

Cartoon Eye for an Eye?

Source Sheet by Andrew Galitzer, Creator of Torah Comics

Right after the 10 commandments, the Torah lists more detailed Mitzvot (commandments) in Parshat Mishpatim. These instruct us on more personal matters.

After reading this verse, can you spot something that doesn't match up in this [ANDiDREW Torah Comic](#)?

Exodus 21:23

But if someone damages someone, the penalty shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

שמות כ"א:כ"ג

וְאִם-אָסוֹן יִהְיֶה וְנִתְּתָה נֶפֶשׁ תַּחַת
נֶפֶשׁ: עֵין תַּחַת עֵין שֵׁן תַּחַת שֵׁן יָד
תַּחַת יָד רֶגֶל תַּחַת רֶגֶל:

Mishpatim

By: Andrew Galitzer



Wait... if someone hurts someone else, we take revenge on them and hurt them the same way?

Let's look at how the Rabbis explained this confusing law:

Rashi on Exodus 21:24:1

EYE FOR EYE — If one blinded the eye of his fellow-man he has to **pay** him the **value** of his eye, (i. e. he pays him how much his value would be diminished if he were to be sold as a slave in the market), just as our Rabbis have explained in Talmud Bava Kama (84a).

רש"י על שמות כ"א:כ"ד:א'

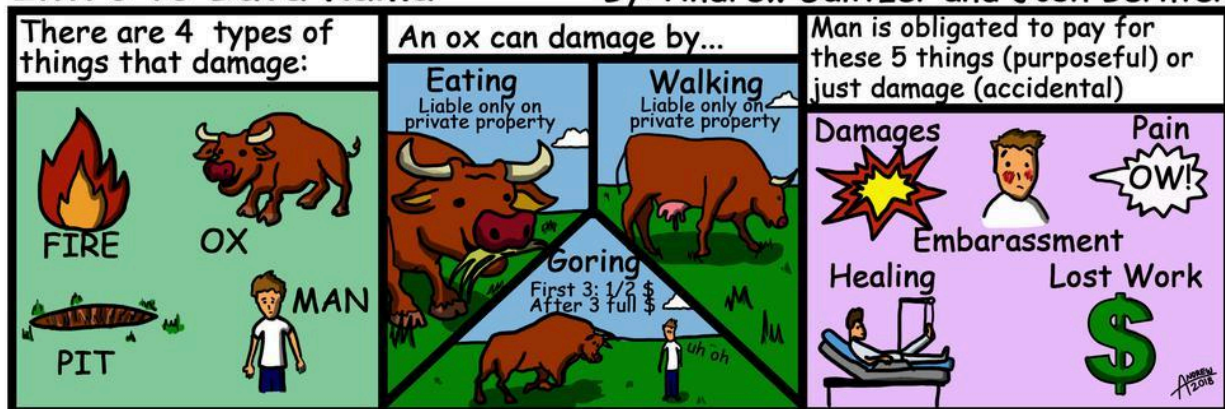
עין תחת עין. סמא עין חֲבֵרוֹ נוֹתֵן לוֹ דָּמִי עֵינֹו כַּמָּה שִׁפְחָתוֹ דָּמִיו לְמַכֵּר בַּשּׁוּק, וְכֵן כָּלֶם; וְלֹא נִטְיִילֵת אֶבֶר מִמֶּשׁ, כָּמוֹ שֶׁדָּרְשׁוּ רַבּוֹתֵינוּ בְּפֶרֶק הַחֹבֵל (בבא קמא דף פד.)

See the Gemara (Talmud) that Rashi was referring to below: How do we measure injury? Doesn't the victim suffer more than just injury?

Luckily, ANDiDREW [Bava Kamics](#) puts the categories of injury into pictures:

Intro to Bava Kama

By: Andrew Galitzer and Josh Bernten



All rights reserved ©2018 Andrew Galitzer. Amgalitzer@gmail.com

Bava Kamma 85a

Mishna: How is the payment for pain assessed? The court **evaluates how much** money a **person is willing to take** to suffer in this way.

בבא קמא פה.

אומדין כמה אדם
כיוצא בזה רוצה

The Gemara asks: **How do we appraise pain in a case** where the injured party also suffered personal **injury?..**

ליטול וכו':
גמ' צער במקום
נזק היכי שיימינן?

The Gemara answers: **Rather**, the court **evaluates** **how much a person would give to** have someone **sever his hand, which is** already **condemned** by a **written** decree **from the government** to be severed, changing the decree **from** having it be severed by means of **a sword**, which is accompanied by pain, **to** having it be severed by means of **a drug**, which is not accompanied by pain.

אלא אומדין כמה
אדם רוצה ליתן
לקטוע לו ידו
המוכתב למלכות
בין סייף לסם

Wow! That was so interesting! From one passuk (verse) in the Torah, there are pages and pages of commentary (this is just a bite-sized amount!)

Open question: Why would the Torah write this way in the first place? What does the wording add?

Open question: Think about other things you have to consider based on this analysis: how does payment work for the other of the 5 categories (hint: Rashi gave another)? Can you think of any exceptions or special cases?

I encourage you to think about it on your own and when you are ready, you can open up Talmud Bava Kama to find the answers the Rabbis gave. You may also look at the Bava Kamic versions:

BavaKamics.wixsite.com/gemara/portfolio-1

Source Sheet created on Sefaria by Andrew Galitzer

Andrew is a Jewish artist and cartoonist who studied in Yeshivat Eretz HaTzvi. He created the Torah Comic Book, summarizing every Parsha in the Torah. He also teaches kids how to make their own comics and drawings! Visit www.TorahComics.com to get a copy of the book!