד לְגָאֻלָּה. וְנֹאמַר לְפָנָיו, הַלְלוּיָהּ**

The Talmud Yerushalmi (פסחים ע עמוד ב) records a similar idea:

**בְּכָל דּוֹר וָדוֹר חַיִּיב אָדָם לִרְאוֹת אֶת עַצְמוֹ כְּאִלּוּ הוּא יֵצֵא מִמִּצְרַיִם שֶׁנֶּאֱמַר (שְׁמוֹת יג) וְהִגַּדְתָּ לְבִנְךָ בַּיּוֹם הַהוּא לֵאמֹר בְּעֵבוֹר זֶה עָשָׂה ה' לִי בְּצֵאתִי מִמִּצְרַיִם לְפִיכָּה אֲנוּ חַיִּיבִין לְהוֹדוֹת לְהַלֵּל לְשַׁבַּח לְפָאֵר לְרוֹמֵם לְנַצַּח לְגַדֵּל לְמִי שֶׁעָשָׂה לָנוּ אֶת כָּל הַנִּסִּים הָאֵלֶּה וְהוֹצִיאָנוּ מֵעֲבָדוֹת לְחֵירוֹת וְנֹאמַר לְפָנָיו הַלְלוּיָהּ**

The Babylonian Talmud has a more extensive description of the miracles Gd did for us and their effects. We went from sadness to happiness, mourning to festival, darkness to light and from servitude to redemption. The Jerusalem Talmud on the other hand limits the scope of the events we focus on to our going from enslavement to freedom. What is the basis for the distinction between them?

Our Hagada text says that in each generation we must view ourselves, **לראות**, as if we went out of Egypt on this night. There is an experiential, intellectual requirement to appreciate those events from the context of how it impacted me personally. According to Rambam, the obligation is to demonstrate, **להראות**, that we indeed are going out of Egypt on this night. What is the distinction between these perspectives as far as the obligations of the night of the 15<sup>th</sup>?

It would appear that according to Rambam there are two aspects to fulfill on the night of the 15<sup>th</sup> of Nissan. We are obligated to relate the miracles of the evening in 2 distinct ways. The first is through instruction, teaching Torah. Teaching of Torah can be oral and by demonstration. On the night of Passover our instructional obligation is to ensure the child understands what happened on the night of Passover and how it impacted me and him. An effective teacher recognizes that sometimes a demonstration conveys a concept more effectively than an abstract oral presentation. As with other areas of Torah instruction, the father is obligated to teach the child according to his/her capabilities, using the most effective and appropriate pedagogical methods. If the child is capable and bright, the father is obligated to teach in more depth. If the child is less capable, there is a minimum standard that must be met: the child must be capable of discerning between the slave and the free person, As Rambam says in הלכה ב:

**מִצְוָה לְהוֹדִיעַ לְבָנִים וְאֶפְלוּ לֹא שְׁאֵלוּ שְׁנֵאֲמַר (שמות יג ה) "וְהַגַּדְתָּ לְבִנְךָ". לְפִי דַעְתּוֹ שֶׁל בֶּן אָבִיו מִלְמַדּוֹ. כִּיצַד. אִם הָיָה קָטָן אוֹ טָפֵשׁ אוֹמֵר לוֹ בְּנִי כָלֵנוּ הָיִינוּ עֲבָדִים כְּמוֹ שִׁפְחָה זֹאת אוֹ כְּמוֹ עֶבֶד זֶה בְּמִצְרַיִם וּבִלְיָלָה הַזֶּה פָּדָה אוֹתָנוּ הַקָּדוֹשׁ בְּרוּךְ הוּא וַיֹּצִיאֵנוּ לְחֵרֶת. וְאִם הָיָה הַבֶּן גָּדוֹל וְחָכָם מוֹדִיעוֹ מִה שְׁאַרְעָנוּ בְּמִצְרַיִם וְנֹסִים שְׁנַעֲשׂוּ לָנוּ עַל יְדֵי מֹשֶׁה רַבֵּנוּ הַכֹּל לְפִי דַעְתּוֹ שֶׁל בֶּן:**

The Yerushalmi and Bavli are looking at the two sides of the obligation of והגדת לבנך. Talmud Yerushalmi is looking at the obligation to teach the simple child the basic distinction between the slave and the free person, The Bavli approaches this from the perspective of teaching the more advanced child to appreciate all the wonderful things that came about because of the Exodus. The baseline, minimum obligation regarding instruction comes from והגדת לבנך, as quoted by both.

How far do we have to go in transmitting the entire story of the Exodus and its derivative events to the more capable child? Here the second verse quoted by Rambam applies. We must teach the child in the same way we would teach ourselves on this night, relating the miracles in great detail. וכל המרבה לספר ביציאת מצרים הרי זה משובח. This is based on זכור את היום הזה, to go above and beyond with the more capable child to transmit to him a deeper appreciation of the events of this night, just as any adult or scholar should strive to do. Whereas והגדת implies teaching Torah, the word זכור implies ensuring we remember what happened. Telling a story, ספור, is an effective method for capturing the interest of the participants. The expert story teller knows how to move his audience beyond the intellectual, to the experiential, to feel as if they themselves are part of the unfolding story. The more we can involve the participants in this, whether an adult or child, the more praiseworthy the participants are. That is why there is an obligation to relate the story on the night of the 15<sup>th</sup> even if there are no children present, even if the individual is alone. In addition to the obligation to teach the child Torah, the obligation of והגדת extends to the experiential. Every person, even if he

or she is alone, can be motivated to feel as if they themselves are departing Egypt on this night, by experiencing the story itself in as much detail as possible.

Based on the above, we have an insight into the question of whether one may appoint a שליח to fulfill his obligations on the night of the 15<sup>th</sup>. There are Mitzvot where the obligation of the individual is to ensure that the act is performed. For example, I can appoint a שליח to place a מזוזה on my door. I can appoint someone to perform the service regarding a sacrifice I have to bring, as derived from the verse 'ושחטו אותו כל קהל עדת ישראל'. There are other Mitzvot that are experiential and I must perform them myself. I must personally accept upon myself the yoke of heaven, קבלת עול מלכות שמים, I cannot appoint a representative to perform it on my behalf. Other examples include, Tfillin, Tzitzit, Lulav, Tfila. We find that Yissachar and Zevulun had a partnership where Issachar studied and Zevulun supported him financially. Both shared in the rewards of the resulting study of Torah. Their sharing must take into account that Yissachar was still studying and still reaped the reward for that study. The obligation to study Torah is personal, that applies to each individual. Clearly the individual studying reaps that reward. When it comes to Torah study, we recite a blessing daily of לעסוק בדברי תורה. While all are not able to study equally, all can have the same commitment to ensure that Torah study remains vibrant. All can share equally in that.

The obligation of והגדת לבנך on the night of the 15<sup>th</sup> is a מצוות תלמוד תורה, an obligation to teach Torah. A parent is obligated to ensure his child is taught Torah. He can fulfill the obligation personally or by appointing a שליח, a representative, to teach on his behalf. He fulfills the obligation either way. Therefore, if he is unable to teach the child personally on the night of Passover he can fulfill the obligation to ensure his child is taught Torah, והגדת לבנך, by appointing someone else to teach the lessons of the Exodus, at a minimum the distinction between the slave and free person, on his behalf.

However on the night of Passover there is a secondary Mitzvah to personally relate the story of the Exodus that derives from זכור את היום הזה. Just as one cannot appoint a שליח to eat מצה on his behalf on the night of Passover, I cannot appoint a representative to fulfill my מצוות ספור יציאת מצרים, be it as it relates to myself or to my child.

While the fundamental Mitzvah of the night of the 15<sup>th</sup> of Nissan derives from והגדת לבנך, the associated obligation of זכור את היום הזה sheds light on the individual aspect of the Mitzvah, that can only be accomplished by the individual himself.

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