

# All the Days of Your Life: What is the Obligation?

**T**he Torah commands, “So that you will remember the day of your departure from Mitzrayim all (“kol”) the days of your life” (Devarim 16:3).

The Haggadah describes a dispute between Ben Zoma and the Chachamim. Ben Zoma derives from the word “kol; all,” that the daily mitzva to remember Yetzias Mitzrayim applies every night as well. The Chachamim counter that *kol* teaches that the mitzva applies even after Mashiach comes (see *Berachos* 12b).

The Gemara (*Berachos* 21a) calls the mitzva to remember Yetzias Mitzrayim “*De’oraisa*,” based on

the aforementioned pasuk (Rashi, *Berachos* 21a). Yet the Rambam does not count this mitzva as one of the 613 mitzvos. Rav Soloveitchik (*Shiurim Lezecher Abba Mari* vol. 1, p. 1) cites a remarkable explanation given by his grandfather R. Chaim Brisker. The Rambam rules that a temporary mitzva is not counted in the list of 613 (*Sefer Hamitzvos, shoresh* 3). Only mitzvos which apply as long as heaven is over the earth (Devarim 11:21) are included.

While all of the temporary mitzvos that the Rambam excludes are mitzvos that applied only during the lifetime of Moshe Rabbeinu, R. Chaim extends this exclusion to mitzvos which will not apply when Mashiach comes. Thus,



according to Ben Zoma, for whom the word *kol* refers to the night and not to the days of Mashiach, the mitzva is temporary, and therefore, is not counted by the Rambam.<sup>1</sup>

<sup>1</sup> This answer is questionable. Perhaps the mitzva will apply even after Mashiach comes, even according to Ben Zoma, albeit in a different form. The mitzva is to remember the most recent deliverance every day and night. Currently, the mitzva is to remember the Exodus from Mitzrayim, and later it will be to remember the final *geula*. The *Sefer Ha'ikkarim* (III:18) questions the Rambam's principle that the Torah is immutable and can never end. His proof is the change in the names of the months, which were originally named for their number, beginning with Nisan, as the Torah commands (*Shemos* 12:2), “This month is the first month.” Yet as the Ramban, based on Yirmiyahu 23:7-8, explains, the mitzva did not end, but rather the months took on new names which came with us from Bavel (Yerushalmi *Rosh Hashanah* 1:2). The names we now call the months are to remember the second redemption from Bavel, just as until then we remembered the first redemption by counting numerically from the month of Nisan. A similar argument can be made about the mitzva to remember the Exodus daily. It will not

R. Yitzchak Hutner (*Pachad Yitzchak, Pesach ma'amar* 24) asks: The Rambam does count the mitzva of *sippur Yetzias Mitzrayim* on Pesach night as one of the 613 (*Hilchos Chametz Umatza* 7:1). To paraphrase the Haggadah, why is the mitzva of this night different from the mitzva of all other nights, and days, of the year? He answers based on the Gemara (*Berachos* 13a): This is comparable to a person who encountered a wolf and was saved from it, and would recount the incident of the wolf. Later, he encountered a lion and was saved from it, and would recount the incident of the lion. Finally, he encountered a snake and was saved from it. He forgot the first two incidents, and would recount the incident of the snake. So, too, for *Klal Yisrael*, the later dangers (*tzaros*) cause us to forget the earlier ones.

So, too, the deliverance from the greater, final dangers before Mashiach comes will cause us to forget the earlier danger in, and deliverance from, Mitzrayim. According to the Chachamim, the daily mitzva of remembering the day we left Mitzrayim will remain, but will be secondary to remembrance of the final *geula* (*Berachos* 12b, based on Yirmiyahu 23:7-8). According to Ben Zoma, the mitzva of remembering the day we left Mitzrayim will no longer apply.

Rav Hutner writes that the Haggadah states: On Pesach night, we are obligated in every generation to see

ourselves as having just left Mitzrayim (*Pesachim* 116b). As such, there is no *tzara* later than that of Mitzrayim from which we see ourselves being delivered that very night. Therefore, this mitzva will apply on Pesach night, even according to Ben Zoma, and is counted as one of the 613 mitzvos.

The aforementioned citation from the Haggadah, however, does not actually state that we must see ourselves as having just left Mitzrayim now. Perhaps Rav Hutner meant to refer to the Rambam (*Hilchos Chametz Umatza* 7:6): "In every generation a person is obligated to show (*"lehar'os,"* not *"lir'os"*) himself as if he himself left now (*"ata"*) from the servitude of Mitzrayim.<sup>2</sup>

The Rambam (*Hilchos Avoda Zara* 12:3) lists five time-dependent positive mitzvos that apply to women, despite women's general exemption from time-dependent positive mitzvos. The time dependent mitzvos that do apply to women are: *kiddush, matza, korban pesach, simchas yom tov* and *hakhel*. This implies that women are not obligated in *sippur Yetzias Mitzrayim*, as the *Minchas Chinuch* (21:10) notes. However, the *Mincha Chadasha* (cited in the *Minchas Chinuch*, footnote 11), notes that the Rambam lists fourteen time-dependent positive mitzvos from which women are exempt. *Sippur Yetzias Mitzrayim* is not one of them, implying that women are indeed obligated. Why, then is *sippur Yetzias Mitzrayim* not listed in *Hilchos*

*Avoda Zara* 12:3 as one of the five time-dependent *mitzvos* in which women are obligated?

We can answer based on the Rambam's word "*ata; now.*" If a mitzva is triggered by an event, it may not be considered time-dependent. The *Turei Even* (*Megilla* 20b) discusses *bikkurim*, which are brought only from Shavuot to Chanukah (Mishna *Bikkurim* 1:6). The Gemara (*Pesachim* 36b, as explained by Rashi) limits *bikkurim* to a time when fruits are found in the field, which is only until Chanukah. Since it is not the days themselves, but only an outside factor, which defines the time of the mitzva, it is not considered time-dependent.

The *Mikraei Kodesh* (*Pesach* II, 67) suggests a similar idea regarding the mitzva of *sefiras ha'omer*. Since it is triggered by an event, the *korban ha'omer*, it may not be considered time-dependent. On Pesach night, too, the mitzva is triggered by an event: one should view himself as if he left Mitzrayim that very night. The obligation to show oneself as if he "left Mitzrayim now" applies to women, as is evident from the *Sefer Hamitzvos*. But it is event-dependent, and not considered time-dependent, and thus is not listed with the five time-dependent mitzvos incumbent upon women.

The *Or Sameach* (*Hilchos Kerias Shema* 1:3) has another, entirely novel approach (in his own words: "*chadash*

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end when Mashiach comes, but merely change to remembering the more recent *geula*. As such, it is a permanent mitzva and should count in the 613 mitzvos.

Rav Soloveitchik (*ibid.*, p. 2) quotes, in the name of his grandfather R. Chaim, a different explanation for why the Rambam does not count the mitzva to remember the Exodus. The daily mitzva to remember the Exodus is part of the mitzva of *kabbalas ol malchus Shamayim*, as the Ten Commandments begin, "I am Hashem who took you out of Mitzrayim." Therefore, remembering the Exodus is part of the mitzva of *kerias Shema*, which according to the Rambam (*Hilchos Kerias Shema* 1:2) includes the third *parasha* which mentions Yetzias Mitzrayim (see *Am Mordechai, Berachos* 8:4).

A simpler explanation for why Rambam does not count the mitzva is offered by the *Tzelach* (*Berachos* 12b). The requirement to mention *Yetzias Mitzrayim* daily is derived from the phrase "so that you will remember the day of your departure from Mitzrayim all the days of your life." This is not an explicit command, and therefore is not one of the 613 mitzvos.

<sup>2</sup> Remarkably, the Rambam's text of the Haggadah states "*lehar'os; to show,*" but does not include "*ata; now.*" Perhaps "showing" can, and therefore must, be done in a manner that indicates that the Exodus took place just now. Our text, "*lir'os; to see oneself,*" requires imagination. This is possible only if one conjures up a past event. It cannot, and therefore, need not, be a vision of an Exodus that took place just now.

me'od") to explain the Rambam's omission of Devarim 16:3, "So that you will remember the day of your departure from Mitzrayim all the days of your life" from the 613 mitzvos, even though the Gemara (*Berachos* 21a) calls it a *mitzva De'oraisa*. According to the *Or Sameach*, Devarim 16:3 refers only to recounting the story of Yetzias Mitzrayim on Pesach itself (and not to remembering the Exodus from Egypt every day, as the Haggadah interprets it), as the pasuk begins by prohibiting chametz and requiring matza (Rashi ad loc.).

The term "*De'oraisa*," which usually means a Torah obligation, thus must be reinterpreted. Rabbinic laws sometimes protect Torah laws, as in the law of *netilas yadayim*, washing hands to avoid ritual impurity. Other rabbinic laws respond to events which transpired after Matan Torah, such as Megillas Esther.

Yet other rabbinic laws reflect the will of Hashem, even as He did not burden us by making it obligatory. The Sages made certain laws obligatory so that we achieve the goal of fulfilling Hashem's will when He took us out of Egypt. This type of rabbinic obligation is called "*De'oraisa*," because it is the will of Hashem recorded in the Torah itself. Thus, explains the *Or Sameach*, the Gemara calls the remembrance of the Exodus every day "*De'oraisa*" because it is a fulfillment of the Divine will, yet the Rambam does not count it in the 613 mitzvos because of its rabbinic status.

While very novel in this context, precedent for the *Or Sameach's* approach can be found in the Ritva (*Rosh Hashanah* 16a). The Gemara

quotes Hashem, "Say before Me on Rosh Hashanah, *Malchuyos, Zichronos* and *Shofaros* in order to make Me your king, to be remembered before Me for good, with the shofar." While the obligation of these prayers is rabbinic (*Rosh Hashanah* 34b), it is a fulfillment of what Hashem considers proper (*ra'ui*), says the Ritva. Hashem did not make it obligatory, but gave it to the Sages, who made it an obligation. This is called *asmachta*, based on pesukim in the Torah expressing Hashem's will, and not merely a mnemonic device, as others explain. So too, Hashem did not make the mitzva to remember Yetzias Mitzrayim every day obligatory, but gave it to the Sages, who made it an obligation considered "*De'oraisa*."



This essay appears in Rabbi Willig's newly published Haggadah Shel Pesach Am Mordechai, available for purchase at [rietspress.org](http://rietspress.org)



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