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An Eye for an Eye?

By Jim Myers

"You have heard that it hath been said, 'An eye for an eye, and a tooth for a tooth.' But I say unto you, 'Resist not evil; but whosoever shall strike you on your right cheek, turn to him the other also.'" (Matthew 5:38-39)

"An eye for an eye" is probably one of the most quoted passages of the Old Testament by Gentiles. In Jewish writings this law is called ***lex talionis*** (law of retribution). For centuries it was believed that it originated with Moses and Jewish law. However, with the discovery of the Code of Hammurabi, it was discovered that it not only included *lex talionis*, but it literally dictated such laws for eyes and teeth. If one put out another's eye, he or she would lose an eye. The same went for teeth and bones. ¹

Readers of the Code of Hammurabi also discovered something else in its ancient laws; punishments often depended on the social status of the perpetrator. When a member of the elite committed a grievous crime against a person of lower status, he or she may have been asked to pay a fee. But when the roles were reversed, the lower-class criminal might receive a harsher punishment. *From the perspective of poorer people, Moses was clearly an improvement over the laws of Babylon.*

Something that many Gentiles do not understand, especially those who belong to fundamentalists religions, is that the Torah is read like a law book. It must be determined which laws apply to the specific situation being considered. One principle that must always be considered is *pikuach nefesh*. The preservation of life [*pikuach nefesh*] is considered to be of paramount importance, surpassing virtually all of the other commandments of the Torah. One may and must violate Yom Kippur or the Sabbath, eat non-kosher food, etc. if there is the slightest chance that human life may be preserved or prolonged. ²

Now let's consider a hypothetical case in which a man with one eye causes a man with two eyes to lose one of his. How would the one eyed man's life be affected if his remaining eye was taken? It is taught that when one loses his vision his soul also departs. Clearly, the loss of the remaining eye would place the man in

a very different position from a man with one eye. The same would apply to a person with one arm or leg if *lex talionis* was blindly applied. The rabbis instituted monetary compensation as an alternative.³

Another law that would be considered in any discussion of *lex talionis* is found in Leviticus 24:22, "*You shall have one manner of law.*" The rabbis interpreted this to mean that "the application of a law shall be the same for everyone." *Laws should be applied in the same manner to the king or nay of his subjects.* If any group of people on the face of the earth should understand the significance of this principle, it should be the Jewish people.

As pointed out above, *lex talionis* is also referred to as the Law of Retribution. In the case presented by Jesus, he applied *lex talionis* as a possible response to being "struck on the cheek." Some have translated the offense as a "slap on the cheek," which would have been considered a way of publicly insulting another person without any intent to harm. It is very important to keep the context in mind as you consider Jesus' lesson. He was teaching his followers how members of the Kingdom of God should react in these situations. Chances are that they would receive a few slaps as they carried his message to others.

What would you have thought if you had listened to Jesus teach his message of "loving one's neighbor as himself," and then seen him take a swing at a Pharisee that slapped him in a heated discussion? Take time to review Matthew 5-7 and Jesus' interpretations of a number of Torah laws. His disciples would have understood that it was their responsibility to determine which interpretations would apply to the various questions and situations they might face.

As Christianity and Rabbinic Judaism followed their separate paths the gap between them grew wider. Leaders of both actively worked to identify things that could be used to focus people on their differences. Jesus' position on this particular subject has been used numerous times as proof that Jesus' position was clearly outside of Judaism. However, the Talmud contains evidence that seems to reflect the underlying principle of Jesus' position:

He who forbears to retaliate will find forbearance for his own failings.
Yoma 23a (The Soncino Talmud; Moed 3; p. 104 f.4)

However, another very famous Jewish teacher summed up the topic in terms that may be better than any of the rabbis -- and can be understood by all:

"If everyone lived by 'an eye for an eye and a tooth for a tooth,' the world would be blind and toothless."—Tevye, *Fiddler on the Roof*.

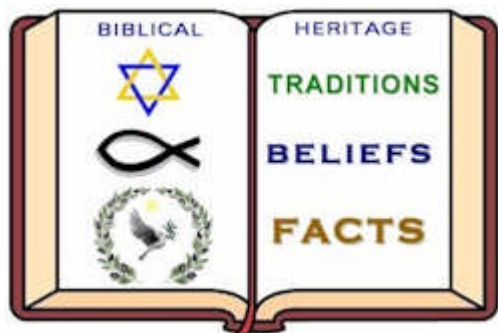
SOURCES: ¹ <http://history.howstuffworks.com/asian-history/code-of-hammurabi2.htm>

² <http://www.jlaw.com/Articles/right.html>

³ "Everyman's Talmud", A. Cohen, Schocken Books, New York, 1949, pp.318-327.

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