

Proportionality, Equality, and Judicial Integrity: Reinterpreting Lex Talionis in Pentateuchal Narratives

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ABSTRACT

The principle of lex talionis, often summed up as “eye for an eye” and “tooth for a tooth,” has been widely seen as a biblical endorsement of retaliation. However, this study re-examines the principle within its legal context in the Pentateuch, focusing on Exodus 21:23-25, Leviticus 24:17-22, and Deuteronomy 19:16-21. Employing a comparative exegetical approach, the paper examined the literary, legal, lexical, and theological aspects of these texts to ascertain how lex talionis functions in various legal frameworks. Findings revealed that this principle does not operate as absolute authorisation for personal vengeance. Rather, Exodus 21:23-25 governs bodily retaliation through proportionality; Leviticus 24:17-22 places reciprocal justice within the realm of community equality, fairness, and a shared legal standard; and Deuteronomy 19:16-21 applies this idea of correspondence to malicious testimony, protecting judicial integrity and ensuring accountability. The paper concluded that these differences mark a significant evolution in Pentateuchal law, where the concept of reciprocity is increasingly shaped by proportionality, equality, institutional authority, due process, and deterrence. Lex talionis therefore emerges not just as a principle of retaliation but as an instrument of regulated justice aimed at curbing excess, protecting individuals, maintaining community order, and upholding the integrity of legal institutions.

KEYWORDS: Lex talionis, Proportionality, equality, judicial integrity, Pentateuch

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1. INTRODUCTION

The expression lex talionis refers to the principle of reciprocal justice, famously captured in the biblical phrases “life for life,” “eye for eye,” and “tooth for tooth.” These phrases are often interpreted as clear calls for retaliation, overlooking their deeper legal, literary, and procedural backgrounds. In the Pentateuch, the talionic principle appears in three main legal contexts: bodily injury in Exodus 21:23-25, bodily injury alongside equal legal treatment in Leviticus 24:17-22, and false testimony in Deuteronomy 19:16-21. Although these passages all reflect the idea of reciprocal justice, each one addresses a different legal issue.

In Exodus 21:23-25, lex talionis is embedded within the Covenant Code, specifically regarding bodily injury. The Hebrew word תַּחַת (taḥat), which translates as “for,” “in place of,” or “instead of,” links the injury inflicted to the legal consequences that follow. This raises an important question: does the principle of talion allow for unlimited retaliation, or does it set a proportional legal standard to prevent excessive responses? The surrounding legal context, along with broader discussions about injury, liability, and compensation, leans towards the latter interpretation (Frymer-Kensky, 1980; Wright, 2009). Leviticus 24:17-22 explores the idea of communal justice in a deeper way. The phrase “as he has done, so shall it be done to him” creates a clear connection between the wrongdoing and its consequences. Additionally, the mention of מִשְׁפָּט אֶחָד (one legal standard) for both the native-born and the resident alien emphasises the importance of consistent legal treatment for everyone. Thus, while reciprocity is central, the Levitical approach highlights equality and fairness in how justice is applied (Hartley, 1992; Levine, 1989; Milgrom, 2000).

Deuteronomy 19:16-21 takes the idea of reciprocity further into the judicial sphere by addressing false testimony. Unlike the earlier passages, this one deals with an attempt to manipulate legal proceedings against another. Judges are instructed to “inquire diligently” before making a decision, and only if the testimony is proven false does the witness face the same consequences they intended for the accused: וַעֲשִׂיתָם לוֹ כַּאֲשֶׁר זָמַם לַעֲשׂוֹת לְאָחִיו (you shall do to him as he intended to do to his brother). Reciprocity serves as a way to ensure judicial accountability, connecting punishment to both the intended injury and the integrity of the legal process (Craigie, 1976; Tigay, 1996; Christensen, 2001).

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Recent scholarship has sparked renewed attention to the legal and comparative aspects of lex talionis. Frymer-Kensky (1980) views talionic justice as a form of equal retribution, while Wright (2009) addresses how it functions within the legal traditions found in Exodus 21. The comparative study of Darabi (2025) is particularly significant, as it explores the three instances of the talionic formula across the Pentateuch. These works lay a crucial foundation for rethinking lex talionis beyond the typical idea of personal revenge. This study builds on that foundation by synthesising the unique legal roles of the three passages instead of simply treating them as repetitive expressions of the same principle.

This study therefore posits that the way lex talionis is presented in the Pentateuch is best understood as a form of regulated justice. In Exodus, the concept of reciprocity mainly serves to ensure proportionality and curb excessive reactions to harm; in Leviticus, it emphasises equality and the consistent application of legal standards; and in Deuteronomy, it functions within judicial processes aimed at revealing false testimony and holding wrongdoers accountable. This progression can be seen as a journey through proportionality, equality, and judicial integrity. Importantly, this approach does not impose modern legal ideas onto ancient Israelite law but instead seeks to uncover the legal reasoning inherent in the texts themselves.

This study comparatively examines the legal and theological functions of lex talionis in Exodus 21:23-25, Leviticus 24:17-22, and Deuteronomy 19:16-21, with particular attention to the Hebrew formulation, the literary and historical backgrounds, and the legal implications of these texts. The study therefore employed qualitative methods such as textual, lexical, historical, literary, and comparative analysis; the study revealed that the principle of retaliation is not a license for retaliation. Instead, it showed that within these legal frameworks, there is a well-structured idea of justice that emphasises the appropriate response, the uniformity of legal application, and the importance of maintaining integrity in judicial processes.

2. PROPORTIONALITY, EQUALITY, AND JUDICIAL INTEGRITY

The Pentateuchal expressions of lex talionis in Exodus 21:23-25, Leviticus 24:17-22, and Deuteronomy 19:16-21 are explored within their unique literary and legal frameworks. This analysis examines their literary and legal contexts, the meanings derived from exegesis, the Hebrew language used, and concepts like proportionality, reciprocity, equality, impartiality, judicial integrity, accountability, evidentiary processes, and the broader Ancient Near Eastern legal landscape. In Exodus, the focus is on proportionality and controlled retaliation; Leviticus broadens this to include equality and shared legal standards, while Deuteronomy emphasises issues like false testimony, judicial accountability, thorough investigation, and deterrence. Collectively, these passages show a development from proportionality to equality and ultimately to judicial integrity, framing lex talionis as regulated justice rather than mere personal revenge.

2.1 Exodus 21:23-25: Proportionality and Regulated Retaliation

Exodus 21:23-25 should be interpreted in the literary and legal context of the Covenant Code, especially within the context of Exodus 21-23, following the Decalogue (Exod. 20) and introducing the mishpatim (judicial ordinances) that regulate social relations, personal injury, homicide, servitude, property, and liability. These laws are mainly casuistic, where specific situations are mentioned with accompanying legal consequences. Exodus 21:23-25, therefore, is not just a maxim but is part of a larger set of laws governing injury and accountability (Jackson, 2006; Wright, 2009).

The immediate context is Exodus 21:22, where two men are fighting and, in the process, hit a pregnant woman. If there is no serious injury, the responsible party is required to pay a fine set by the husband in the presence of the judges; but if there is serious injury, the law decrees, “then you shall give life for life” (Exod. 21:23). The talionic principle (verse 23-25) therefore must be interpreted in light of this distinction between minor and serious injuries. This means that talion is a graduated legal system, in which the consequences are proportional to the injury, not the same for everyone. Wright (2009) regards Exodus 21:12-27 as a unified legal block dealing with issues of homicide, assault, miscarriage, talion, and injuries to slaves.

One major interpretive problem is the Hebrew verb אָסֹן (āsôn) in Exodus 21:22-23, which can mean serious harm or fatal injury. Its meaning influences the progression from monetary compensation in verse 22 to the talionic formula in verse 23 and has led to scholarly debate of the nature of the injury envisioned and its legal consequences (Jackson, 1973; Isser, 1990; Westbrook, 1986). This legal system is elaborated on in Exodus 21:26-27, where a master causes the loss of a male or female slave’s eye or tooth, the injured slave is to be released. The juxtaposition of this provision with 23-25 clarifies that the Covenant Code has a different approach to bodily harm than the talion, bolstering the understanding that talion operates within a system of judicial regulation (Jackson, 2006).

Thus, the literary context of Exodus 21 cautions against the interpretation of “eye-for-eye” as an expression of unrestricted retaliation. The provision is rather situated within a larger legal framework that governs liability and imparts proportional consequences to injury. Therefore, it is necessary to first consider its immediate literary and legal context to have a better understanding of talion as a principle of proportional response and not as unlimited personal vengeance.

2.1.2 Exegetical Analysis of Exodus 21:23-25

וְאִם-אָסֹן יִהְיֶה וְנָתַתָּה גֹּפֶת חַיִּיתָ לְגֹפֶת תַּחַת גֹּפֶת:

If any harm follows, then you shall give life for life,

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עַיִן תַּחַת עֵינֹן שֵׁן תַּחַת שֵׁן יָד תַּחַת יָד רֶגֶל תַּחַת רֶגֶל:

eye for eye, tooth for tooth, hand for hand, foot for foot,

כֹּהֵה תַחַת כֹּהֵה פָּצַע תַּחַת פָּצַע חַבּוּרָה תַּחַת חַבּוּרָה:

burn for burn, wound for wound, stripe for stripe.

The Hebrew text starts with וְאִם־אֲסֹן יִהְיֶה, which is conventionally translated as “If any harm follows.” This conditional phrase connects the talionic rule directly to the preceding case. Essentially, the law establishes a distinction between an injury that does not lead to the serious consequences specified and one that does. Understanding this grammatical and contextual connection is crucial since it shows that the principle of talion is activated by a certain level of harm, rather than being applied indiscriminately.

The phrase נָפֶשׁ תַּחַת נָפֶשׁ (life for life) introduces the principle of correspondence. The preposition תַּחַת (under, in place of, or instead of) is key to the talionic construction, as it conveys the idea of substitution or equivalence. The formula then unfolds through a series of bodily correspondences: עַיִן תַּחַת עֵינֹן (eye for eye), שֵׁן תַּחַת שֵׁן (tooth for tooth), יָד תַּחַת יָד (hand for hand), and רֶגֶל תַּחַת רֶגֶל (foot for foot). Verse 25 even extends this pattern to include burning, wounds, and stripes. The repetitive syntax creates a clear legal correspondence between the harm experienced and the punishment prescribed.

The law does not merely demand in general terms that offenders must be punished; it also specifies clearly how punishment is to be measured and assessed. In his comprehensive study of Exodus 21:22-25, Westbrook (1986) analyses this lex talionis provision within the broader framework of ancient Near Eastern legal tradition, while also closely interpreting it in line with the specific legal problem the text was originally intended to resolve. His research specifically emphasises that this set of rules must be analysed within its original legal context and must not be mistakenly taken as a decontextualised, general principle of retaliation.

2.1.3 Lex Talionis, Proportionality, and Juridical Significance in Exodus 21:23-25

The formula “life for life, eye for eye, tooth for tooth” as articulated in Exodus 21:23-25 is often interpreted as literal physical retaliation. Its literary, legal, and comparative contexts, however, indicate that it is a rule of equivalence and proportionality; the legal consequences are commensurate with the severity of the injury. The frequent correspondence between life, eye, tooth, hand, and foot establishes an objective relationship between offence and consequence, rather than punishment based on personal anger or vengeance. This correspondence also restricts retaliatory violence. Genesis 4:23-24 illustrates how revenge can escalate through Lamech’s seventy-sevenfold retaliation. Against this, talion sets a legal limit: punishment must neither exceed nor fall below the injury. Fish (2008) therefore interprets lex talionis as a primitive code of restraint and proportionality rather than as a call for “retaliation in kind.”

The formula also transfers the decision of punishment from the victim to a judicial system. The second reference to the payment (Exodus 21:22) is in the presence of the judges, suggesting that responsibility and compensation were determined by legal process, not personal choice. Therefore, “life for life” should not be interpreted as meaning that the punishment for any crime is to be instant or final, but as the principle of equivalence between the injury and its equivalent punishment. Different responses across the text are indicative of the different legal reactions to the injury, depending on its kind and magnitude.

This is evident in the difference between Exodus 21:22 and 21:23-25. If there is no serious injury, monetary compensation must be given, and if there is a serious injury, the talionic formula applies. Based on this, Wright (2009) considers the passage of Exodus 21:12-27 to be a single legal unit that addresses issues of homicide, assault, miscarriage, injury, liability, and talion. Similarly, Exodus 21:26-27 offers freedom in the case of a master who injures a slave's eye or tooth, thus evincing that the Covenant Code does not apply the same standard of literal eye for an eye or tooth for a tooth, but instead employs different remedies for different injuries (Jackson, 2006; Wright, 2009).

This is further reinforced by the comparative context. Westbrook (1988) emphasises the significance of comparing the biblical law with the ancient Near Eastern and cuneiform law, and Wright (2009) contends that the Covenant Code interacted with and adapted earlier laws, such as the Code of Hammurabi. Talion has its roots in the ancient Near Eastern legal culture, but the significance of Exodus lies in the special way in which talion is incorporated into Israel's law.

Thus, lex talionis in Exodus 21:23-25 is best interpreted as a kind of proportional justice in the context of a legal system. It sets up a measurable relationship between offence and punishment, lessens excessive punishment, diminishes arbitrary judgement, and brings uniformity in judicial decisions. Its function is therefore not to authorise personal retaliation, which may be severe, but to give revenge in a regulated judicial way. However, the text is not to be treated as a modern theory of proportional punishment, but as a law of ancient times, which deals with injury, status, liability, and proper remedies. While preserving the passage in its ancient historical and legal context, Fish (2008) focuses on restraint and proportionality, offering a conceptual bridge to contemporary discussions.

It is therefore legitimate to consider Proportionality as the main juridical role of talion in Exodus 21:23-25. The formula represents a standard of equivalence which allows punishment to be measured against injury, while the surrounding provisions show that there are different ways of responding to offences depending on the situation and its severity (Jackson, 2006; Wright, 2009). Based on this understanding, the subsequent examination of lex talionis in Leviticus 24:19-20 presents the concept in a wider communal and legal framework where equality, fairness, and reciprocal justice are the issues.

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2.2 Leviticus 24:17-22: Equality, Impartiality and Common Legal Standards

Leviticus 24:19-20 is part of a larger literary section of verses 10 -23. This section transitions from discussing the lampstand and the bread of the Presence (verses 1-9) to a troubling incident involving a man of mixed Israelite and Egyptian heritage who blasphemes the divine Name. His actions lead Moses to seek guidance from God, which then introduces laws related to homicide, bodily injury, property damage, and the principle of equal legal treatment. All these are rooted in the concept of lex talionis within a broader narrative-legal context (Hartley, 1992; Levine, 1989; Milgrom, 2008).

The legal framework begins with the prohibition of homicide (verse 17), differentiates human life from animal life with a focus on restitution (verse 18), and addresses bodily injury (verses 19-20) through the idea of equivalent retribution: “fracture for fracture, eye for eye, tooth for tooth.” Verse 21 reiterates the distinction between humans and animals, while verse 22 emphasises equal legal treatment: “You shall have one law for the stranger and for the native born.” This structure moves from the sanctity of life to bodily injury and ultimately leads to the fair application of the law. So, lex talionis is not an isolated principle but forms part of a broader legal system that governs life, injury, punishment, and justice (Hartley, 1992; Levine, 1989; Milgrom, 2008).

The blasphemy narrative also highlights that serious offences were dealt with through community judgment rather than personal revenge. Once the offender is apprehended, Moses receives divine guidance on how to punish him, and the blasphemer is taken outside the camp to be executed by the community (verses 10-16, 23). This shows that punishment is framed as a formal judicial process, not an act of individual retribution. Scholars differ on whether the blasphemy story and the laws of retaliation are separate elements or part of a unified literary structure; Kim (2026) points out the complex organisation of verses 10-23, connecting homicide, retribution, and equal legal treatment to a broader theological emphasis on communal justice.

Verse 22 is particularly important: “You shall have one law for the stranger and for the native, for I am the Lord your God.” The Hebrew phrase מִשְׁפַּט אֶחָד (mišpāt ’eḥād), meaning “one judgment” or “one legal standard”, reinforces the idea of consistency in how laws are applied. This means that the laws concerning injury mentioned in verses 19-20 are relevant to everyone, no matter their background or where they live. In this way, Leviticus 24 places the concept of lex talionis within a larger context of judicial fairness, highlighting that it is not just about punishment but also about the authority, fairness, and balance that guide its enforcement. Equality, impartiality, proportionality, and regulated justice are key aspects of the talionic principle found in Leviticus 24.

2.2.1 Exegetical Analysis of Leviticus 24:19-20

The original Hebrew starts with וְאִישׁ כִּי־יִתֵּן מִוֶּמֶת בְּעַמִּיתוֹ, which translates to “and a man, when he gives a blemish to his neighbour.” The word מִוֶּמֶת refers to a blemish, defect, or physical injury and can indicate a physical flaw or harm, making it particularly relevant in a legal context focused on bodily injury. The term בְּעַמִּיתוֹ, meaning “his fellow” or “his neighbour,” places the injury within the realm of personal relationships, highlighting its social implications within the community.

The following clause, כַּאֲשֶׁר עָשָׂה כֵן יַעֲשֶׂה לוֹ (as he has done, so shall it be done to him). This phrase is important because it emphasises the idea of reciprocity before the specific examples mentioned in verse 20. The legal principle is laid out in broad terms before it applies to specific types of bodily injury.

Verse 20 then outlines three specific correspondences: שִׁבְרָה תַחַת שִׁבְרָה (fracture for fracture); עֵינַיִם תַּחַת עֵינַיִם (eye for eye); and שֵׁן תַּחַת שֵׁן (tooth for tooth). The repeated use of תַּחַת, meaning “in place of,” “for,” or “corresponding to,” establishes a clear relationship between the injury experienced and the punishment that follows. The passage concludes by reiterating the principle: כַּאֲשֶׁר יִתֵּן מִוֶּמֶת בְּאָדָם כֵּן יִתֵּן בּוֹ (as he has inflicted an injury on a person, so shall it be inflicted on him). The repetition is legally significant.

The text starts and ends with a statement of correspondence and puts the specific talionic formula between the two statements. This principle of “correspondence of the damage to the law” is emphasised in this structure. What is the concern, therefore, is not just punishment, but measured reciprocity.

The word *taḥat* has received considerable attention in the discussions on biblical talion. It has a basic semantic spectrum of substitution and correspondence, and with repeated usage in talionic statements, it conveys the connection between the injury and the legal consequence. The formula thus offers a linguistic tool for the expression of equivalence. The exact nature of the injury implemented, whether it was a literal bodily injury or another legal remedy which could be satisfied, remains a subject of scholarly debate. Leviticus 24:19-20, however, is very clear in stating that the punishment is ‘according’ to the injury.

The passage should be read with verse 18, which says the principle נֶפֶשׁ תַּחַת נֶפֶשׁ (life for life) when speaking of killing an animal and restitution. Verses 17-21 are then a hierarchy of legal consequences. The death penalty for human homicide (v. 17), restitution for destruction of an animal (v. 18), talionic correspondence for bodily injury (vv.19-20), and in verse 21, there is a difference between man and animal. It is shown that the law distinguishes between different types of responses based upon the offence type and its severity. The legal unit therefore establishes correspondence in several ways. Restitution's value is on an animal, the death penalty protects human life in the case of homicide, and reciprocal injury protects bodily integrity. The rationale behind each of the provisions is that the legal penalty should be commensurate with the crime. The talionic formula in turn is part of a broader figuration of measured justice.

Recent scholarship reinforces the literary reading. Kim (2026) maintains that the unique integration of narrative and legal elements in Leviticus 24 and the interpretation of its talionic laws in the context of the literary structure of the chapter. She further maintains that Leviticus 24 is significant for the understanding of the talionic principle in a theological and communal context.

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The exegetical argument, therefore, indicates that the passage in Leviticus 24:19-20 is not just a repetition of Exodus 21:23-25. Although the wording in Leviticus is similar, the language for each of these formulations is set in a different literary and legal context. The formulation of the reciprocity principle, the specificity of the injury clause, and the final principle of **מִשְׁפַּט אֶחָד יְהִיָּה לָכֶם** (one law for resident alien and native born) give this provision a distinct focus on uniformity of treatment.

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2.2.2 Reciprocity, Proportionality, Equality, Impartiality and Juridical Significance of Lex Talionis in Leviticus 24:19-22

Leviticus 24:19-22 introduces the concept of lex talionis through a series of structured phrases: **שָׁבֵר תַּחַת שָׁבֵר** (fracture for fracture), **עֵין תַּחַת עֵין** (eye for eye), and **שֵׁן תַּחַת שֵׁן** (tooth for tooth). The repetition of the term **תַּחַת** (taḥat), which translates to “in place of,” “for,” or “in exchange for,” highlights the connection between the harm experienced or caused and the legally mandated response. This framework emphasises reciprocity and proportionality, steering clear of unchecked revenge (Hartley, 1992; Wenham, 1979). It is crucial to differentiate between injury and punishment: the term **מִום** (blemish, defect, or injury) refers to the actual injury, while **תַּחַת** (taḥat) defines the legal connection between the injury and its proportionate consequence. Likewise, **שָׁבֵר** (fracture) clarifies the type of injury, which helps to limit the legal response and avoid excessive or arbitrary penalties (Levine, 1989; Milgrom, 2000; Rooker, 2000). The word **עֲמִית** (fellow, neighbor, or kinsman) places this regulation within the context of interpersonal and community responsibility, aligning with Leviticus 19:15-18, which calls for fair justice and denounces favouritism, hatred, and exploitation (Levine, 1989; Milgrom, 2000).

Leviticus 24:22 extends the principle of proportionality in punishment to ensure equality in the administration of justice. This verse makes it clear that there is one law for both the native-born (**לְאֻזְרָה**) and the resident alien (**לְגֵר**), meaning that the legal response to harm should not change based on someone’s ethnicity or social standing. The phrase **מִשְׁפַּט אֶחָד** (mišpāt ’eḥād), which translates to “one judgment” or “one legal standard,” highlights the importance of consistency and fairness in applying the law (Hartley, 1992; Wenham, 1979; Levine, 1989; Milgrom, 2000). While proportionality helps determine the appropriate legal consequences based on the injury, equality and impartiality ensure that this standard is applied uniformly to everyone. This principle aligns with Leviticus 19:15 and the broader teachings in the Pentateuch, which emphasise that there should be one law for both Israelites and resident aliens, as emphasised in Exodus 12:49 and Numbers 15:15-16.

The legal significance of Leviticus 24:19-20 lies in its ability to turn personal injury into a matter that is governed by an objective legal system. The injured party does not have the unchecked power to decide the punishment; instead, the law creates a balanced relationship between the wrongful act and the legal consequences (Hartley, 1992; Rooker, 2000). The repeated use of **תַּחַת** (taḥat) signifies equivalence or correspondence, while **מִום** (mûm) points to the specific injury that needs legal attention. Thus, the principle of lex talionis serves to limit rather than encourage retaliation: the legal consequence must be commensurate with the injury and cannot exceed it, protecting both the victim and the wrongdoer through a fair standard of proportionality (Wenham, 1979; Milgrom, 2000). Its legal role is not just to replicate the injury but to regulate the punishment that follows.

The legal logic in this passage can be summarised into three essential Hebrew concepts: **מִום** (mûm), which points out the injury; **תַּחַת** (taḥat), which connects the injury to its legal consequences; and **מִשְׁפַּט אֶחָד** (mišpāt ’eḥād), which sets a common legal standard. These concepts collectively form a framework where injuries are recognised, punishments are fairly regulated, retaliation is kept in check, and justice is served equally and without bias. In Leviticus 24:19-22, lex talionis is presented as a well-structured principle of reciprocal and proportional justice, grounded in fairness, consistency, and a sense of community responsibility, rather than personal revenge. This sets the stage for Deuteronomy 19:16-21, where the focus on a regulated legal response broadens from physical harm and punishment to include issues like false testimony, the integrity of the judiciary, and accountability in the legal process.

3.3 Deuteronomy 19:16-21: Judicial Integrity and Accountability

Deuteronomy 19:16-21 is part of the legal corpus found in Deuteronomy 16:18-21:23, which lays out the principles and institutions for justice in Israel. This chapter deals with various issues related to maintaining social order, such as setting up cities of refuge (Deut. 19:1-13), forbidding the alteration of a neighbour’s boundary marker (v. 14), and regulating how testimony is handled in court (vv. 15-21). The inclusion of the false-witness laws in this broader context is crucial because it highlights that Deuteronomic justice is not just about punishing wrongdoers; it is concerned with protecting the integrity of the judicial system. McConville (2002) views Deuteronomy as offering a holistic vision of social and political life under divine guidance, while Levinson (1997) emphasises how it uniquely reshapes earlier legal traditions to adapt to evolving social and institutional realities.

The immediate context starts in verse 15, which states that a charge must be supported by the testimony of two or three witnesses. This rule serves as a vital safeguard against wrongful convictions. Verses 16-21 then address the possibility that a witness may intentionally make a malicious accusation against another individual. Both the accused and the witness are required to present themselves before the judicial authorities, where judges must thoroughly investigate the matter. If the testimony is found to be false,

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the witness faces the same punishment they intended for the accused. Hence, the talionic principle in Deuteronomy is clearly situated within a judicial process rather than in private retaliation.

This context is significant in interpreting Deuteronomy 19:21, which concludes with the familiar formula, “life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.” This expression cannot therefore be taken in isolation from the preceding regulation. The idea of reciprocal justice in Deuteronomy is applied specifically to the issue of false testimony and the serious consequences for an innocent person. As Frymer-Kensky (1980) posits, this talionic principle creates a direct relationship between the crime committed and the punishment received.

Moreover, the Deuteronomic formulation also reflects the concern of the book of Deuteronomy for judicial responsibility. In Deut. 16:18-20, Judges are consistently reminded not to pervert justice, avoid favouritism, and reject bribes. Consequently, false testimony is not just a personal moral failure; it endangers the integrity of the judicial system and the stability of the covenant community. This law places a shared responsibility on both witnesses and judges to ensure that justice is rooted in honest testimony and careful examination.

3.3.1 Exegetical Analysis of Deuteronomy 19:16-21

Deuteronomy 19:16 introduces the biblical concept of *חָמָס* (malicious witness). The term *חָמָס* (*hāmās*) itself signifies violence, injustice, or actions that violate the right of another person. In this legal context, it highlights testimony that aims to inflict wrongful harm on the accused, rather than simply being an innocent error in reporting (Brown et al., 1907; Koehler et al., 1994–2000). Additionally, the witness is said to testify about *סָרָא* (*sārâ*), a word linked to rebellion or significant deviation from the established order. Thus, this verse illustrates false testimony as a serious judicial offence that can undermine the integrity of justice (Craigie, 1976; Tigay, 1996).

Moving on to verse 17, both parties are instructed to stand *לִפְנֵי יְהוָה* (before Yahweh), specifically in front of the priests and judges. This phrase emphasises that judicial proceedings are conducted under divine authority. The priests and judges serve as the recognised institutions responsible for delivering judgment, so appearing before them is akin to standing before Yahweh in a legal context (Craigie, 1976; Tigay, 1996). Consequently, justice is framed not just as a human duty but as a sacred obligation carried out under divine supervision.

In Verse 18, judicial integrity is captured in the phrase *וְהַשְׁפִּטִּים הַיָּטִב*, which translates to “the judges shall investigate thoroughly.” The verb *דָּרַשׁ* (*dāraš*) can mean ‘seek,’ ‘inquire,’ ‘investigate,’ or ‘examine,’ while *הַיָּטִב* (*hētēb*) adds an extra layer of meaning, suggesting a careful or thorough investigation (Brown et al., 1907; Koehler et al., 1994–2000). This highlights the necessity for the judicial process to differentiate between genuine testimony and falsehood before any punishment is handed down. Scholars such as Craigie (1976) and Tigay (1996) stress the significance of meticulous judicial examination in this context, and Eze (2023) also posit that diligent examination is a key principle in Deuteronomy 19:15-21.

In verse 19, when an accusation is found to be false, the judges are instructed to act *כַּאֲשֶׁר זָמַם לַעֲשׂוֹת לְאָחִיו*, meaning “as he intended to do to his brother.” The verb *זָמַם* (*zāmam*) refers to devising, planning, or plotting, particularly when wrongful intentions are at play (Brown et al., 1907; Koehler et al., 1994–2000). This underscores the deliberate intention of the witness to inflict judicial injury on another. The false witness faces the very consequences they sought to impose on the accused, illustrating the principle of reciprocal or proportionate justice (Craigie, 1976; Tigay, 1996). The verse wraps up with *וּבְעֶרְתָּ הָרָע מִקִּרְבְּךָ* translated to mean “you shall purge the evil from your midst”

In Verse 20, the punishment serves a clear communal and deterrent purpose: *וַיִּשְׁמְעוּ וַיִּירָאוּ*, translated as “they shall hear and fear.” The idea is that the community should take note of the judgment and think twice before committing the same offence again. So, punishment is not about retribution; it also plays a crucial role in maintaining the integrity of the judicial system. Eze (2023) notes that the consequences for false witnesses act as a strong warning against attempts to undermine justice, highlighting how relevant this passage remains for societies confronting failures of judicial integrity.

Verse 21 concludes with the talionic formula: *לֹא תַחֲסֹם עֵינְךָ* meaning “your eye shall not pity,” followed by the phrases *חַיֵּי בְנִיָּשׁ* (life for life), *עֵיִן בְּעֵיִן* (eye for eye), *שֵׁן בְּשֵׁן* (tooth for tooth), *יָד בְּיָד* (hand for hand), and *רֶגֶל בְּרֶגֶל* (foot for foot). The verb *חָסָם* (*hūs*) suggests the idea of pity, sparing, or compassion; its prohibition emphasises that judicial decisions must remain free from any bias or favouritism (Brown et al., 1907; Koehler et al., 1994–2000). The talionic formula illustrates a proportional relationship between the offence and the punishment. Craigie (1976) views this formula through the lens of balanced justice, while DaDon (2012) proposes that these talionic expressions should be interpreted as a form of compensation rather than a call for literal retaliation. DaDon (2012) argues that it should be framed as a scholarly viewpoint rather than a universally accepted idea.

Deuteronomy 19:16-21 as a whole lay out a well-structured judicial process: it starts with malicious testimony, followed by a thorough investigation, then moves to establishing deliberate wrongdoing, which leads to reciprocal punishment, communal deterrence, and ultimately, proportionate justice. This passage applies the principle of *lex talionis* specifically to the corruption of judicial proceedings. While Exodus 21:23-25 and Leviticus 24:19-20 mainly focus on bodily injury, Deuteronomy 19:16-21 extends the idea of reciprocal justice to the harm caused by false testimony in the legal system. This text clearly shows that manipulating the legal process is a serious crime that demands investigation, institutional judgment, a proportionate response, and protection for the community (Craigie, 1976; DaDon, 2012; Eze, 2023; Tigay, 1996).

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3.3.2 False Witnesses, Judicial Integrity and the Juridical Significance of Lex Talionis in Deuteronomy 19:16-21

Deuteronomy 19:16-21 highlights the threat that false testimony poses to the integrity of the judicial system. Malicious accusations can easily turn the process of justice into an instrument of injustice. To address this, the text requires the presence of two or three witnesses (v. 15) as a safeguard for evidence, and it instructs judges to “inquire diligently” (v. 18), ensuring that thorough investigations take place before any judgment is made. Both the accused and the accuser must stand before the judicial authorities, and punishment is only meted out when the testimony is proven to be false (vv. 17-19). This focus on evidence, investigation, and fair adjudication underscores that justice cannot be based solely on accusations (Craigie, 1976; Tigay, 1996; Christensen, 2001).

When false testimony is confirmed, the witness faces the very consequences they intended for the accused: “... as he had meant to do to his brother...” (v. 19). This passage applies the principle of lex talionis to judicial misconduct, extending beyond mere lying. Frymer-Kensky (1980) argues that the broader talionic principle involves equal retribution, where the punishment corresponds to the crime, while Craigie (1976) interprets talionic justice through the lens of proportionality. Thus, in Deuteronomy 19, reciprocal punishment addresses the intended legal harm: a witness who aims to impose an unjust penalty on another becomes liable for the consequences they sought to inflict. Importantly, this reciprocity is institutional rather than personal, as the case is handled by recognised judicial authorities rather than being left to individual revenge (Tigay, 1996; Levinson, 1997).

The command that “your eye shall not pity” (v. 21) should be viewed within the context of the judicial system. It does not sanction arbitrary cruelty; rather, it ensures that personal feelings do not compromise established judgment through evidence and thorough investigation. This provision guards against severity and undue leniency. Additionally, the punishment serves a preventive purpose: “the rest shall hear and fear” (v. 20), deterring others from similar judicial manipulation. Thus, the law not only protects the individual victim but also upholds the integrity of the community (Christensen, 2001; McConville, 2002).

The legal significance of Deuteronomy 19:16-21, therefore, lies in its establishment of reciprocal justice. Lex talionis is applied through evidence, investigation, fair adjudication, appropriate punishment, and accountability, rather than through personal vengeance. Deuteronomy builds on the broader themes found in the Pentateuch: Exodus 21:23-25 highlights the need for proportionality in cases of bodily injury; Leviticus 24:19-22 stresses the importance of equality and impartiality in law enforcement; and Deuteronomy 19:16-21 extends the concept of reciprocal justice to false testimony and judicial accountability. This progression moves from proportionality to equality, and finally to judicial integrity. Deuteronomy does not just reiterate the talionic tradition; it embeds the principle of equivalence within a structured system aimed at protecting the innocent, curbing judicial abuse, deterring wrongdoing, and maintaining communal justice (Frymer-Kensky, 1980; Levinson, 1997; Nelson, 2002).

3.4 Comparative Analysis: Proportionality, Equality and Judicial Integrity

The three passages share a common thread of reciprocal correspondence while adapting the principle of lex talionis to different legal issues. In Exodus 21:23-25, the focus is on proportionality in cases of bodily injury. The repeated use of תחת (in place of/for) highlights the link between the injury and its legal consequences, while the talionic principle operates within a larger legal context that addresses injury and liability, rather than licence for personal vengeance (Wright, 2009; Frymer-Kensky, 1980).

Leviticus 24:19-22 upholds this idea of correspondence but frames it within a community-oriented perspective of equality. The phrase “as he has done, so shall it be done to him” reinforces the idea of reciprocal equivalence. At the same time, the specific mentions of fracture, eye, and tooth illustrate the connection between the type of injury and the corresponding legal response. Additionally, verse 22 emphasises the need for דבר אחד (one legal standard) for both the resident alien and the native-born. In this context, proportionality relates to the extent of punishment, while equality pertains to the fair application of that legal standard. Darabi (2025) notes that the talionic formula in Leviticus 24 aligns well with the language and legal ideas found in the Holiness Code.

Deuteronomy 19:16-21 addresses the issue of justice when it comes to judicial misconduct. A false witness tries to twist the legal system against someone else, which is why judges are instructed to “inquire diligently” before handing down any punishment. This means that the principle of retribution is carefully examined through thorough judicial investigation and due process. The false witness faces the same consequences they intended for the accused, and the idea that “the rest shall hear, and fear” serves to deter others from similar wrongdoing (Craigie, 1976; Tigay, 1996; Christensen, 2001). The term זָמָם (zāmam) emphasises the witness’s premeditated plan to cause injury, turning the concept of reciprocity into a way to hold the judicial system accountable rather than just a means for personal revenge.

The comparative progression is hence expressed as Exodus focuses on proportionality, while Leviticus emphasises equality and impartiality, and Deuteronomy highlights judicial integrity and accountability. These are not just random interpretations of a single idea; they reflect how the concept of reciprocal justice adapts to different legal situations: bodily harm in Exodus, community equality in Leviticus, and judicial misconduct in Deuteronomy. The Pentateuch maintains the principle of correspondence while also clarifying the specific circumstances under which justice should be administered.

Darabi (2025) examines the three occurrences of the talionic formula found in the Pentateuch. This study, therefore, does not claim to be the first to compare these texts; instead, it offers a legal synthesis that interprets the three passages as a cohesive journey from proportionality to equality and finally to judicial integrity, viewing lex talionis as a principle of regulated justice. This approach also

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respects the unique historical and legal context of each passage, avoiding the oversimplification of ancient Israelite law into modern legal frameworks.

3.5 Reinterpreting Lex Talionis as Regulated Justice

Collectively, Exodus 21:23-25, Leviticus 24:19-22, and Deuteronomy 19:16-21 challenge the idea that lex talionis is about personal revenge. While the Hebrew texts do establish a sense of reciprocal justice, the specific legal contexts shape who gets to enforce that justice, what standards they use, and how the whole process works. For instance, in Exodus 21:23-25, the consequences are tied to the type of injury and are part of laws about bodily harm, liability, and compensation. This shows that talion is part of a structured legal system rather than just a free-for-all for vengeance (Wright, 2009; Frymer-Kensky, 1980). Leviticus 24:19-22 expands on this by placing reciprocity within a broader community justice framework, emphasising that *דָּן אֶת כָּל אִשָּׁה* (one legal standard) applies equally to both the resident alien and the native-born. Deuteronomy 19:16-21 takes it a step further by making it clear that reciprocal punishment is operative after a thorough judicial investigation, with judges to “inquire diligently” before making any decisions (Craigie, 1976; Tigay, 1996; Christensen, 2001).

The idea of regulated justice offers a richer understanding of the common legal structure compared to the language of revenge. Regulation works on several interconnected levels. First, substantive regulation ensures that the punishment is commensurate with the crime. Then, distributive regulation makes sure that the same legal standards apply to everyone involved. Procedural regulation focuses on the need for evidence, thorough investigations, and fair trials. Lastly, communal regulation aims to protect society and deter future offences through punishment. These aspects show that talionic justice is not concerned with the punishment itself; it also considers how it is measured, applied, authorised, and its social purpose (Frymer-Kensky, 1980; Craigie, 1976; Tigay, 1996). In Deuteronomy 19:20, there is a connection between punishment and deterrence, as it instructs that those who witness the judgment should “hear and fear” which helps to prevent any further manipulation of the judicial system.

This framework clarifies that reciprocity, proportionality, equality, and judicial integrity are interconnected. Reciprocity establishes the relationship between wrongdoing and its consequences: the nature of the act dictates how the law responds. Proportionality ensures that the punishment is commensurate with the crime, preventing any response from exceeding the injury inflicted. Equality demands that the law be applied uniformly, avoiding any favouritism or discrimination. Meanwhile, judicial integrity oversees how guilt is determined and how punishment is fairly administered. Hence, these three elements address different aspects of a single legal concern while adapting the principle of retribution to various legal contexts.

The importance of this evolution is that biblical justice is portrayed as both restrictive and constructive. It restricts revenge by setting boundaries on responding to wrongdoing, while also creating a structure for administering justice fairly. Exodus introduces the idea of a measured response to injury; Leviticus builds on this by ensuring the law is applied equally; and Deuteronomy focuses on reciprocal justice to uphold judicial truth and hold accountable those who intentionally undermine legal processes. In this way, the principle of retribution expands beyond just the relationship between the offender and the victim, embracing the integrity of the community's legal systems.

The comparative study of Darabi (2025) significance in so far examines the three instances of the talionic formula found in Exodus, Leviticus, and Deuteronomy. This synthesis does not suggest that these passages have been compared before; instead, it emphasises their complementary legal roles by interpreting them as a cohesive journey from proportionality to equality and ultimately to judicial integrity. It respects the unique contexts of each passage while showcasing their common goal of regulating the application of retributive justice (Darabi, 2025).

On this basis, lex talionis is more effectively understood within the framework of biblical law rather than as unrestricted authorisation of personal revenge. Its legal significance is conveyed through principles like correspondence, proportionality, equality, procedural accountability, and deterrence. The evolution from Exodus to Leviticus and Deuteronomy illustrates a more refined understanding of regulated justice: Exodus sets the limits on responses, Leviticus ensures fair application, and Deuteronomy outlines the judicial processes for implementing reciprocal punishment. Thus, lex talionis serves not just as a guideline for retaliation but as a legal principle aimed at curbing excess, ensuring fairness, maintaining judicial integrity, and upholding community order (Darabi, 2025; Frymer-Kensky, 1980).

3.6 Theological and Contemporary Implications

The theological implication of these comparative findings is that justice in the Pentateuch is neither arbitrary nor merely retaliation. It is rooted in moral order and institutionally regulated. For instance, Exodus shows that justice demands a response that is proportionate to the offence committed; Leviticus emphasises fair treatment within the covenant community; and Deuteronomy ties justice to truth, evidence, thorough investigation, and accountability. In all these instances, the power to punish is limited by constitutional legal authority.

The contemporary implications are that the idea of proportionality challenges excessive retaliation and the cycle of escalating violence. The focus in Leviticus on a shared legal standard calls out any unfair application of justice. Meanwhile, Deuteronomy's insistence on investigation and judicial accountability stands against false accusations, manipulation of the legal system, and extrajudicial punishment. These principles are particularly crucial in situations where mob justice or vigilante actions sidestep due

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process. Eze (2023) highlights how Deuteronomy 19:15-21 remains relevant in Nigerian discussions about unlawful retaliation and judicial accountability.

Ultimately, this comparative study reveals three lasting legal principles: proportionality in punishment, equality in the administration of laws, and integrity in judicial processes. These are not just contemporary constitutional ideas retrofitted onto ancient Israel; they reflect the inherent legal and theological reasoning that the Pentateuch uses to address wrongdoing and maintain community order.

4. CONCLUSION

The study has comparatively examined the legal and theological functions of lex talionis as portrayed in Exodus 21:23-25, Leviticus 24:17-22, and Deuteronomy 19:16-21. The findings reveal that while all three passages share a common theme of reciprocal justice, they each operate within their unique legal contexts. In Exodus, the focus is on bodily harm and liability, emphasising the importance of proportionality and limiting excessive retaliation. Leviticus, on the other hand, places this principle within a wider legal framework that addresses homicide, animal restitution, and bodily injury, highlighting the significance of equality and fairness. Meanwhile, Deuteronomy applies the concept of reciprocal justice to cases of false testimony, integrating it into a system that values judicial investigation, due process, deterrence, and accountability.

Therefore, lex talionis should not be interpreted as a biblical mandate for personal retaliation. Its legal context establishes that reciprocity is subject to regulation. In Exodus, this principle validates a connection between the injury inflicted and the consequence; in Leviticus, that connection is managed under a shared legal framework; and in Deuteronomy, it is put into action through a formal process aimed at uncovering the truth and holding dishonest witnesses accountable. Therefore, from simple retaliation to a more structured form of justice. Deuteronomy, in particular, redefines lex talionis from a concept mainly tied to physical retaliation into a tool for judicial accountability.

This study brings three key interpretive insights. First, lex talionis should be read and interpreted in context, rather than treating it as a retaliatory isolated slogan. Second, lex talionis should be understood as a correspondence that is regulated by legal standards, not unrestricted vengeance. Third, the various applications of this principle in the Pentateuch should be viewed as meaningful legal adaptations, not just as repetitions. The findings' synthesis- Exodus's proportionality; Leviticus's equality and impartiality; Deuteronomy's judicial integrity and accountability- offers a coherent framework for understanding how reciprocal justice evolves in the Pentateuch.

Lex talionis serves as a legal principle that tempers the instinct for retribution by subjecting it to concepts of correspondence, legal equality, institutional authority, and procedural accountability. Its lasting importance is not legitimising revenge; rather, it demonstrates that justice can restrain excesses, protect individuals, maintain community order, and uphold the integrity of legal systems.

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