

Maimonides (הלכות חמץ ומצה 7:1) states that there is an obligation to relate the miracles that occurred to our forefathers on the night of the 15th of Nissan, as it says זכור את היום הזה, similar to the phrase זכור את יום השבת. What is the connection between the obligations associated with זכור on Passover and Sabbath? Why do we study on the night of Passover the Mchilta instead of the sections in ספר שמות? What is the main difference between the questions raised by the wicked and wise sons at the Seder?

To answer these questions, we will draw on various thoughts and concepts from the teachings of the Rav, Rabbi Yosef Dov HaLevi Soloveichik ZT”L. Let us begin by examining how different cultures and nations approach the concept of inter-generational communication. How are ideas, hopes and aspirations passed from one generation to the next? If we were to investigate the ancient civilizations such as the Greeks and Romans, we would find that we know of them only through their written works. Information regarding their culture is available to us only in written format, via books. For example, Aristotle and Plato are known to us only through their writings. There is no connection between the Greek culture of their period and the Greek nation today. There is no associated oral tradition that sheds any light on their lives and accomplishments.

Our tradition, our מסורה, is built on the combination of a written and oral transmission. They are both indispensable parts of our past, present and future. When Moses was commanded to record our eternal obligation to eradicate Amalek, he was told כתוב זאת בספר ושים באזני יהושע. It was insufficient for Moses to only preserve a written record. A written record alone could become stale. He had to transmit the obligation to Joshua, to make it part of Joshua’s very being and memory as well as the collective memory of future generations. The written word is insufficient to accomplish this. Indeed, it is our collective memory built on a written as well as an oral tradition that differentiates the Jewish nation from all others.

The Jewish nation has a Written Law, תורה שבכתב, as well as an Oral Law, תורה שבעל פה. The latter is in fact the stronger of the two in our national experience. Our Rabbis teach us that the commandment to write the Torah and explain it well, באר היטב, (דברים 27:8) was not so much for our national benefit. It was intended for the 70 nations of the world. The Jew combined the written word with the oral tradition, giving him a unique connection to the generations that preceded him as well as those that succeeded him.

The laws regarding testimony may provide some insights into the importance and concepts behind the *מסורה*. Testimony must be provided orally in a Jewish Court. It is unacceptable for a witness to send a written record of his testimony, *עדות בכתב*, in place of his oral testimony. While a written record can serve as a tool to jog a witness' memory, it is unacceptable as the core testimony. Even more so, the court must investigate and interrogate the witness carefully, through the process of *דרישה והקירה* to determine if the testimony presented by the witness is admissible and acceptable. The judges must be sure that the witness recalls each detail accurately, and has omitted or forgotten nothing.

The Torah (8:18 *דברים*) commands us to remember the events that transpired at Mount Sinai, our acceptance of the Torah and becoming the Chosen Nation. In the next verse the Torah admonishes us not to forget Gd. In other places it also admonishes us not to forget the events that transpired at Sinai. What is meant by the term "forget"? After all, it is natural for human beings to forget things and details over time. The institution of mourning, *אבלות*, is built upon the mourner forgetting the pain associated with his loss and eventually moving on with life as the acute pain associated with the loss of a loved one diminishes over time. Apparently the admonition not to forget relates to a different meaning of the word "forget", willingly removing from our hearts, *פן יסורו מלבבך*. If something is relevant and important to us, we remember every detail, fearful lest we forget even the smallest iota. On the other hand, things we consider trivial are relegated to our mental dustbin.

If we accept that the frail human being has limited retention capacity, how could our Rabbis warn us that forgetting even one lesson from the Torah learned is tantamount to forfeiting one's life, *מתחייב בנפשו*? How could Chazal be so demanding in light of human frailty? Isn't it natural to forget? Apparently Chazal were not concerned with the individual who forgets due to limited mental capacity. Rather, they referred to the individual who decides that his Torah knowledge is no longer relevant and can be readily dismissed. Such an individual denies the connection between the Jew, *תורה*, *תורה שבעל פה* and *שבת*. Such an individual is *מתחייב בנפשו*.

The Vilna Gaon was blessed with a phenomenal memory. This unique sage retained thousands of Halachos, Torah, Shas, Midrash, indeed the entirety of Torah, was at his fingertips. Yet Rabbi Chaim Volozin relates that if the Gaon could not immediately recall a Halacha or a statement of Chazal he

would become ill. It was as if he considered forgetting something from his Torah knowledge as a violation of the commandment to remember and admonition not to forget. While the attributes of affinity for preserving memory and fear of forgetting were not unique to the Gaon among Chazal, they are very much unique to the Jewish nation.

One need look no further than Esau to understand the danger inherent in forgetting. Chazal tell us that Esau was exemplary in fulfilling the obligations of honoring his parents. Yet the Torah tells us that after learning that his brother Jacob took what he considered to be his blessings, he anticipates the death of his father so he can murder his brother Jacob. Did Esau stop to think of the pain that this would cause his father? Would his father have wanted him to act that way? Esau can only appreciate his father while he is alive. Esau is prepared to forget Isaac immediately upon his passing. He easily renders irrelevant all that his father taught him and stood for, and feels no compunction in anxiously looking forward to slaying his brother, regardless of what his father or mother might say or feel about it. Esau is incapable of remembering, indeed he is anxious to forget, and eagerly looks forward to the death of his father and the immediate expunging of his memory in order to exact his revenge.

The collective requirement of the Jewish people to remember is perhaps the reason we persist to this day. Many nations have come and gone over the millennia, some for whom we have recorded history, while others for whom we do not. None left a lasting impression. Their contributions and relevance were absorbed by their successors or faded away. Yet the Jewish Nation survives to this day. We have been exiled from our land, our Temple destroyed, yet our commitment and relevance remain as strong today as it was when the Temple stood. This phenomenon can be ascribed to our adherence to the oral as well as the written tradition. Consider that we have not brought sacrifices for 2000 years. Yet both the Babylonian and Jerusalem Talmud include an entire order of tractates concerning the details of sacrifices and ritual service in the Temple. Indeed, the church and others singled out the ritual service and sacrifices for scorn and derision. It is the *תורה שבעל פה* that has kept them alive for the Jew throughout the millennia of persecution and exile. We refused to listen to our tormentors who sought to render these laws and traditions irrelevant, to force us to forget them. For forgetting these laws would be tantamount to our national suicide.

וביום שמחתכם ובמועדיכם ובראשי חדשיכם ותקעתם בחצצרת על עלתיכם ועל זבחי

שלמיכם והיו לכם לזכרון לפני אלהיכם אני יהוה אלהיכם (במדבר 10:10)

The Torah commands us to sound the trumpets during times of crisis as well as to announce festivals and the new moon in order that we be remembered before Gd. Just as we refuse to forget our relationship with Gd, Gd promises not to forget us either. For if Gd were to forget us as a nation we would be no different than the other nations that have long passed into historical irrelevance. The prophet Isaiah (49:14) proclaims that just as a mother cannot forget her nursling, so to Gd cannot forget His nation. The connection cannot be broken. Though we may find ourselves distant from Gd, all we need do is stimulate the memory, to prod Gd to think of us. Ultimately this will lead to (Jeremiah 31:19) זכור אזכרנו עוד, all the memories will come roaring back and Gd will once again reunite with His chosen people.

With this insight perhaps we can understand the distinction between the questions posed by wise and wicked sons at the Seder as related in the Hagadah. They both ask “what is this”, מה. However if we look carefully at their questions, we see that the wise son is inquiring of the various laws, עדות חוקים ומשפטים, associated with the night of Passover. The Talmud tells us that these terms refer to the written and oral laws. The wise son seeks to be the next link in the chain of our tradition. He understands that to accomplish this, he must accept upon himself and study the oral law as well as the written law. On the other hand, the wicked son asks why are you still engaged in this work? The Jewish nation may have left Egypt thousands of years ago. But why should that affect me tonight? He considers the stories of the Exodus and subsequently receiving the Torah at Sinai irrelevant to him. He has forgotten about this event. The Author of the Hagadah tells us that such a person is מתחייב בנפשו, אלו היה שם לא היה נגאל, had he been in Egypt that night thousands of years ago, he would not have been redeemed and would not be here tonight to scoff at our national existence and uniqueness.

The connection between זכור on Sabbath and זכור on the night of Passover can be explained according to Rashi (Exodus 20:8), that the term זכור implies a constant obligation to remember the Sabbath. The Sabbath testifies to the creation of the world as well as our Exodus from Egypt. By remembering the Sabbath we bear witness to these events. The proper remembering of the Sabbath requires that we study not only the laws recorded in the תורה שבכתב but also, and perhaps more importantly, to more fully understand and appreciate the beauty and complexity of the Sabbath,

one must carefully study תורה שבעל פה. From the negative perspective, forgetting the Sabbath, i.e. not fulfilling the positive obligation to remember the Sabbath, would ascribe irrelevance to it and would mean our end as a nation. For more than the Jews preserved the Sabbath, the Sabbath preserved the Jewish Nation. The same applies to Passover. We ascribe significance to this night just as we do the Sabbath, by remembering it, זכור תורה שבעל פה as well as תורה שבכתב through את היום הזה.

On the night of Passover we fulfill the obligation of והגדת לבנך. We find the term Hagadah used in connection to witnesses, אם לא יגיד ונשא עונו, it is a transgression for one to refuse to offer testimony if he is indeed capable of it. We also find the term Hagadah in connection to the bringing of the first fruits, בכורים. The Jew who brings his first fruits to the temple recites the paragraph of ואמרתי... הגדתי היום כי where the Torah states ואמרתי, הגדתי, באתי אל הארץ. What is the significance of all these terms? The Jew proclaims that he is testifying that he has entered the land of Israel and Gd has fulfilled His promise to the Jewish People to bring them to a land of plenty. He proclaims and testifies to the truth of the events of the Exodus as described in the Torah as these events were the precursor to settling the land and enjoying its fruits. The terms ואמרתי, הגדתי and ועניתי all refer to the obligation of the Jew to testify to the kindness Gd bestowed upon His people.

On the Seder night we expound on this very chapter from ספר דברים using the exegesis from the Mchilta. Why not simply read the sections from ספר שמות that detail the Exodus itself? Perhaps this is so because on the night of Passover each Jew must feel as if he himself left Egypt. He must affirm that he is connected to the Jewish nation, to those that lived thousands of years ago as well as those alive today and those that will come tomorrow. We must testify to these events just like the Jew who brought his first fruits to the temple. Simply reciting the chapters from ספר שמות, using just תורה שבעל פה, would proclaim that those events are ancient history, unconnected to me. Instead we use תורה שבעל פה from ספר דברים together with the תורה שבכתב of the Mchilta, our מסורה, to identify and connect with the events that transpired this night so many years ago.

Why does the Hagadah tell us that the more one expounds on the Hagadah the more he is praiseworthy, כל המרבה לספר ביציאת מצרים הרי זה משובח? Let us suggest two reasons. Judges must extensively investigate and interrogate

a witness to ensure he is accurately relating the events. On the night of Passover, we are all offering testimony to the Exodus. Hence it is appropriate that we view ourselves as witnesses and provide as much detail of the event as possible. Another reason is that the focus of our evening is to engage in the study of Torah at the Seder, תורה שבכתב as well תורה שבעל פה, and the more one studies Torah the greater is his reward.

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