

Definition of Rebellious Elder (*Zaken Mamrei*)

Ref: *Sefer Shoftim, Hilchot Mamrim, Chapter 3*

Rebellious		Explanation
Accepted Oral Law	✓	Unlike <i>apikorsim</i> who deny Hashem and Torah. They are not considered as part of Jewish People (This does not apply to ignorant or non-understanding people who reject Torah)
He is a <i>chacham</i> (Sage) who has received <i>semichah</i>	✓	i.e. he has been accepted by the <i>Sanhedrin</i> to be one of the judges
The issue he rebels about is punishable by <i>karet</i> if wilful or if inadvertent needs a Sin offering or it's about <i>tefillin</i> .	✓	
He acts on his own ruling or instructs others to act	✓	Not liable if he just teaches his view to others
<i>Sanhedrin</i> has to be operating when he rebels	✓	

If these factors are not in place, he is not liable for execution, but nevertheless they should have a ban placed upon him or given corporal punishment.

He is challenged or warned in stages by having to appear before the Sages first in Court at Temple Mount, then Court at Gates of Nicanor, then Court at Chamber of Hewn Stone.

If he persists and does his way or influences others to do his directives, he is liable for execution.

This execution should be done publicly when entire people are in *Yerushalayim* (i.e. close to the next *Yom Tov*, such as during *Chol HaMoed* etc) – Strangulation.

There are **4** transgressors who are executed publicly

- Rebellious elder
- *Edim Zomemim* (lying witnesses)
- *Mesit* (entices others to serve idols)
- Rebellious son