

Maimonides (הלכות חמץ ומצה ז:א) 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 יום השבת , הזה אשר יצאתם ממצרים זכור את היום. What is the connection between זכור on Passover and Sabbath? Why do we study the Mchilta on the night of Passover instead of the sections pertaining to the Exodus 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 do they pass on their ideas, hopes and aspirations from one generation to the next? If we were to look at the ancient civilizations such as the Greeks and Romans, we would find that they are known to us only through their written works. If one wishes to explore their culture, he can find information on their culture only in written format, in a book. 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 Mesorah, 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 יהושע כתוב זאת בספר ושים באזני . It was insufficient for Moses to preserve a written record. A written record alone could become stale. He had to transmit the obligation to Joshua as well, to make it part of his being and his memory as well as the collective memory of future generations. The written word is insufficient to accomplish this. Indeed, it is this collective memory built on a written, as well as an oral tradition, that differentiates the Jewish nation from all other nations.

We, the Jewish nation, have a Written Law, תורה שבכתב but we also have an Oral Law, תורה שבעל פה. The תורה שבעל פה in fact is the stronger of the two in our national experience. Chazal tell us that the commandment to write the Torah and באר היטב (Deuteronomy 27:8) was not so much for our national benefit. It was intended for the 70 nations of the world, who know of only the written word but not the oral tradition. For the Jew who combines the written and the oral traditions, the commandment to explain it well is superfluous. By definition it will be explained well to the Jew through the תורה שבעל פה he will receive from the

previous generation and that he will be responsible to transmit to the next generation.

To appreciate this concept of an oral tradition, let us examine the laws of testimony. Testimony must be presented orally in court. It is unacceptable for a witness to send a written record of his testimony, עדות שבכתב, to stand in place of his oral testimony. A written record can serve as a tool to jog the memory of a witness, but it can never serve as the core testimony. Even more so, the court must investigate and interrogate the witness carefully, through the process of דרישה וחקירה to determine if the testimony presented by the witness is admissible and acceptable. The judges must be sure that the witness recalls each detail, that nothing is forgotten. In short, the effective witness must remember everything and forget nothing, for every detail is important.

In ספר דברים (8:18) the Torah 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. while in other places it admonishes us not to forget the events that transpired at Sinai. What is meant by the term "forget"? After all, we all forget things. One of the foundations of the Halachic concept of mourning, אבלות, is that man forgets his loss over time. This allows the individual to move on as the acute pain associated with the loss diminishes over time. Apparently, the admonition against forgetting must mean something else. It forbids us to remove the events at Sinai from our hearts, פן יסורו מלבבך. If something is relevant and important to us, we remember everything, fearful that we should forget even the smallest detail. Memories that are no longer important to us are pushed off center stage and relegated to the dustbin of our minds. The human being is frail, his capacity to retain information is limited. Yet Chazal tell us that one who forgets even one thing from the Torah he learned is מתחייב בנפשו, takes his own life. How could Chazal be so demanding in light of human frailty? Chazal were not concerned with the individual who due to limited capacity forgets something. Rather, they were referring to the individual who dismisses what he learned and experienced in the past as no longer relevant. Such an individual denies the connection between the Jew, תורה שבעל פה and תורה שבכתב. 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 כל התורה כולה, all of Torah, at his fingertips. Yet Rav Chaim Volozin related that the Gaon would become ill if he could not immediately recall a halacha or a statement of Chazal. It was as if feared forgetting something lest he violate this principle and

commandment to remember and not forget. This affinity for memory and fear of forgetting was not unique to the Gaon amongst Chazal, indeed it is very much a unique characteristic 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 one's parents. Yet the Torah tells us that after learning that his brother Jacob took the blessings that Esau felt belonged to him, he plotted to murder his brother Jacob after the passing of his father. Did Esau not stop to think of the pain this would have caused his father? Would his father have wanted him to act that way? Yet Esau can only appreciate his father while he is alive. Once Isaac passes away, Esau is prepared to forget him completely, to erase the memory of his father and render irrelevant all his father taught him and stood for. He feels no compunction in anxiously looking forward to the opportunity to slay his brother, regardless of what his father might say or feel about that. Esau is incapable of remembering, indeed he is ready to forget, as he looks forward to the death of his father and the removal of the shackles the image of his father, while alive, placed on his desire to exact his revenge.

The collective requirement of the Jewish people to remember is perhaps the reason we continue to exist to this day. Many nations have come and gone over the millennia, some with a recorded history, others without. Yet all these nations share the common characteristic that they left no impression or legacy. Their individual contributions and relevance have long either been absorbed by their successors or faded away. Yet the Jewish nation survives to this day. We have been exiled from our land, our holy 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. For example, consider that we have not brought sacrifices for 2000 years. Indeed, the church and others singled out the ritual service and sacrifices for scorn and derision. Yet we find in both the Babylonian and Jerusalem Talmud an entire order of tractates that deal with all the details of sacrifices and ritual service in the Temple. It is the *תורה שבעל פה* that has kept this alive for the Jew throughout the millennia of persecution and exile. We refused to listen to our tormentors and relegate these laws and traditions to a status of irrelevance, to forget them. For forgetting them would mean our national suicide.

The Torah commands us to sound the trumpets during times of crisis as well as 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 as well. For

if Gd were to forget us as a nation we would be no different than the other nations that have long passed into irrelevance and a dead history. 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 spur Gd to think of us. This will ultimately lead to **זכור אזכרנו עוד** (Jeremiah 31:19), all the memories will come rushing back and Gd will once again reunite with his chosen people.

With this insight perhaps we can understand the distinction between the questions of the wise and wicked sons 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 **עדות חוקים ומשפטים**. The Talmud tells us that these terms refer to the written and oral laws. The wise son wants to be a link in the chain of our tradition, Mesorah. He understands that to accomplish this, he must become connected to the tradition, so he accepts upon himself the study the oral law as well as the written. On the other hand, the wicked son asks why are you doing this work? The Jewish nation may have left Egypt thousands of years ago. But why does that affect me tonight? He has made the Exodus and its story as related in the Torah irrelevant to him. He has forgotten about this event. The Baal Haggadah 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. He would not be here tonight to express his derision of our national existence and uniqueness.

The connection between **זכור** on Sabbath and **זכור** on the night of Passover can be explained as follows. As Rashi explains (Exodus 20:8), the term **זכור** implies a constant obligation to remember the Sabbath. 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 the **תורה שבעל פה**. From the negative perspective, if we were to forget the Sabbath, i.e., not fulfill the positive obligation to remember the Sabbath, we would ascribe irrelevance to it. The same applies to Passover. We ascribe significance to this night just as we do the Sabbath, by remembering it, **זכור את היום הזה**, through **תורה שבכתב** as well as **תורה שבעל פה**. In this way we fulfill the positive obligation to remember, otherwise we would be guilty of forgetting by ascribing irrelevance to the events of the evening.

On the night of Passover, we fulfill the obligation of להגדת לבנוך. We find the term Haggadah 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 Haggadah in connection to the bringing of the first fruits, בכורים. The Jew who brings his first fruits to the temple recites the paragraph of ארמי אבד אבי, where the Torah states וענית ואמרת... הגדתי היום. What is the significance of all these terms? The Jew proclaims that he is bearing witness that he entered the land of Israel. Gd fulfilled His promise to the Jewish People. By making this proclamation, he bears witness to the truth of the events of the Exodus that are described in the Torah. The terms וענית, ואמרת and הגדתי all refer to the obligation of the Jew to offer testimony.

On the Seder night we expound on this very same chapter from Deuteronomy using the exegesis detailed in the Mchilta. Why not simply read the sections from ספר שמות that detail the exodus itself? Perhaps, 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, those alive today and those that will come tomorrow. We must bear witness to these events just as the Jew who brings his first fruits to the Temple. Simply reciting the chapters from ספר שמות, using just תורה שבכתב, would proclaim that those events are ancient history, unconnected to me. Instead, we use תורה שבעל פה from ספר דברים together with the תורה שבעל פה of the Mchilta, our Mesorah, to express our identification with, and connection to, 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? Perhaps we can suggest two reasons. When one offers testimony, the judges must investigate and interrogate him to ensure that he is relating the events accurately. On the night of Passover, we are offering testimony regarding the Exodus. Hence it is appropriate that we view ourselves as witnesses and provide as much detail of the event as possible. Another answer is that since we are engaging in תלמוד תורה, the study of Torah, תורה שבכתב as well as תורה שבעל פה, the more one studies Torah the greater is his reward.

This summary is copyright 2022 by Rabbi Josh Rapps. Permission to distribute this summary for individual use, with this notice, is granted. Distribution through electronic or printed media without the author's permission is prohibited.