

# Parashah Acharei Emor

## פרשה אמר

Shabbat Iyar 17, 5769, May 1, 2010

32:1-32:52 MATSATI.COM / Rightly Dividing The Word of G-d

<http://www.matsati.com> | [matsati@matsati.com](mailto:matsati@matsati.com)

### Does the Torah teach self mutilation as a form of restitution for sins against another person in the command “an eye for an eye?”

#### השבועות הזה קוראים / This Week's Reading

תורה: Leviticus 21:1-24:23

הפטרה: Ezekiel 44:15-44:31

הברית: 1 Peter 2:4-10

החדשה

The title for this week's portion “*Does the Torah teach self mutilation as a form of restitution for sins against another person in the command ‘and eye for an eye?’*” is a very important question. The importance of this question is related to how we view the Torah, more specifically the Tanach (Law, Prophets, and Writings, the Old Testament) today. After the death, burial, and bodily resurrection of Yeshua, the destruction of the second temple, and the separation of the ecclesia from the synagogue, the Torah was beginning to be viewed as cruel and harsh. In addition to this, it is believed that the works of Yeshua were significantly different than what had been taught in the Torah. In fact, the difficulties with this view have led to the development of Christian theology such as dispensationalism. Dispensationalism is the Christian Theological belief that there is a system of historical progression in the Bible, consisting of a series of stages in G-d's self-revelation and plan of salvation. To Protestants and other Conservative Christian groups, dispensationalism is a form of premillennialism which teaches biblical history, the present, and the future as a number of successive "economies" or "administrations", called "dispensations", each of which emphasizes the discontinuity of the covenants G-d made with His people. The problem with dispensationalism is the teaching of a discontinuity between the covenantal systems G-d has established. These supposed discontinuities are a result of a misunderstanding of the Torah and the covenantal systems which are perpetuated by a misunderstanding of commandments such as that of “an eye for an eye” found in this week's portion. In addition to this, the gospel texts show Yeshua commenting on this command whereas classical Christian commentary has viewed Yeshua's comments as a criticism of the “old” versus the “new” that he is establishing in his blood. This week I would like to discuss the command “an eye for an eye” and try to understand whether the Torah is really teaching self mutilation or mercy?

In our reading for this week we find the phrase עֵיִן תַּחַת עֵיִן meaning “an eye for an eye,” a literal translation means “eye under eye,” is a quotation found

three places in the Tanach (i) *Shmot / Exodus 21:22-25*, (ii) *Vayikra / Leviticus 24:19-21*, and (iii) *Devarim / Deuteronomy 19:21*. This mitzvah (command) appears to instruct the person who have injured the eye of another to give his/her own eye in compensation, but is that really what these scriptures are referring too? The principle behind this command according to *Vayikra / Leviticus 24:22* is for a person to provide equitable retribution for the offended party. The phrase “eye for an eye” was not about retaliation/vengeance but about mercy. In ancient times it was common that one’s punishment outweighed the crime. The modern day version of the “eye for an eye” it is ruled that a person must provide compensatory damages to someone he/she has injured. For example, if one injures someone’s eye, they must pay for the surgery necessary to fix/repair the eye. This is referred to in Latin as “lex talionis” which means the law of talion. The word talion means that the punishment is identical to the offense.

The Torah’s first mention of the phrase “eye for an eye” appears in *Shmot / Exodus 21:22-25*. The *Talmud Bavli in Bava Kamma 83b, 84a*, argues on how to interpret the Hebrew text in the Torah and decides that the biblical concept entails monetary compensation in tort cases. (i.e. a “tort” is law a wrongful act or an infringement of a right leading to legal liability.) The interpretation goes that an “eye for an eye” is not literally applicable to blind or eyeless offenders. Since the Torah requires that penalties be universally applicable (24:22) the phrase cannot be interpreted literally since a blind or eyeless offender cannot make restitution with his/her own eye; this rules out personal retribution, revenge, or retaliation. In fact, the Torah does not call for the maiming of an offender. The Talmud discusses the concept of justice as “measure for measure” ( מִיִּדָּה כִּנְגַד מִיִּדָּה ) in the context of divinely carried out justice. This suggests reciprocal justice is to be carried out by a court of law. In the Scriptures this would be the ruling body of priests, the Sanhedrin, the highest court of the ancient Jews during the Second Temple Period that ruled on administrative, judicial, and religious issues. Also note that the Torah indicates these punishments are meant to (i) remove dangerous elements from society (*Devarim / Deuteronomy 19:19 "...and you shall eliminate the evil from your midst..."*), (ii) deter potential criminals from violating the law (*Devarim / Deuteronomy 19:20 "And the rest shall hear and be daunted, and they shall no longer commit anything like this wicked deed in your midst"*), and (iii) serves to compensate the victim. Thus, the concept of vengeance for the sake of assuaging the distress of the victim is not the Torah’s idea of justice and not what was in mind for the command “an eye for an eye.” Victims are cautioned against hating or even bearing a grudge against those who have harmed them. In fact, the Torah explicitly states that we are to love our fellow man in *Vayikra / Leviticus 19:17-18*.

#### ***Vayikra / Leviticus 19:17-18***

*19:17 'You shall not hate your fellow countryman in your heart; you may surely reprove your neighbor, but shall not incur sin because of him.*

*19:18 'You shall not take vengeance, nor bear any grudge against the sons of your people, but you shall love your neighbor as yourself; I am the Lord. (NASB)*

90 Now, understanding the context of these verses on the phrase “an eye for an eye” from the Torah, we should next look at how Yeshua expounds upon the law on the Sermon on the Mount.

## ויקרא 24:10-23

10 וַיֵּצֵא בְּרֵאשִׁית יִשְׂרָאֵלִית וְהוּא בֶן-אִישׁ מִצְרַיִם בְּתוֹךְ  
 11 בְּנֵי יִשְׂרָאֵל וַיִּנְצֹוּ בְּמַחְנֶה בֶּן הַיִּשְׂרָאֵלִית וְאִישׁ  
 12 הַיִּשְׂרָאֵלִי: וַיִּקְבּוּ בְּרֵאשִׁית הַיִּשְׂרָאֵלִית אֶת-הַשֵּׁם  
 13 וַיִּקְלָל וַיִּבְיֹאוּ אֹתוֹ אֶל-מֹשֶׁה וְשֵׁם אִמּוֹ שְׁלֹמִית בַּת-  
 14 דִּבְרִי לְמַטֵּה-דָן: וַיִּנְחֲחוּ בְּמִשְׁמַר לְפָרֵשׁ לָדָם עַל-  
 15 פִּי יְהוָה:  
 16 וַיְדַבֵּר יְהוָה אֶל-מֹשֶׁה לֵאמֹר: הוֹצֵא אֶת-הַמְּקַלֵּל אֶל-  
 17 מַחוּץ לַמַּחֲנֶה וְסָמְכוּ כָּל-הַשְּׂמֵעִים אֶת-יְדֵיהֶם עַל-  
 18 רֹאשׁוֹ וְרָגְמוּ אֹתוֹ כָּל-הָעֵדָה: וְאֶל-בְּנֵי יִשְׂרָאֵל תְּדַבֵּר  
 19 לֵאמֹר אִישׁ אִישׁ כִּי-יִקְלָל אֱלֹהָיו וְנִשְׂא חַטָּאוֹ: וְנִקְבּוּ  
 20 שְׂמֵיהֶוָה מוֹת יוֹמָת רָגוֹם וְרָגְמוּ-בּוּ כָּל-הָעֵדָה כִּגְרֹ  
 21 כְּאֹזֶרֶחַ בְּנִקְבּוֹ שֵׁם יוֹמָת: וְאִישׁ כִּי יַכֶּה כָּל-נֶפֶשׁ אָדָם  
 22 מוֹת יוֹמָת: וּמַכֶּה נֶפֶשׁ-בְּהֵמָה יִשְׁלַמְנָה נֶפֶשׁ תַּחַת  
 23 נֶפֶשׁ: וְאִישׁ כִּי-יִתֵּן מוֹם בְּעַמִּיתוֹ כַּאֲשֶׁר עָשָׂה בֶּן יַעֲשֶׂה  
 24 לוֹ: שֹׁבֵר תַּחַת שֹׁבֵר עֵינַי תַּחַת עֵינַי שֵׁן תַּחַת שֵׁן כַּאֲשֶׁר  
 25 יִתֵּן מוֹם בְּאָדָם בֶּן יִנְתֵּן כּוֹ: וּמַכֶּה בְּהֵמָה יִשְׁלַמְנָה  
 26 וּמַכֶּה אָדָם יוֹמָת: מִשְׁפַּט אֶחָד יְהִי לָכֶם בְּגֵר כַּאֲזֶרֶחַ  
 27 יְהִי כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם: וַיְדַבֵּר מֹשֶׁה אֶל-בְּנֵי

One standard means that there is a consistent ruling and equality among the people. Justice, 24:22

One standard



95 I do not know whether you have thought about this before but the following verses are frequently interpreted as a Yeshua’s teaching criticism of the Torah and are often taken as implying that “an eye for an eye” encourages excessive vengeance rather than attempting to limit excessive vengeance.

### Matthew 5:38-48

5:38 ‘You have heard that it was said, ‘An eye for an eye, and a tooth for a tooth.’ 5:39 ‘But I say to you, do not resist an evil person; but whoever slaps you on your right cheek, turn the other to him also. 5:40 ‘If anyone wants to sue you and take your shirt, let him have your coat also. 5:41 ‘Whoever forces you to go one mile, go with him two. 5:42 ‘Give to him who asks of you, and do not turn away from him who wants to borrow from you. 5:43 ‘You have heard that it was said, ‘You shall love your neighbor and hate your enemy.’ 5:44 ‘But I say to you, love your enemies and pray for those who persecute you, 5:45 so that you may be sons of your Father who is in heaven; for He causes His sun to rise on the evil and the good, and sends rain on the righteous and the unrighteous. 5:46

**Vayikra / Leviticus 24:10-23**  
 24:10 Now the son of an Israelite woman, whose father was an Egyptian, went out among the sons of Israel; and the Israelite woman's son and a man of Israel struggled with each other in the camp. 24:11 The son of the Israelite woman blasphemed the Name and cursed. So they brought him to Moses. (Now his mother's name was Shelomith, the daughter of Dibri, of the tribe of Dan.) 24:12 They put him in custody so that the command of the Lord might be made clear to them. 24:13 Then the Lord spoke to Moses, saying, 24:14 ‘Bring the one who has cursed outside the camp, and let all who heard him lay their hands on his head; then let all the congregation stone him. 24:15 ‘You shall speak to the sons of Israel, saying, ‘If anyone curses his God, then he will bear his sin. 24:16 ‘Moreover, the one who blasphemes the name of the Lord shall surely be put to death; all the congregation shall certainly stone him. The alien as well as the native, when he blasphemes the Name, shall be put to death. 24:17 ‘If a man takes the life of any human being, he shall surely be put to death. 24:18 ‘The one who takes the life of an animal shall make it good, life for life. 24:19 ‘If a man injures his neighbor, just as he has done, so it shall be done to him: 24:20 fracture for fracture, eye for eye, tooth for tooth; just as he has injured a man, so it shall be inflicted on him. 24:21 ‘Thus the one who kills an animal shall make it good, but the one who kills a man shall be put to death. 24:22 ‘There shall be one standard for you; it shall be for the stranger as well as the native, for I am the Lord your God.’ 24:23 Then Moses spoke to the sons of Israel, and they brought the one who had cursed outside the camp and stoned him with stones. Thus the sons of Israel did, just as the Lord had commanded Moses. (NASB)

115 *'For if you love those who love you, what reward do you have? Do not even the tax collectors do the same? 5:47 'If you greet only your brothers, what more are you doing than others Do not even the Gentiles do the same? 5:48 'Therefore you are to be perfect, as your heavenly Father is perfect. (NASB)*

120 The interpretation of these verses on criticism and excessive vengeance goes as far back as St. Augustine (354-430 CE) in his book "*Contra Faustum Book XIX, Augustine of Hippo, NewAdvent.*" Augustine wrote that Yeshua is the fulfillment or destruction of the Hebrew law, the Torah.

125 Common sense says that the natural tendency of people is for revenge. I believe Yeshua understood this natural tendency and the meaning of the Torah command. According to the Torah, the "eye for eye" was to restrict compensation to the value of the loss and was not meant for excessive vengeance as it is commonly interpreted today. Notice Yeshua's use of the phrase in verses 130 *5:38-39*, he draws a parallel to resisting an evil person and the slapping of one's cheek. This falls into the context of legal penalties for public insult. It appears that Yeshua is teaching that dealing with public insult should not be done to seek monetary payment but rather to combat such insult with humility. To "resist an evil person," in this context must mean "one is not to retaliate with equivalent insults." Moreover, to "turn the other cheek" means to allow the insults and 135 additional insults to go unchallenged. One is not to take the insulter to court and demand payment, but through a humble and gracious spirit the one being insulted will be seen as righteous. Nothing illustrates this more than the example Yeshua himself gave.

140 ***1 Peter 2:21-23***  
*2:21 For you have been called for this purpose, since Christ also suffered for you, leaving you an example for you to follow in His steps, 2:22 who committed no sin, nor was any deceit found in His mouth; 2:23 and while being reviled, He did not revile in return; while suffering, He uttered no threats, but kept entrusting Himself to Him who judges righteously; 2:24 and He Himself bore our sins in His body on the cross, so that we might die to sin and live to righteousness; for by His wounds you were healed. (NASB)*

150 If we are to understand this correctly, the teaching of Yeshua was not being used to refer to the mitzvah on "an eye for an eye" as something that instructs us to cause someone bodily injury or perform self mutilation. He is dealing with rather the wounds of public defamation and teaches us that humility is the way of righteousness, not returning insult for insult. Allowing G-d to deal with the one who has tried to inflict public insult is certainly the more righteous way. 155

It also should be noted that the biblical and extra-biblical texts (the rabbinic literature) do not support the idea that the command "an eye for an eye" is a literal command to gouge out ones eye or tooth, hand or foot as a result of injury to another person. I believe this is a central text for our consideration in the

160 study of a believer's relationship to the Torah with regards to our understanding  
what is being taught by Yeshua. The scriptures state that G-d will write his laws  
upon our hearts (See *Jeremiah 31:33* and *2 Corinthians 3*). The internalization of  
165 the Torah as promised by the prophets and the Ketuvei Shelachim (Apostolic  
Writings) is part of the way in which the Ruach HaKodesh (the Holy Spirit)  
works in our lives to convict us of sin. The contrast between the Tanach and the  
ministry of Yeshua which was made popular by certain segments of Christianity  
(i.e. the theology of dispensationalism) as being one of external verses internal is  
170 artificial and biblically unsubstantiated. There is every indication in the Tanach  
and in the Ketuvei Shelachim that the faithful did indeed internalize the Torah and  
that it was written in their hearts. The same for us today by the power of the  
Ruach HaKodesh (the Holy Spirit) G-d writes his law upon our hearts and to help  
keep us from sin. Yeshua did not stand in opposition to the Torah as is suggested  
by certain tenants of the Christian faith, rather he taught that humility and mercy  
is the way of righteousness before a Holy G-d.

175 I hope that the study this week may be of some value to you, the reader,  
and that it might open to you a renewed sense of the value which is yours in the  
Torah which G-d has so graciously given. This is by far not an exhaustive study,  
there have been many other authors who have done much more work but we need  
180 to be careful to discern the good from the bad. Also realize that no study has the  
final word on the interpretation of the scriptures rather taking a humble approach  
is the best even in the studying of the scriptures. I want you to take away this  
week from this study that one's interpretation of the statement of Yeshua hinges  
on how one understands of the key terms in question, such as "an eye for an eye."  
185 In order to emphasize the essential spiritual reality of the command "an eye for an  
eye," Yeshua taught that true righteousness is one of humility and not that of  
vengeance and retribution. We need to guard ourselves from assuming too much  
about the Scriptures while reading and studying the bible. Yeshua taught,  
"Blessed are the merciful, for they will receive mercy." G-d's love and kindness  
190 fill the earth but not everyone sees His love in the Torah. Yeshua said the  
merciful will receive mercy; it is G-d's mercy that teaches us to be merciful  
ourselves. If we refuse to listen to G-d, He will not be pleased with us. Can you  
see how "an eye for an eye" is a very merciful command?

195

200

### **Be Blessed in Yeshua our Messiah!**

\*\*\*\*\*

הללויה לאדוננו מורנו ורבינו ישוע מלך המשיח לעולם ועד:  
Hallelujah for our Lord, our Teacher, our Rabbi,  
"Yeshua" King Messiah forever and ever

205