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Guarding the Gates (and Chambers)

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1.

THE HALACHAH FOLLOWS RAVA

Regarding the mitzvah (which we are commanded in our *parshah*)¹ for the *kohanim* and *leviim* to guard the *Beis Hamikdash*, the first mishnah of tractate *Midos* says:

In three places, the *kohanim* keep watch in the *Beis Hamikdash*... and the *leviim* in twenty-one places.... Five, at five gates of the courtyard....

Then, in a later mishnah:² “There were **seven** gates in the courtyard...” (the mishnah then counts them out in detail). That is, there were (not five gates, but) “**seven** gates.”

The Gemara³ offers two resolutions to this difficulty:

Abaye said: (Although there were seven gates) two of them did not require guarding [for this reason, the author of the mishnah teaches that the **guards** only stood at “**five** gates of the courtyard”]. Rava said: This matter is a dispute between *Tannaim*....⁴ There is a *Tanna* who said that there were seven gates, and there is also a *Tanna* who said that there were five gates.

Rambam, in *Yad HaChazakah*,⁵ quotes both mishnahs: (a) “It had seven gates.” (b) “Where would the *leviim* stand guard...? ...at the **five** gates of the courtyard.” Rambam then immediately adds the reason they only guarded five of the seven gates: “For the *kohanim* stood guard at the *Shaar HaMoked* and the *Shaar HaNitzotz*.”⁶

Meaning, Rambam concurs with Abaye’s answer that these two mishnahs do not disagree. This is surprising.⁷ Why does Rambam rule in accordance with

¹ *Bamidbar* 18:1, ff.; Rambam’s *Sefer Hamitzvos*, Positive mitzvah 22, Negative mitzvah 67; *Sefer Hachinuch*, mitzvah 388 and 391.

² *Midos* 1:4.

³ *Tamid* 27a.

⁴ {*Tanna* is the title given to the Sages of the Mishnah.}

⁵ *Mishneh Torah*, “*Hilchos Beis Habechirah*,” ch 5, par. 4; ch. 8, par. 8.

⁶ {These are names of two of the seven gates. *Shaar* meaning “gate” and the following word being the title.}

⁷ A question raised by the commentator *Har Hamoriah* on “*Hilchos Beis Habechirah*,” loc cit.

Abaye, contrary to the principle⁸ that in any dispute between Abaye and Rava, we rule according to Rava?

2.

EVERYONE AGREES ON THE NUMBER OF GUARDS

In his *Commentary on Mishnah*,⁹ Rambam says:

The reason the mishnah says, “(Five, at) five gates of the courtyard,” is because this follows the opinion of the first *Tanna* of the mishnah. Because there is a *Tanna* who maintains that the courtyard had five gates, and **he** is the one speaking in this mishnah. However, the **majority** view among the *Tannaim* is that there were seven gates.... And according to these Sages, there were watchmen at **five** of the **seven** gates.

This is puzzling: Rambam answers the contradiction (between the first mishnah and the later mishnah that says, “There were seven gates in the courtyard”) with Rava’s answer that this is a matter of dispute between the *Tannaim*, and the *Tanna* of **our** mishnah maintains that there were five gates. But Rambam concludes (concurring with Abaye) that even according to the *Tanna* who maintains that there were seven gates, only **five** (of the seven) were guarded!?

We must, therefore, conclude that Rambam understands this issue as follows: Even according to Rava, who says, “This matter is a dispute between *Tannaim*,” the dispute is **only** regarding the number of gates, but **not** regarding the **guarding** of the gates. The author of the first mishnah maintains that there were only five gates (**thus**, the five of the gates of the courtyard were guarded). The author of the second mishnah maintains (as he explicitly writes) “There were seven gates in the courtyard.” However, he agrees that **only** five of the gates were guarded, for “two of them did not require guarding.” [Abaye maintains that, in fact, there is no dispute at all because **all the opinions** agree that the courtyard had seven gates and two of them did not require guarding.]

⁸ *Bava Metzia* 22b; *Pesachim* 76b, Rashi, s.v., “Omar Lecha.”

⁹ At the beg. of tractate *Midos*.

Based on this, we can also appreciate why Rambam ruled they stood guard “at the five gates of the courtyard... for the *kohanim* stood guard at...” (in accordance with Abaye’s answer). For even according to Rava, the *Tanna* who maintains that there were seven gates would agree. Therefore, Rambam rules in accordance with **this** *Tanna* (not in accordance with the *Tanna* who maintains that there were five gates). For this opinion is the **majority** view (as he writes clearly in his *Commentary on Mishnah*).

3.

SO WHY CREATE A DISPUTE?

But this explanation is perplexing:

According to the above, (even) according to Rava there is no contradiction between, (a) “There were **seven** gates in the courtyard,” and, (b) (but) they stood guard at (only) “**five** of the gates of the courtyard.” Thus, what compelled Rava to say, “This matter is a dispute between *Tannaim*” (thereby creating additional disagreements)? Why does Rava maintain that the first mishnah (“five, at five gates of the courtyard”) cannot dovetail with the *Tanna* of the second mishnah who says, “There were seven gates in the courtyard” (as Abaye maintained)? Why must the *Tanna* of the first mishnah maintain that there were five gates?

This same question is even more perplexing as it applies to the words of the *Commentary on Mishnah*. There, Rambam mentions both ideas in one breath, as mentioned: (a) the *Tanna* of the first mishnah maintains the courtyard had **five** gates (like Rava’s answer); and (b) even the Sages who maintain that the courtyard had seven gates would agree that only **five** of the seven gates were guarded.

Since even according to the Sages, only **five** of the gates were guarded, etc., why do we need to interpret the mishnah which says, “at five of the gates of

the courtyard,” consistent with the authorities who maintain that there were only five gates to the courtyard, and not like the **Sages** (the **majority** view) who maintain that **five** of the gates **were guarded**, as **Rambam himself** maintains in his *Yad HaChazakah*?

4.

GATES VS. HALACHIC GATES

We will clarify this issue by first tackling a question on the wording in the mishnah: “There were seven gates in the courtyard....” The mishnah goes on to list the seven gates, “the *Shaar HaDelek*, etc.” Why, then, does the mishnah preface, “there were **seven** gates”? In the idiom of the Gemara,¹⁰ “Why do we need {to state explicitly} the number?”

The answer: Although we find many opinions regarding how many gates led into the courtyard — five, seven, eight,¹¹ thirteen¹² — these varying opinions do not argue over the **facts**. Meaning, they are not arguing how many gates there were in actuality (this cannot be the case because we have a principle that there are no disputes over actual facts).¹³ Rather, all the opinions agree that in actuality, there were thirteen gates (as noted by the mishnah). However, the dispute concerns how many of these gates had the **halachic properties**¹⁴ of a **gate** — five, seven, eight, or thirteen?

The practical application of a gate having the *halachic* properties of a gate, in contrast to other gates, is relevant in many areas of *halachah*. Among them:

(a) Regarding the guarding of the *Beis Hamikdash*: Only the gates that are **halachically** considered gates required guarding. (b) Regarding entering the *Beis Hamikdash*: When a person entered the *Beis Hamikdash* through a gate

¹⁰ *Shabbos* 69a.

¹¹ *Tomid* ibid.

¹² *Midos*, ch. 2, mishnah 6, *Shekolim* ch. 6, mishnah 3.

¹³ See *Sdei Chemed*, “Principles,” “Maareches ‘Mem’” principle 164.

¹⁴ See *Kesubos* 106a, *Tosafos*, s.v., “shivah.”

that was not considered a gate *halachically*, we can say that he did not enter “in the normal manner of entering.”¹⁵ (c) Regarding a *mezuzah*: If not for the inference,¹⁶ “just as a house is a place that is non-sacred, so, too, any place that is non-sacred {is obligated in the mitzvah of *mezuzah*}, excluding those places that are sacred,” the *halachah* would have been that only those gates which are *halachically* considered gates must have a *mezuzah*. As the verse says,¹⁷ “Write them on the doorposts of your house and **upon your gates.**”

Therefore, the mishnah prefaces, “There were **seven** gates in the courtyard...” The mishnah aims to establish that only these seven gates, to the exclusion of all the others, had the *halachic* standard and properties of a gate.

[We can posit further: Our Rabbis teach¹⁸ regarding the verse,¹⁹ “there shall be six cities of refuge for you,” that, “they do not become cities of refuge until all six of them, **as one**, admit unintentional murderers .”²⁰ The same would apply in our case. By the author of the mishnah adding the extra words, “there were seven gates in the courtyard,” the mishnah hints that all the seven gates were really **one** entity. If the full number of **seven** gates was somehow lacking, none of them would receive the *halachic status* of being a gate to the courtyard — requiring guarding, etc..

5.

CLEARING UP RAVA’S VIEW

On this basis, when Rava said, “this matter is a dispute between *Tannaim*,” he did not mean that the *Tannaim* argued over the **facts** (how many gates there actually were). Rather, he meant that they argue how many of the gates were accorded the *halachic status* of a gate.

¹⁵ See *Shavuos* 17b: “The Torah forbids {a person who is ritually impure} to enter {the Temple} in the normal of entering”; see *Menachos* 27b.

¹⁶ *Yoma* 11b.

¹⁷ {*Devarim* 6:9.}

¹⁸ *Makos* 9b.

¹⁹ *Bamidbar* 35:13

²⁰ {Meaning, all six cities must be designated as cities of refuge before any of them can serve as such.}

The *Tanna* of the first mishnah writes that only five gates of the courtyard were guarded, even though, in actuality, there were thirteen gates. This is because, in his opinion, only **these five** gates had the *halachic* status of a gate. [When he says “**there were** five,” he means that there were five **gates** that had the *halachic status* of a gate.]

However, the *Tanna* of the second mishnah who says that “there were **seven** gates to the courtyard,” maintains that **seven** (of the thirteen gates) had the *halachic* properties of a gate. Thus, all these seven needed guarding. The fact is, however, that only **five** of the gates of the courtyard had guards because “two of them did not need guards.” This means [**not** that these gates **did not require** guarding, but rather], as Rambam explains, “For the *kohanim* stood guard at the *Shaar HaMoked* and the *Shaar HaNitzotz*.” Meaning, these two gates **were** already guarded by the *kohanim*.

6.

GATES AND CHAMBERS

On this basis, we can also answer a question that could be raised on Rambam’s wording (in *Yad HaChazakah*). He writes, “(at the five gates of the courtyard....) For the *kohanim* stood guard at the ***Shaar HaMoked*** {Moked Gate} and the ***Shaar HaNitzotz*** {Nitzotz Gate}.”

The *kohanim* did **not** stand guard by the *Moked* and *Nitzotz gates*, but, “at the **chamber** of the *Nitzotz* and at the **chamber** of the *Moked*,” as the mishnah²¹ says (and **Rambam** himself quotes these very words a few paragraphs earlier).²² Why does Rambam change the wording and write, “at the ***Shaar HaMoked*** and the ***Shaar HaNitzotz***.”

²¹ *Tamid* 1:1; *Midos* 1:1.

²² *Mishneh Torah*, “*Hilchos Beis Habechirah*,” ch. 8, par. 5.

Based on the above, the answer is straightforward:

By writing it this way, Rambam emphasizes that these two gates also had the *halachic* status of gates, and thus, they **required** guarding. The reason why the *leviim* did not stand guard in these places was because the *kohanim* standing guard “at the **chamber** of the *Nitzotz* and at the **chamber** of the *Moked*” automatically stood “guard at the ***Shaar HaMoked*** and the ***Shaar HaNitzotz***.”

Meaning, the requirement for the *kohanim* to stand guard at the chamber of *Nitzotz* and at the chamber of the *Moked* encompassed two laws: a) The chamber needed guarding (like the chamber of *Avtinah*). This obligation was placed upon the *kohanim*. b) The gates in these chambers needed guarding. This obligation was (primarily) placed upon the *leviim*. But since the *kohanim* who stood guard at the chamber of *Nitzotz* and at the chamber of the *Moked* automatically resulted in them (also) guarding the ***Shaar HaMoked*** and the ***Shaar HaNitzotz***, the *leviim* did not need to guard them.

7.

HALACHAH

Considering all the above, we can appreciate why (Rava, and) Rambam in his *Commentary on Mishnah*, understood that the *Tanna* (of the first mishnah) who says, “Five at five of the gates of the courtyard,” disagrees with the *Tanna* who says, “There were **seven** gates in the courtyard.” However, even the second *Tanna* agrees that only **five** of the seven gates had guards.

The beginning of the mishnah discusses all the places where the *kohanim* and the *leviim* needed to stand guard. The mishnah says, “The *kohanim* would keep watch in three places in the *Beis Hamikdash*: In the chamber of *Avtinah*, in the chamber of *Nitzotz*, and in the chamber of *Moked*. The *leviim*... Five, at five {of the} gates of the courtyard.”

That is, the *Tanna* only mentions the (*kohanim*) guarding “in the **chamber** of Nitzotz, and in the **chamber** of *Moked*.” Subsequently, when discussing the *leviim* guarding of the courtyard gates, the *Tanna* says, “at **five** {of the} gates of the courtyard.” Thus, were we to assume that the *Tanna* maintains that “there were seven gates to the courtyard,” and only five of them were guarded because two of them did not need to be guarded, it would emerge that the *Tanna* does not mention at all (even by allusion) the obligation to guard the ***Shaar HaNitzotz*** and the ***Shaar HaMoked***.

Moreover, and more importantly: Since we can explain the mishnah in a way that posits that the *Tanna* spoke precisely²³ and specified what he meant,²⁴ we don’t posit that he spoke imprecisely and that he was ambiguous, etc.

Consequently, [Rava and] Rambam understood that *Tanna* maintains that “there were five gates to the courtyard,” i.e., only five of the gates had the *halachic* status of a gate and required guarding.

In his *Yad HaChazakah*, therefore, when Rambam codified the *halachah* (which follows the majority view), he records that there were seven gates. But Rambam was precise in his wording and wrote that only **five** of the courtyard gates were guarded because the guarding of the *kohanim* included (not only the the *Nitzotz* and *Moked* **chambers** — as the first *Tanna* maintains — but also, automatically, the ***Shaar HaNitzotz*** and the ***Shaar HaMoked***.

— Based on a talk delivered on Shabbos, *parshas Devarim*, 5736 (1976)

²³ See *Taz* commenting on the *Shulchan Aruch*, “*Orach Chaim*,” sec. 319, par. 2.

²⁴ See *Darhei Shalom*, “*Klolei Hashas*”, ch. 320.