

An Eye for an Eye as Restorative Justice

More Evidence that God's Justice is
Restorative, Not Retributive

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Outline

- Eye for an Eye in Jewish Tradition
- Immediate Context: Exodus 21
- Literary Context: Leviticus 19 and the Torah
- Canonical Context: 2 Samuel 12 and Luke 19

Eye for an Eye in Jewish Tradition

- Victim-Centered; the Offender Pays the Cost of Healing
 - “An eye for an eye” is an outer limit of proportionality for cases of bodily harm, meant to represent financial compensation (Talmud *Bava Kamma* 83b – 84a) or, in some cases, lashes (*Makot* 1:1)
 - Rabbis’ joke: What if the offender was already blind?

Eye for an Eye in Jewish Tradition

- Victim-Centered; the Offender Pays the Cost of Healing
 - “An eye for an eye” in Jewish law means “I become your second eye”

Exodus 21

- Victim-Centered; the Offender Pays the Cost of Healing
 - ¹⁸ If men have a quarrel and one strikes the other with a stone or with his fist, and he does not die but remains in bed, ¹⁹ if he gets up and walks around outside on his staff, then he who struck him shall go unpunished; he shall only pay for his loss of time, **and shall take care of him until he is completely healed.** (Exodus 21:18 – 19)

Exodus 21

- Victim-Centered; the Offender Pays the Cost of Healing
 - ²⁹ If, however, an ox was previously in the habit of goring and its owner has been warned, yet he does not confine it and it kills a man or a woman, the ox shall be stoned and its owner also shall be put to death. ³⁰ If a ransom is demanded of him, then he shall give for the redemption of his life whatever is demanded of him. (Exodus 21:29 – 30)

Exodus 21

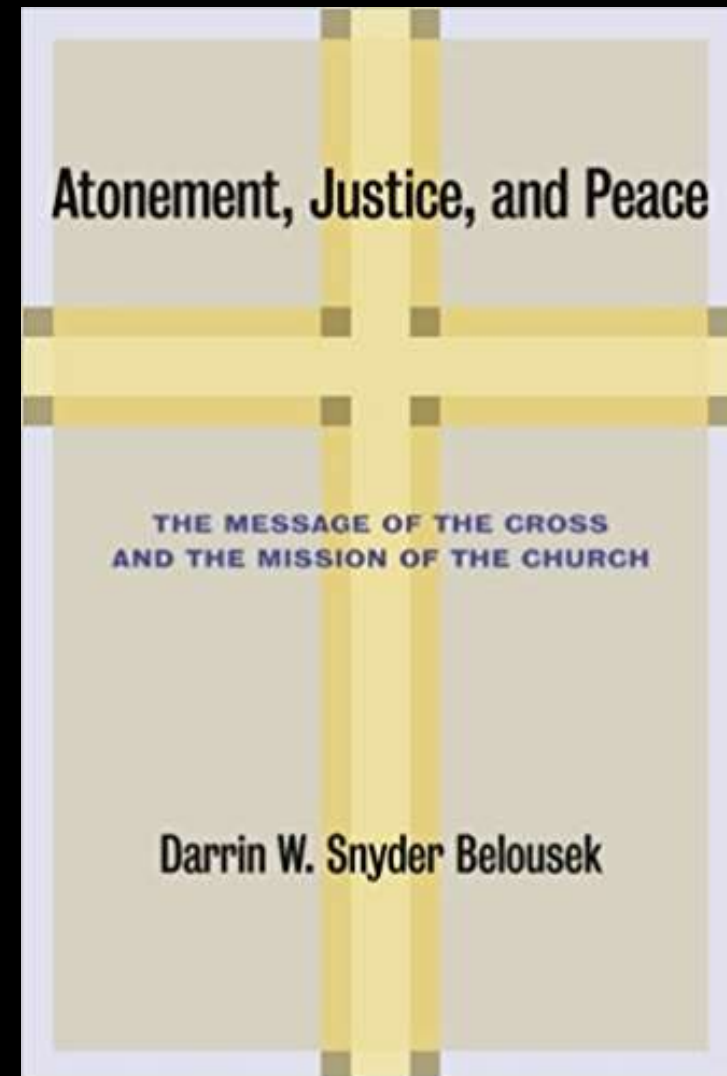
- Exodus 21:2 – 36 has a chiastic structure
 - About bodily relations and harm
 - Especially relevant to abuse under Pharaoh
 - C and C' are symmetrical: fight; compensation
 - D to A' involve *lasting* bodily harm
- A. Restoration Without Payment: Indentured Servants; Betrothed Daughters (21:2 – 11)
- B. Sacredness of Bodies and Relations; Crimes Punished by Death (21:12 – 17)
- C. **Injuries from a Physical Fight**; Toward Full Healing (21:18 – 19)
- D. The Full Humanity of the Slave: Cases of Murder vs. Homicide (21:20 – 21)
- C'. **Injuries from a Physical Fight**; Compensation (21:22 – 25)
- B'. Sacredness of the Body and Relations; Freedom to Servants (21:26 – 27)
- A'. Restoration With Payment: Indirect Injuries; Servants; Compensation (21:28 – 36)

Leviticus 19

- Consistency with Leviticus 19, Heart of the Law
 - (A) ¹⁷ You shall not hate your fellow countryman in your heart;
 - (B) you may surely reprove your neighbor, but shall not incur sin because of him.
 - (A') ¹⁸ You shall not take vengeance, nor bear any grudge against the sons of your people,
 - (B') but you shall love your neighbor as yourself; I am the Lord.

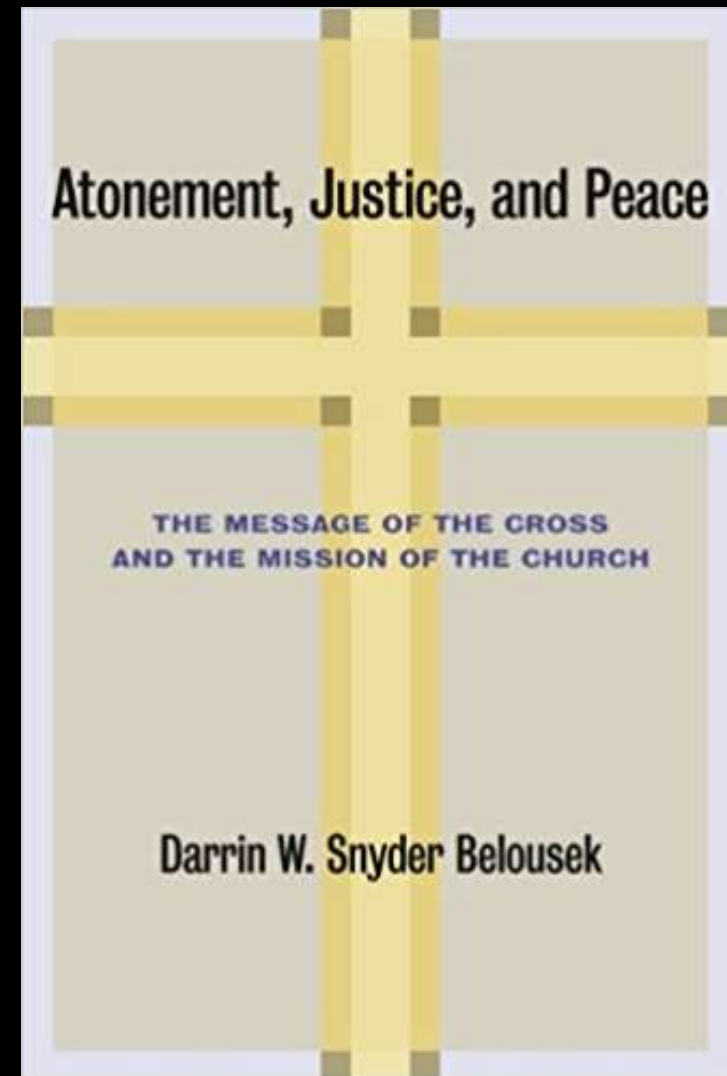
Leviticus 19

- “In fact, the text gives us parallel sets of contrasting parallels... hating one’s neighbor (A) is parallel with taking vengeance upon one’s neighbor (A’) – and both are prohibited; likewise, reproving one’s neighbor (B) is parallel with loving one’s neighbor (B’) – and both are commanded.



Leviticus 19

- “Repaying harm for harm and injury for injury in due measure... does not fulfill God’s intent for his covenant people. Not retribution but reproof fulfills the righteousness that God wills; not hate but love is the holiness that God desires.”
 - Darrin W. Snyder-Belousek (2012), p.408



Canonical Context

- Restorative justice for theft
 - Thieves return 2 – 5 times the value (Ex.22:1 – 14)
 - Even to descendants (Num.5:5 – 10)
 - King David said “four sheep” in place of “death” (2 Sam.12:6)
 - Zaccheus said “four times what I stole” (Lk.19:1 – 10)