



Shemirat Ha-Mikdash – Guarding the Temple
By David Silverberg

On several occasions throughout the first half of the Book of Bamidbar, the Torah addresses the unique duties of the tribe of Levi as attendants to the *Mishkan* (Tabernacle). In Parashat Bamidbar (chapters 2-3), the Torah describes the formation of the Israelite camp during travel and encampment, and emphasizes that the *Levi'im* transported the *Mishkan* as the nation traveled and were situated near it during encampment. In this capacity, Moshe, Aharon, and Aharon's sons were assigned a special role: "And encamped before the Tabernacle, in front, before the Tent of Meeting to the east, were Moshe, Aharon and his sons – guards for the duty of the Sanctuary" ("*shomerim mishmeret ha-Mikdash*" – 3:38). Maimonides, in his *Code* (Hilkhot Beit Ha-bechira 8:2), cites this verse as one of several indications that the *Levi'im* bore the responsibility of guarding the Temple. This responsibility that Moshe, Aharon and Aharon's sons fulfilled during the encampment in the wilderness ultimately became one of the jobs assigned to the tribe of Levi as a whole. In his listing of the commandments, Maimonides includes a *mitzvat aseï* (obligation) for the *Levi'im* to guard the Temple, and a *mitzvat lo ta'aseh* (prohibition) forbidding them from neglecting this responsibility.

This week we will discuss Maimonides' position regarding several aspects of this obligation, to assign watchmen to guard the Temple precinct.

"A Palace With Guards"

In introducing this obligation in his *Code* (Hilkhot Beit Ha-bechira 8:1), Maimonides immediately explains the underlying reason behind this mitzva: "Guarding the Temple constitutes a positive commandment, and [it applies] even when there is no concern of enemies or thieves. For its guarding is only [an expression] of honor for it, for a palace with guards is not the same as a palace that does not have guards." Maimonides explicitly denies a pragmatic, functional purpose of guarding the Temple. The Levite guard is necessary not to protect the invaluable treasures contained within it, as one may have instinctively assumed, but rather as a symbolic expression of honor and reverence for the holy site. Thus, as Maimonides emphasizes, this obligation applies even when no particular threat of theft exists. The guards serve to provide not protection, but rather a sense of respect and awe. As noted by Rabbi Yossef Karo, in his *Kessef Mishneh* commentary to the *Code*, Maimonides' approach is rooted in an earlier, Midrashic source (the *Sifrei Zuta*).

The *Sefer Ha-chinukh* (388) cites Maimonides' explanation and elaborates a bit further on the importance of generating an aura of reverence and majesty in the Temple, which will, in turn, bring a feeling of humble submission upon all visitors to the *Beit Ha-Mikdash*.

The Midrash (*Bamidbar Rabba* to 3:38) presents a much different reason for the obligation to guard the Temple, namely, to prevent *Benei Yisrael* from entering areas forbidden to them. As the Midrash notes, the aforementioned verse, which describes Moshe, his brother and his nephews as the "guards" of the Sanctuary, concludes, "and the foreigner who approaches shall die." The Midrash explains this concluding phrase as the Torah's explanation for the guarding of the Temple. Given the severity of the transgression against unlawful entry into the sacred grounds of the *Mishkan*, God found it necessary to instruct the *Levi'im* to stand guard against such violation. In this sense, the guards served to protect not the Temple itself, but rather the nation, who would incur capital punishment should they enter the domain designated exclusively for the *kohanim* and *Levi'im*.

In his *Guide for the Perplexed* (3:44), Maimonides reiterates the reason he provided in his *Code*, but then adds another reason, seemingly based upon this passage in the Midrash: "The Sanctuary was constantly guarded and surrounded [by Levites] as a mark of respect and honor; and at the same time the layman, the unclean, and mourners, were prevented from entering the Sanctuary." Besides the honor and reverence generated by the constant presence of guards, it served as well to prevent potential offenders from proceeding beyond the limits imposed by Torah law on access to the holy precinct. The omission of this second explanation from Maimonides' comments in his *Code* might suggest that he viewed this as but a secondary benefit derived from the presence of guards. This obligation's primary reason, however, relates to the required aura of majesty and honor for the holy site.

Guarding the Temple Site Nowadays

Interestingly enough, this question, concerning the reason behind the obligation to guard the Temple, may affect another, particularly intriguing, issue, whether we might apply the mitzva even nowadays, in the absence of the *Beit Ha-Mikdash*. Just over a century ago, a scholar named Rabbi Moshe Hillel Gelbstein, who emigrated from Eastern Europe to the Land of Israel, published an entire treatise entitled *Mishkenot La-avir Yaakov*, advocating the reinstating of Jewish guards around the site of the Temple Mount in Jerusalem. He corresponded on the matter with some of his contemporaries, including the legendary Rabbi Avraham Borenstein of Sochatchov, who included his response to Rabbi Gelbstein in his famous, multi-volume work, *Avnei Neizer* (Y.D. 449).

Among the issues that must be addressed when considering such a possibility is the underlying purpose behind the obligation. If we accept the Midrash's reasoning, that the guards are necessary to prevent possible violations of the strict restrictions on entry into the Temple grounds, then presumably the need for guards should depend solely on the applicability of these restrictions. Now Maimonides, in a celebrated passage in his *Code* (Hilkhos Beit Ha-bechira 7:7), rules that the site of the Temple retains its status of halakhic sanctity even today, centuries after the destruction of the *Mikdash*. As such, he writes, all the laws governing access to the site and proper respect towards the Temple Mount apply today just as they did when the Temple stood. It stands to reason, then, that if the mitzva to appoint guards around the Temple stems from the concern of unlawful entry into the area of the Temple, then this obligation should apply – in Maimonides' view – regardless of the presence of a *Mikdash*. So long as the various restrictions remain in effect, the nation bears the obligation to assign guards to enforce these restrictions.

It should be noted that, as Rabbi Borenstein discusses in his response, other, practical considerations may negate the possibility of fulfilling this obligation, even if one accepts the basic argument just presented. Rabbi Borenstein addresses at length the question of whether guarding the Temple should be afforded the formal halakhic status of an *avoda* – a part of the Temple rituals – or constitutes merely a secondary obligation outside the basic framework of the Temple rituals. If it indeed possesses *avoda* status, then it, like all *Mikdash* functions, must be performed in a state of *tahara* – ritual purification. Since everyone nowadays is presumed *tamei* – in a state of ritual impurity – observance of this mitzva is simply not practically feasible. In addition, Rabbi Borenstein writes, King David, shortly before his death, divided the Levite tribe into various groups and rotations, distributing the different responsibilities of the *Levi'im* among these groups. As Maimonides rules in his *Code* (Hilkhos Kelei Ha-Mikdash 3:10), the Torah forbids a Levite from performing a task assigned to a different Levite group. Thus, for example,

a Levite charged with the responsibility of guarding the Temple may not join another group assigned to the role of playing the accompanying music during the sacrificial offerings. Therefore, Rabbi Borenstein argues, today, when *Levi'im* are obviously unaware of the Levite groups to which their ancestors belonged, a Levite must ensure not to perform any of the Levitical tasks, lest he be in violation of this law.

And besides, as noted by the contemporary sage Rabbi Moshe Sternbuch (*Ta'am Va-da'at*, Parashat Bamidbar), today's *Levi'im* cannot verify their Levitical lineage, and are thus unfit for the tasks strictly confined to the Levite tribe.

In any event, fundamentally, we could, indeed, speak of the possibility of applying this obligation even nowadays, should we assume that it involves the need to discourage potential trespassers seeking unlawful access to the Temple site. However, as we have seen, Maimonides focuses on a different objective of this *mitzva*, namely, the honor and glory due the representative "residence" of God. Most likely, this perspective on the obligation presupposes the existence of a Temple, and would render the *mitzva* inapplicable once the Temple unfortunately no longer stands. Rabbi Borenstein cogently argues that although, as Maimonides explicitly writes, the Temple is not guarded to protect against thieves or marauders, but rather as a sign of honor, this display of honor is achieved by guarding the Temple just as one would a treasury or other highly valued building. Accordingly, guarding a site bereft of any sacred edifice is meaningless. The presence of guards can afford honor only if they give the appearance of guarding a physical structure, and thus in the Temple's absence, this obligation cannot apply.

Furthermore, a contemporary writer, Rabbi Shemuel Deutsch (in his work, *Birkat Kohen*), astutely observes Maimonides' focus on the actual structure of the Temple, rather than the geographic site: "a palace with guards is not the same as a palace that does not have guards." It would appear that Maimonides sees this *mitzva* as intended to glorify specifically the *Beit Ha-Mikdash* itself, rather than show honor to the site of the *Beit Ha-Mikdash*.

Significantly, the *Sefer Ha-chinukh*, who follows Maimonides' approach to this obligation, explicitly concludes his treatment of this *mitzva* by hinging its application on the presence of the Temple. Clearly, then, in his view, the honor and glory the guards are meant to engender relate only to the physical structure of the Temple, and not to the sacred ground upon which it stood.

Why Only at Nighttime?

In discussing the particular laws of the Temple guard in his *Code* (Hilkhos Beit Ha-bechira 8:2), Maimonides establishes that the watchmen would serve only during the nighttime hours: "*U-shmira zo mitzvata kol ha-layla*" ("This guard – the obligation applies the entire night"). Maimonides' position in this regard represents the predominant view among the Medieval scholars, which he shares with Nachmanides (commentary to Bamidbar 1:53) and *Sefer Ha-chinukh*. The Tosafists (Yoma 10b s.v. *Rabanan*), too, write that the Levites would guard only during the nighttime, and claimed that for this reason the areas where the guards stood watch did not require *mezuzot* on the doorframes, since they were not inhabited by day. By contrast, the anonymous commentary to Masekhet Tamid (25a), printed in prevalent editions of the Talmud, writes that guards were required both by day and by night. A later work to Masekhet Tamid entitled *Be'er Sheva* strongly rejects this position, citing numerous other Medieval scholars (in addition to those cited here) who explicitly limit the Temple watch to the nighttime hours.

While Maimonides' comments in the *Code* leave no room for misunderstanding, his remarks elsewhere, in other works, have given rise to some confusion with respect to this issue.

In the prevalent editions of *Sefer Ha-mitzvot* (*mitzvat aseï 22*), this obligation is defined as requiring "guarding the Temple and encircling it always," which would suggest that the *Levi'im* would guard the Temple even during the day. However, the 20th-century American scholar Rabbi Chayim Heller, in the introduction to his edition of *Sefer Ha-mitzvot*, claims that the prevalent text is errant, and Maimonides in fact defined the *mitzva* as "guarding the Temple and encircling it always, each and every night, throughout the night." This is indeed the *Sefer Ha-chinukh*'s formulation in introducing this obligation, which he very likely took from Maimonides' description in *Sefer Ha-mitzvot*.

The problem appears to resurface, however, in the *Guide for the Perplexed*, where Maimonides writes, "The Sanctuary was constantly guarded and surrounded [by Levites]." Seemingly, Maimonides refers here to an around-the-clock assignment, in direct contradiction to his own comments in the *Code*. One might resolve this difficulty based on the context in which this sentence appears. Maimonides here presents his approach to the reason underlying the obligation to guard the Temple – as an expression of honor and glory. It might be suggested, then, that he seeks to address the particular question of why this guard is required "constantly," meaning, even when the *Mikdash* faces no threat of arson or robbery. "Constantly" would thus refer not to this *mitzva*'s application both by day and by night, but rather to its ongoing relevance even during times of safety and security.

Instinctively, one might challenge Maimonides' position based on God's famous promise to Israel through the prophet Yeshayahu (62:6), "On your walls, O Jerusalem, I have assigned watchmen, all day and all night – always, they shall not be silent." At first glance, the prophet here foresees the Temple's reconstruction, at which point it will once again be surrounded by watchmen, as required by the Torah. If so, then the constant, day-and-night watch described by Yeshayahu must correspond to the Torah obligation, thus proving that the Torah demands a daytime watch, as well.

This challenge is easily refuted by just a cursory glance at the classic commentaries to the Prophets, who adopt much different readings of this verse. The ancient *Targum Yonatan* interprets this entire image allegorically, identifying the "walls" of Jerusalem as a metaphoric reference to the good deeds performed by Jerusalem's residents of yesteryear, the merits of which God preserves "day and night" so that Jerusalem will one day return to its former days of glory. The Medieval commentator Rabbi David Kimchi explains this promise to mean that even after Jerusalem is rebuilt, God's providence – likened here to watchmen – will protect the city to ensure that it will not fall again.

There remains, however, a much more obvious and fundamental question regarding the restriction of this *mitzva*'s application to the nighttime hours, a difficulty raised – without resolution – by the work, *Minchat Chinukh* (the classic commentary to the *Sefer Ha-chinukh*). The *Minchat Chinukh* asks, quite frankly, why do most Medieval scholars impose such a restriction? Maimonides cites several verses as the Scriptural sources of the obligation to guard the *Mikdash*, and none of them as much as allude to any distinction between the daytime and nighttime hours. On what basis, then, did Maimonides, and most other Medieval authorities, restrict this obligation to the nighttime? As mentioned, the *Minchat Chinukh* suggests no answer for this seemingly compelling challenge.

One answer is cited in the name of the work, *Nachalei Afarsamon*, which claims that the commotion in and around the Temple during the daytime hours would render the presence of guards meaningless, if not absurd. Since all Temple rituals and functions were performed only during the day, throngs of people would enter and leave the area of the *Mikdash* each day to observe the various rituals. This flurry of activity would undermine even the symbolic function

served by the Temple guards, as lending the site a sense of awe and serenity. Only during the nighttime hours, when the Temple remained quiet and still, could the guards be noticed and thus serve their critical symbolic function.

A different answer was suggested by Rabbi Moshe Greenes, in an article published in the journal *Moriah* (Sivan, 5745 – 1985), based on a revealing passage in the commentary of Rabbenu Asher (the "Rosh," among the latest *Rishonim*) to Masekhet Tamid. Rabbenu Asher, like Maimonides, explains the Temple guard as a display of honor, but he adds, "so that they shall not divert their attention from it [the Temple] neither by day nor by night." According to Rabbi Greenes, Rabbenu Asher here identifies more precisely how the watchmen contribute to the honor of the *Beit Ha-Mikdash* – by signifying the nation's ongoing involvement – through the agency of the Levites – in the Temple. During the day, when the *kohanim* and *Levi'im* were intensively occupied performing the various functions in the Temple, this involvement was obvious and discernible. But, as Rabbenu Asher writes, the Torah demands that the Jewish people display their interest in the Almighty's representative abode both by day and by night. Therefore, some involvement on the nation's part was necessary even during the nighttime hours. Rabbi Greenes contended that this is precisely the function of the nighttime guard. When Maimonides speaks of showing honor to the Temple by assigning watchmen, he means that through the watchmen, the nation at large expresses its ongoing involvement and interest in God's abode. Such an expression is necessary specifically during the nighttime hours, when no ritual activity takes place in the *Mikdash*.

"He Commanded Us to Guard the Temple"

This approach to the *mitzva* may perhaps shed light on a subtle nuance in Maimonides' presentation. A contemporary author, Rabbi Elyakim Dvorkes (in his *Bi-shvilei Ha-parasha*), observes that in *Sefer Ha-mitzvot* (*mitzvat ase* 22), when Maimonides introduces the obligation to guard the Temple, he portrays it as a responsibility charged upon the nation at large: "He commanded us to guard the Temple..." Fundamentally, it appears, all of *Am Yisrael* bear the obligation to guard the Temple; as a practical matter, the Torah orders that the Levite tribe fulfill this duty on the nation's behalf. Similarly, in his *Code*, Maimonides first introduces the essential concept of the Temple guard and then comments, "The guards were the *kohanim* and *Levi'im*." The designation of the Levite tribe for this role is presented as merely a detail of this *mitzva*, rather than part of its essential definition. This presentation contrasts sharply with Maimonides' depiction of other obligations charged to the *kohanim* and *Levi'im*. For example, Maimonides begins the very next *mitzva* in *Sefer Ha-mitzvot* with the following description: "The *Levi'im* alone were commanded to perform the known rituals in the Temple, such as locking the gates and singing the songs during the [offering of] sacrifices." These rituals are described as assigned directly to the Levites, whereas the responsibility of guarding the Temple appears to be cast upon the nation at large, with the *Levi'im* merely acting as their representatives.

This inference runs fully consistent with the symbolic function of the Temple guards, as described above. These watchmen lend a sense of constancy to the nation's relationship with the Temple – and, by extension, to their relationship with the Almighty. This *mitzva* is necessary to ensure that even during the Temple's periods of inactivity – the nighttime hours – the nation's collective mind and heart remain firmly attached to God and His laws.

If so, then the underlying theme of this *mitzva* perhaps touches upon a more general religious ideal – maintaining an existential religious awareness even while not directly involved in inherently spiritual affairs. Even when one engages in worldly activities – corresponding to



the nighttime hours in the Temple, when the sacrificial activity is halted – he must retain a level of connection with the spiritual realm – as represented by the *Levi'im*'s presence in the Temple at night. The practical realities of life do not allow for constant involvement in direct service of the Creator, nor should such constancy be seen as a realistic goal. Just as the Temple service, representing the ideal of spiritual life, was discontinued at nighttime, so are their significant periods in one's routine when he cannot engage in inherently religious activities. But the night watchmen of the Temple remind us that even during such periods, our general sense of identification with, and connection to, our spiritual goals must proceed. This is accomplished, primarily, through strict observance of the Torah's laws, which indeed govern all areas of human life, and in addition, by ensuring to prioritize our spiritual goals and afford them centrality, even during the "nighttime" periods when our "Temple rituals" cannot be performed.