



Light of Torah

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Eye for an eye

"If anyone maims another [person]: what was done shall be done in return—fracture for fracture, eye for eye, tooth for tooth" (Leviticus 24:19-20).

The 'eye for an eye' verse is one of the most widely known biblical verses, and also the most misunderstood. It conjures up horrific pictures of eyes being gouged and limbs severed in pursuit of a distorted, inhumane justice.

In ancient Israelite culture was this verse once taken literally as a physically inflicted punishment? Historically we can't be sure, but what we do know is that from very early post-biblical times, rabbinic opinion interpreted this verse as referring to monetary compensation, not physical retaliation.

Tragically, in Christian history this verse has often become a preaching mechanism for depicting Judaism as a 'vengeful' religion in contrast to the gospel of love preached by Christianity.

In its teachings since Vatican II the Church has warned against stereotypes which misrepresent the Jewish understanding of its own sacred texts. By looking at Torah through the eyes of the Jewish sages, we learn how Judaism has interpreted even difficult texts in ways congruent with an understanding of a loving God. Here, let's explore some of the reasoning of the sages for a

non-literal interpretation of 'eye for eye.'

A number of rabbinic voices in the Talmud consider a literal interpretation of this verse to be impractical. For "if a blind man blinded another...how would I be able to give an eye for an eye literally? Yet the Torah states (Lev. 24:22): one law shall there be for you." [Bava Kamma 83b-84a]

Ibn Ezra [12th C.] points out that physical punishment is not feasible because it can never be exact. "For if a man deprived his fellow of a third of his normal sight by his blow, how can the retaliatory blow be so calculated as to have the same results?" It may blind the offender completely, it might even result in his death. Punishment would not fit the crime.

A further practical issue is raised by the Kuzari:¹ compensatory money is actually useful to the victim, whereas "you will gain nothing by cutting off [the offender's] hand."

Other sages argue their case directly from scripture. For example, Maimonides [12th C.] notes how in Exodus we read that if one party is physically injured in a quarrel "the assailant shall go unpunished— except for paying of the idleness [i.e. time lost] and the cure" (21:18-19). If monetary compensation is intended here, why would it be any different in Leviticus?

We may query, as did Maharal of Prague [16th C.]: if monetary

compensation is intended by the 'eye for eye' verse, why doesn't the text say it outright? Maimonides replies that there is a fundamental difference between injuring the body of a human being and harming his property. While money can fix the latter, it can never totally compensate for the former. The severity of the 'eye for eye' language is there to remind the offender of this fact, that really he deserves to be maimed in return, but this is not the Jewish way of settling disputes. Ultimately, a humane resolution to the whole tragic situation is only possible through real remorse on the part of the offender and forgiveness by the victim. Says Maimonides: "It is forbidden for the injured party to be cruel and unforgiving. This is not the Jewish way, but as soon as the guilty party has sought his forgiveness and made supplication once or twice, and he knows that the smiter sincerely regrets his action, he should forgive him."

Note the deft interpretative manoeuvres of the sages. What began as a verse that sounds like a license for revenge gives rise to teachings about restraint, remorse and forgiveness.

1. A treatise in defence of Judaism by Spanish scholar and poet Judah HaLevi (1075-1141).

Bibliography: Friedman, *Commentary on the Torah* (San Francisco, 2001); Leibowitz, *New Studies in Vayikra*, Vol 2 (NY, 1996), 494-508. Scripture: NJPS.