

Makos Review of Lesson 29 - 7A:

Daf 7A:

SANHEDRIN IN CHUTZ LA'ARETZ (OUTSIDE OF ISRAEL)

1. **(Mishnah):** If Beis Din sentenced Ploni to die and he fled, and he came before the same Beis Din again, the verdict stands. We do not judge him again.
2. If two witnesses testify in any Beis Din that Ploni was sentenced in Almoni's Beis Din, based on testimony of Reuven and Moshe, we kill him.
3. Also Sanhedriyos in Chutz la'Aretz are authorized to execute people.
4. A Sanhedrin that kills one person in seven years is called brutal;
5. R. Eliezer ben Azaryah says, once in 70 years.
6. R. Tarfon and R. Akiva say, had we sat on the Sanhedrin, no one would ever have been killed;
7. R. Shimon ben Gamliel says, that is improper. People would not fear Beis Din, and murders would increase!
1. **(Gemara) Inference:** In front of the same Beis Din again, the verdict stands, but if he came before a different Beis Din again, we judge him again;
2. **Contradiction (the next clause):** If two witnesses testify in any Beis Din that Ploni was sentenced in Almoni's Beis Din, based on testimony of Reuven and Moshe, we kill him.
3. **Resolution (Abaye):** In Chutz la'Aretz the verdict stands (The case of the Seifa) . In Eretz Yisrael it does not (The case of the Reisha) . As seen from....
4. **(Beraisa - R. Dostai):**
 - If Ploni was sentenced in Eretz Yisrael and fled to Chutz la'Aretz, the verdict stands;
 - If he was sentenced in Chutz la'Aretz and fled to Eretz Yisrael, we judge him again. Perhaps the merit of Eretz Yisrael will help find a reason to acquit him.

Conclusions:

1. If he was sentenced in Eretz Yisroel, the case is never retried in another court, regardless where it is.
2. If he was sentenced in Chutz la'Aretz, and he is later in a court in Eretz Yisroel, with the exact same judges that sentenced him in Chutz La'Eretz - the original verdict stands. (The exact case of the Reisha)
3. Only if he was sentenced in Chutz La'Aretz, can he be re-tried with a different court in Eretz Yisroel. (The implication of the Reisha)