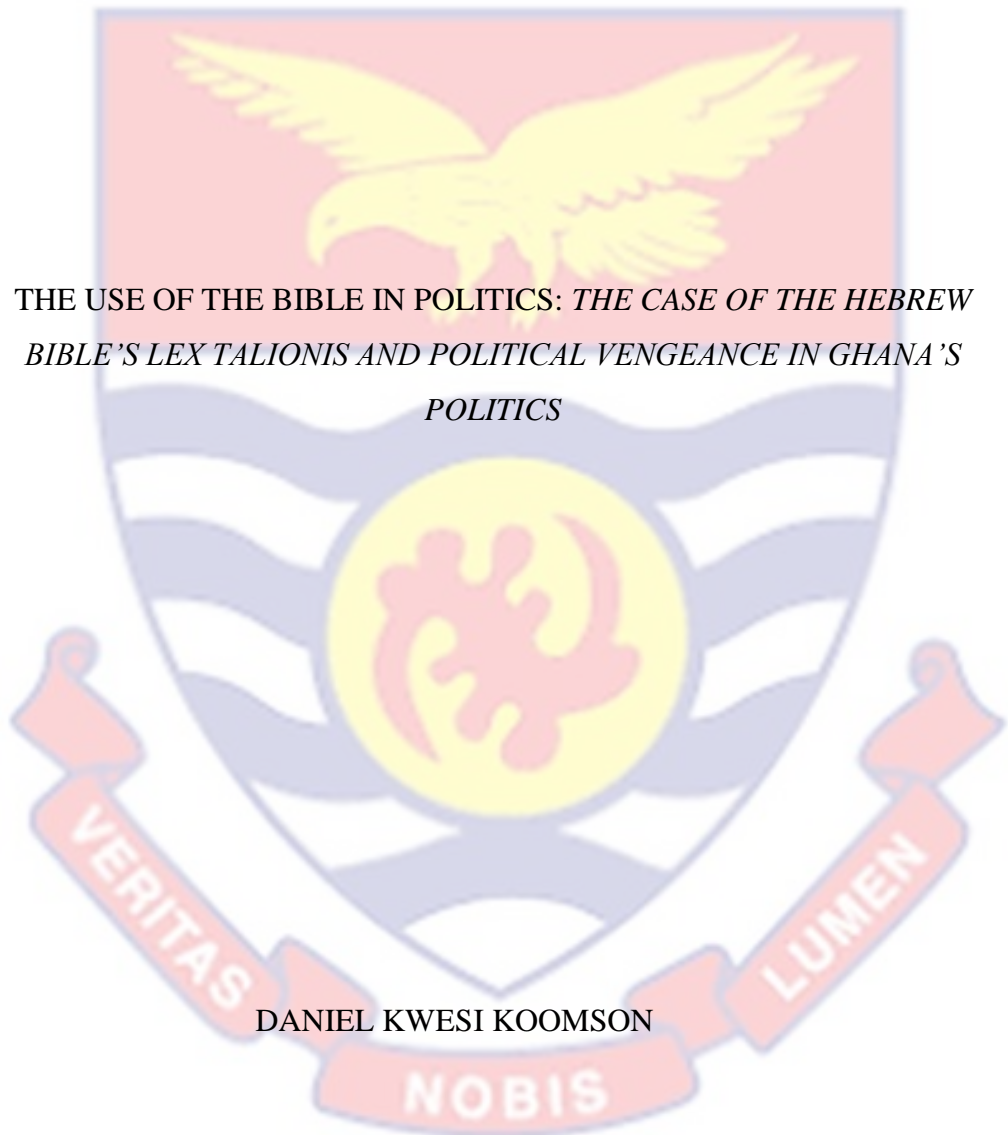


UNIVERSITY OF CAPE COAST



THE USE OF THE BIBLE IN POLITICS: *THE CASE OF THE HEBREW
BIBLE'S LEX TALIONIS AND POLITICAL VENGEANCE IN GHANA'S
POLITICS*

DANIEL KWESI KOOMSON

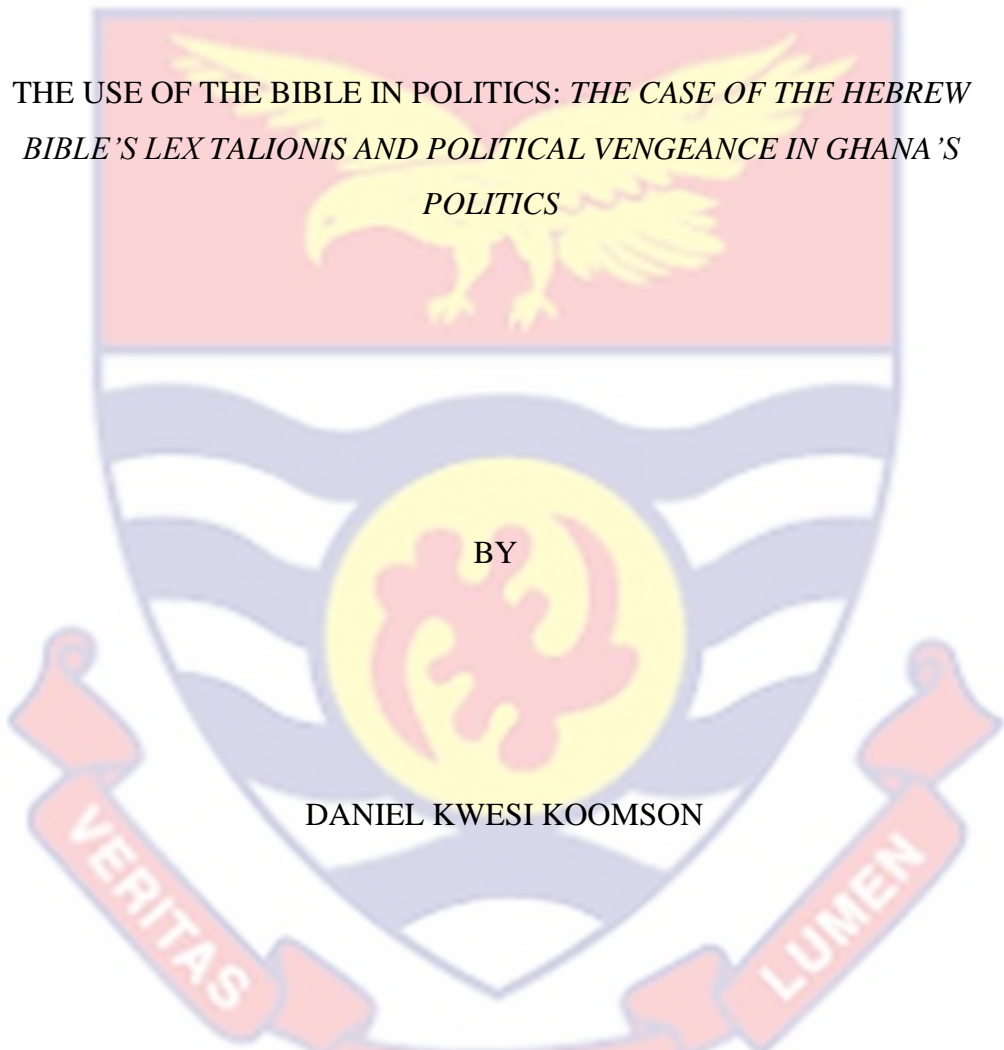
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THE USE OF THE BIBLE IN POLITICS: *THE CASE OF THE HEBREW BIBLE'S LEX TALIONIS AND POLITICAL VENGEANCE IN GHANA'S POLITICS*

BY

DANIEL KWESI KOOMSON

Thesis submitted to the Department of Religion and Human Values of the Faculty of Arts, University of Cape Coast in partial fulfillment of the requirements for the award of Doctor of Philosophy degree

DECEMBER 2020

DECLARATION

Candidate's Declaration

I hereby declare that this thesis is as a result of my own original work and that no part of it has been presented for another degree in this University or elsewhere.

Candidate's Signature.....Date.....

Candidate's Name: Daniel Kwesi Koomson

Supervisor's Declaration

I hereby declare that the preparation and presentation of the thesis were supervised in accordance with the guidelines on supervision of dissertation laid down by the University of Cape Coast.

Principal Supervisor's Signature..... Date.....

Rev Professor Benjamin Abotchie Ntreh

Co-Supervisors Signature..... Date.....

Dr Augustine M. Mensah

ABSTRACT

The literal meaning of the phrase is often removed from its context and understood to be the catch-phrase for vengeance and retaliation. This popular understanding is no different in the Ghanaian political arena. It is becoming so patent that this “eye for eye and tooth for a tooth” saying is becoming part of the Ghanaian politics; Ghanaian politicians allude to this biblical law to seek vengeance on political opponents. Therefore, this study sought to investigate the meaning of the biblical maxim “eye for eye and tooth for tooth” in ancient Israel to find out if this biblical law was meant to seek vengeance of any form. The study reveals that this biblical law which is popularly known as *lex talionis* appears in three portions (Exodus 21:22-25, Leviticus 24:10-23, and Deuteronomy 19:16-21) of the Torah of the Hebrew Bible. Each of the talion comes to serve a distinct purpose in ancient Israel; the talion in Exodus comes to enforce social order by protecting the right of the vulnerable in society, the one found in Leviticus comes to ensure the supremacy of YHWH’s law, while the talion found in Deuteronomy comes to purge evil from society so that certain evil activities would not be repeated again. It was particularly revealed that the *lex talionis* was given to guide judges in ancient Israel so that punishment would fit the crime. Against this backdrop, considering the purpose the *lex talionis* comes to serve in all its entirety, Ghanaian politicians do not have any basis to use the *lex talionis* to seek vengeance on political opponents. In fact, they are wrong to apply the *lex talionis* in the way they do.

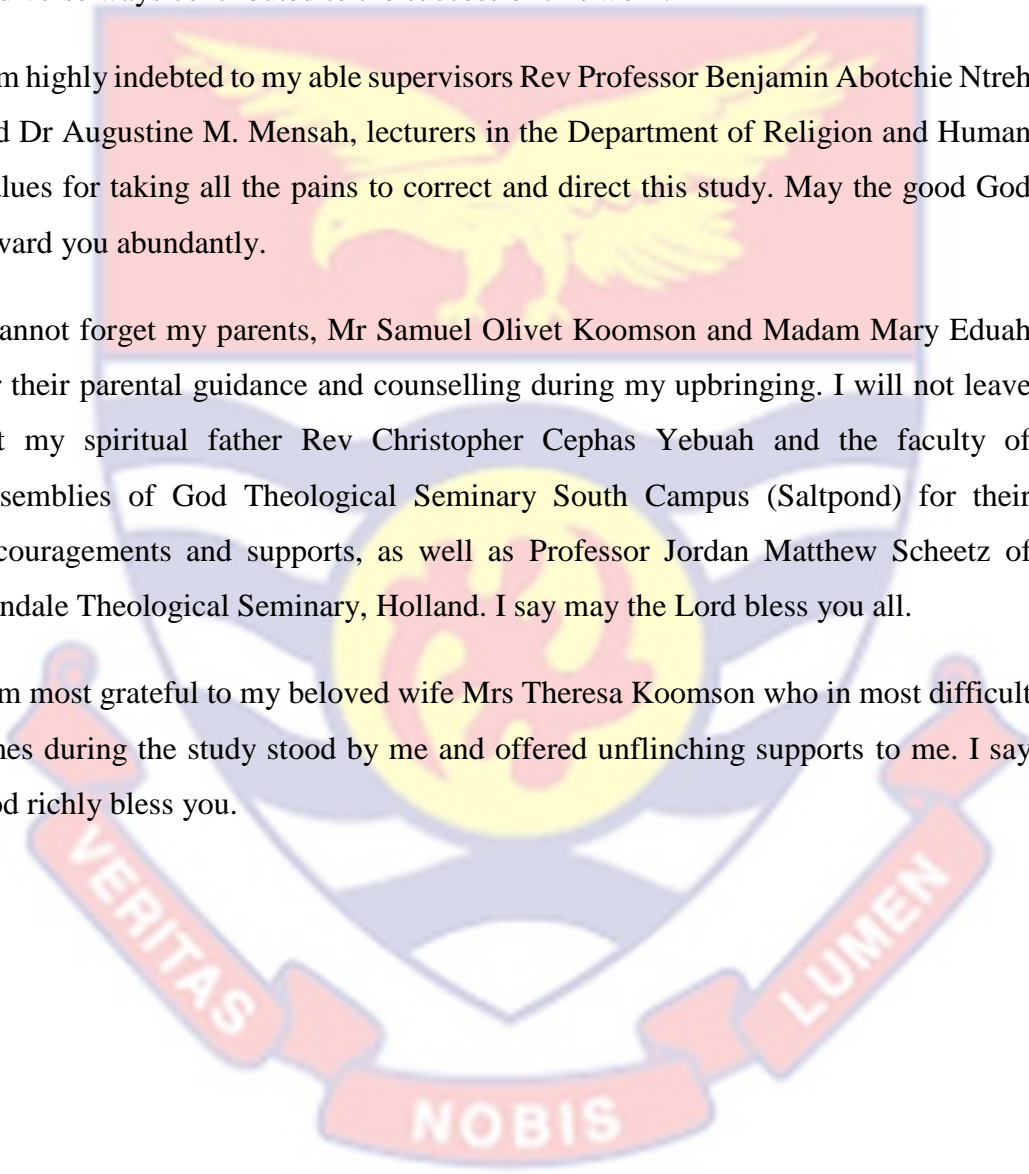
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I am highly indebted to my able supervisors Rev Professor Benjamin Abotchie Ntreh and Dr Augustine M. Mensah, lecturers in the Department of Religion and Human Values for taking all the pains to correct and direct this study. May the good God reward you abundantly.

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I am most grateful to my beloved wife Mrs Theresa Koomson who in most difficult times during the study stood by me and offered unflinching supports to me. I say God richly bless you.



DEDICATION

This thesis is dedicated most to my beloved wife Mrs Theresa Koomson and my four children Samuel Olivet Koomson Jr, Nathaniel Kojo Nyameyee Koomson, Naana Enobah Koomson, and Daniel Paa Kow Koomson Jr.



TABLE OF CONTENTS

Content	Page
DECLARATION	ii
ABSTRACT	iii
ACKNOWLEDGEMENTS	iv
DEDICATION	v
TABLE OF CONTENTS	vi
LISTS OF ABBREVIATIONS	xiii
CHAPTER ONE	1
GENERAL INTRODUCTION	1
Introduction	1
Background to the Study	2
Problem Statement	8
Research Objectives	10
Research Questions	10
Significance of the Study	11
Literature Review	12
Function of the Lex Talionis in the Old Testament	12
Application of the Lex Talionis in Ancient Israel	19
Research Methods	24

Presuppositions of the Historical-Critical Method	27
The Historical-Critical Method and Lex Talionis	29
Approaches to the Interpretations of the <i>lex talionis</i>	31
Historical Interpretation of the <i>lex talionis</i>	32
Rhetorical Interpretation to the <i>lex talionis</i>	36
Challenges with Past interpretations of the <i>lex talionis</i>	37
Historical Assumption	38
Standardized Formula Assumption	38
Theoretical Considerations	41
Tradition History (Inner-Biblical Exegesis) by Michael Fishbane	41
James A. Sanders' Approach to Canonical Process and Reception History	43
Organization of the Study	47
Chapter Summary	48
CHAPTER TWO	49
THE USE OF THE BIBLE IN GHANA'S SOCIO-POLITICAL DISCOURSE	49
Introduction	49
Politics in the Old Testament	50
Politics in the New Testament	55
The Ghanaian Situation	57
The Significance of the Bible in the Ghanaian Culture	57

The Role of the Bible in Ghana’s Education System	62
The Role of the Bible in Ghana Legal System	67
Case 1	73
The Case of the Plaintiffs	73
The Case of the Defendant	74
The Judgment	74
Case 2	75
The Judgement	76
The Role of the Bible in the Social Lives of Ghanaians	76
The Role of the Bible in the Religious or Spiritual Lives of Ghanaians	81
The Bible in the Fourth Republic of Ghana	89
The Bible in the Swearing-In of Government Officials	91
The Bible in the Commemoration of the Fourth Republic of Ghana	91
The Bible in the Promotion of Peace in Ghana	93
The Bible in the Public Life of Ghanaian Politicians	93
The Bible for Political Branding in Ghanaian Politics	95
The Bible in Governance in Ghana	97
The Bible in Electioneering Campaigns in Ghana Politics	101
For Prayer and Peaceful Elections	101
For Prophetic Messages to Determine Elections Outcomes	102

Christian-Biblical Songs in Ghanaian Electioneering Campaigns	105
Post-Election Use of the Bible in Ghanaian Politics	115
Chapter Summary	115
CHAPTER THREE	118
ANALYSIS OF THE <i>LEX TALIONIS</i> IN THE HEBREW BIBLE	118
Introduction	118
Hebrew Text of Exodus 21: 22-25 (The <i>Lex Talionis</i> and Harm to Pregnant Woman)	119
Hebrew Text of Leviticus 24: 10-23 (The <i>Lex Talionis</i> and Blasphemy)	135
Translation of Leviticus 24:10-23	136
Deuteronomy 19:15-21 (The <i>Lex Talionis</i> and False Accusation)	156
Hebrew Text of Deuteronomy 19:15-21	156
Translation of Deuteronomy 19:15-21	157
Relationship between the Talion Formula and False Accusation in Deuteronomy 19	167
Excursus of the Textual Modifications of the Talion in Exodus, Leviticus and Deuteronomy	170
Summary of the Talion as in Exodus, Leviticus and Deuteronomy	173
Jesus' Comments on Matthew 5:38-42 Regarding the <i>Lex Talionis</i>	174
Translation	175
Chapter Summary	178

CHAPTER FOUR	183
EVALUATION OF THE ANALYSIS OF THE <i>LEX TALIONIS</i> ALONGSIDE WITH GHANAIAN POLITICIANS' UNDERSTANDING OF THE <i>LEX TALIONIS</i>	183
Introduction	183
<i>Lex Talionis</i> As Understood by Ghanaian Politicians	184
<i>Lex Talionis</i> As understood by Scholars in the Hebrew Bible and Ancient Israel	186
Analysis of Data from the Responses of Ghanaian Politician: (Comparison between the Understandings of the <i>Lex Talionis</i> by Ghanaian Politicians and what the Hebrew Bible indicates)	189
Differences	190
The <i>Lex Talionis</i> as a Model of Justice	190
The <i>Lex Talionis</i> Placed Within Context	194
The <i>Lex Talionis</i> Requires a Substantive Case	197
The <i>Lex Talionis</i> Requires Measure for Measure	199
The <i>Lex Talionis</i> Should Be Supervised By Civil Authority	203
The <i>Lex Talionis</i> Meant to Serve as Deterrent	205
Similarities	207
Common Acknowledgement of the Phrase “eye for eye, tooth for tooth”	207
Common Understanding of A Presupposed Past Incident	209
Common acknowledgement that Offence Must be punished	210

Implications of the Literal Application of the <i>lex talionis</i> by Ghanaian Politicians	212
Social Implications	212
Legal Implications	214
Psychological Implications	215
Political Implications	218
Economic Implications	219
Chapter Summary	219
CHAPTER FIVE	221
SUMMARY, CONCLUSION, AND RECOMMENDATIONS.	221
Introduction	221
Summary	221
Conclusion	225
Contribution: Hebrew Bible's <i>Lex Talionis</i> Akin to the Rule of Law	226
Recommendations	228
REFERENCES	229
APPENDIX A: Prophetess Esther Quayson of the Twelve Apostles Church	262
Appendix B: Former moderator of the Presbyterian Church of Ghana Rev Dr Yaw Frimpong Manso conducting a naming and child dedication	263
Appendix C: Ghanaian mother warding off evil spirits with an open Bible	264
Appendix D: Ghanaian prophet on the Asumasem TV show	265

Appendix E: Former president of Ghana Professor John Evans Atta-Mills (now deceased) using the Holy Bible to swear his oath of allegiance 266

APPENDIX F 267

OPEN-ENDED QUESTIONAIRES 267



LISTS OF ABBREVIATIONS

DEUT	Deuteronomy
EC	Electoral Commission
EXOD	Exodus
HB	Hebrew Bible
LEV	Leviticus
LXX	Septuagint
NDC	National Democratic Congress
ND 1	National Democratic Congress Respondent One
ND 2	National Democratic Congress Respondent Two
ND 3	National Democratic Congress Respondent Three
ND 4	National Democratic Congress Respondent Four
ND 5	National Democratic Congress Respondent Five
NPP	New Patriotic Party
NP 1	New Patriotic Party Respondent One
NP 2	New Patriotic Party Respondent Two
NP 3	New Patriotic Party Respondent Three
NP 4	New Patriotic Party Respondent Four
NP 5	New Patriotic Party Respondent Five

NT New Testament

MT Masoretic Text

OT Old Testament

PP Political Party

PV Political Vengeance

RSV Revised Standard Version



CHAPTER ONE

GENERAL INTRODUCTION

Introduction

Religion and politics have been two interactive phenomena before the arrival of Christianity in the Gold Coast, now Ghana. More especially, Christianity with its sacred book the Bible has been a force to reckon with in most African societies. The Christian Bible has been very influential in the formation and development of Ghana. The Bible has for many years influenced policies of governments, peace-building, and settling of disputes in many African societies. However, it has also been used to support many abhorrent practices and engagements. Some of the conflicts and tribal wars have been fought in the name of religion. Some rebels have hidden their wicked motive behind the Bible to execute evil deeds.

The use of the Bible can also be seen in politics all over the world. Ghanaian politicians right from the Fourth Republic have consistently used the Bible to convey political ideologies and policies. The use of the Bible in politics becomes more pronounced during elections, and after elections in Ghana (Pobee, 2004). It has been observed that the Bible is used during elections to brand political messages and after elections for vengeance (Dovlo, 2004). It is noted especially in the Fourth Republic that the aftermath of every successful change of government through election has been met with a reprisal incidents which can be described as political vengeance or retaliation in Ghana (Adinkra, 2005).

Background to the Study

As indicated by Mbiti (1987) Religion and politics are two inseparable, powerful phenomena in African societies or countries. In Ghana, religion plays a significant role in many facets of Ghana's society, especially in governance and politics (Pobee, 1979; Kasomo, 2009). The 1992 constitution of Ghana makes provision for freedom of worship. This allows different religions to operate in the Ghanaian society. Christians, Moslems as well as traditional believers peacefully co-exist side by side in Ghana. At state functions, a clergy, Imam or a traditional priest could say prayer.

During political electioneering campaigns, Christian politicians in particular use the Bible and Muslims alike at different times make use of some relevant biblical texts in their campaign trail. Gospel songs are dotted with political messages. Sometimes, divine names are given to presidents and presidential aspirants. For example, the first President, Kwame Nkrumah, was given the title "Osagyefo" which means "Deliverer or Savior of multitude." J. J. Rawlings, the fourth President, was also given the title "Junior Jesus." President Atta-Mills' was called "Most High," and "The king of Peace," this was during 2008 electioneering campaigns when his name was substituted in a gospel song for the name of God (Pobee, 1991; Acheampong, 2012). Similarly, President John Dramani Mahama was designated as the third John in succession of the presidential candidates presented by the NDC in the Fourth Republic. This coincided with the year 2016, hence John 3:16 in the Holy Bible. In the case of President Nana Akufo-Addo, his government is likened to the ministry of the biblical Jesus in the Bible.

The Moderator of the Presbyterian Church of Ghana, Rev Professor J. O. Y. Mante (2020) in a speech described Nana Akufo-Addo's government as reflection of the biblical healing ministry of Jesus Christ, where concern for the poor and the vulnerable in the society was prioritized.

Religion's influence in Ghanaian politics is seen even more in electioneering campaigns. Before elections, Ghanaian politicians (parliamentary and presidential aspirants) go to prayer camps and churches for special prayers. Some ask known Ghanaian "prophets" such as Prophet Ebenezer Opambour Adarkwa, Prophet Isaac Owusu Bempa, Prophet Nigel Gaisie, Prophet T. B. Joshua etc., for special prayers and to fast for them. Others make journeys to places such as "Atwea" mountains – a retreat center in Kumasi – and the Holy land (Israel) for prayers and also to consult other deities for assistance. Biblical references and quotations are also not discounted (Dovlo, 2005). The politicians use them to disseminate their campaign messages, and manifestoes. For example, in the First Republic under President Kwame Nkrumah he used Matt 6:33 "Seek ye first the Kingdom of God and all other things shall be added unto you" (KJV) to read "Seek ye first the Political Kingdom and all other things shall be added unto you." He used the Bible to promise Ghanaians that the "political Kingdom" rather has better offers for their needs in the present than the Kingdom of God. Hence, 'seek ye the political kingdom first' (Pobee, 1991).

Ghanaian Politicians also give biblical interpretations to almost everything, even to their placement on ballot papers.

For instance, in the 2016 election campaigns, the third placement of the National Democratic Congress presidential candidate John Dramani Mahama was interpreted as having biblical approval. The NDC political party used the gospel of John 3:16 in support of this; saying he was the third of the three Johns (John Jerry Rawlings and John Evans Atta-Mills all former presidents) they have presented in the last five elections since 1992 (NDC 2016 Campaign Team). They did not allude to the content of John 3:16 which states: “For God so loved that World that He gave his only begotten Son, that whosoever believeth in him should not perish but have everlasting life” (KJV). The NDC political party made this assertion because of the fact that President Mahama was the third of the three ‘Johns’ the party has presented to contest an election by the year 2016; for the NDC this was not a coincidence. Again, at a rally in Akim Oda in the Eastern Region of Ghana, the former Vice-President Mr Kwesi Amissah-Arthur described their entire 2016 manifesto (called the Green Book) as “our Bible.” (TV3 7pm NEWS July 24, 2016).

Similarly, the National Patriotic Party in both the 2012 and 2016 electioneering campaigns captioned its entire political campaign manifesto with the title “the battle is the LORD’S” – a quotation from 1 Sam 17:47 in reference to a situation where the enemies of Israel (Moabites, Ammonites, and Meunites) came to make war against Jehoshaphat King of Judah. And the LORD through Prophet Jahaziel son of Zechariah assured Jehoshaphat and the men of Judah that they should not be afraid or discouraged because “the battle is not theirs but God’s.” The National Patriotic Party saw the LORD as the one leading the way into the 2012 and 2016 campaigns for a positive change in Ghana.

And when the party won in the 2016 general elections, the leader, who is now the President, in a goodwill message to Ghanaians, thanked God and mentioned names of known “prophets” and ministers of the Bible who prayed for him (President Akufo Addo’s 2017 Inaugural Speech). In that goodwill message, he reiterated the party’s biblical battle cry “the battle is still the LORD’S.” Then shortly before his inauguration, he was invited to cut the sod for the building of a National Cathedral where state Christian functions would be held in worship of the almighty God.

In the 2018 national budget presented to the Parliament house, the Minister of Finance, Mr Ken Ofori-Atta, indicated that more than 5000 Bibles will be put in the National Cathedral for the Ghanaian public to read. This indicates how keen the NPP government under President Nana Akufo-Addo is in its use of the Bible in governance. This perhaps indicates that the Bible occupies a prominent place in the Ghanaian society in general and particularly Ghanaian politics.

The appeal to the Bible by politicians and political parties does not end with election campaigns. It continues when they assume power and begin to take revenge on their political opponents. This takes the form of beatings resulting in injuries, and in some cases death (Oteng, 2009; Adinkra, 2015). Ghanaian Politicians quote the biblical law in Exod 21:22-25 “eye for an eye and a tooth for a tooth” to support it. In the fourth republic especially, after every successful election Ghanaian politicians appeal to the Bible to justify their actions before Ghanaians.

Bushman, Ridge, and Das, (2007), in a study discovered that, those who believed an act of revenge was approved of God were more aggressive towards a fellow participant; this effect was strongest among those who believed in God and the Bible.

Interestingly, all the parties follow this ‘Mosaic Law.’ For instance, during the tenure of President John Agyekum Kuffour in 2001 some public officials who had served in the previous government of J. J. Rawlings (both in the PNDC and the NDC era), were harassed and others were thrown out of office. This was done in the spirit of retaliation to pay the National Democratic Congress members back in the same measure for measure of the injuries National Patriotic Party members suffered during the tenure of President J. J. Rawlings (the founder of the party). Victims of this political vendetta (political retaliation) described the actions of the NPP government as “witch hunting.” Again, all those who were tried before the National Reconciliation Commission established by the NPP government in 2004 happened to be members of the NDC government officials.

Even though President Professor John Evans Atta-Mills (now deceased) had promised during 2008 election campaign that politics of revenge would not be part of his government (www.graphiconline.com, accessed, July 15, 2017), when he won the elections and assumed the presidency some party members of N.D.C. government embarked upon vengeance under his watch. Some officials such as Hon Stephen Asamoah-Boateng, (former local government Minister under President J. A. Kuffour’s government) of the N. P. P. party, which had ruled before him, fell victims to political vendetta under his administration (Akyene Brentuo, 2009).

Mr Asamoah-Boateng was arrested at the airport with his new born baby traveling to the United Kingdom for medical attention and arraigned before the court for causing financial loss to the state.

When President Nana Akufo-Addo took over the reigns of government in 2017, some of the supporters of his party (N.P.P) attacked members of the previous governing party (N.D.C.) in certain parts of the country which resulted in all sort of brutalities. What they were chanting was “Y’aban aba, nti ye beye mo bi atua ka” which is literally translated as “our government has come, so we will pay you back in like manner.” As a follow up, the NDC National Chairman, Kofi Portuphy, held a press conference on the 16th of December 2016. He used the biblical phrase (eye for eye, tooth for tooth) declared “an eye for an eye and a tooth for a tooth” against the NPP supporters warning them that if they continue to wreak vengeance because the NPP supporters were vandalizing the properties of NDC supporters in certain parts of the country (Portuphy, 2016, www.modernghana.com. Retrieved 19 December 2016).

From the foregoing, can we describe the “eye for eye and tooth for tooth” that we observe in Ghanaian politics as same as what the Bible says in Exod 21:22-25, Lev 24:10-23, and Deut 19:15-21? Was this biblical law meant to seek vengeance in any form be it political, social, economic on political opponents etc? What are the differences or similarities between the two contexts? This is what the present study seeks to find out.

Problem Statement

The *lex talionis* is perhaps the most famous and widely quoted phrase from the Biblical law. It has become the catch-phrase for retaliation in kind and vengeance in general. As a result, the frequent citation of this biblical phrase has had negative consequences in many cultures. The problem is that the meaning of this biblical phrase has become divorced from the context in which it occurs. The meaning given to the *lex talionis* in the Ghanaian political context seems to be different from the original context. The original intended meaning by the author of the phrase is often removed from its context and understood to be the catch-phrase for vengeance and retaliation. This popular understanding is no different in the Ghanaian political arena. It is becoming so patent that this “eye for eye and a tooth for a tooth” law is becoming part of the Ghanaian politics; Ghanaian politicians allude to this biblical law to wreak or seek vengeance on political opponents. The question is why do Ghanaian politicians use this biblical law “eye for eye, tooth for tooth” to seek vengeance on political opponents? Does what happen in Ghanaian political system conform to what the Hebrew Bible teaches about *lex talionis*? Did the Jewish people really execute the *lex talionis* as a law of the land or was it a maxim of general justice and fairness? To the best of my knowledge, the above questions have not been answered in any research. Ilboudo (2017) argues that, “the fact that, at least apparently, the talionic formulae has survived through all the adventures of Israel makes it worthy of interest.” Its survival and recurrence on one hand and on the other hand the reference made by Jesus has compelled me to question its actual

implementation so that we can have basis to compare it to the Ghanaian situation to ascertain the differences and similarities.

The issue here has more to do with the interpretation of the text. The phenomenon has social, political, religious contexts to it, with moral implications. Is the social situation of ancient Israel that warrant the implementation of this biblical law the same as we find in Ghana? Ghanaian high profile politicians I have interviewed have acknowledged that political vengeance is real in Ghana and to a large extent the phenomenon is being informed by the biblical law of ‘eye for eye and tooth for tooth’ (Interviews with ND 1, 2, 3, 4, 5 and NP 1, 2, 3, 4, 5). They understand that this biblical law was meant for vengeance. Was this biblical law truly meant for that purpose? I do not know. As a result of this problem, there is need to identify both how this formula was employed in the Torah and to discover what it meant to the people of ancient Israel. We acknowledge the fact that Ghanaian politicians use the Bible in different areas in the Ghanaian political terrain, such as during electioneering campaigns, in governance, in their political lives, in the promotion of peace, in seeking vengeance etc.

The focus of this thesis is to find out reason or reasons Ghanaian politicians use this biblical law to seek vengeance on political opponents in Ghana. In this present study, the researcher wants to examine the biblical law of “eye for eye and tooth for tooth” in the Torah and discover if this law can be used to justify this political vendetta in the country so as to provide basis or find grounds for comparison in the Ghanaian context or situation. In other words, the present study

seeks to ask whether the biblical law does indeed support the actions of Ghanaian politicians when they take over the reigns of government in Ghana.

Research Objectives

- To examine the role of the *lex talionis* in relation to Ghanaian politics.
- To evaluate the understandings Ghanaian politicians hold about the *lex talionis* in relation to Ghanaian politics.
- To establish if what Ghanaian politicians are doing can indeed be supported by the meaning derived from the Bible.
- To analyze the *lex talionis* in the Torah in order to ascertain its meaning in ancient Israel.
- To establish the differences and Similarities between the two contexts (Ghanaian contexts and ancient Israel context).

Research Questions

- To what extent does the Ghanaian politicians' understanding of the *lex talionis* contribute to political vengeance in Ghanaian politics?
- Does the Hebrew Bible's meaning of the *lex talionis* support what Ghanaian politicians' understand of the *lex talionis*?
- What are the differences and similarities between the two phenomena in the two contexts?
- How significant is the Bible in the Ghanaian socio-political discourse?
- What meaning does the Hebrew Bible present about the *lex talionis* in ancient Israel?

Significance of the Study

Growing concerns over the spate of political vendetta in Ghana against political opponents with the use of the biblical law of “an eye for an eye” in support has given rise to all kinds of atrocities in Ghana, especially after elections. Maxwell Oteng (2009:2) observes that, “in the two political cycles when governments change hands...vindictive politics has become all too common.” Therefore, a study into this biblical law will help change misconceptions, misunderstandings, and misapplications of this law against political opponents so that they are rightly treated in respect of fairness, justice, equity and total recognition of the divine image in man. Again, in a society such as Ghana where social harmony is key to socio-economic development, this study will bring to light proper understanding of this law which will contribute for harmonious co-existence in Ghana.

Moreover, since Ghanaians are more politically conscious now than ever, and with the insurgence of the rule of law which has had challenges with regards to its smooth application in the socio-political environment such as Ghana where political power seems to be supreme than the constitution of the land; then it stands to reason that the convergence of religion and politics in the Ghanaian society will ensure a better harmony for a good religious and political public life. So, recommendations from this thesis will create a common platform for a perfect blend of the right implementations of religious truth from the findings of this study to political policies for the smooth running of the nation.

More importantly, the present study will be useful to politicians in Ghana in particular and Africa at large to strengthen democratic and religious institutions to ensure that people live in freedom and peace so that laws are based on the true principles of justice and religious truth. Again, theologians as well as biblical scholars from Ghana and other parts of the world, who are interested in knowing the meaning, and purpose of the *lex talionis* in the Hebrew Bible will come to know how this law should be correctly applied or used in a society. For so long, civil societies and Christian bodies such as peace councils, theologians and biblical scholars play a role in the lives of Christians in Ghana to live their lives according to God's principles in respect of justice and fairness; although this study is limited to the Torah, it will provide the basis for exploring what the Hebrew Bible says about justice and fairness in society. Thus, African theologians in particular will need to persist in their attempts to come out with the right meaning of the *lex talionis* which is meaningful to help African and Ghanaian politicians and Christians to know the best way to apply this law in their day to day interactions in life. Accordingly, correct biblical understanding of this law and its right application is very much needed in the Ghanaian context.

Literature Review (content)

Function of the Lex Talionis in the Old Testament

H. J. Kugelmann (1981), in his *Biblical Talion in the Old Testament*, discusses the function(s) of this law in all the three places it occurs in the Torah (Exod 21:22-25; Lev 24:17-24; Deut 19:16-21).

He sets out to find the purpose of this law in the Torah. In his study, he found out that the law was a priestly interpolation, meaning a religious utterance. And that, it was never meant for personal vindictiveness or to wreak vengeance. With this, Kugelmann opens another possible door on one reason of this biblical law. That, this law was meant to be used in official religious duties of the priests. This observation leaves out anything associated with paying back wrong done against another person which the *lex talionis* tends to stipulates in its literal sense. Kugelmann sets out a giant step to help us know why the law was given but he does not tell or indicates the social situation that warrant the application of the *lex talionis*.

J. Vroom (2009) with the same goal as Kugelmann, examines the biblical law of “an eye for an eye” in its original contexts to ascertain its meaning and function as found in the Torah. He posits that the *talion* served or played a very different role(s) or functions depending on the context it is located. He locates the *talion* in three different contexts in the Torah. That in the Covenant code (Exod 21:22-25), it served in the most literal sense; that is, it broadened the scope of the law. In contrast, the *talion* played a symbolic role in the Holiness code (Lev 24:17-24), in that it was transformed to represent all secular-moral law. For Vroom it was more of prescribing a penalty for a particular crime, and not concerned with its relevance to specific crime. He indicates also that the function of the *talion* in Deuteronomy differs greatly from both. That it was entirely rhetorical.

In Deuteronomy (Deut 19:16-21) the *talion* on the other hand, has no literal bearing on the case. With this, Vroom helps us to understand the separate functions of each *talion* in the Torah, thus giving us the privilege to have a fair idea of the *talion* in each instance. Vroom's observations lack a unifying message that epitomizes the complete function of the *talion* in the Hebrew Bible and the overall purpose of the *lex talionis*. Both Kugelmann and Vroom limit their discussions on the *talion* only to the specific texts they analyze but not in the Torah. They do not tell us how the law of *talion* should be applied in a given situation from the exegesis they carried out. The present thesis is committed to fill this gap by finding out the social situation(s) that warrant the application of the *lex talionis*.

Sprinkle (1993) acknowledges the fact that this biblical text is extremely difficult to interpret due to the exegetical intricacies contained in it. He remarks that the variety of ways in which scholars have resolved these cruxes have resulted in specific interpretations of the pericope as a whole. For him words such as אֲסוֹן, ילדיה, בפללים, in the text have obscure meanings as well as issues such as the intention behind the blow, and the *lex talionis* being literal or figurative is a daunting task. In his discussions, he understands 'serious injury' as אֲסוֹן, 'by the judges' as בפללים, and 'her children' as ילדיה.

He believes that the principal issue to the question of whether or not the text implies the death of the baby (or babies) both in the case with and the case without "injury" or אֲסוֹן allows for the possibility of the child surviving which could activate the operation of the *lex talionis*.

He thinks the strike is unintentional given the case that in their (the men) intention to fight each other, one misses his target and strikes the supposedly innocent pregnant woman. On the fate of the child or the mother, he holds the view that the death of the child is hereby assumed throughout this case. In this case, for Sprinkle, the expression ‘there is no serious injury’ (ולא ודייה אסון) means there is no any serious injury either to the mother or the child.

The next important issue is the punishment involved in the case. In Sprinkle’s view, as the text stands in vv.23-25 ‘If any harm follows, then you shall give life for life,²⁴ eye for eye, tooth for tooth, hand for hand, foot for foot,²⁵ burn for burn, wound for wound, stripe for stripe. He explains that in any case the offender is still liable to an offense deserving monetary compensation, hence, “and he shall pay with the judges.” He continues, in the event where the blow results in serious injury so that the child dies, (or the mother), then the *lex talionis* principle applies just as it is stipulated “and if there is serious injury, you shall pay of life in place of life.” Thus, he understands this text figuratively advocating for substitutionary compensation.

Even though in principle of נפש תהת נפש, it was possible for such an individual to forfeit his life because the understanding of it demands literal application. But rather the offender normally pays a “ransom”; by paying this he avoids having the same injury inflicted upon him. According to Sprinkle this was well the law was understood in ancient Israel.

Sprinkle believes a close observation of the text in its entirety reveals that the literal application of the *lex talionis* is completely inconsistent with the principles of justice and legal outcomes in the larger context of the passage in Exod 20:22-23:33. Chapter 21:18-19 prescribes a more serious case as opposed to the accidental nature on the injury of the pregnant woman in chapter 21:22-25. Even here, the offender is not punished in the same way as proponents of *lex talionis* recommend.

A further consideration down to vv.26 and 27 reveals that the *lex talionis* is not literally applicable against the owners eye or tooth, but a release of the bondsman, here equivalent to forgiveness of the bondsman's debt. Suppose the accident is intentional and the injury involved is serious, the punishment here will not be to strike the offender in like manner as the victim was brutalized as literal application proponents of the *lex talionis* advocate, but the offender would be required to pay for the expenses incurred in the healing process and the time lost. For example, Exodus 21:18-19 postulate a case which is more serious, a premeditated injury as opposed to the accidental nature of the event described in Exodus 21:22-25. Even here, the punishment is not to gorge out the eye, hand, and limbs of the victim. Rather a prescribed estimate of monetary compensation would be recommended. In addition to the above, in the case of accidental killing of a pregnant woman the literal talion of "life in place of life" would also contradict the general principle laid out in Exodus 21:13-14, which clearly stipulates that accidental manslaughter is not a capital offense. Sprinkle thus understands this text figuratively.

He arrived at this conclusion taken the verb ונתן to mean “and he shall pay or give ” and the preposition תהת also to mean ‘for’ or ‘in return for’ which for him is more consistent with the general discussions on the principle of justice in the text.

Sprinkle’s figurative understanding of the *lex talionis* leaves the issue of vengeance out of the argument. For him, the context of the text does not advocate for or motivates vengeance in anyway. In the event of serious injury or harm what the text itself prescribes to be carried out is “and he shall pay or give” (וניתן).

While Kugel’s understanding takes the implementation of the *lex talionis* out of the individual’s hand, Sprinkle’s understanding enjoins the individual to make payment as a restitution for the injury or the loss incurred. With this, none of them vouches for vengeance in any form as the possible way the *lex talionis* was applied in ancient Israel. The import of the understanding of these two scholars indicates that, when injury (והיה אסון) is established, the judges (בפללים) take over to supervise the whole process of restitution in regard to what should be charged and paid by the culprit.

George Bush (1981) is another scholar who vouches for the figurative reading of the text (Exod 21:22-25) along the same line of thought as Sprinkle. Bush in his understanding of this text argues that the basic interpretive issue that impinges on the application of the *lex talionis* is the use of the verb נתן to ‘give’ or ‘pay.’

For Bush irrespective of the outcome of the brawl (whether there is injury or not), he understands that the use of the verb נתן suggests monetary exchange before the so-called *lex talionis* when Exod 21: 22b states, “and he will pay” by the judges. He argues that a few verses earlier in Exod 21:19b, נתן is used to describe payment for an injured man’s time of convalescence, and a few verses later the same usage of נתן occurs twice. In Exod 21:30, “and he will pay/give the ransom for life;” Exod 21:32, “He will give thirty shekels of silver to his master,” ... Hence, the general employment or use of נתן in the verses surrounding Exod 21:23-25 suggests the giving of money is a probable meaning in v. 23 as well. Apart from the possible use of נתן as suggesting monetary exchange, the usage of another word which is closely linked to the above position (payment of monetary compensation) is תהת. This word (תהת) is translated as “for,” or “instead of” is consistent with the monetary interpretation. With this, the meaning here can be taken as “instead of gorging out an eye for an eye,” can be understood as monetary compensation in place of an eye. This is substitutionary compensation. That is an eye in compensation for an eye or hand lost” (Sprinkle, 1993).

The above position is well illustrated in Exod 21:26-27b where a bondman whose master unintentionally has struck out his eye or tooth is freed, in compensation for or in place of the eye or tooth he has lost. Another case in point according to Bush is in Exod 21:36, where an ox was known to have gored to death another man’s ox, here, because of the negligence of the owner, he is required to make restitution “ox in place of an ox.”

In Exod 22:1 which is part of the casuistic laws in the larger context, a thief who is caught red-handed for a stolen sheep or an ox is even allowed to make restitution for the stolen item by paying or substituting five members of the herd “in place of” (תהת) the ox he stole, and “four members of the flock “in place of” (תהת) ox. Here, the culprit compensates for his stealing by restoring not only a replacement for the sheep or ox he stole, but also by providing additional sheep as a penalty for the act committed. Now, according to Bush, it is justifiable to argue that, the use of נתן as suggesting payment probably of money (and he will pay/give) and the meaning of the word תהת “in place of,” affirm the position that monetary compensation was recommended as payment to the victim by the culprit instead of the literal application of the *lex talionis* in its “tit for tat.”

Application of the *Lex Talionis* in Ancient Israel

W. J. Ilboudo (2016), examines the “Lex Talionis in the Hebrew Bible and the Jewish Traditions” to find out whether the law of retaliation was a myth or a reality in Jewish traditions. He looks at how this law has been applied in the Jewish traditions. He finds two different ways this law was applied-literal or figurative (monetary compensation). He finally believes that the figurative sense was the more appropriate reading of the text since “the spirit of the *halakha* was prompted first by a merciful Lawmaker who is the God of mercy,” and who would not allow human life to be taken for a lost life. He concludes that the law of retaliation was a reworked insertion by another hand in different periods in Jewish history as its appearances in different books of the Pentateuch indicate as written in different times depict.

With this, Ilboudo's work in (2016) to understand how this law was applied but he does not relate it to a given situation where it was applied to support a case. The present thesis seeks to find out the specific or similar cases of situations that call for the application of the *lex talionis*.

Yung Sum Kim (2006), also traces the “origin and context of the *lex talionis* in Exod 21:22-25.” He concentrates on the *talion* as recorded in Exod 21:22-25 and not in other places in the Torah. Kim endeavors to find out the specific purpose for which the *lex talionis* as recorded in Exod 21:22-25 was given in ancient Israel. For Kim, “given the small village context in ancient Israel, the literal application of the *lex talionis* by equal retribution is hardly the case because they know each other very well that “a life for life” economy would be frowned upon. In that case the function of the *lex talionis* would have been initially to avoid an unregulated revenge or vengeance, but its primary role is to support the victim's family with a virtual compensation.” He also discovered that legal disputes were dealt with at the community level for the welfare of the entire community where Elders assumed a sort of leadership position to exercise the administration of justice. So that the result of arbitration might be acceptable for the community as a whole. Kim's work on the *talion* seeks to promote social harmony for the common good of the community. His convictions and recommendations regarding the application of the *talion* (virtual compensation) is no different from those of Ilboudo and Kugelmann. They do not tell us the political and social implications of the law of *talion* in ancient Israel. Kim for instance does not indicate when and how this law should be applied in a society.

Meredith and Kline (2009) discuss the *lex talionis* from the human life perspective. They look at the different readings that some scholars have given to the *talion* in Exod 21:22-25 with regards to the status of the unborn baby and the aftermath possible application of the *talion* whether literal or figurative. They recognize the problematic nature of this texts in the Torah, that the texts involve a lot of exegetical intricacies which demands careful readings of them. For Meredith and Kline, the applicability of the law of *talion* in Exod 21: 22-25 to a large extent depends on the “life status” of the fetus. That is to say, if the fetus can be recognized as fully human and when there is an injury, then the law of *talion* should apply.

Adopting a reading that basically dwells on grammatical rules, Meredith and Kline eventually settled on figurative reading of the text which requires an equivalent or monetary compensation as the possible application of the text in Exod 21:22-25 in ancient Israel. They believe the *lex talionis* means take ‘life for life’ in its literal sense as some understand it to be. Again, Meredith and Kline adopt a reading that ignores the surrounding verses of Exod 21:22-25. The external context of the *talion* in Exod 21:22-25 was not taken into considerations. Their final conclusions do not differ much from the other scholars as Ilboudo and Kugelmann. The present thesis will look at the surrounding verses comprising what comes before and after verses 22-25.

George Bush (1976), commenting on the “Application of the *Lex Talionis* in Ancient Israel” also posits, this law was applied by calculating for the injured party satisfactory compensation equal to the amount that an eye was judged to be worth.

In fact, he does not find on record in ancient Israel where the *lex talionis* was ever applied literally. He is not convinced that a person who intentionally or unintentionally injured another person suffered the same kind of injury in its literal sense of ‘life for life,’ tooth for tooth, ‘hand for hand’ etc. That does not also mean that the law was misunderstood. At least, Bush supplies us with information on how this text was never applied (not literally but figuratively) in ancient Israel.

J. M. Sprinkle (2006) discusses the relevance of the *lex talionis* under the theme “Biblical Law and its Relevance.” He engages himself in a lengthy discussion on the topic to find out the purpose and relevance of this biblical law in ancient Israel. He found out that the *lex talionis* was never meant to justify personal revenge, as some have mistakenly understood it to be. Instead, it was meant to express the legal principle that the (monetary) penalty one can demand for an injury must be proportional to the degree of injury involved. This excluded punitive damages to bodily features such as gorging an eye for an eye or demanding un-equivalent terms such as “two eyes for an eye and one hand for two hands.” Sprinkle’s findings I think is limited in scope. The *lex talionis* served a much greater purpose than what Sprinkle observed. So the present thesis is committed to find other purposes the *lex talionis* was given to serve.

Francesco Parisi (2001) in his *Genesis of Liability in Ancient Law* discusses the origin of the *lex talionis* in ancient law. In this work, Parisi considers the emergence and evolution of punitive and compensatory remedies in ancient law by describing how ancient practices of retaliation gradually evolved through four general phases into rules requiring victim’s compensation.

The four evolutionary processes of the *lex talionis* in ancient law are: firstly, discretionary retaliation, which had no agreed-upon rules, which made it possible to overcharge or cheat the wrongdoer with regards to what he ought to pay in reality. This system was replaced by the regulated retaliation. In this form of retaliation, there emerged rules but the rules were proportional, with respect to the level of crime of the wrong doer. Another phase replacing this system was the ‘blood-money’ compensation which gave the wrong doer a choice of buying out the victim’s retaliatory right. All these were then replaced by the fixed penalties.

He concluded that the detachment of civil remedies from their punitive counterpart is markedly among the slowest processes of legal evolution, and it was certainly not reached all at once. He further states that originally, compensation resulted from a voluntary agreement between the two parties in order to avoid the imposition of talionis penalties. So the wrongdoer’s family, through negotiation with the victim’s family, attempted to buy-off the consequences of the wrongful acts, thus avoiding vengeance against the entire group.

In this economy, according to Parisi (2001), norms began to develop rendering alternative means of satisfaction socially acceptable. This marked the end of the *lex talionis*. Parisi (2001) does well to point out the historical periods the *lex talionis* has gone through. However, does not indicate how the *lex Talionis* was applied. There are no prescriptions from the biblical text as to how it should be applied and he does not offer to us how the *lex talionis* should be applied in our day.

The brief literature review we have done introduce to us a body of impressive knowledge on the *lex talionis*.

So far, scholars have only discussed whether the text was applied literally or figuratively. None took us through a systematic exegetical step to discover how such findings were made and whether the text has anything to do with vengeance in general and particularly political vengeance or not. Also, each scholar focused on one aspect or occurrence of the *lex talionis* either in Exodus, Leviticus or Deuteronomy in the Torah. Again, none of them discussed all the three texts that talk about the *lex talionis* in the Torah at the same time to have a holistic meaning of the *lex talionis* in the Torah. It is this gap that the present thesis seeks to investigate to find answers to in order to fill the gap. I will use tradition historical-critical method to study the *lex talionis* in the Torah.

Research Methods

The field of biblical studies is besieged with many methodological approaches (both quantitative and qualitative), but the choice of a method is a consideration a researcher makes knowing the subject matter of his or her study as well as the goals to be achieved in view. This research will follow a qualitative research method because a qualitative research method aims to understand experiences as accurately as possible as lived and felt by its participants and is well applied where the intent is to attain a contextual and holistic understanding of social phenomena (Goundar, 2012: 20).

According to Priest (1996), any research method that uses general observations, depth, and verbal descriptions in place of numerical measures is qualitative content analysis.

This position is also supported by Reinard (1994), who indicates that the qualitative method uses “...descriptions of observation expressed in predominantly non-numerical terms...Qualitative research emphasizes description or interpretation of communication event.” Frankel and Wallen (2000) see it as research studies that investigate the quality of relationships, activities, situations, or materials. Qualitative research therefore places a greater emphasis on describing in detail all that goes on in a particular activity or situation.

The above analytic procedure was informed by the fact that the study deals with written texts and views of Ghanaian politicians which are searched to unravel the meaning embedded in them. Therefore, the qualitative method of analysis is the most suitable for such a study (Creswell, 2009). This study does not follow a fixed sequence of events. It involves, primarily, analysis and interpretation of texts which evolved from ancient Israel from different contexts and traditions.

The present study is about investigating the Hebrew Bible’s *Lex Talionis* which is found in Exod 21:22-25; Lev 24:17-21; and Deut 19:16-21 to find out what this text was meant for. The *lex talionis* having emerged in ancient Israel then presupposes that there is a history behind it or coming along with a certain tradition. Therefore, the historical-critical method which attempts to find out the meaning of a biblical text in its original context and to understand the world behind the text and how it was applied and preserved was what used to study the texts under considerations in this study.

Additionally, the researcher made use of Evaluative Research Methodology to evaluate responses from respondents about the biblical formula of ‘eye for eye and tooth for tooth.’ This is a type of applied research, and so it is intended to have some real-world effect. The process consist of data analysis and reporting a rigorous, systematic process, projects, services, and or resources. Its basic goal is to extract meaningful information from audience and provide valuable insights to evaluators, improve practice, assess the effects, and build capacity (Longest, 1975).

Purposive Sampling technique was what the researcher used to interview 10 high profile politicians in Ghana from both the NPP and the NDC political parties. The purpose of this technique is to demonstrate the extent political vendetta is rocking Ghana. In purposive sampling, the researcher uses his previous knowledge of the data as well as the purpose of the research to select the data that would be needed (Fraenkel & Wallen, 2000). I ensured that no unwanted data were included. The primary data for this research were the Hebrew Bible and responses from key Ghanaian politicians who in one way or another have been victims of political vengeance of some kind. Secondary data (responses from Ghanaian politicians on political vengeance) gathered from the study was analysed in light of the meaning derived from the exegesis of the texts on *lex talionis* in the Hebrew Bible.

Five NPP politicians were interviewed in their offices from 10th to 15th of September 2020 at the parliament house from 10 am to 2pm each day.

Two participants were interviewed on the 10th – 11th September from 10 am to 12 noon each day, while the other three participants were interviewed from 12th to 13th September 2020 at 10 am to 2 pm each day. Similarly, five NDC politicians were interviewed at the party headquarters in Accra from the 14th to 15th September of 2020 from 10 am to 2pm each day.

For the sake of this study and the purposes of anonymity, the NPP politicians who agreed to be part of this study are designated as NP 1, NP 2, NP 3, NP 4, and NP 5 respectively. Whereas the NDC politicians who also agreed to be part of the study are designated as ND 1, ND 2, ND 3, ND 4, and ND 5 respectively.

Presuppositions of the Historical-Critical Method

This method combines the disciplines of history in its applications. The historical-critical method postulates that the Bible is a historical book that contains the history of Israel, and the history of the early church in the words of humans who were believed to be inspired by God. As a human book, the Bible can be subjected to historical investigation like any other book. Its general purpose is to investigate what actually happened in the events described or alluded to in the Bible.

The method is a collection of approaches which —seeks to reconstruct the life and thought of biblical times through an objective, scientific analysis of biblical material. Its history has been an on-going evolution of newer methods of exegesis. Moreover, each newer method starts as a branch that grew out of earlier ones, yet perceived as a related part but somehow different from the part. Soulen (2001) believes this progression may continue into the future.

However, others perceive that this evolutionary progression (of new methods) can be an end to itself, as it has already produced several problems (Barton, 1996: 5). Joseph Prior (1999: 354) also affirms the multiplicity of procedures and techniques that make or constitute the historical-critical method. According to him, “the historical-critical method is a collection of exegetical procedures and techniques applied to biblical texts to determine their *literal sense*.”

The above-mentioned presuppositions, have influenced the fields of biblical and religious studies in much the same way as they have done in science and historical investigations. In this way, the Scriptures were, so to speak, secularized. The biblical books became historical documents to be studied and questioned like any other ancient sources. In that the Bible was no longer the criterion for the writing of history; rather history had become the criterion for understanding the Bible. The Bible stood before criticism as defendant before a judge. This criticism was largely positivist in orientation, imminentist in its explanations, and incapable of appreciating the category of revelation (Krentz, 1922).

The Historical-Critical Method and *Lex Talionis*

Gunkel in particular, believed that Biblical literature must have gone through a long period of oral development before it reached its current written forms. Therefore, in an effort to recover the oral traditions or text forms on which the written forms of biblical literature were based, Gunkel suggested that ancient Israel would have developed its own speech forms to give expression to such oral traditions. Such oral forms would be short and self-contained textual units (such as the *lex talionis* appearing in Exodus, Leviticus and Deuteronomy in the Pentateuch), (Krentz, 1991:67-72 see also Mensah, 2016). The historical-critical method again postulates that the Bible is a historical book that contains the history of Israel (Marshall, 1992: 126).

This method, with its sub-disciplines, including textual criticism, source criticism, form criticism, tradition criticism, redaction criticism, historical criticism are methods that are concerned with the relationship of the biblical materials to history and also attempt to trace the development of the biblical literature through time is hereby adopted for the present study (Mensah, 2016: 36-37). The use and application of the historical-critical method, in all its forms, has dominated Biblical scholarship undertaken even in recent times. With this method, several conclusions about the Bible, the biblical authors and what they wrote have been made. This method is viable to both Christian scholars as well as non-Christian scholars alike.

In modern biblical studies, it is widely recognized that the Bible gradually grew into existence through a process from oral traditions or written materials.

These were passed down from one generation to another through the instrumentalities of certain individuals and groups. This comes with a historical tradition behind it. Large portions of the Pentateuch include laws, which are now grouped in collections called the Covenant Code (Exodus 21:22-25), the Holiness Code (Leviticus 24:10-23), and the Deuteronomistic Code (Deuteronomy 19:15-21). Incidentally, the *lex talionis* occurs in all the three codes mentioned in the Pentateuch with a history coming along with it.

The present study investigates the Hebrew Bible's *lex talionis* to find out how this biblical law was understood and applied in ancient Israel in order to find grounds to ascertain if it has anything to do for political vengeance in Ghana today. With the *lex talionis* appearing in different historical periods and contexts, tradition historical-critical method which is an offshoot of the larger historical method is more appropriate for the present study of the phenomenon. According to Douglas A. Knight in *Tradition History* (1992:634), as a method tradition history, is one of the sub-disciplines of the broader historical-critical method in exegesis that "attempts to recover the meaning that the tradition had at each stage in its growth."

Therefore, a better way to understand the *lex talionis* is to put it within its original context. This can effectively be carried out by examining the world of the text through historical investigation. Its use in biblical interpretation has yielded fascinating results. Therefore, with the historical underpinnings of the *lex talionis*, the present study adopts as a history of interpretation as a framework to study the *lex talionis* in the Hebrew Bible. The researcher wants to know historical interpretations that has govern the *lex talionis* throughout the centuries by scholars.

When the theories in historical critical method are properly applied in biblical studies, they help recreate the history behind the text, as well as the narrative world of the narrative text. One major principle of this approach is that, it calls the modern reader to locate the author and the audience within their historical and cultural setting in order to determine the social interactions that result in the creation and function of the text.

In much the same way, in this present study, issues regarding social and historical backgrounds are given significant attention. Even though, the present study is primarily about investigating to find out whether the Hebrew Bible's *lex talionis* has anything to do with political vengeance in Ghana, there is the need to recognize that ancient Israelite society was not static or stagnant, but dynamic. Having said this, we need to emphasize that the present work will be challenged by temporal considerations so that we do not run the risk of throwing away the entire Israelite understanding and application of the *lex talionis*.

Approaches to the Interpretations of the *lex talionis*

So far, there have been two major approaches for identifying the original meaning of the biblical *talion*: these are the historical approach and the rhetorical approach.

Historical Interpretation of the *lex talionis*

The historical approach basically focuses on the function of the *lex talionis* within the ancient community and how it was applied. We can further identify two main streams of thoughts in this approach. We have those who try to identify the original intended application of the talion and those who have sought to place the talion within the history of legal development (Vroom, 2009). With those who try to place the original intended application of the talion, these concerned themselves with the way in which the talion was meant to be applied in ancient community.

There are three further sub-disciplines under this school of thought: (1) the talion prescribes literal physical retaliation (2) the talion prescribes monetary compensation (3) the talion allows the option of either retaliation or compensation (Daube, 1969). Daube (1969) in particular has been spearheading the original formulation for literal retaliation in the strictest sense of the formula. He recently conceded however that, by the time of the final draft of the Torah, retaliation had likely given way to compensation. So others such as Miklisanski (1947), Doron (1978), West (1993) and Chiniz (1995), hold the position that the talion prescribes monetary compensation.

Their examination of the contexts in which the formula is found rather suggest that monetary compensation is intended but physical talion is impossible. This is particularly true in the rabbinic tradition, which provided arguments in support of the reason why literal application could not apply.

Milgrom (1995) comments the Rabbis reasoned that literal retaliation could never have been the intention of the law because it assumes that each party's eye is of the same value. Since the law would not be equitable if a blind person injured his or her mother's eye, the law must refer to monetary compensation. In much the same way, "eye for eye" must be understood as "the value of an eye for an eye." The third view holds that the talion involves the option of retaliation which is old but still popular. This view follows Josephus' rendition of the law which states,

He that maimeth anyone, let him undergo the like himself, and be deprived of the same member of which he hath deprived the other, unless he hath is maimed will accept of money instead of it; for the law makes the sufferer the judge of the value he hath suffered, and permits him to estimate it, unless he will be more severe (*Josephus, Ant 4:280*).

This third view is strongly advocated by some scholars of biblical law, such as Raymond Westbrook and Bernard Jackson. They believe the talion formula originally meant or implied "an eye for an eye in lieu of monetary settlement." What can be observed as common to all the three views or the interpretations of the talion in ancient community is on the issues of application. They are concerned with how the talion was applied in ancient community.

The second historical approach to the talion basically looks at the place of the talion within historical legal development common to most societies.

In this historical approach, scholars trace the various stages of legal development that a society has gone through and position a talion culture within a certain evolving scheme. Three main paradigms can further be identified within these developmental processes.

The first view is based on sociological belief that societies generally move from the practice of primitive clan legal system to the more advanced legal institutions of the centralized state. Nineteen century judge Mayer Sultzberger (1915) writing on primitive tribal law (also known as blood feud) states that it was literally practiced as a means of maintaining balance between tribes and clans. According to Sultzberger, as tribes grew from territorial level and gradually became more centralized institutions, clan law was replaced with criminal law. This model postulates that the biblical text on talion reflects progression over primitive tribal law. The progression can be seen in laws related to the avenger of blood and the kinsman redeemer which shows the trace of primitive law with some advancement (May, 1940).

This sociological interpretation of this ancient law has popularized the interpretation of the talion that it was formulated to limit vengeance. In other words, since primitive law always resulted in accelerating feuds, it was so formulated “an eye for an eye” so that people nurturing an attack would be discouraged. So Mary Douglas (1999) suggests that the original meaning of the talion was “no more than an eye for an eye.”

The second interpretation of the talion is premised on the assumption that primitive law is characterized by brutality whereas more civilized legal systems advocate monetary compensation. Proponents of this view understand this as an advancement while physical retaliation is primitive. This can be noticed in the writing of Driver and Miles (1952) who wrote “the natural remedy for assault is retaliation and ... talion was a fundamental principle of early law and was only gradually replaced by a system of fixed composition.” So the second interpretation of the talion sees it as a sign of primitive brutality.

The third sociological interpretation of the talion stands in contrast to the above. This position claims that primitive law employs monetary compensation because it is purely a civil matter whereas advanced law employs corporal punishment, which is a matter of criminal law. It thus stands to reason that the law develops from primitive civil law to complex criminal law. This position is supported by the discovery of two law codes; the laws of Eshnunna and the laws of Ur-Namma, which recommend monetary compensation for physical injury (Pritchard, 1969). These laws pre-dates the laws of the Hammurabi which demand physical talion. So the talion reflects legal advancement, which is a more complex legal system where civil law gave way to criminal law. So the talion is a later prescription in a more advanced complex society after primitive society.

Rhetorical Interpretation to the *lex talionis*

Whereas the historical approach focuses on the function of the *lex talionis* within ancient community, the rhetoric approach focuses on how the talion functions as a literary unit or expression. The rhetoric approach emerged on account of the loose connection between the contexts the talion occurs. In the three contexts the talion occurs, the literal connection between the talion in the Torah seems inappropriate. On account of this, scholars have drawn the conclusion that the formula is not about eyes, tooth, and feet as some claim. Rather, it is just a rhetorical expression, whereby the precise members of the formula are there to serve as concepts. Tikva Frymer-Kensky (2003:232) argues, “The sanction “eye for eye” ... is intended as a formulaic statement of the philosophical principle of equal retribution.” Correspondingly, Pamela Barmash (2004:159) states, “The talionic formula does not refer to “a burn for a burn” as a specific punishment. Rather, it uses specific injuries to articulate equivalence as a principle of justice.” Hence, the rhetoric approach emphasizes the loose connection between the talion in the various contexts it occurs.

According to the rhetoric approach again, the exact meaning carried by the *talionic* formula is often believed to convey legal model of equal retribution but not for the general “tit for tat” principle behind “eye for eye.” This conclusion is arrived at due to the fact that there is proportion between the crime and punishment entrenched within the formula. The origins of the argument can be traced as early as Philo, who wrote:

For to exact a different and wholly unequal punishment which has no connection with or resemblance to the offence, but which is wholly at variance with it in all its characteristics, is the conduct of those who violate the laws rather than of those who would establish them.¹

This position emphasizes the exact correspondence between crime and punishment; to the proponents of the rhetorical approach this represents an ideal justice. In other words, rhetorical view of the talion indicates that rhetorical forces of resemblance and analogous punishment persist in modern legal system (Yelle, 2001). The presence of loose connections between the *talion* and its various contexts together with the evenness between crime and punishment convince scholars to conclude that the formula is simply an expression of the legal model of equal retribution.

Challenges with Past interpretations of the *lex talionis*

Two major challenges confront both the historical and the rhetorical approaches to the interpretation of the biblical talion. The first concerns the assumptions about ancient written law that are inherent within the historical approach. While the second is related to the assumption that the formula has the same function and meaning in each context in Exodus, Leviticus and Deuteronomy.

¹ Philo, *Special Laws* 3. 182.

Historical Assumption

The historical approach is premised on the assumption that the legal corporal of the Pentateuch functioned as statutory law for the ancient community. This imposes the modern concept or idea of law on the ancient texts. We can further identify two sub-assumptions within this category. First, this historical approach assumes that written law in the biblical era served as the basis for adjudication. But that was not the case for ancient Israelites where there was not a written source of legal codes for judges to refer.

The second associated assumption is that the law is literally binding. The question we need to ask then is: “What situations do the words of this law cover”? The tenets of the historical assumption compel the modern interpreter for example, to question the sixth commandment (you shall not kill), “What about war-time killing, manslaughter, self-defense, or other justifying situations?” Jackson (1984), informs us that the legislative model applies literal semantics reading to the law. But ancient laws were not meant to undergo such examination; they were not literally binding. What we can deduce from this is that the historical approach imposes modern assumption about the function of written law upon the ancient text.

Standardized Formula Assumption

The second challenge to the approaches to the interpretation of the *lex talionis* bothers on both the historical and the rhetorical approaches alike.

Both approaches assume that the formula functions in the same way in each context as a standardized formula that cuts across. In other words, practitioners of the historical approach assume that one particular meaning applies to all the talion irrespective of the context in which it is found. This obviously lacks consideration for the contexts in which the talion occurs. That is basically to say, they ignore the context (s) of each talion in the Torah. A renowned legal practitioner William Miller (2006:20) writes,

Consider the law of talion ... the biblical eye for an eye, tooth for a tooth. Never mind for now that the rule gets stated in varying ways and different contexts in Exodus, Leviticus, and Deuteronomy, each raising its own substantial interpretive problems.

The above discussions have informed us of two main approaches that have been used to read the biblical *lex talionis* in the Hebrew Bible – the historic and the rhetoric approaches. The rhetoric approach to the interpretation of the *lex talionis* in the Hebrew Bible uses rhetoric devices, this helps to understand how the *lex talionis* functions as a literary unit or expression in the Torah. Irrespective of the weaknesses that have been pointed out in the historical approach, as far as this present study is concerned, I think the historical approach to the interpretation of the *lex talion* can still yield significant results for the present study. This will help to understand how the *lex talionis* was meant then and applied in ancient Israelite community and relate it to the Ghanaian situation. It can also help us understand the world behind the *lex talionis* in ancient Israel.

So that we can understand how the text was meant then in ancient community in order to bring to bear on the Ghanaian politicians' use of the *lex talionis*, and subsequently if it can be used to support political vengeance in Ghana.

The *lex talionis* is “a law by which the guilty party suffers the same harm as that experienced by the injured party... The classic formulation of *talion* in biblical law is “life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe” (Freedman, 1992). Even though other ancient law such as the Code of the Hammurabi, originating from the ancient Babylon long before the law of Moses prescribes that “if a man has put out the eye of a free man, they shall put out his eye,” and that “if he breaks the bone of a (free) man, they shall break his bone,” and that if a man knocks out the tooth of a (free) man, equal (in rank) to him (self), they shall knock out his tooth” (Driver and Miles, 1952).

Another evidence can be found centuries later in Roman law, the Twelve Tables which stated that “if anyone has broken another's limb there shall be retaliation in kind unless he compounds for compensation with him (Twelve Tables, supra note 12) are similar forms of ancient and modern *talionic* principles or expressions. However, the *lex talionis* found in the Old Testament of the Bible is what we are going to interact with. It is a biblical law in Scripture. To begin with, Gen 9:6 “whoever sheds the blood of a man, by man shall his blood be shed,” opens with the connection between the image of God and the *lex talionis*. This basic statement of civil justice takes the shape of the *lex talionis*: blood for blood, that is, life for life.

Three statements of the *lex talionis* in the Mosaic law of the Old Testament provide additional weighty evidence to this (Exod 21:22-25; Lev 24:17-24; Deut 19:16-21). According to Van Drunen (2008), the *lex talionis* expresses a core principle of strict and proportional justice and pitiless form in the Old Testament.

The general understanding of the *lex talionis* in the Ghanaian socio-political arena is about vengeance. That is, Ghanaian politicians understand that this biblical law was meant to wreak vengeance on political opponents in Ghana as indicated above. So first of all, I will look at the Masoretic Texts as it is on the *lex talionis* in the Hebrew Bible. In doing this, I will consult commentaries, books, case studies, articles, reviews etc., to find out how majority of scholars are interpreting the *lex talionis* to understand whether the law actually took effect as it is stipulated.

Theoretical Considerations

Tradition History (Inner-Biblical Exegesis) by Michael Fishbane

This approach to the text was developed by Michael Fishbane (1992). The approach seeks to address the reinterpretation and reapplication of earlier biblical text by later text – where direct quotations is the most obvious application of this methods; inner biblical exegesis also looks at grosses in the text, the arrangement of material in its present form, and the use of words, themes, and traditions in other texts. The approach also shares features with interpreting scriptures in the light of scripture, but focuses more on the literary and historical relationships rather than the theological or spiritual ones (Patzia and Patrotta, 2002:50).

Michael Fishbane's approach to the formation of the Pentateuch is tied up with his theory of inner-biblical exegesis. This type of exegesis makes use of tradition history. Fishbane believes in this regard that, throughout the entire Hebrew Bible it is possible to trace or recognize an inner-biblical legal exegesis; that is an effort to apply and interpret Pentateuchal laws to new situations, especially in the face of gaps and obscurities in Israel's legal *traditum*. Fishbane maintains that, the legitimacy of revelation over tradition and expressions of inner-biblical exegesis manifests themselves in canonical consciousness.²

In *Biblical Interpretation in Ancient Israel*, Fishbane posits that revelation recognized in the Pentateuch during the pre-exilic period and tradition(s) that make references (allusions and quotations) to such revelation, renews the already revealed revelation from the pre-exilic in the post-exilic periods constitute the Hebrew Bible. This is particularly true in cases where divine revelations are succeeded by human interpretations (Fishbane, 1995); thus making it possible for texts from older material, which include laws, theological or narrative dicta, or prophecies to be received in a new situation. Underpinning in his approach are two key concepts *traditum* and *tradio*. *Traditum* (the materials themselves that were transmitted) in Fishbane's view is "the content of tradition" whereas *tradio* (that is the process of transmission) is "the complex result of a long and varied process of transmission."

² Fishbane, "Revelation and Tradition: Aspects of Inner-Biblical Exegesis," 343. He identifies this within the biblical periods of both pre-and post- exilic when tensions between revelation and tradition were amicably resolved.

This practice for Fishbane constituted Jewish exegesis found within the Hebrew Bible. In this way, the canon was viewed as a result of successive stages where at each stage in the *traditio*, the *traditum* was adapted, transformed, or reinterpreted. Considering the nature of the *lex talionis* as appearing in three different places in the Torah (Exodus, Leviticus and Deuteronomy), Michael Fishbane's theory of inner-biblical exegesis will guide the entire thesis. It will help us to find how later traditions embraced or adopted earlier texts (*traditum*, the *lex talionis* in Exodus) and reinterpreted (*traditio*) in Leviticus and Deuteronomy and later in new socio-political situation such as Ghana.

James A. Sanders' Approach to Reception History

In his two major works, *Torah and Canon* and *Canon and Community* James A. Sanders (1979; 1984) proposed a new discipline he thinks should be called canonical criticism. In these, he demonstrates how the Old Testament has been interpreted and handed on from the beginning by communities who define themselves by them. In *Canon and Community* for example, Sanders develops a theory that sees the growing of the Old Testament as a process; where an earlier community may receive a text that might have been rewritten by another community of faith in a different historical time periods (Sanders, 1984).³ In his view, it takes a combination of these two key concepts (Stability and adaptability) to understand the canonical process.

³ James A. Sanders, *Canon and Community: A Guide to Canonical Criticism* (Philadelphia: Fortress Press, 1984), 21-22.

The concept of adaptability makes a possible rewritten of a text by another community of faith in later periods and in the transmission of biblical manuscripts;⁴ this comes to indicate that “there is no early biblical manuscript that does not have trace in it having been adapted to the needs of the community... by archaeology or coincidence, receive it.”⁵

For Sanders, stability and adaptability of a text in the life of earlier and later communities indicate major turning points or transitional periods, in that, the period bracketed by the fall of the first temple and the fall of the second... was marked by a co-existence of two ideas about the word of God.”⁶ Closely connected to Fishbane’s theory of inner-biblical exegesis is Sanders’ theory of canonical processes. Both theories indicate that Jewish exegesis took place in stages in that, when early text become stabilized, it is adapted into the community’s life. Thus later text becomes rewritten and received, so that what an early community may receive could be rewritten by another community of faith in a different historical time periods. Such I think is the nature of the *lex talionis* found in the Torah.

4 James A. Sanders, “Text and Canon: Concepts and Methods,” JBL 98 (1978), 21. In Sanders view, Torah has a wide range of usage in Old Testament, which include bodies of instruction, teachings of Priests and prophet, sages and even of parental advice to children. However, he cautions his readers not to confuse this with the Pentateuch which “earlier real clear use” in relation to the Pentateuch is found in the latter part of the second century B.C. He locates the genesis of the canonical process within the history of ancient Israel, in the pre-exile time with Torah.

⁶ These are “the idea of the living word of God ever dynamically new and fresh, and the idea of traditions which were becoming stabilized into certain forms but were generation after generation in need of being adapted to and heard afresh in new historical contexts.” “Text and Canon: Concepts and Method,” 21. This explains the fact, as a process what an early community may receive could be rewritten by another community of faith in a different historical time periods.

It first appears in Exodus and later adapted, rewritten and received in Leviticus and Deuteronomy. These theories will help us understand how the *lex talionis* meant in ancient Israel.

The *lex talionis* has a long-standing historical tradition behind it from ancient Israel. The import of Michael Fishbane's theory rest on the fact that, later communities may allude or refer to an earlier revelation and apply it to a new situation. This process can go on and on. The *lex talionis* occurs in Exodus (which may constitute a revelation), then in Leviticus (a later community) alluded to it and used it in a new situation, and finally in Deuteronomy. Fishbane's theory is closely related to that of James Sanders. With this, I intend to adopt the history of interpretation that communities of witnesses have given to the *lex talionis* through the centuries as the framework for the present study. Both theories will help this study by gaining insights into how each tradition used the *lex talionis* in a new situation in ancient Israel so that we can use it as a reference point or have basis to evaluate the way Ghanaian politicians understand it and subsequently the way they are using it in Ghana.

There is no intention to give an elaborate literature review in this section of the study because the entire study is based on systematic review of literature throughout the entire work. This means that the exclusion of a detailed literature review as a separate section in the study is deliberate. Accordingly, this section will be restricted to but a brief review of the key scholars that have interrogated the subject of this present study.

The issue of vengeance has been a hotly contentious phenomenon among scholars for years. Scholars hold different views regarding the aims, motivations, and the justification on this issue. This section discusses works on vengeance in relation to the principle of ‘measure for measure’ from writers in different categories of fields. The purpose of this review first, is to find out what other scholars have said about the subject matter and how they have discussed vengeance in relation to the principle of ‘measure for measure.’ Second, it is also to set out the framework in which we can situate the present project. The researcher cannot discuss all individual scholars in detail in this research, except where individual scholars have a great bearing on this thesis.

There is uncertainty over the ethical significance and justification of an act of vengeance. A key challenge is the consideration that certain acts of vengeance may be just and yet be generally accepted to be morally wrong. The issue becomes even more compounded when the principle of ‘measure for measure’ is appealed to as basis to wreak vengeance against a victim. Moreover, scholars split in terms of opinions and convictions on the conditions which make the terms ‘vengeance or revenge’ applicable to an action. Therefore, we want to engage ourselves with other scholars in a discussion to discover if a wrong committed against a victim warrants an appeal to the principle of ‘measure for measure.’

Organization of the Study

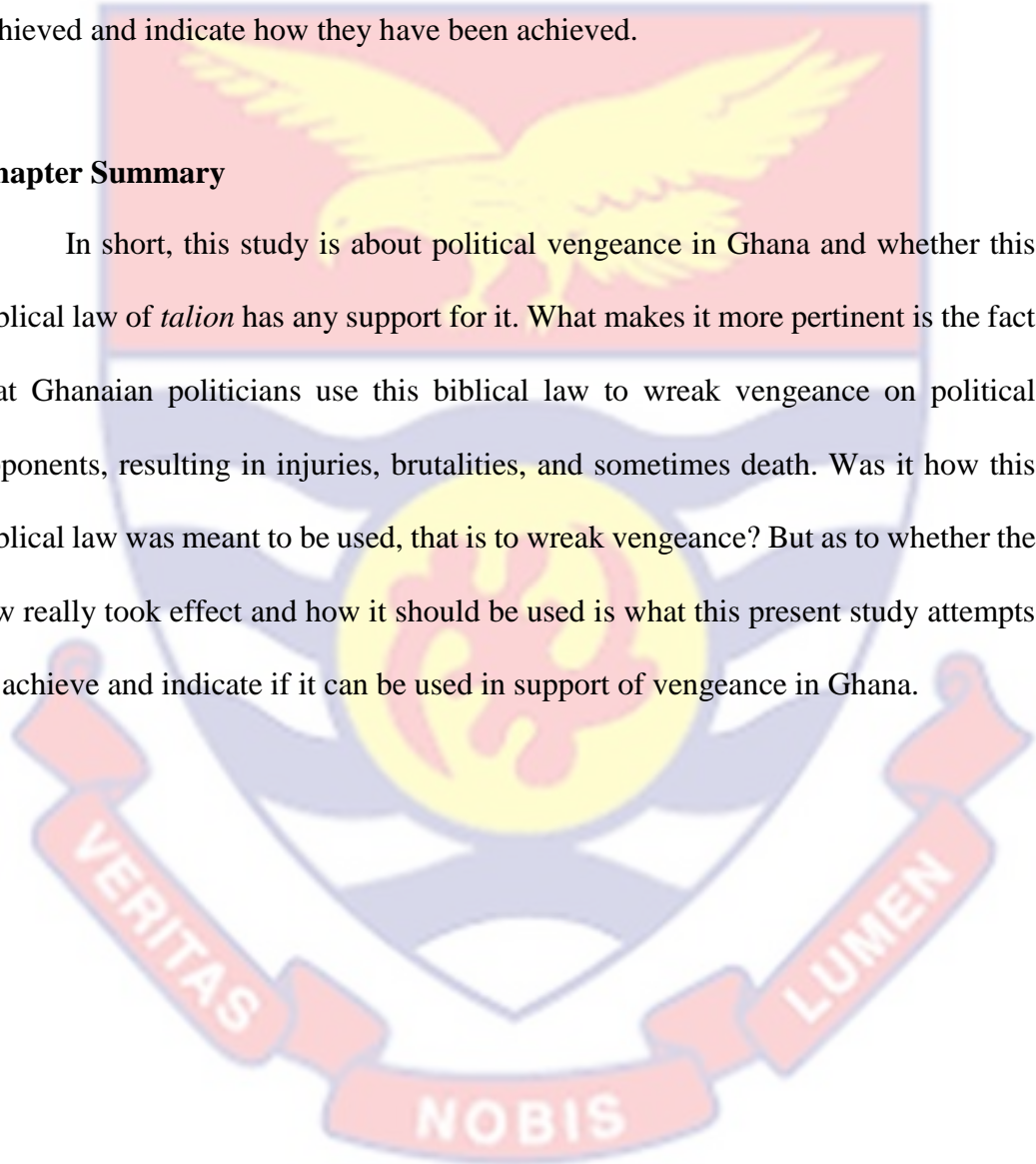
This research work is organized in five chapters. Chapter one introduces the issues at stake by providing a background of the study, statement of the problem, the significance of the research, methodology for the research, and a brief literature review that will be used to study the text. Since Ghanaian politicians generally use the Bible in politics, in chapter two, I discuss the political context in Ghana to understand the political environment of the Ghanaian politics in general regarding the use of the Bible and also to indicate significant areas Ghanaian politicians use the Bible. Chapter three analyzes the *lex talionis* in its original contexts in ancient Israel in the Hebrew Bible by using the historical-critical method in order to understand the history of interpretation that has guided this principle through the centuries. Here, I will consult commentaries, articles, books, reviews by scholars who have written elaborately etc., on the *lex talionis* in all the respective places it occurs in the Torah to arrive at a message the text attempts to present to the reader.

In doing this, I look at both the immediate and the remote contexts of the individual texts. The different contexts in which the *lex talionis* is placed will inform us about the idea behind the text. This will enable us to know why this law was given, how it was understood, and applied in ancient Israel. Chapter four evaluates and examines the discoveries made from the analysis of the text in comparison to how politicians in Ghana understand the *lex talionis* in order to ascertain the extent of perception of retaliation in the political discourse in Ghanaian politics.

In Chapter five, which happens to be the last chapter in this research work I summarize the entire thesis, draw conclusions, and then offer final recommendations for the considerations of future researchers. The main lines of argument of the study will be recapped and then I conclude the study by stating the objectives set out to be achieved and indicate how they have been achieved.

Chapter Summary

In short, this study is about political vengeance in Ghana and whether this biblical law of *talion* has any support for it. What makes it more pertinent is the fact that Ghanaian politicians use this biblical law to wreak vengeance on political opponents, resulting in injuries, brutalities, and sometimes death. Was it how this biblical law was meant to be used, that is to wreak vengeance? But as to whether the law really took effect and how it should be used is what this present study attempts to achieve and indicate if it can be used in support of vengeance in Ghana.



CHAPTER TWO

THE USE OF THE BIBLE IN GHANA'S SOCIO-POLITICAL DISCOURSE

Introduction

In the previous chapter, I discussed the problem of this study, the background, the objectives, the significance, as well as the research questions to answer the objectives of the study in order to achieve the goal of this present study. Now, if Ghanaian politicians are using the Bible, then the Bible must have a significant place in the Ghanaian culture. So what then is the state of the usage of the Bible and how important is it in the Ghanaian culture? This chapter examines how Ghanaians are using the Bible in their personal, social, educational, spiritual and political lives etc. I also discuss significant areas in Ghanaian politics in which politicians make significant use of the Bible to give credence to their political claims. In doing this, I indicate with concrete examples from literature and personal interviews with some Ghanaians the significance of the Bible in Ghanaian culture.

According to Anum (2017), the Bible has been treated with great respect for various reasons in the Ghanaian society. He points out three major era in which the Bible was misused, disused, and re-used in Ghana's political history. In the period of the misused, Anum examines the use of the Bible in African missionary history and its legacy in leadership in nation building. In the era of the "disused" of the Bible, Anum indicates that the use of the Bible in situations where the Bible is completely replaced by other replicas to make up for its message within certain political, religious, and social contexts.

Whereas, under the re-used era, he sees the use of the Bible in contemporary times with the upsurge of social media and *tele-evangelism* all around us. The different uses of the Bible in Ghanaian politics makes the Bible very important to Ghanaians in general, and Ghanaian politicians in particular (Pobee, 1991).⁷

In Ghana, politicians use it for various reasons in their political campaigns. In the previous chapter, I argued that Ghanaians generally are fond of using the Bible in significant areas of their lives. They use it in education, legal practice, social and spiritual lives. This tells us that there is something unique or significant about the Bible for Ghanaians. Therefore, this chapter examines the importance of the use of the Bible in Ghanaian politics. In doing this, I will point out significant areas in Ghanaian politics in which politicians make significant use of the Bible to give credence to their political claims. I will first look at politics in the Biblical era because Ghanaian politicians quote from both the Old and the New Testaments to legitimize their political talks or actions. Second, I will look at the areas the Bible is used in Ghanaian politics.

Politics in the Old Testament

The influence of the word of the Lord in political affairs is not a recent phenomenon.

⁷ J. S. Pobee (1991) indicates that religion is interwoven in the Ghanaian culture, particularly politics.

It can be observed both in the Old and the New Testaments times during the appointments or selections of leaders and the administration of justice where the word of the Lord comes to determine the legitimate person God approves to ascend the throne (1 Sam 3-4, 16;). According to Kunhiyop (2008), the general Christian view about the relationship between the Bible and Politics cannot be based on isolated texts. Rather, it has to be looked at from a wider spectrum of Christian Theology comprising both the Old Testament and the New Testament. This will give us a holistic view about how the word of the Lord and Politics have interacted in biblical times, then, we can deduce or glean insights from it and relate it to a given situation.

According to Kasomo (2009), the relationship between the Church and the state, for that matter, the Bible and Politics (which is being used as synonymous to church and the state) can be traced to the biblical era (Old Testament times) even though the church was not physically present in the Old Testament. Also Kunhiyop (2008) indicates the Bible records forms or systems of government in the Old Testament where certain individuals exercised authority under the direction of God. Atkinson, Field, Holmes, and O'Donovan (1984), however, contend that these systems or forms of government were human institutions, not prescribed by God, and are contemporary representatives of modern democracy. Even though, these systems or forms of government may not be vividly seen by their respective modern terminologies in the Old Testament but the elements of governance can be recognized manifesting or operating in the Old Testament.

A brief historical survey from the Bible brings to the fore the interactive nature of politics and religion in Biblical times in the Old Testament with the Word of God playing a major role. We observe in the Old Testament a complete theocracy of God's rule in the affairs of men. We can recognize God appointing political leaders to lead his people. God appointed individuals like Moses in the book of Exodus and Joshua in the book of Joshua with a word to lead Israel into the Promised Land. In the Promised Land tribal leaders and judges heard criminal cases, and used God's word to administer justice, and maintained law and order in their respective communities. The time of the judges also mentions theocracy and an early form of "democracy" in which people attempted to enthrone Gideon as king and start a dynasty. Gideon refused this offer by insisting that the nation was a theocracy: "I will not rule over you, nor will my son rule over you" (Judges 8: 22-23).

Two centuries later, especially during the time of Samuel, the Israelites requested for a king, Saul emerged as the first king over Israel (1 Sam 9), followed by David who was described as a man after God's own heart (1 Sam 13: 14; 16). Kunhiyop, (2008: 90) is of the view that "this description of David refers less to David's character than to his place in God's plan. Later, we see God established the government in David's and Solomon's times and Israel became a more organized nation than ever. After the division of the kingdom, some foreign kings carried out specific assignments on behalf of God. God described some of these foreign kings as His servants and instruments of change (Isa 43; Ezra 1:1-10, Neh 1). Ezra also used the word of God to cause a major transformation in both private and public lives and brought a great revival to the whole nation.

In the prophets (during 7th centuries), God used the prophets to challenge national leaders or rulers whenever they deviated from the will and the purposes of God for the people of Israel and effected major changes when necessary through his word. God gave them his word to instruct Kings to turn from their wicked ways to the living God. In Jonah, the nation of Nineveh was transformed from the least to the greatest (the King) by the word of God through the prophet Jonah (Jonah 1-4). A message from God through the prophet touched the heart of the King so much so that a whole political dynasty was shaken through repentance when they heard the word of God. Zechariah also records a major arousal for nationalism whereas Amos and Habakkuk through God's appointments used God's word to address the social injustices and lawlessness of their day. Prophet Daniel also used God's word to interpret Nebuchadnezzar's dream (Dan. 2 and 4), the hand writing on the wall (Dan. 5), and visions of successive kingdoms after the Babylonian kingdom and future events (Dan 7, 8, 9 and 11-12). We see in these interpretations where God's word was used to direct political affairs of the day and to administer justice sometimes. Mention can also be made of the role of the word of God during the reigns of Joshua the high priest and Zerubbabel the governor in the book of Zechariah and Haggai respectively. Thus, we can see that political events in the Old Testament were greatly influenced by the word of God. We see a perfect blend or interaction of the word of God and Politics in ancient Israel.

One can especially recognize in 1Kings 2:1-9 in the Old Testament a typical example of *lex talionis* in display or operation.

David in his old age charges his son Solomon to retaliate or pay back some individuals who offended him during his reign as King over Israel in just the same way as they did. He says:

⁵"Moreover you know also what Jo'ab the son of Zeru'iah did to me, how he dealt with the two commanders of the armies of Israel, Abner the son of Ner, and Ama'sa the son of Jether, whom he murdered, avenging in time of peace blood which had been shed in war, and putting innocent blood upon the girdle about my loins, and upon the sandals on my feet. ⁶ Act therefore according to your wisdom, but do not let his gray head go down to Sheol in peace. ⁷ But deal loyally with the sons of Barzil'lai the Gileadite, and let them be among those who eat at your table; for with such loyalty they met me when I fled from Ab'salom your brother. ⁸ And there is also with you Shim'e-i the son of Gera, the Benjaminite from Bahu'rim, who cursed me with a grievous curse on the day when I went to Mahana'im; but when he came down to meet me at the Jordan, I swore to him by the LORD, saying, 'I will not put you to death with the sword.' ⁹ Now therefore hold him not guiltless, for you are a wise man; you will know what you ought to do to him, and you shall bring his gray head down with blood to Sheol" (RSV).

The relationship between the two phenomena was an overlapping one in the Old Testament. There are times God through his word caused a major shake-up in an entire nation to bring a change; God used certain individuals as agents of change exercising political power; when at certain times political events and issues interfere with God's overall plans and purposes for his people Israel. The foregoing discussions inform us of the role of the word of God in political affairs of ancient Israel in transforming the society.

Politics in the New Testament

The story is not different in the New Testament. The New Testament also highlights instances of events where Jesus, John the Baptist, Paul and the Apostles also used God's word to change the status quo of their days in different contexts. The context of the relationship between God's people (the church) and the state, and for that matter the Bible and politics is very different from what we observe in the Old Testament. We do not see in the New Testament God's people (the Christians) exercising political power in that sense; Israel and the believers were constantly under Roman rule. However, Jesus' teachings on "Give to Caesar what is Caesar's, and to God what is God's" in Matt 22: 21, indicates that he saw believers as having a responsibility to both God and the state.

This statement acknowledging the dual relationship between the church and the state was not without tension.⁸ Also, Jesus' teaching on believers' being salt and light in Matthew 5:13-15,

13 You are the salt of the earth. But if the salt loses its saltiness, how can it be made salty again? It is no longer good for anything, except to be thrown out and trampled by men. 14 You are the light of the world. A City on a hill cannot be hidden. 15 Neither do people light a lamp and put it under a bowl. Instead they put it on its stand, and it gives light to everyone in the house.

⁸ In this work, I am using Church and the State interchangeably with the Word of God and Politics.

16 In the same way, let your light shine before men, that they may see your good deeds and praise your Father in heaven,

indicates that Christians are not to withdraw from the world and from politics but to have a necessary and crucial role to play in the world. The leaders of the early church knew that governments were divinely instituted by God with the right to enforce law and order in order to restrain antisocial behaviors (Rom 13:1-5; 1 Pet. 2:13-14). With this, Christians were thus obligated to pay taxes and to show proper respect to the authorities ordained by God (Rom 13:6-7). They were to pray for the “kings” and those in authorities and submit to those in authorities.

Now, from the biblical perspective, it can be observed that the word of the Lord and politics have been interacting right in the Old and the New Testament times. God has been actively involved in the selection of leaders, while some leaders have also consulted God for approval on certain issues. God’s people were so much influenced by the word of God. We can also see the word of God playing a necessary part in nation building through politics.

It is obvious from the survey in both the Old and the New Testament that the word of God was very prominent in the selection of leaders, giving directives to leaders, instructing people on how to relate to the state etc. Does this give or serve as motivations to Ghanaian politicians also to use the Bible?

The Ghanaian Situation

Acheampong (2012:1) indicates that, “the notion that religion and politics are interrelated is a well-grounded issue in Africa. Religious influence in African politics is an age old phenomenon. In African societies, religion is all-pervasive. The metaphysical has always been a factor in politics.” The use of the Bible in politics is also not a new phenomenon in Ghanaian politics. Pobee (1991) and Dovlo (1994; 2005) indicate that the Bible and Politics are intertwined in the Ghanaian society. For Pobee (1991), the Bible was greatly used by the first President in the First Republic, and other Heads of State in the Second and Third republics of Ghana respectively; whereas Dovlo (1994 and 2005) points out the dominant role the Bible plays in the public lives of Ghanaians. Ghanaian politicians irrespective of their political affiliation, make significant use of the Bible in Ghanaian politics for various reasons especially in the Fourth Republic. Acheampong (2012) posits that historical antecedents point to the fact that this phenomenon is most common during elections.

The Significance of the Bible in the Ghanaian Culture

Abeidu-Quarshie (2002) writes regarding the importance of Bible translation into the native language of the indigenes so that they can read and understand the Bible in their own language said, the early missionaries who came to the then Gold Coast made it a policy to make the message of the Bible accessible and readable to all the people. Therefore, they resolved to translate the Bible into the mother-tongue of the people, to read and understand its message at first hand.

Smith (1966:54) indicates that, “the Basel Committee insisted that, at all costs, the African was to hear the Gospel, read the Bible and worship and be taught in his own tongue.” In the same vein, Boahen (1996: 144) quotes W. T. Balmer (a British Methodist Missionary in Ghana in the nineteenth century) as saying that “the study of the mother-tongue was an undeniable factor accounting for the success of a mission, and therefore it is fundamental principle to speak Christ’s message to people in their own tongue, otherwise seeds of future prejudices and misunderstandings are sown.”

In view of this, Johannes Zimmerman translated the Bible into Ga (a dialect spoken by the indigenes residing in the capital of Ghana) in 1886 and J. G. Christaller also did the same for Twi (a dialect spoken by a section of the Akans in Ghana) in 1871 respectively. However, there had been earlier attempts in 1843 to translate parts of the Bible, the New Testament into Ga, Akuapim- Twi, Fante and Ewe in 1859 and the complete Bible in 1871. The intent of this move was to make the Bible readable and accessible to the people of Ghana in their own dialects for their personal and spiritual developments in order to enrich their walk with God.

Modern day Bible translation in Ghana is championed by three organizations: Bible Society of Ghana (BSG), Ghana Institute of Linguistics, Literacy and Bible Translation (GILLBT), and International Bible Society (IBS). The Bible Society of Ghana for instance was established with the prime motive of translating the Bible into Ghanaian languages and distributing them at affordable prices to Ghanaians.

Unlike the previous attempts which concentrated on some few languages in Ghana, this time the net has been cast wider to cover other languages spoken in Ghana.

Jonathan E. T. Kuwornu-Adjaotor (2012) writes,

according to its annual report in 2008, the Ghana Bible Society has translated and published the Bible in eight major Ghanaian languages namely: Ga, Akuapim-Twi, Ewe, Fante, Asante-Twi, Dangme, Nzema, and Dagbani. It has recently translated and published the New Testament in Eshahie, and has new translations of the New Testament in Ewe and Fante.

In a survey to find out the patronage and the usage of the mother-tongue Bibles in Kumasi, Ghana, Kuwornu (2012) found out that 55% of respondents indicated that they could read Bible in eight mother-tongues to the question: “Do Ghanaian Christians in the Kumasi Metropolis have copies of the mother-tongue Bibles? Furthermore, data from the Bible Society of Ghana (BSG), and International Bible Society show that the complete Bible has been translated into 13 languages and the New Testament into 29 languages in Ghana. Kuwornu-Adjaotor (2012) believes that these figures might be more because some Bible agencies have also done some translations that people are using on a small scale which are not captured in official records. Official records available at the website of Ghana Institute of Linguistics, Literacy and Bible Translation (GILLBT) indicate thus,

it is estimated that there about 60 language groups and dialets in the country (Ghana) and the minority languages are spoken by a population of about 50,000. The languages translated include Bimoma, Kokomba and Tanpruma, which are spoken in the Northern Region, Ntchumuru, spoken in the Upper east Regions. Furthermore, four additional translations into Nafana (Brong Ahafo), Sisala (Upper West Region) Kasim (Upper West Region) and Lelemi (Volta Region) were going to be dedicated in 2014 (Abbey, 2014).

The above discourse indicates how the Bible became part of the Ghanaian culture and the various efforts made by stakeholders and other organizations to make the Bible available and affordable to every Ghanaian. With the availability and the accessibility of the Bible in a number of Ghanaian languages in Ghanaian society, coupled with the power it comes with to transform lives, account for the keen use of the Bible in Ghana. Every Ghanaian who can read the Bible in his or her native language and understand the message in it can use the Bible for whatever purpose he or she deems profitable. Therefore, one should not be surprised about the various ways Ghanaians make use of the Bible in the following discourse.

Kuwornu-Adjaotor (2012) in a survey to find out the frequency or the number of times mother-tongue Bibles are used by Ghanaian Christians in the Kumasi Metropolis in a week, found out with the following frequencies:

Churches	Frequency: Daily	%	Frequency: At least thrice a week	%	Frequency: Once a week	%	Total
Mainline	524	24.1	645	29.6	1,009	46.3	2,178
Pentecostal	555	52.4	320	30.2	185	17.4	1,060
African Indigenous	63	50.0	32	25.4	31	24.6	126
Charismatic	373	33.3	446	39.9	300	26.8	1,119

New	70	41.9	48	49	49	29.3	167
Religious							
Movements							
Total	1.58	34.1	1,491	32.	1,574	33.8	4,650
	5			1			

The question is: “Is the mother-tongue Bible being read in Kumasi Metropolis and how often? This question aimed at finding out the frequency of the mother-tongue Bible readership among Christians in Kumasi Metropolis. From the table above, we see that 34.1% of the respondents read their mother-tongue Bibles daily; 32.1% at least thrice a week; and 33.8% once a week, perhaps on Sundays when they carry the Bible to their respective churches. This study was conducted in the Kumasi metropolis; Kumasi is a cosmopolitan city in Ghana where one can find different representations of most tribes in Ghana. Thus, the findings from this study can be a true a reflection of the general population of the use of the Bible by Ghanaians.

Ghana Statistical Service in 2012 that Ghana is predominantly Christian (Ghana Statistical Service, 2012). That, 70% of the Ghanaian population is Christian. This is reflected in responses from the above study is significant in that, they indicate the frequency Ghanaian Christians read the Bible in their mother-tongue. Of course, some Ghanaian Christians do not only read the Bible but also apply specific favourite biblical texts in their lives.

They write these favorite texts on personal fixed assets or properties such as cars, shops, houses, stickers etc. In all the variables the research sought to find out answers, it can be observed that a good number of adherents use the Bible.

The patronage of the Bible in Ghana shows the interest and believe Ghanaians have in the Bible and the role it plays in their respective lives. More importantly, it comes to support the purpose set out by earlier scholars to make the Bible available and affordable to Ghanaians.

The Role of the Bible in Ghana's Education System

With respect to the place of the Bible in the general African society, the case of Ghana cannot be isolated or underestimated. In the Ghanaian culture, the significance of the Bible is not far-fetched as it can be observed in the Ghanaian Education System. It is interwoven in the religious education program of Ghana within Ghana Education Service.

A brief overview of how religious education became part of the formal education in Ghana may put the discussion into perspective. Samuel Awuah-nyamekye (2010) asserts that, "it is very difficult to determine when Religious Education began in the Gold Coast, (now Ghana), for its beginning is as old as the indigenous Religion of Ghana (African Traditional Religion) of which, the main mode of instruction was formal training for the functionaries and participant-observation for ordinary adherents of the faith."

Awuah-Nyamekye (2010) maintains, “but religious education as we understand today (being part of formal education) could be traced to the time that the Gold Coast people, now Ghanaians, had contact with the Western Europeans from 1871 when the Portuguese landed on the shores of the country with the Bible.” Formal education had its way through the colonial masters in collaboration with the missionaries; as part of their education policies was the training of the indigenes to proselytes them into Christianity with the Bible as one of the primary textbooks. This was meant to make their converts good Christians (Hagan, 2009; Wise, 1956). It also brought into existence the mission schools in Ghana (Buah, 1998; Anti and Anum, 2003). It is very significant here to establish that the Religious Education taught in these mission schools before government intervention basically was directed from the doctrines of the Bible. Formal education developed by the missionaries was biblically oriented. From here, Eric Mensah (2018:44) indicates “in the beginning, it was basically the study of the Bible. Gradually, Religious education moved from the missionaries (when the missionaries left) into public education.”

The impact of the Bible in the Ghanaian culture can be identified in the role of the Mission Education System. Missionary schools started to spring up in the nineteenth century drawing on a high percentage of indigenous Ghanaians. Basel Evangelical Mission and Wesleyan Missionary Society were two of the many mission schools established during this period (Thompson, 2002). The core mission statement of the Basel Missionary society was to provide “quality education and character training” (Okyere, 1997).

The Wesleyan Methodist Mission had similar goals as the Basel Mission. By 1850, the Basel Mission had established varieties of schools with over 1000 students and by 1880, the Wesleyan Mission had eighty-four schools throughout the country (Antwi, 1992:30-32).

According to Thompson (2002:12), “the Basel Evangelical Missionary Society set-up the pattern by which most of the country’s pre-tertiary education is now based.” Among the subjects taught on the curriculum were Biblical studies, homiletics, music, church history, and English. The Wesleyan Methodist Mission also taught Bible study, reading, writing and arithmetic. The missionaries started these schools in Ghana with the sole aim of educating the indigenes to spread the gospel of Jesus Christ (Thompson, 2002), and to Christianize them with Christian values and principles to govern their lives. Some of the students who were enrolled in these mission schools later became members and others ministers of the gospel. The Bible was the core “textbook” from which instructions were given to the students. The above indicates the Bible’s encounter with the Ghanaian culture or society and the road map of how far the message of the Bible was packaged through religious education to Ghanaian private and public schools to the pupils.

Ghana’s Education Policies and Religious Education after the colonial era also did not overlook the significance of the Bible in the Ghanaian culture. As indicated earlier, Ghana’s education policies started during the colonial era. Religious Education was then known as Religious Instruction (RI). The contents of the Religious Instructions taught in Ghanaian schools were basically

Bible-based. In 1972, an education Review committee chaired by Professor N. K. Dzobo recommended that Religious Knowledge (RK) should be an integral part of a new discipline in the curriculum. This recommendation authorized secondary schools in Ghana to teach Religious Knowledge which was skewed towards the Bible.

So at the secondary school level, Bible Knowledge (BK) was incorporated at the General Certificate of Education ‘Ordinary’ Level (GCE ‘O’ Level) and made compulsory for all students from form one to form three, but those who wanted it could select it as part of their elective subjects to continue to form five (Awuah-Nyamekye, 2010).

Awuah-Nyamekye (2010) here comments that, “there was a kind of unfairness in this arrangement, for all students (whether a Christian, Muslim, or a believer of African Traditional Religion) in all the public schools and the Christian mission schools had to offer Bible Knowledge at least up to form three.” This also would contribute to the spreading of Bible Knowledge to every secondary school pupil irrespective of his or her religious belief. Therefore, it should not come as a surprise later in the life of a young Ghanaian who might have gone through Ghana’s education system to the secondary level using the Bible for some reasons best known to him or her but might not necessarily be a Christian.

In 1987, an Education Reform programme facilitated the removal of Bible Knowledge from the curriculum.

However, public disagreement following the removal of Religious Education (Bible Knowledge) from Ghana's education curriculum, the then PNDC government constituted the National Education Reform Review Committee and Religious Education (NERRC) in 1994 to review the education programme in the country. One of the recommendations of the committee was the re-introduction of Religious Education which was re-designed as Religious and Moral Education (RME).

Article 38 of the 1992 Constitution of the republic of Ghana makes provision for Free Compulsory Universal Basic Education (FCUBE) program. In view of this constitutional provision, a new syllabus was developed in 1998 for the teaching of Religious and Moral Education (RME) at both the Basic and Senior Secondary School levels (Asare-Danso, 2010). Eric Mensah (2018:44), further states, "in 1998, the Ghana Education Service officially announced that to help students acquire the capability and experiences to be able to deal with issues of morality and religiosity they introduced Religious and Moral Education as a subject."

On the Christian aspect of this program, slots are given to the teachings on the beliefs and practices of the Christian religion from the Bible such as "God, His Creation, Attributes, and Omnipotence." The syllabus is designed to help pupils to:

- (1) Develop an awareness of the creator and the purpose of their existence
- (2) Develop an understanding and tolerance of other people's faith.
3. Understand the differences between acceptable and unacceptable behaviors so that they can make the right decisions in any situation and thus become responsible citizens.

4. Acquire the socio-cultural values inherent in the three major religions in Ghana (i.e. Christianity, Islam and African Traditional religion) which will help them cope with the variety of moral choices they have to face in today's rapidly changing world and also to be good citizens of Ghana (Religious and Moral Education Syllabus, 2008. Retrieved February 4, 2019 from the Ghana Education Service website).

It is worth noting here that in the survey presented above, in every Religious Education reform or review, due recognition was given to the place or significance of the teachings of Christian doctrines from the Bible to Ghanaian students. Thus, every Ghanaian student who goes through Ghana's education system gets the privilege to study RME, which included Islam and ATR.

The Role of the Bible in Ghana Legal System

Another significant area in Ghanaian culture the Bible plays a role is in the legal system. Here, it is not the case that the Bible is the basis to adjudicate cases in Ghanaian courts, but sometimes it becomes necessary for Judges to make use of the Bible as part of clarifying legal procedures. So Bible verses are sometimes used to supplement the interpretation of the 1992 constitution in praising or condemning persons on trial and is often cited in judgments and rulings (Interview with Lawyer Dubik Mahama, 2019). Ghana as an English speaking country and a member of the Commonwealth practices common law. This means the judicial system of Ghana is based on that of the United Kingdom. The United Kingdom's judicial system depends on some principles of the Bible.

Being the colonial masters of Ghana, the British imposed their justice system on Ghana which resulted in a near complete overhaul of our own traditional judicial system which was the preserve of our chiefs and royalty. Ghana's judicial system depends on biblical principles emanated from colonizers. In the following are four clear case instances where the Bible can be seen as being part of the adjudication process in Ghana's judicial system.

The first instance is where a witness is expected to swear or take an oath before giving his/ her testimony. It is common in every court that a witness is asked which faith he or she believes in, this includes the Bible, the Quran or through affirmation. It is the belief of the past and present generations that to establish truth from an individual, the chosen belief of the individual is key. So in the oath-taking and swearing, most of the time when Christians appear before the law court, the Bible is used preferably for Christians to testify in order to tell the truth. This judicial principle is based on Matthew 5:33-37 which states:

You have also heard that our ancestors were told, 'you must not break your vow; you must carry out the vows you make to the Lord.' But I say, do not make any vow! Do not say, 'By heavens!' because heaven is God's throne. And do not say, 'By earth!' because the earth is his footstool. And do not say 'By Jerusalem!' for Jerusalem is the city of great Kings. Do not even say 'By my head!' for you can't turn one hair white or black. Just say a simple, 'Yes, I will,' or 'No I won't. Anything beyond this is from the evil one (NIV).

This biblical text normally guides oaths and vows taken in law courts. In Ghanaian jurisprudence, it is believed that the Bible teaches how oaths and vows should be taken from the above text.

This is a direct link to what happens in the court rooms situations in Ghana. This acknowledgement of the Bible affirms its authoritativeness as a sacred book and also the reverence Ghanaians have for it. The point is that, if the Bible says so, then it must be final.

Another area in judicial proceedings in Ghana where the use of the Bible is encouraged is in the area of Alternative Dispute Resolution (ADR). Here, the Bible is used as another alternative means of settling disputes.

When cases are filed in court from District Court to the High Court, the Alternative Dispute Resolution of Ghana (ADR ACT: 798) implores or allows the court to consider mediation or arbitration which is less adversarial in order to settle differences, so that they are not engaged in protracted legal tussle. This is where the case is settled out of court amicably by both parties to ensure peaceful co-existence. This was an old African traditional jurisprudence which is not foreign to Africa in general and Ghana in particular. It was a common practice in African societies before the introduction of the British legal system. The African Instituted or Initiated Churches adopted this principle (Interview with Dr Vincent Asampong on 10th March 2019). This African-Ghanaian jurisprudence shares resemblance with the biblical text of Matthew 5:25-26 which states,

when you are on your way to court with your adversary, settle your differences quickly. Otherwise, your accuser may hand you over to the judge, who will hand you over to an officer, and you will be thrown into prison. And if that happens, you will surely won't be free again until you have paid the last penny (NIV).

This biblical text embodies or exemplifies the Alternative Dispute Resolution employed by Ghanaian courts today. This resemblance makes it easier to imbibe this biblical principle into the Ghanaian legal system as an alternative conflict resolution principle. Here, the biblical principle of settling the issue with your adversary at home before the dispute escalates is read to the parties for consideration. With this, one can recognize how accommodative the Ghanaian culture is to the Bible, the use of the Bible in Ghanaian society permeates the practice of law in Ghana to ensure peaceful co-existence.

Also, within the legal system of Ghana the Bible plays a role in divorce process. The Bible acknowledges or prescribes that for a divorce to prevail, there must be a written notice in support. The Ghanaian Matrimonial causes Act of 1971 (Act 367) emphasizes or stipulates the need to separate only per judicial system which is grounded in the Bible. Here, the Bible supports the divorce in Ghana. Matthew 5:31-32 which states:

You have heard the law that says, ‘A man can divorce his wife by merely giving her a written notice of divorce.’ But I say that a man who divorces his wife, unless she has been unfaithful, cause her to commit adultery. And anyone who marries a divorced woman also commits adultery.

Based on this, the Ghanaian jurisprudence on marriage is entrenched or reflected in the above biblical text. The Ghanaian legal system upholds this biblical principle governing divorce.

In our modern day dispensation, this biblical principle governing divorce is reflected in the divorce process so that a certificate of divorce is recommended to be given to one of the parties (mostly the woman) involved in divorce to officially dissolve the marriage. This biblical principle dictates how the process of divorce should be carried out in every society, and this is what Ghanaian legal process of divorce follows. This indicates how influential the Bible is on the legal system of Ghana regarding divorce.

According to the 1992 constitution of Ghana, Article 19 (5) states, “A person shall not be charged with or held to be guilty of a criminal offence which is founded on an act or omission that did not at the time it took place constitute an offence.”

A case that falls within this jurisdiction the judge involved in the case may use the Bible in advising and passing judgments. So here, one can observe that morality simply informs law but law is not inclined towards its lines. According to the laws of Ghana, adultery for instance is listed nowhere as a crime. However, morality frowns against taking another person’s wife. Therefore, the Ghanaian culture has come to disregard adultery as an acceptable social norm because of the influence of this biblical text. However, a competent court of law in Ghana cannot purport to jail an adulterer.

In the case of Assemblies of God Church, Ghana vs. Rev. Ransford Obeng, Joseph Opoku, C. K. Acolatse, R. K. Owusu and C. O. Kpodo (Supreme Court, Accra) civil appeal no.14/7/2009, Dotse, JSC in his majority appealed to the biblical principle in Matthew 16: 24-25 “Then Jesus said to his disciples, if anyone desires to come after me, let him deny himself and take up his cross, and follow me, for whoever desires to save his life will lose it, but whoever loses his life for my sake will find it,” read and used it to advise the two parties accordingly. Judge Dotse maintains “the fact that this case concerns a reputable House of God and other reputed to be very outstanding and charismatic men of God has come to litigation altar of civil courts and made to travel all the way from the High Court, through the court of Appeal, to this Court is indeed a sad reflection on Christendom.” In this respect therefore, we would want to reflect on another Scripture in Luke 9 indicating “as we journey through this exercise to resolve the final victor in the sight of men.” Judge Dotse advised that one of the parties must be ready to deny themselves of possessions or properties, take up the cross of Christ and follow him. This advice by the use of the Bible prepared the two parties to be ready to relinquish their desires and “rights” for the sake of Christ. This is a landmark case that considered a *locus classicus* for many cases in court today (Interview with Lawyer Dubik Mahama). Here, the judge used the above text to prepare the grounds ahead of time before the final judgment.

In a recent case of dual nationality, the majority opinion by Atuguba JSC in the case of Professor Stephen Kwaku Asare vs. The Attorney-General [Supreme Court, Accra] civil appeal no. J1/6/2011 stated that a man cannot serve two masters.

Atuguba JSC indicated that “Dual loyalty has been denounced in the book of the Universe, the Bible. Using Matthew Chapter 16:24 Atuguba JSC states thus: “No one can be a slave to two masters, since either he will hate one and love the other, or be devoted to one and despise the other. You cannot be slaves of God and of money.” Justice Atuguba JSC used this text to advice and instill loyalty and honesty in Ghanaians in support of the dangers of dual loyalty. Justice Atuguba’s use of this biblical text more importantly, bothers on the respect that Ghanaian judicial system has for the contents of the Bible to support adjudication process.

Case 1

The Case of the Plaintiffs:

The 1st Plaintiff (Mr Agyire Tetteh) testified that his late wife delivered a baby boy after undergoing a surgery. His wife and new born son were discharged 2 days after the surgery and delivery. Later she was admitted again to the UG Hospital due to complain of nausea. The UG hospital also referred the wife to the Korle-Bu Teaching Hospital for emergency attention. The 1st Plaintiff testified that about 1:45 am, the doctors at Korle-Bu announced the death of his wife. A post mortem conducted later revealed that she died due to bleeding in the womb. Based on the above, the 1st Plaintiff says they are entitled to their claims endorsed on the writ of summons.

The Case of the Defendant:

Dr. Senunyeme and Dr. Maya testified that the deceased was given close medical attention from the early stages of her pregnancy to the time of her surgery. Dr. Maya said the deceased was treated with antibiotics during and after the surgery. Dr. Amenuveve testified that on 21st May 2015 he made arrangements with the Director of the National Cardiothoracic Centre at Korle-Bu for the deceased to be received at the Intensive Care Unit (ICU) for immediate attention. Dr. Amenuveve said he was informed on 22nd May 2015 at about 04:30 GMT by Dr. Richard Dey that the deceased died irrespective of the attempt at the Cardiothoracic Centre to save her.

The Judgement:

Before the Judge passed judgment on this case, he began his judgment by first quoting Psalm 127 verses 3-5, “Children are a heritage from the Lord, offspring a reward from him. Like arrows in the hands of a warrior are children born in one’s youth. Blessed is the man whose quiver is full of them.

They will not be put to shame when they contend with their opponents in Court,” to indicate how valuable children are to God himself, parents and even at court proceedings. The judge by the use of the Bible established in this case that those whose work are directed towards the well-being of children must be circumspect in the course of the discharge of their professional duties. In the judgment, the Judge established that negligence was the centerpiece of the litigation.

The Judge developed his judgment in reference to a case between one Ahenfie Cloth Sellers Association vs. Philomena Mensah, Tina Mavis Dodd, David Afriyie and Ben Mensah at the Supreme Court, Accra. The use of the Bible in this case preceded what the 1992 constitution of Ghana stipulates regarding how a case of this kind should be judged to ensure the value and sanctity of human life.

Case 2

In another case, the Plaintiff lend money to the 1st Defendant and was guaranteed by the 2nd and 3rd Defendants. The 1st Defendant began to repay the loan weekly but stopped after 21 weeks, instead of paying up to 52 weeks. The defendants contended that “the terms, interest and other charges levied on the said loan are harsh, excessive and unconscionable in terms of the Loans Recovery Ordinance, Cap 175 (1951 Rev.)” Moreover, the Plaintiff did not have a money lender’s license which was required by Cap 176, 54. A council of the plaintiff used a quotation from the Holy Bible, which says: “If you lend money to any of my people who are poor, do not act like a money lender and require him to pay interest.”

The council of the plaintiff further indicated that similar endorsement of borrowing and lending will also be found in the New Testament in Luke 6: 34-35 which reads: “Love your enemies and do good to them. Lend and expect nothing back. You will then have a great reward and will be the children of the Most High God.”

The Judgment:

However, in this trial the High Court gave judgment in favour of the plaintiff because lending money was a social phenomenon and no legislature could legislate to prohibit it. The High Court interpreted that Caps 176 and 175 were not intended to prohibit lending and borrowing. In this case also, judgment was not based on the fact that the council of the plaintiff used the Bible as can be seen in the judgment. However, one can also not dispute the role of the Bible in the argument of the council of the plaintiff.

It is very important to note here that, the Bible is sometimes used as part of the justice delivery system in Ghana in order to establish the truth and also to ensure justice of the sanctity attached to it by Ghanaians. It is thus believed in the Ghanaian society that the message in the Bible is true, authoritative and therefore very binding (Interview with Lawyer Emmanuel L.D. Mahama 15th February, 2019).

The Role of the Bible in the Social Lives of Ghanaians

As indicated by Mbiti (1969), the African is by nature notoriously religious, and incurably religious (Parrinder, 1954). In Ghana three major religions (Christianity, Islam, and African Traditional Religion) have full recognition. Freedom of religion is enshrined in the 1992 constitution, although Christianity tends to hold the majority of religious adherents in Ghana.

According to the 2010 Population Census, Christianity constitutes 71.2% of Ghana's population (Ghana Statistical Service, 2012). Ghana's majority Christian religion composition could be traced to the effort made by the Portuguese to Christianize the then Gold Coast.

Debrunner (1967) writes, King John II maintained that this undertaking was in accordance with his duty as a Christian. Therefore, he (King John II) ordered the building of a fortress, to be the first stone of the oriental church, which he wished to build in praise and glory of God. On January 20th, 1482, under Don Diego d'Azambuja the leader of the expedition, the first mass was held. According to Debrunner (1967:17), "this mass was held by men with many tears of devotion, and thanks to God for allowing them to praise and glorify Him in the midst of idolaters." The Portuguese thanked God that He had given them wisdom and grace to draw those idolatrous people to the faith, so that the church which they had found on the shores of Gold Coast might endure until the end of the world. But permanent churches were established in the second decade of the nineteenth century.

However, the Churches could not experience phenomenal growth due to unfavourable climatic conditions and high mortality rate among the early European missionaries (Kyeremateng, 1999). Kyeremateng (1999) attributes the steady progress of the churches to the fact that Christianity was a new religion whose demands were often incompatible with some of the deep-rooted beliefs and practices of the African Traditional Religion which the indigenes had imbibed from time immemorial.

Christianity's influence contributed to the massive majority of the indigenes abandoning many ancestral practices and beliefs such as magic, divination, taboos etc (Agbodeka, 1970: 45). Christianity's remarkable influence can be observed in the rites of passage (birth, marriage, death) which are observed in most Ghanaian societies. Religion permeates all aspects of life with rites of passage being portrayed as an integral part of human religiosity (Everson, 1991). The term "rites of passage" was originally coined by Arnold Van Gennep (1873-1957) in 1909. Van Gennep studied this concept as a social phenomenon among preliterate and literate societies and discovered that primitive people considered life as a journey from one stage of existence to another.

According to Van Gennep, in the course of the journey, rituals and ceremonies are observed and used to assist in moving from one transitional stage to the other. Therefore, he identified critical stages and turning points in human life such as birth, puberty, initiation, betrothal, marriage, and death. He went further to define "rite of passage" as rites which accompany every change of place, state, social position and age. He included in his definition a change in time and space as well. In respect of the above, Van Gennep was convinced by his findings and held the view that when activities associated with such rites were examined in respect of their order and content, it was possible to differentiate three major consecutive phases or stages in one's life (Asare-Danso, 2018). Associated with these stages which are significant include 'separation,' 'marge,' and 'aggregation' which were translated in English as separation, transition, and reincorporation.

Three of the critical stages and turning points mentioned above from the Christian perspective are pivotal in Ghanaian society. These are birth, marriage, and death. In most Ghanaian societies, a new born baby is officially out-doored on the eight day. The out-dooring of the child is followed by a naming ceremony. If the parents of the child is a Christian, the child is taken to the church in obedience to God's word (Luke 2; 1 Sam 1). Here, the priest prays for the child. Some Christian denominations baptize the child in accordance with the word of God and give the child a Christian name. During this period, the ceremonies that are performed have significance for moral and religious education (Turner, 1962). At school going age, most Ghanaian parents send their children to Christian mission schools. Even some African Traditional Religion adherents who defect from Christianity into African Traditional Religion at some point still bear Christian names.

At marital stage, the young Ghanaian is considered matured and can now marry. Marriage is one of the social institutions that is highly revered in Ghana (Nukunya, 1986). It marks a pivotal point of transition in one's life in Ghana. In Ghana we have three types of marriages (Offei, 2004). These are marriage by ordinance, customary marriage and Mohammedan marriage.

But the most common form of marriage is the customary marriage. Customary marriage is practiced in most African societies. Marriage by ordinance in Ghana is when one wants to have documents as legal backing to the marriage. It is under this marriage that one is required to have only one partner. The customary marriage is the marriage done in the family way (Offei, 2004).

When the man and the woman have consented to marry, the family of the man first of all go to do knocking in the woman's family home.

When the woman's family opens the door to the man's family, a dowry or bride-price is paid to the woman's family, after which a list of items such as clothes, drinks, necklaces, earrings, and other ladies items are presented to the man's family to be brought. One important item that is added and required to be part of the list is white-Holy Bible, which signifies chastity. Even though the Bible is thus given to the woman, it is expected to serve as a manual for life, to use the teachings therein to guide their lives, use it as a conflict resolution tool or mechanism whenever conflict arises. And more importantly as a symbol of God in the home (Nukunya, 1986).

In Ghana, Christian marriages are conducted in the Bible way. From the beginning to the end, biblical ways of going about marital issues are acknowledged. Even on the wedding day biblical messages are preached from the Bible to the couple in order to begin their marital journey with God's word and also to commit the marriage into God's hands. These marital procedures find their resemblances in Genesis 24 when Abraham asked the chief of his servants to go to his home town and find a wife for his son Isaac.

We can thus see a close affinity between African Traditional way of contracting marriage and the Bible way. We can observe from the foregoing that, there is the influence of African Traditional Religion in the marriage process from the Ghanaian perspective.

African Traditional Religious beliefs and practices interact and compliment Christian religious beliefs and practices. Most Christian marriages do not discard African Traditional Religion entirely; in the interaction process ATR borrows from Christianity and Christianity also borrows from ATR.

At death which is the last stage, one can still recognize Christianity's influence on the life of the Ghanaian. Most Ghanaian Christians take their deceased loved ones to the church again to have a final official reunion with their maker (God). During this occasion, the priest once again preaches from God's word. Biblical sermons that are normally preached emphasize the need to live a moral life and to have a close walk with the Creator (Mtt 18:1-6; LK 18:15-16; Isa 41:10; 54:7-8, 10 etc). At the grave side, rituals are performed in accordance to biblical precepts. Here, biblical texts which are normally read includes 1 Cor 15:51-58. The dead body is then taken to the cemetery for final funeral rites to be performed. The priest gives final admonition to the loved ones of the deceased and proceed to perform the committal to reunite the deceased to the Creator. This indicates Christianity's influence on the Ghanaian at every stage of his or her life.

The Role of the Bible in the Religious or Spiritual Lives of Ghanaians

The role of the Bible can also be seen in the doctrinal expressions of most churches in Ghana. Doctrinal beliefs and statements of faith of almost every church in Ghana are based on the Bible. Even though this differs from one Christian denomination to another, each is derived from the Bible. And these doctrinal beliefs guide their conduct of services and how they live their spiritual lives.

These (doctrinal beliefs and statements of faith) also express themselves in worship, Bible study and prayer groups in various forms (Mensah, 2019).

On the academic front, the role of the Bible can also be recognized. In the traditional Universities in Ghana (University of Cape Coast, University of Ghana, Kwame Nkrumah University of Science and Technology), there are departments for religious and Biblical studies. Among the courses that are mounted by these departments are courses on biblical studies which are taught from the Bible. There are also journals for biblical studies, and books on the Bible. There are on-going researches in both Old Testament and New Testaments, lectures are weekly given on Bible courses (Mensah, 2019).

Through the teachings of the Bible many Ghanaian Christians understand and believe in Monolatry. That is, there are gods but there is one (God) who is Supreme over all the others. This Supreme God, many Ghanaians believe, is the one who created the heavens and the earth and everything in them (Gen 1-2; cf Ps 24).

Through the teachings of the same Bible, they believe in the existence of Satan and evil spirits such as witches, sorcerers etc., that man has spirit, soul, and body, and that, there is Heaven and Hell etc.

The belief in the existence of evil spirits in the world and also the belief that there is a Supreme Being whose power overrides all other powers in the cosmic world; Ghanaian Christians believe that the Bible has physical powers to ward-off evil spirits around or to combat fear. The Ghanaian society generally is very much aware of the reality of evil spirits and what they can do to a person's life.

Ghanaian Christians in particular understand from the Bible that, the Christian is constantly engaged in spiritual battles with evil spirits (Ephesians 6:10-12; 2Cor 10:3-5), and they can cause physical illness in the human body (Matt 9:32-33; 12:22; Mark 9:20-22; Luke 13:11, 16) and may influence the thoughts, emotions, and actions of Christians. Therefore, dealing with this phenomenon depends on what a person's belief system tells him or her to confront it.

The traditionalists and some people of other religious faith have their own ways of handling it. Within the Christian fraternity, when someone is under demon oppression or harassment, or when the presence of evil spirits is sensed, all sorts of strategies with the use of the Bible are adopted to ward-off evil spirits. Ghanaian Christians generally believe that the Bible has powers to ward-off evil spirits so they use or apply appropriate Bible verses to combat them.

In the Twelve Apostles' Church of Ghana (an African Indigenous Church in particular) for instance, the Bible is used to exorcise evil spirits from patients. Here, a Bible verse that talks about healing or the problem at hand is read to the patient and then the Bible is placed on the patient's head. Immediately the Bible is placed on the head of the patient, the evil spirit tormenting the patient feels tormented and begins to manifest by shaking the patient violently. In doing this, the evil spirit is now forced to talk through the patient to reveal the root cause of the problem (Gyanvi-Blay, 2010:107). This is carried out because of the belief in the Bible that it has spiritual powers to ward-off evil spirits. The picture in Appendix I shows Prophetess Esther Quayson of the Twelve Apostles Church at Eikwe in the

Nzema district of the Western Region of Ghana using the Bible to exorcise evil spirits from a patient under evil spirit oppression (Gyanvi-Blay, 2010).

In the Ghanaian society, the Bible also has a place in the lives of infant babies. The Bible is introduced to a baby infant to start life with. At the baby dedication ceremony, Scriptures are read to speak God's truths and promises over the life of the precious baby, knowing that children are heritage from God (Ps 127:3). With this done, the infant baby is committed into God's hands for protection as exemplified in the Bible (Exod 2) through the scriptures during the ceremony. The picture in Appendix II is a portrait of the former moderator of the Presbyterian Church of Ghana, Rev Dr Yaw Frimpong Manso, conducting a naming and child dedication. The general belief in the Ghanaian society is that evil spirits are hovering around seeking someone to devour (1 Pet 5:8). For Ghanaian Christians, the power in the Bible protects the environment of the infant baby from evil spirits. The picture in Appendix III shows a Ghanaian mother warding off evil spirits with an open Bible.

Among the general practices by Ghanaian Christians which are motivated from the Bible are regular (daily and weekly) church attendances. Most Ghanaian churches have daily and weekly church activities that are incumbent upon the church members to attend. During these church services members have the opportunities to consult their pastors or priests for counselling when they are encountering difficulties in life (spiritual). They act on the pieces of advice given to them by the pastors or the priests, whether it is about praying or fasting, seed sowing or tithing.

In the general Ghanaian society, one can observe Christians applying Scriptures during prayers at public places, attending crusades, conventions, rallies, all-nights, “prophetic meetings” under themes from the Bible. Ghanaians also have another peculiar way(s) of using the Bible in their personal individual lives and conduct. At the personal or private level, most Ghanaian Christians have personal private devotions. They usually start the day with personal devotions. There are anecdotal evidences in the form of booklets such as *Daily Bread*, *Daily Power*, *Daily Guide* from which they read devotional messages from the Bible. For them it is a time of communing with God, to hear from Him, meditate on His word, and also to receive directions from Him concerning the activities of the day. Here, they read a portion of scripture to glean spiritual lessons from. They use what the biblical text says as a guiding principle throughout the day, this gives them hope and assurance to face the day’s hassle or stress. Ghanaian Christians believe these spiritual lessons from the Bible affect their work ethics, work environment, work performance, interpersonal relationships at the work place, their marriage and family lives, etc.

As indicated above, if most Ghanaian Christians have personal or private devotions, then it suggests that the Bible can be found in most Christian homes in Ghana. Some Ghanaians simply have the Bibles in their homes to protect them from the attacks of evil spirits.

Threatening life experiences and conditions have also compelled Ghanaians to use the Bible to overcome them. Some of these life threatening conditions are sickness, poverty, barrenness, unemployment, fear of the unknown, witchcraft.

In respect of this, Ghanaians resort to the use of crucifixes, most of which are emblems from the Bible, in Ghanaian homes, properties such as cars, buildings. These Crucifixes normally come with biblical quotations or references such as Ps 91, Ps 23, Isa 54:17 etc., on them. This shows their belief in those biblical quotations and references and their power to confront those life threatening conditions (Mensah, 2019). Under normal circumstances, a Ghanaian Christian would have a Bible message as a guiding principle. Some even have memorized favorite and appropriate scriptures for certain occasions in their lives.

Ghanaians also believe that the Bible can be used for divination to know the will of the divine concerning a matter, events or persons. *The New Bible Dictionary* defines divination as the attempt to discern even distant in time or space that consequently cannot be perceived by normal means (Mashall, Millard, Packer, and Wiseman, 2001:279). Samuel Awuah-Nyamekye also defines divination as human attempt to know the will of the divine (2001:77). In other words, divination is a communication with a deity for the purpose of determining the deity's knowledge or will concerning the future or clarifying a decision.

G. Michael Hagan, (2004) identifies two forms of divination. These are inductive and deductive divinations. With inductive divination, one manipulates natural or human phenomena whereas deductive divination takes intuitive forms of inner revelation. Mostly, inductive techniques depends on human initiation whereas in deductive divination the Bible supposes that a priority rests on revelatory forms (dreams, visions, oracle, etc.).

Divination from the biblical perspective presupposes that the divine communicates with the human. This communication takes both human and divine initiatives (Hagan, 2004).

Divination as a means of finding the root causes of affliction in people's lives and knowing the will of the divine is of many kinds in the Ghanaian society (Oppong, 1973). Even though God discourages divination in (Deut 18:10-14; Acts 16:16-24), some Ghanaians use the same Bible for divination. Some of the common forms of divination in Ghana include prayers, casting of dice, consulting spirits, necromancy, use of the Holy Bible. With the use of the Bible, some more forms can be identified with regards to the divination in Ghana. These may include prayer which is normally based on the teachings of the Bible (Jer 33:3; Mtt 7:7; Jas. 4:13-18), consulting a 'prophet'. The form of divination which is common by the use of the Bible in the Ghanaian society is when a key is put in the Bible to establish truth and also to determine the outcomes of matters or issues in life. This is done by putting a key in the Bible and holding it with each of the forefingers, after which the diviner pronounces whatever he wants to find out over the Bible. The will or mind of the divine would be known if the key turns with the Bible.

This form of divination is still in operation in some Ghanaian communities and in some Charismatic Churches even though it is being condemned (Awuah-Nyamekye, 2001).

Most of the people interviewed indicated that prayer which is supported by Scripture as a means of divination in most Ghanaian churches aids in knowing the mind and will of the divine as indicated by Awuah-Nyamekye (2001). It is believed that through prayer for patients who might be under some affliction coupled with faith in God, the patient's predicaments may be diagnosed and whatever prescription that is required would be given. One fundamental truth regarding the use of the Bible in divination in Ghanaian society is that, the Bible is believed to be a powerful weapon that can be used to find the root causes of affliction in people's lives, find out culprit of a missing item, and also knowing the mind and will of the divine in matters beyond the realms of the natural. Some Ghanaian Christians today use the Bible for divination. Awuah-Nyamekye (2001) indicates that, "there is evidence to show that quite a number of Christians do patronize divination and some of them are diviners themselves, for instance, it is a fact that some Ghanaian pastors divine using the Bible and key." It is also common to see some Ghanaian prophets and prophetesses use the Bible for divination.

Appendix IV shows a Ghanaian prophet on the *Asumasem* TV show helping the audience discern the will of God in the situations prevailing in their lives. The Ghanaian Prophet called Joseph Mensah using the Bible to divine at Adom TV popular show *Asumasem* – meaning mystery. In this divination, the prophet indicates that the Bible has powers to lead one to know the will of God about a situation.

One particular church in Ghana that has divination as one of its core belief statements is the Twelve Apostle's Church of Ghana.

The Twelve Apostles' Church of Ghana's form of the practice of divination is based on the Old Testament narratives where people went to prophets or seers to seek the counsel or the will of God. Their use of the Bible for divination has its basis in the biblical account in 1 Sam 9:1-10:26. This was when Saul's father had lost his donkey for three days and Saul and his servant had to look for it. After some days of hard search they eventually had to consult a "seer" or a prophet to enquire of the Lord. The Lord through the prophet Samuel revealed his will and plans for Saul; Saul later became the king of Israel. Therefore, the Twelve Apostles' Church in Ghana believes that divination by the use of the Holy Bible the mind, will, and the plans of the Lord can be revealed (Gyanvi-Blay, 2010:112-113).

The Bible in the Fourth Republic of Ghana

In the Ghanaian context especially in the Fourth Republic,⁹ the use of the Bible in politics has been so phenomenal that it has raised concerns for some Ghanaians which I believe should be looked at to in this study. What makes the Bible so special for Ghanaian politicians in their political messages or discourses? And why does the Bible feature prominently in political talk(s) in Ghana?

The vast majority of Ghanaians adhere to a formal religion, and religious ideas that are embedded in a belief system (in the case of Christianity, the Bible) flow from these religions.

⁹ The Republic of Ghana has had fourth Republic since 1960. The first Republic started in 1960 and ended in 1966; the second 1969-1972, the third 1979-81, and the fourth 1992 till date.

This is not surprising given that the preamble to the 1992 *Constitution* of Ghana clearly stipulates “IN THE NAME OF GOD THE ALMIGHTY” (1992, Constitution).

This indicates the permeating influence of religious expression in the private and public lives of Ghanaians. To this end, Dovlo (2005) concludes “religion and politics have been and continue to be intertwined in Ghana. From the roots of Ghanaian history until now, laws and religious beliefs affect each other.” The open statements of the 1992 constitution of Ghana indicate that religion interacts closely with politics in the Ghanaian society as other scholars have observed in other African societies.

The constitution of the fourth republic of Ghana as indicated above clearly acknowledges the people’s belief in God. This statement tells how religious Ghanaians are not only in their private lives but also in their public and political lives as well. We can also see the God factor in the National Anthem of Ghana which starts as, “GOD BLESS OUR HOME LAND GHANA AND MAKE OUR NATION GREAT AND STRONG.” Some of the lines in the National Anthem can be identified in the Bible. This of course, portrays how religious Ghanaians are in their public lives. The Bible has been so prominent in the Fourth Republic of Ghana, ranging from swearing-in of Government officials to commissioning of national projects.

The Bible in the Swearing-In of Government Officials

All the four past Presidents (Jerry John Rawlings, John Agyekum Kuffour, John Evan Atta-Mills-now deceased, John Dramani Mahama) of the republic of Ghana including the current Nana Addo Dankwa Akufo-Addo in the Fourth Republic used the Bible to swear an oath of allegiance, honesty, trustworthy, good governance, and accountability to the people of Ghana, in the name of God almighty as enshrined in the constitution of the Fourth Republic of Ghana.

Speaker of Parliament, Members of Parliament, Ministers of State, Ambassadors to Foreign Missions, Metropolitan Chief Executives, District Chief Executives, who are Christians all use the Bible to swear an oath during their induction into office as well as the Commissioning of National or State Projects. Thus pledging allegiance to the people because of the trustworthiness of the Bible (www. Ghanaweb.com, accessed, October 1 2018; 1992 Constitution of Ghana).

Appendix V shows a picture of the former president of Ghana Professor John Evans Atta-Mills (now deceased) using the Holy Bible to swear his oath of allegiance to Ghanaians at his swearing-in ceremony on the 7th of January 2009 at the independence square Accra, Ghana.

The Bible in the Commemoration of the Fourth Republic of Ghana

At the National Thanksgiving Church Service to commemorate the 25th anniversary of the Fourth Republic of Ghana held on 1st July, 2017 at the Independent Square saw a baton of Bible readings, starting with the first President of the Fourth Republic to the immediate past president of the Fourth Republic.

Flt Lt Jerry John Rawlings, the first President of the Fourth Republic, was the first to read the Bible from the book of Leviticus 25: 7-8. Ex-President John Agyekum Kuffour, the Second President of the Fourth Republic, read the Bible from Psalm 100: 1-5 while the Fourth President of the Fourth republic, Mr John Dramani Mahama read the third Scripture from Luke 12:16-21. In attendance at this service were both present and past ministers of state, government appointees as well as members of the clergy and foreign diplomats.

In a sermon on the above texts by the Anglican Bishop of Kumasi Most Reverend Daniel Yinkah Sarfo, he commented on Leviticus 25: 7-8 saying that the year of Jubilee is a year of liberty, and blessing so the President must use the opportunity to grant amnesty to deserving prisoners. It was also a year of poverty alleviation. For Most Reverend Sarfo, the discovery of the oil in 2007, which marked Ghana's Jubilee year, was an act of God so the President must use the oil money to alleviate poverty. On the second text (Luke 12:16-21), he indicated that Ghana should acknowledge God in time of prosperity which grants the opportunity to praise him. He further indicated that after independence, irrespective of the five military interventions since 1957, Ghana has had eight democratically elected Presidents.

This according to Most Rev Sarfo is the doing of God and we should praise Him for that quoting Psalm 100: 1-5 to support it (www.graphic.com.gh, accessed, October 1, 2018).

With this, we can see the pivotal role the Bible has played and continues to play in the fourth Republic.

For the fact that Ghana government has committed herself to build a cathedral to house Bibles indicates the relevance of the Bible in the Ghanaian political context. The sector minister indicated that, this will take the combined or concerted efforts of Ghana government and the Christian community in both Ghana and the diaspora supports the position of Dovlo (1994) that religion and politics interact in the Ghanaian socio-political context.

The Bible in the Promotion of Peace in Ghana

The Bible has also been very instrumental in the politicization in the democratic processes in Ghana (GNA 4th October, 2009; GNA 19th November, 2009). The Ghanaian political space has been encroached by all sorts of political strategies in electioneering campaigns and governance with the Bible playing a dominant and a significant role (Pobee, 1991; Dovlo, 2005). The National Peace Council Act, 2011, was established to empower the National Peace Council to promote peace in the nation of Ghana and to provide for related purposes. In discharging these duties, the council uses the Bible as one of its mediating tools to ensure peace and tranquility in the democratic process, during inter-tribal conflict in Ghana (GNA 6TH October 2008).

Abdul Karim Issifu (2015:4) writes, “the independence, integrity, and convening powers of the National Peace Council have helped reduce tensions in the very closely contested presidential and parliamentary elections of 2008 and 2012” (www.Modernghana.com,). Other religious communities have also risen to the occasion to ensure peace in conflict threatening situations in Ghana.

During these occasions, Bible verses have been used to instruct the populace and to avert potential war threatening moments.

The Bible in the Public Life of Ghanaian Politicians

Dovlo (2005) identifies two variations of religion in politics which are very peculiar to the West African sub-region. They are religious nationalism and political manipulation of religion.

He further argues that the latter is very pervasive in West Africa whereby politicians manipulate religion through the use of biblical texts in politics. That, politicians who are fully aware of the influencing power of the Bible in the African society particularly Ghana, make use of various religious forums and sometimes attend church services of Christians. And when they are given the opportunity to talk, make use of biblical texts to stamp the legitimacy of their candidature in order to put across their political messages to the populace. These politicians, according to Dovlo (2005), sometimes are able to influence some religious leaders through their sermons to campaign for them in order to win elections. This phenomenon can be traced to the lead role of Christianity since the colonial era and even until now.

David Kimble (1963: 162) indicates, “in the growth and self-governing institutions, the churches were usually ahead of the government and provided some African leaders with a forum and an accustomed freedom of expression, both in the pulpit and the press.” In doing this, according to Acheampong (2012:2), “the church provided and dedicated columns in their correspondents to national issues. Some of these Christian newsletters are the Christian Messenger Examiner, Christian

Reporter and the Gold Coast Methodist Times.” Under the 4th Republic, a survey of some old and new Christian correspondents such as the *Christian Messenger*, *Catholic Standard*, *The Apostolic Heritage* and *Pentecost*, among others, reveals that comparatively, the churches still give attention to political issues (Acheampong, 2012).

The Bible for Political Branding in Ghanaian Politics

Ghanaian politicians also use the Bible as a marketing strategy of their political goals. Jessica N. A. Boifio (2014) discusses the significant role of the Christian Bible in influencing election outcomes in Ghana. She examined the theme of the New Patriotic Party’s “The Battle is the Lord’s: Religion as a tool for political branding in Ghana’s Fourth Republic” in their last two political campaigns in 2012 and 2016. Boifio (2014) indicates from the marketing perspective that the New Patriotic Party in this case used the Christian Bible to brand or as a trademark in their entire 2012 electioneering campaign in Ghana.

In this write up, Boifio evaluates the influencing power of this biblical text “The battle is the Lord’s” from 1 Sam 17:47 which reads, “All those gathered here will know that it is not by sword or spear that the LORD saves; for the battle is the Lord’s, and he will give all of you into our hands,” by the New Patriotic Party. Boifio discovered that the God-factor is crucial and a certain level of respect for religious truth and the belief systems of the electorates attract attention from the electorates.

Again, since it is very difficult according to Boifio, for Ghanaian electorates especially to disengage themselves from their core religious values and belief systems, when those values and beliefs are appealed to with a Scripture text, electorates are more likely to be convinced to vote for that particular candidate who may use a (biblical) text.

¹⁰ With this, Boifio informs us that branding as political campaign strategy with biblical text is very crucial to determine elections outcomes in Ghanaian politics; it serves to advertise both the political party and the presidential candidates as well. Even though the NPP did not win the 2012 general election in Ghana, however, the title “The battle is the Lord’s” as a political branding prepared the grounds for the 2016 general elections in Ghana which the NPP won overwhelmingly? In 2016, NPP added an emphasis to it, this time reading “The battle is *still* the Lord’s” probably to woo Christians in Ghana who constitute the majority (70%) of the Ghanaian population (Ghana Statistical Service, 2012).

Thus, Ghanaian politicians in their quest to win political power, employ all sorts of strategies including the use of the Bible to brand their campaign messages to appeal to the electorates.

Again in 2016, according to the New Patriotic Party (NPP), it was the Lord God of Israel who led them into victory in the entire 2012 and 2016 electioneering campaigns on billboards all over Ghana. This theme made the campaign message of

¹⁰ This cannot be a universal truth since in Ghana, almost all political parties use biblical texts in some ways in their campaign messages to win the attention of the electorates.

the NPP popular in the airwaves all over Ghana. There are pictures of Nana Addo Dankwa Akufu-Addo in Jerusalem praying at the ‘wailing wall’ going viral in the media during these periods. This asserts that the Bible plays a pivotal role in Ghana’s politics before and after elections. The NPP won the 2016 general elections in Ghana overwhelmingly. (Below is a picture of Nana Addo Dankwah Akufo Addo praying at the Wailing Wall in Jerusalem before the 2016 general election in Ghana).



The Bible in Governance in Ghana

Marbell (2009) in his book, *Politics in the Bible and Africa: An Evaluation of the Ghanaian Experience*, evaluates what the Bible has to say on politics in the African context with the Ghanaian experience in view. He uses Psalm 125: 3 which indicates that if the unrighteous rules in politics, the righteous will in the end, suffer and Psalm 89: 1-52 as a royal psalm in which the psalmist praises God for preserving the dynasty of David as case studies to indicate that Yahweh is the one who institutes governance.

Therefore, it is appropriate to consider Politics and the Bible on the above texts because the text extols the qualities of good governance. Using historical-grammatical methodology to exegete the text, Marbell looks at the original historical situation of the text and examines the contextual use of key words such as “righteousness and justice.” He finds that “righteousness and justice” are the two strong pillars of God’s Kingdom. So God expects every rule or government to exemplify these qualities.

Bringing this to bear in the Ghanaian context, Marbell (2009) investigates how Ghana’s political activities in pre-colonial (before 1844), colonial (1844 to 1951), military interventions through to the Fourth Republic (1992 to date) measure up to the standards laid up in the Bible. According to Marbell (2009), politics under colonial era was introduced under the pretext of Christianity. That is, the Bible was associated or paired with politics but eventually ended up in slavery, tribalism, war, etc. So it became very difficult to dissociate the Bible from politics of slavery and colonization. Colonial politics fostered export of raw materials and mineral resources. This also ended up in politics of exploitation which was not right and just. He continued the search for interactions between politics and the Bible from the agitations for independence until the Fourth Republic in 1992. In the Fourth Republic, Marbell (2009) indicates further that to some extent especially under President John Agyekum Kuffour righteous and just governance were observed in Ghana. For Marbell, it is during the Fourth Republic that the use of the Bible has become more pronounced than any other political era in the political history of Ghana.

On January 7 2017 (GTV Mid-Day news January 7, 2017) shortly before his induction into office as the President of the Republic of Ghana, Nana Addo Dankwa Akufo-Addo cut the sod for the building of a national cathedral for national church services and programs. In his key note address in respect of this, he quoted Psalm 127:1-2 which states:

1 Unless the LORD builds the house, its builders labor in vain.

Unless the LORD watches over the city,
the watchmen stand guard in vain.

2 In vain you rise early

and stay up late,
toiling for food to eat —
for he grants sleep to those he loves.

With this, the president in his keynote address indicates that his government will be built on the precepts of God's word. The parliamentarians and ministers of states who might constitute his government here in this case referred to as "labourers" in the text might work in vain "unless the LORD watches over them and Ghana." Similarly, the Vice-President, Alhaji Mahamudu Bawumia, even though a Muslim, on his return from a short illness in the United Kingdom went into the International Central Gospel Church (a Charismatic Christian Church in Ghana at Christ's

Temple) to thank God. He also made reference to Psalm 127 in his gratitude to the LORD for watching over his soul and healing him from sickness.

Ken Ofori-Atta, the Minister of Finance in the NPP government, used Philippians 4:19 “And my God shall supply all your needs according to his riches in Glory in Christ Jesus,” when he presented the 2018 budget statement to the Parliament House on November 15, 2017. He used the biblical text to defend the financial statement after the opposition NDC has described the budget statement as “419” which means the budget was a scam or trickery and that the ruling NPP party would not be able to fulfill all the projections in the budget (GTV Evening News: November 15th, 2017). The description of the budget statement by the opposition NDC indicates their disagreement of the content of the budget. In his defense, the Finance Minister stated that “419” rather reminds him of the above-quoted biblical text. He believed that irrespective of the doubts and the unachievable nature of the budget from the opposition, God could still supply all that would be needed to meet all the needs of Ghanaians. The sector minister thus, used the Bible to defend government policies, programmes, and the projections of the Ghana government in 2018.

After its national delegate conference in Koforidua in the Eastern Region of Ghana on July 8th 2018, the NPP went for a thanksgiving service at the International Central Gospel Church (a Charismatic Christian Church in Ghana, at Jesus’ Temple).

The Bible in Electioneering Campaigns in Ghana Politics

For Prayer and Peaceful Elections

Ghanaian politicians have their own ways and purposes for using the Bible in their political campaigns during elections. During electioneering campaigns in Ghana, politicians and political activists use biblical texts to organize prayers for peaceful elections. In the wake of the 2016 elections the whole nation was called upon to embark on a nation-wide prayers for peaceful elections during and afterwards.

Patrick Fynn (2016) indicates how Jeremiah 33:3 “Call to me and I will answer you and tell you great and unsearchable things you do not know” and 1 John 5:14, 15 “This is the confidence we have in approaching God: that if we ask anything according to his will, he hears us. And if we know that he hears us – whatever we ask we know that we have what we ask of him” respectively were used with other Scriptures to encourage Ghanaians to maintain peace during and after the elections.

Establishing the need to maintaining peaceful election, Fynn (2016) used Hebrews 4:16 “Let us then approach the throne of grace with confidence, so that we may receive mercy and find grace to help us in our time of need” to encourage Ghanaians to approach God in faith and have confidence in offering prayers to God to intervene in the 2016 elections. We can see a consistent use of the Bible in Ghanaian politics especially before, during, and after electioneering campaigns for God to intervene in the general elections.

This shows that Ghanaians believe in the power of the Bible in ensuring peace and the selection of national leaders for the common good of all.

For Prophetic Messages to Determine Elections Outcomes

During electioneering campaigns in Ghana, another phenomenon that emerges in the airwaves and the social media is prophetic utterances with biblical support to predict election outcomes. Mensah (2016) reports of a Ghanaian prophet who predicted the outcome of the 2016 elections. Mensah indicates that the Ghanaian prophet used 2 Timothy 2:15 and 3:16 to give credence to his prophetic utterance as coming from God. Mensah reacted to this by saying,

I am not a member of NDC nor NPP. I am non-partisan and I will speak my mind freely as a theologian and custodian of the Bible according to 2 Timothy 2:15 and 3:16. Oh my God. Who is strong enough to twist a Word (prophecy) from the mouth of the Lord God Almighty? The EC lady or who? This puts a question mark from the source of this prophecy. This is what the Lamentations 3:37 said, "Who is he that saith, and it cometh to pass, when the Lord commandeth it not?"

Looking at this prophecy in light of the Scripture, Ghanaians interpreted this prophecy as the will of God to determine the outcome of the 2016 elections. This clearly teaches that if truly God has spoken from the Spiritual world that Nana Addo will win the 2016/17 election and become the President of Ghana, no man or demon from the pit of hell can twist, change or make any alterations to what the Almighty has spoken through the Prophet of God. Another scripture that was used in this respect to give credence to the prophetic utterance was Num 23:19 which says that, "God is not man, that he should lie, or a son of man, that he should repent. Has he said, and will he not do it? Or has he spoken, and will he not fulfil it" to substantiate

God's unfailing will for the outcome of the 2016 elections. The prophet went further to state that God is powerful than the EC, therefore Charlotte Osei (the then electoral commission chairperson) should be left alone to carry over with her duties in peace, safety and courage. She can never change anything or elect who the Almighty has never elected as President of Ghana (Mensah, 2016).

Mensah (2016) further argues that Dan 4:17 makes it more profound by saying that "this matter is by the decree of the watchers, and the demand by the word of the holy ones: to the intent that the living may know that the Most High ruleth in the kingdom of men, and giveth it to whomsoever he will, and setteth up over it the basest of men."

Mensah maintains the interpretation of the prophecy continues that "There is no President, Kingship, rulership or government of man that is not ordained from above, the Holy of Holiness. How possible can the EC change the President that God has elected for Ghana or any other country? We should not be deceived, Ghanaians are smarter than this, for God is not mocked. It is only a matter of time that any plant that the father did not plant in our beloved country shall be uprooted.

Mensah (2016), indicates that the "Ghanaian prophet" continues, "Nebuchadnezzar crowned it all for us in verses 34 and 35 of the same 4th chapter, "at the end of the days, I Nebuchadnezzar, lifted my eyes to heaven, and my reason returned to me, and I blessed the Most High, and praised and honored him who lives forever; for his dominion is an everlasting dominion, and his kingdom endures from generation to generation." Verse 35

“And all the inhabitants of the earth are reputed as nothing: and he doeth according to his will in the army of heaven, and among the inhabitants of the earth: and none can stay his hand, or say unto him, What doest thou”? Concluding, the “Ghanaian prophet” said, “I will like to urge fellow Ghanaians and the general public that any prophecy that the Almighty God says, Nana Addo will win the Presidency if the EC does not change the outcome of the votes from the strong room” is not scriptural and should be debunked.”

Jojo Pataku (2016), in an article likened the 2016 campaign race for presidential slot between NPP’s Nana Akufo-Addo and NDC’s John Mahama to the battle between David and Goliath in 1Sam 17. Pataku saw David in Nana Addo and Goliath in Mahama. However, both political parties saw David in both presidential aspirants.

He observed the NPP presidential candidate identifying his political opponent (John Mahama) as one with “unrestrained and unprincipled” access to state resources and unlimited cash to buy votes. But Nana Akufo-Addo using the words of David in 1Sam 17 states, so let me speak the words of David to our Goliath. “You come to me with a sword, with a spear, and with javelin.

But I come to you in the name of the Lord of hosts, the God of the armies of Israel (Ghana), who you have defied. This day the Lord will deliver you into my hand, that all the earth may know that there is a God in Israel (Ghana). Then all this assembly shall know that the Lord does not save with sword and spear; for the battle is the

Lord's, and He will give you into our hands. Ladies and gentlemen, the battle is Lord's.

After 2016 elections, the use of the Bible in politics in Ghana resurged. Prophetic messages moved through the airwaves predicting who was going to win in 2020 Ghana elections. A prophet whose name remains anonymous believed that conditions at the time in Ghana provided enough knowledge for electorates to vote the ruling NPP out of power. This prophet used Hosea 4:6 "lack of knowledge my people perish," as the basis of the prophecy in support of his claim (Badu, 2018).

The president Nana Addo Dankwa Akufo-Addo at the 46th Biennial General Council meeting of the Assemblies of God Ghana from 13th August to 17th August 2018, in a key note address used John 11:25-26 which states: Jesus said to her, "I am the resurrection and the life; he who believes in me, though he die, yet shall he live. Whoever lives and believes in me shall never die. Do you believe this?"

The Ghanaian president used this biblical text which talk about resurrection and life to call on Ghanaians to believe in his government and the promises he had given to them because he would not disappoint them. That, he would resurrect Ghana's dead economy and bring it to life.

Christian-Biblical Songs in Ghanaian Electioneering Campaigns

One significant phenomenon that has characterized Ghana's elections in the Fourth Republic is the use of Christian-biblical songs as political campaign strategy. In the wake of the 2000 elections, some gospel songs were copied while certain lines of other gospel songs were used to drive home political messages. The New Patriotic Party (NPP) used Cindy Thompson's hit song *Awurade Kasa* which literally means

“God Speak” on its campaign trail throughout the electioneering period. In 2004, they used Prophet Seth Frimpong’s hit song *Mehuri So*, which also literally means “I jump and catch.” These songs were already popular songs which perfectly fit the campaign messages of the party at the time. The same party organized prayer festivals captioned “Jericho Shall Fall” as part of the campaign strategies in the same year (2004) to win the elections because of their awareness of the religiosity of Ghanaians. This theme is in reference to Joshua 5:13-6:1-5 when the gates of Jericho were shut to the Israelites. During these times many other gospel artists performed and prayed.

Similarly, the National Democratic Congress (NDC) also copied a gospel song by Lenny Akpedie “Jehovah you are the Most God” a statement from Gen 14 when Abram was returning from the defeat of the five kings and met Melchizedek...and blessed him, to describe Atta-Mills (now deceased) their presidential candidates to read “Atta-Mills You are the most high God.” In 2012, the NDC had billboards with their presidential candidate John Dramani Mahama pointing towards heaven with his index finger, perhaps indicating that he was depending on the almighty God to win the elections.

In 2016, the same party (NDC) at a rally in Akim Oda a town in the Eastern Region of Ghana described their manifesto (the green book) as their “Bible.” To them, all that was contained in the manifesto was the gospel truth for Ghana (TV3 EVENINGNEWS, 24/07/2016). The third position of the NDC party on the ballot paper was interpreted as having divine implications, because the party had presented two other presidential candidates who incidentally happened to be called ‘John.’

So, their 2016 presidential candidate, the third ‘John’ was not for nothing than God’s approved choice for 2016. So they quoted the gospel of John 3:16 in support of his candidature. All these first of all, indicate the close relationship between religion and politics and second, the use of the Bible in Ghanaian politics.

Since 1992 when Ghana embraced democracy again, Christian songs that have biblical foundations have featured prominently. These songs or hymns were composed from the biblical texts and adopted by political parties in Ghana to communicate their political messages to the electorates. The words of the song were:

Song: Ewurade Kasa- composed by Cindy Thompson

Obra merebo yi aye me kamafo Jesus ah

Ewurade me di me haw nyina ba w’anim oh

Na se me kamafo Jesus kasa me haw nyina,

M’asem nyina ebeye dzin

Ewurade kasa, ma m’akoma to me yamu,

Me nyame kasa,

Ah o me Ewurade ka be ma me ei,

Ah o Ewurade kasae!

Me kamafo nye wo anaa?

Me Nyame kasae!

Ao me Ewurade ka bi ma me ei

Ewurade kasa, ma m’akoma to me yamu

Translation

Lord, speak and put my heart at rest.

Take care of the desires of my heart

My savior, redeemer and all-sufficient one.

The above song “Awurade Kasa” really made inroads for the NPPs campaign trail in the year 2000 and contributed immensely towards the victory of the party in 2000 elections. NPP adopted the whole song, words and rhythm without changing or adding anything to it. According to Yankah (2006), “in the year 2000 general elections, a gospel song, ‘Awurade Kasa,’ (Lord Speak) innocuously put out by Cindy Thompson, and accidentally played at an NPP rally at the Indafa Park in Mamprobi (and boosted by the electronic media), instantly became the party’s anthem and poetic mouthpiece.”

In 1992, the National Democratic Congress adopted some Christian hymns and choruses for the party’s electioneering campaigns. The NDC adopted a hymn from the Methodist hymnal 821; “Stand Up, Stand Up, For Jesus” which has now become the anthem of the party which is played during every major political campaign period in Ghana. This particular song and others were rearranged by a renowned Ghanaian musician Jewel Ackah (now deceased) and his *Butterfly Six Band* resident at Tema in the Greater Accra Region.

The words of the hymn originally were:

Stand Up, Stand Up for Jesus

Stand up, stand up for Jesus

Ye soldiers of the cross

Lift high his royal banner

It must not suffer loss

Refrain;

From victory unto victory
His army shall he lead
Till every foe is vanquished
And Christ is Lord indeed.

The lyrics were altered or changed with the first two lines as slogans to herald the singing.

Victory, victory in our land,
Victory in our land

J. J. (J. J. is the initials of the former president Jeremiah John Rawlings, the first president of the fourth republic of Ghana from 1992-2000), is a winner.

Eheejo, zuzuzaza
Arise, Arise for Ghana
Ye patriots of the land
Towards secure Future
Development our Goal
From victory unto victory
The NDC shall lead
Our strength and unity

Refrain;

From victory on to victory
The NDC shall lead
Democratic Ghana
Ghana, our strength and unity.

This particular hymn is the popular hymn “Stand up, stand up for Jesus, originally composed by George Duffield. In 1858, a tremendous revival in the city of Philadelphia compelled a twenty-nine year old fearless minister Rev Dudley Artkins who preached from Exodus 10:11 “Not so! Go now, you who are men, and serve the Lord.” Later, Rev Artkins died. At his death bed, when asked by a group of sorrowful friends what he wished them to do, he asked them to “Stand up for Jesus” (retrieved from [www. Hymnsite.com](http://www.Hymnsite.com), on 10th October, 2019).

¹¹ John Julian (1907), remarked that George Duffield preached this sermon as a tribute to his departed friend (Dudley Artkins), selecting Ephesians 6:14 “Stand, therefore, having your lions gird about with truth, and having on the breastplate of righteousness.”

This same resilience and dedication to duty to the National Democratic Congress, compel them to use this hymn. It is a call on the members of their party to go all out to mobilise more electorates to vote for the party and to look forward to a better future for the nation Ghana.

This hymn is the anthem of the National Democratic Congress and it was sang at every important rally of the party to bolster moral.

¹¹ Stand up for Jesus, retrieved on 15th May 2018 from <http://www.hymnsite.com/lyrics/umh514.sht>

In a related development, the Conventional People's Party (CPP) in the wake of the 2000 elections used the Methodist hymn 612 "Lead Kindly Light" for their presidential candidate. This had been a hymn sang from the first republic by Dr. Kwame Nkrumah's group. The lyrics of the hymn is as follows:

Lead kindly light, amid the encircling gloom

Lead thou me on!

The night is dark, and I am far from home:

Lead thou me on!

Keep thou my feet; I do not ask to see

The distant scene; one step enough for me.

The CPP used this hymn for motivation. According to Quagraine (2010), originally this hymn was related to Nationalist struggle but now seems outdated. This particular hymn was sang by the CPP always before any official meeting of the party commences. This hymn "Lead Kindly Light" was originally authored by John Henry Newman (1801-1890) to address moral and spiritual decadence of the time in Britain. During this time he travelled to Rome in Italy and consulted with leaders of the Catholic Church about his own personal spiritual struggles as well as his desire to see the Anglican Church revitalized. On his return from Rome on a ship, Newman penned the words of the hymn pleading for God's divine guidance. He titled his poem "The Pillar of the Cloud," alluding to God's guidance of the Israelites through their wilderness journey (Exod 13:21-22).

21 And the Lord went before them by day in a pillar of cloud
to lead the way, and by night in a pillar of fire to give them light,
so as to go by day and by night.

22 He did not take away the pillar of cloud by day or
the pillar of fire by night from before the people.

Newman likened his own personal feelings to the experience of being aboard a ship that appeared to go nowhere. Similarly the CPP, a party that has once been in power before adopted this hymn to describe the party's hour of need for direction during the struggle for independence till today, resort to this hymn for consolation.

During the 2004 election, the National Patriotic Party (NPP) used the song *Mabɔ wo din na m'afre wo*, which means "I have called you by name" sang by Evangelist Dina Asamoah and another song by Comfort Annor *Di wo hene* which also means "continue to reign." Below are the lyrics and the translations of the two songs;

Song 1: this was in Twi (Akan)

Mabɔ wo din na m'afre wo,

Nti me ba nya akokoɔduru

Nnwhe benkum anaa nifa

Wo dee ko kɔ w'anim ara

Onua me mmpaa ba

Mena mebɔ w'akyiri dɔm

Senea medii Moses akyiri no

Saara na medii w'akyi (2x)

Me ba ee mere nnyae wo a

Merempaa woo o

M'aka meho ntam se

Me ara na mekora wo

Onua mempaa ba

Mena mebo w'akyiri dom

Senea medii Moses akyiri no

Saara na medii w'akyi

Translation

I have called you by name

Just be strong in God's might

Do not look to the left or right

Just follow My instructions

And I will be with you

Just as I was with Moses

I will never leave you alone

Song 2: This song was in Twi (Akan)

Osoro ye wo de

Asase yv wo de

Ohen biara nnte se wo

Di wo hene (3x)

Kuffour, di wo hene

Translation

There is no other king like you are

Heaven and earth belong to you

Reign on high (3x)

Kuffour, reign on high

The National Patriotic Party wholly adopted these two songs, “*Mabɔ wo dina m’afre wo*” (I have called you by your name) by Dina Asamoah and “*Di wo hene*” (Continue to reign) by Comfort Annor respectively to brand their political campaign messages.

Quagraine (2010) comments that as sitting president, these two songs were meant to indicate God’s presence with the president, so there is the need to retain him in power to continue leading Ghana. Dina Asamoah who composed the first song said the text in Joshua 1:5-7 where God spoke to Joshua inspired her to write the song.

5 There shall not be any man able to stand before you all the days of your life, as I was with Moses, so I will be with you; I will not fail you, for forsake you.

6 Be strong and of good courage; for you shall cause these people to inherit the land which I swore to your fathers to give them.

7 Only be strong and very courageous, to observe to do according to all the law, which Moses my servant commanded you, turn not from it to the right hand or to the left, that you may be successful wherever you go.

The ruling NPP government then, in 2004 portrayed former president John Agyekum Kuffour as a bold, confident focused, and gentle Christian who had God’s approval to continue reigning and leading Ghana. The message of the second song was to tell Ghanaians to renew his mandate and continue to reign in majesty.

Post-Election Use of the Bible in Ghanaian Politics

The use of the Bible in Ghanaian politics does not manifest during electioneering campaigns and in governance only, but it continues even after elections. Both losing and winning political parties make use of the Bible in the light of their respective political situations. The losing party use the Bible as a soothing and a healing therapy to accept defeat and give thanks to God.

After the 2016 general elections in Ghana, the National Democratic Congress used 1Thessalonians 5:18 which states: “In all things give thanks unto God for this is the will of God concerning your life in Christ Jesus,” to undertake a nation-wide unity walk led by their flag bearer John Dramani Mahama to encourage and calm their members down and accept defeat because the defeat was the will of God. Similarly, the National Patriotic Party attributed their victory to God reiterating the fact that “The battle is the Lord’s” (1 Sam 17:47). Being the party in power, the National Patriotic Party spearheaded and organised a national thanksgiving service at the independence square in Accra. It is also during this time that political vengeance becomes manifests in the Ghanaian body politic when power change hands.

Chapter Summary

The foregoing discussions have granted us the opportunities to understand the influencing power of the Bible in the Ghanaian society.

We have seen how in the colonial era the Bible became part of the Ghanaian culture through the introduction of religious education in the country's education system in which a significant place was given to the Bible.

So that good morals and values were taught through Bible studies at schools. The Bible during critical situations at the law court has served as a good source of reference to adjudicate controversial cases in matters where the 1992 constitution of Ghana has not been able to provide a clear cut or a definitive legal procedure(s) to decide on issues. Thus biblical principles have served as a repository of reference to settle legal matters in Ghana.

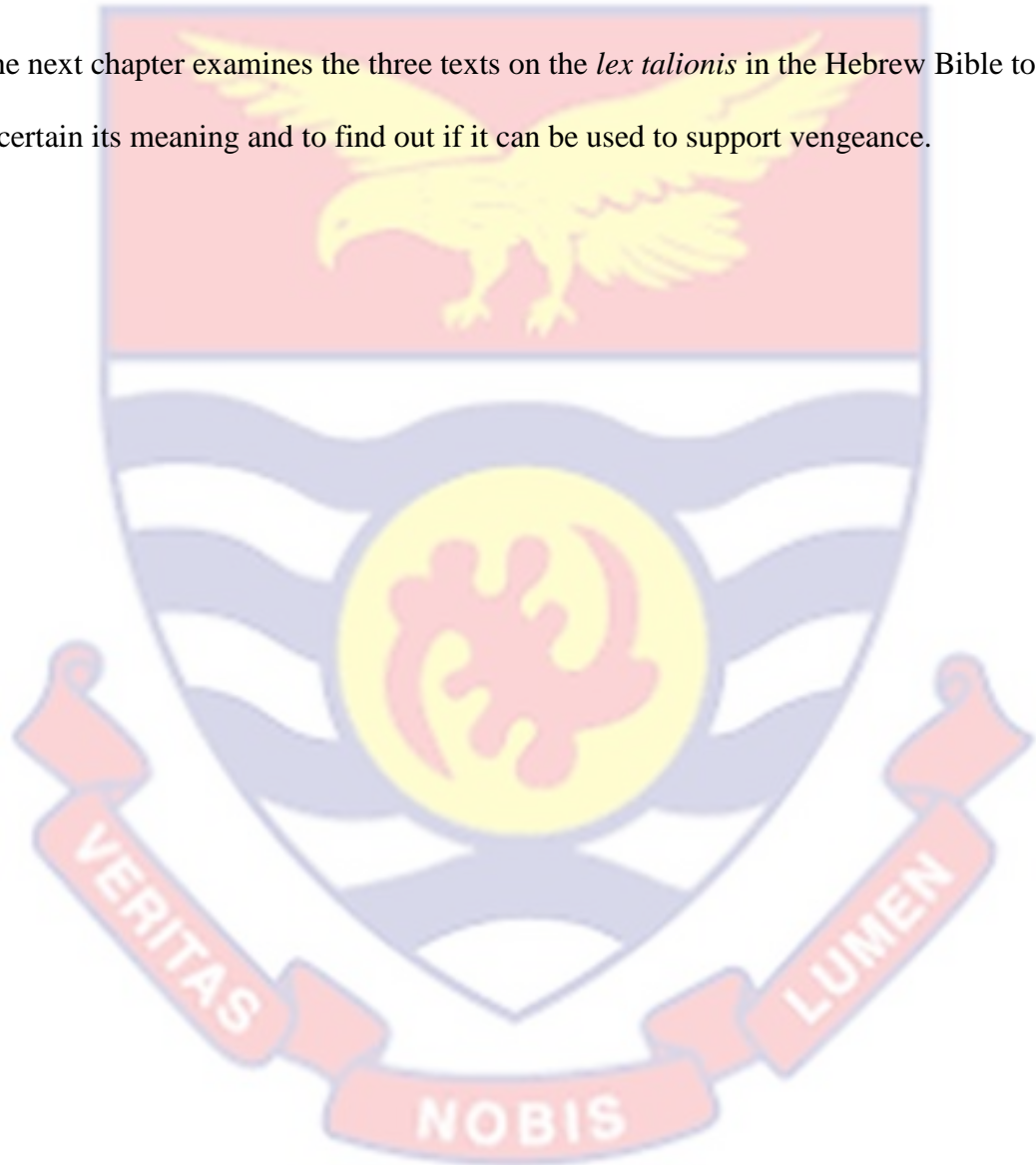
Thus, in the area of justice, the Bible plays a significant role in the rule of law. We have also seen the use of the Bible in prayers to ward-off evil spirits, in divination, etc. Thus believing the Bible has spiritual powers to protect lives from evil spirits. Since the present study is taking place in the Ghanaian political arena, the next chapter looks at how the Bible is used in Ghanaian politics in different ways.

We have also seen how significant or important the Bible is to politicians in Ghana. We have seen once again that, Ghanaian politicians make use of scriptures to support and justify their political claims, before elections as to advertise their political messages, during governance to legitimize government policies and programmes, and after elections to seek vengeance in most cases. \

One thing that can be observed in the use of the Bible by Ghanaian politicians is that, they only lift the biblical texts and use them but they fail to consider the context of the text as well as what the text is actually saying and how it must be used.

This thesis is basically about investigating to find if the Hebrew Bible's *lex talionis* can be used to support political vengeance in Ghana. As indicated in the introductory chapter about the manifestations of political vengeance in Ghana, the phenomenon becomes more pronounced after elections in Ghana.

The next chapter examines the three texts on the *lex talionis* in the Hebrew Bible to ascertain its meaning and to find out if it can be used to support vengeance.



CHAPTER THREE

ANALYSIS OF THE *LEX TALIONIS* IN THE HEBREW BIBLE

Introduction

In chapter two, we looked at the place of the Bible in the Ghanaian society and the way it is used in political discourse in Ghana. It was established that, the Bible plays a significant role in Ghanaian politics. Finally, it was also discovered that areas in Ghanaian politics the Bible plays a dominant role include: during electioneering campaigns, support of government policies, during the inaugurations of government officials, and at state functions. The general Ghanaian politicians understand that the *lex talionis* was meant to seek vengeance on political opponents as indicated in the introduction of this study (Interviews with key Ghanaian politicians). Therefore, this chapter focuses on the analysis of the *lex talionis* in the Hebrew Bible to find out its meaning and what it was meant for in ancient Israel. In doing this, I examine how this text is generally understood in the Hebrew Bible by renowned scholars who are known to have written elaborately on the *lex talionis* in the Hebrew Bible. Not only them but also what others have said in relation to the *lex talionis*. The texts to be looked at are Exod 21:22-25, Lev 24:17-21, and Deut 19:16-21.

Hebrew Text of Exodus 21: 22-25 (The *Lex Talionis* and Harm to Pregnant Woman)

22 וְכִי־יִנָּצוּ אַנְשִׁים וְנִגְּפוּ אִשָּׁה הָרָה וַיִּצְאוּ יַלְדֶיהָ וְלֹא יִהְיֶה אֶסּוֹן עָנּוּשׁ יַעֲנֹשׁ כְּאִשּׁוֹר יִשְׁתִּית עָלֶיהָ בְּעַל הָאִשָּׁה וְנָתַן בַּפְּלָלִים:

23 וְאִם־אֶסּוֹן יִהְיֶה וְנִתְּתָה גַּפְשׁ תַּחַת גַּפְשׁ:

24 עֵינַי תַּחַת לְעֵינַי שֵׁן תַּחַת לְשׁוֹן יָד תַּחַת לְיָד רֶגֶל תַּחַת לְרֶגֶל:

25 כּוֹהֵל תַּחַת כּוֹהֵל פֹּצֵעַ תַּחַת פֹּצֵעַ

22 And if¹² men struggle with each other and they strike a pregnant woman, and her children come out and there is no harm, he shall be strictly fined just as the husband of the woman will set and he (the culprit) will give with judges. 23 And if there will be harm, you shall pay life in place of life. 24 Eye in place of eye, tooth in place of tooth, hand in place of hand, foot in place of foot. 25 Burn in place of burn, wound in place of wound, blow in place of blow.

The book of Exodus starts with a summary information that has already been given in Genesis. The book divides naturally into two main parts. The first part describes Exodus from Egypt, while the second part of the book touches on the theophany and the making of the covenant on Sinai. In the book of Exodus there are series of laws, which were given to the Israelites to regulate their lives as they journeyed through the wilderness to the promised land (Martin Noth, 1962). The observance of laws was part of the making of the covenant at Sinai. One such law is in Exodus 21: 22-25.

¹² *BDB* 473B states, “elsewhere כִּי has a force approximating to if, though it usually represents a case as more likely to occur than אִם, and continues to say, “sometimes, in particular, to state a principle broadly after which special cases are introduced by אִם.”

Albrecht Alt (1966) writes in regard of this law, “the conditional form, where the main condition is introduced by (if) or (when) and additional subheadings are introduced by (if) is called casuistic or case Law. The second type takes a categorical, unconditional form and is in the second person (most frequently the singular), often with a negative command or prohibition.”

The law in Exod 21:22-25 falls within series of casuistic laws beginning from 20: 22-26 which talk about laws prohibiting Idol worship, 21:1-11 about laws relating to Slaves, and 21:12-17 focuses on laws on personal injuries. Laws governing capital offences can be found 21:18-36 whereas laws regulating bodily injuries are found in 21:37-22:16 (Childs, 1976). Our focus in this study will be on laws regulating bodily injuries (21: 18-36). Some of these laws are concerned with intentional or accidental injuries and are organized from more to less severe (Sprinkle; 2006: 105). While verses 12-17 address offences by humans against humans, the following sections concern various offences of animals (oxen) against humans (vv. 28-32), followed by offences of property against property (vv. 33-36), and humans against property (22:1-16) respectively (Brukner, 2008).

The *lex talionis* is one example of casuistic laws in the Hebrew Bible. Casuistic laws are laws which consists of a protasis – that is a conditional clause stating an action or a state of affairs and an apodosis stating a clause that designates the legal consequences of the case it describes in the apodosis (that is the consequent part) (Alt, 1966:123, Bartor: 2007:233). These casuistic laws are further grouped under sub-headings relating to bodily injury (21:18-32) and shows five cases comprising assault and bodily harm.

In vv. 18 and 19, a dispute occurs between two men. One is injured to the extent that he is bedridden and then recovers sufficiently to be able to walk. The second case involves a master striking his male or female slave, vv. 20-21. The third situation which is not in isolation but related to the entire passage also describes men who are fighting, and one of them unintentionally strikes a pregnant woman so that her labor is immediately induced vv. 22-25. The fourth circumstance requires that any slave who suffers a permanent injury from his owner wins his freedom immediately (cf. vv. 20-21). The fifth instance involves injury caused by goring oxen vv. 28-32 (Noth, 1962:183).

It is well acknowledged by scholars such as Sprinkle, Jackson, etc that this text is extremely difficult to interpret due to the exegetical difficulties contained in it. Some of the interpretive issues are; is the strike to the woman intentional or not? Was the woman actively involved in the fight, or merely innocent bystander? Why is the plural 'children' rather than the singular 'child' used for the fetus? Moreover, the meaning of לְחַיֵּי death, harm, Or injury? What account for the change in person and number in this passage in which 'men' fight, but only one man (the verb is 3ms) pays a tort to the woman's husband in the case without לְחַיֵּי , but if there is לְחַיֵּי , not 'he' but 'you' pay 'life for life'? Why does only one person pay a tort if more than one man were fighting? Who is the 'you' who renders 'life for life,' the same man who paid the fine in the case without לְחַיֵּי or Israel?

Although various interpretations have been offered on this text, I want to operate on an assumption that is justified through exegesis.

The principal issue to the interpretation of this text apart from those cited by Sprinkle in the above “pertains to the question of whether or not the text implies the death of the baby both in the case with and the case without וְיָדָא or whether the case without וְיָדָא allows for the possibility of the child surviving? Most modern exegetes agree that the death of the child is hereby assumed throughout this case. There is also a popular view that, it is possible for “her children (בְּנֵיהֶּן) come forth,” since premature pregnancy could be induced by the blow to the mother without any permanent injury. In this case the expression “there is no וְיָדָא ” means there is no, in fact any serious injury either to the mother or the child. In any case the offender is still liable to an offense deserving monetary compensation “and he shall pay with the judges.”

However, in the event where the blow results in the death of the child (or the mother) so that there is וְיָדָא , then the *talionic* principle applies just as it is stipulated in its literal sense ($\text{וְאִם־יָדָא־וְיָהֲרֹגָהּ וְנָתַתָּהּ גְּפֻתָּהּ תַּחַת גְּפֻתָּהּ}$ “And if there will be harm, you shall pay life in place of life). Here, in its supposedly literal understanding, the text indicates that “then you shall pay.” Therefore, when there is וְיָדָא , or no וְיָדָא , the same verb נָתַן which means “to give or pay a ransom” is used. Now considering the two possible outcomes where there could be harm or no harm, the perpetrator or the offender is still liable to pay monetary compensation “and he or you shall pay.” The figurative view supports this understanding.

A closer observation of the text in its entirety reveals that the literal application of the *lex talionis* is completely inconsistent with the passage in its larger context.

Supposed the accident is intentional and the injury or harm involved is serious, the punishment here is not to strike the offender in like manner as the victim was brutalized as literal application proponents of the *lex talionis* advocate, instead the offender is required to pay for the expenses incurred in the healing process and the time lost. This position is what supported by the figurative reading of the text (monetary compensation).

James Kugel (2007) writing on this biblical text comments, the issue here involves men fighting. The Bible seems to be describing two possible consequences or outcomes of an accident in which men fighting ended up striking a pregnant woman unintentionally. One of the possible outcomes results in the woman giving birth prematurely, when there is no harm or injury. Here, the penalty is that “the one who hurt her shall be *fined* and he shall pay as the judges determine. The second possible outcome is, “If any harm follows (Exod 21:23),” then the *lex talionis* comes into force which imposes the death penalty on the man who caused the injury.

According to Kugel (2007), at first glance it might seem that the statement ‘there is no harm’ means that mother and fetus are fine. Nevertheless, no ancient interpreter read the passage that way. On the normal circumstances, in the case of an accident, if no harm or injury resulted, then no fine would be due; if the mother and the fetus came out unharmed, why should the fighter be punished? Then something bad might have happened. In his discussion Kugel uses the LXX translation to support his argument.

The following was how Exod 21:22-25 was translated from the Septuagint, the earliest Greek translation of the Hebrew Bible:

If two men are fighting and a pregnant woman is struck in her belly, and her child comes out *not fully formed*, he shall pay a fine. As the woman's husband shall impose, he shall pay judicial assessment. But if *it is fully formed*, he shall give a soul for a soul. An eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot, a burning for a burning, a wound for a wound, a stripe for a stripe (Septuagint).

The LXX translation assumes that, no matter what, the strike resulted in the death of the fetus. What could have been the case that in the MT one can read two possible outcomes regarding the outcome with or without harm? The LXX translators concluded on the development of the unborn child. With this, if the accident should happen early in the woman's pregnancy, at a time when the fetus is "not fully formed," then it means the man (who struck the woman) cannot be deemed to have killed another human being (Kugel, 2007). Notwithstanding, a potential human being has been lost so he must definitely be fined. However, if *it is fully formed*, that is if the accident happened late in the pregnancy with recognizable human features, it was deemed to be already fully developed. Thus, having at this stage taken a human life, the man was subject to the death penalty. Hence, souls for soul, eye for eye etc. This understanding from the LXX indicates that loss of a fully grown fetus in late-term is equal to murder. This suggests that the *lex talionis* as found in Exodus comes to protect human life.

Furthermore, Kugel appeals to the rendition of the Vulgate (which is the Latin version of the Bible) to ground his argument. He observes that, the Vulgate presents an entirely different understanding of the same passage of Exod 21:22-25:

If men were fighting and someone struck a pregnant woman and she miscarried but herself lived, he will be subject to a fine, as much as the woman's husband shall request and as the judges decree. If, however, her death shall follow, let him pay a soul for a soul, an eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot, a burning for a burning, a wound for a wound, a bruise for a bruise (Vulgate).

According to this understanding, the “harm” (נִזְקָא) is the death of the mother but not the child. Here for Kugel, it does not matter whether the accident happened in the first trimester or the third (late) trimester of the pregnancy. What matters in this understanding is whether or not the mother lives. This understanding vouches that the underlying belief is that as long as the fetus is inside its mother it is not a separate human being. In Kugel's understanding, irrespective of the outcome, the final decision does not rest in the hands of the individual but with the judges who should decide on what should be done to the culprit which is payment of a fine. For Kugel, the *lex talionis* is not placed in the hands of private individuals to seek vengeance, rather only civil authorities and the law courts (judges) are allowed to administer it to protect the public.

The belief or view of substitutionary compensation suggests that even though the *lex talionis* in its real terms could be applied literally, it was not. Rather, monetary compensation usually substituted for literal *talion*. On this note, Bush (1981:20), agrees with Seldon an expert in weight measurement on the figurative application of the *lex talionis* that “this doth not mean, that if I put another man’s eye, therefore I must lose my own, but it means, I shall give him what satisfaction an eye shall be judged to be worth.” George Bush concludes,

“this is perhaps the most correct view of the *lex talionis* in its actual operation, as we find no instance on record (in ancient Israel) where the law was literally carried into effect. The spirit of it might be that the injured party should in justice receive a punishment similar to the injury he had inflicted, but was allowed to redeem his eye, tooth, hand, & c., by a suitable payment to the injured person.

In his extensive readings and research on the application of the *lex talionis*, George Bush states that he does not find on records in ancient Israel that this biblical law was at any time or anyway applied in its “tit for tat” which could warrant vengeance of some sort. He believes that the text does not in any way just vengeance and so was not meant for vengeance.

Josephus a renowned Jewish scholar reads and understands the *lex talionis* in Exod 21:22-25 in a more literal sense.

Sharing his understanding on the *lex talionis* indicates that, “he who murders a man and deprives him (the victim) of his limb, he (the culprit) shall be made to undergo in like manner (meaning in the same way, literal), the same process which he (the culprit) inflicted on the victim, unless the victim is willing to accept monetary compensation which the law allows him to do so.” According to Josephus, if it happened that the victim lost his eye or tooth in the process of fighting, then in this case the *lex talionis* should apply, as it is required. He comments,

He that maimeth a man shall undergo the *like*, (italics mine) being deprived of that limb whereof he deprived the other, unless indeed the maimed man be willing to accept money; for the law empowers the victim himself to assess the damage that has befallen him and makes this concession, unless he would show himself too severe (*Josephus Antiquities*, 1926: 611).

In this literal reading of the *lex talionis* on the part of Josephus, he makes room for monetary compensation by the victim. He further states “unless indeed the maimed man be willing to accept money which he (the victim) is allowed by the law to evaluate the loss in monetary equivalences and accept it in kind.” This stands to reason that, in the supposedly literal reading and understanding of the *lex talionis* by Josephus, room for monetary compensation was allowed. Josephus is here reading the text of Exodus 21:22-25 literally. His reading of the text ensures ‘sameness’ ‘equivalence’ and equity. Which both the literal and figurative readings eventually vouch for.

But as far as its application in Jewish society was concerned, he recommended monetary compensation which the use of the verb נתן (and he will pay/give) and the meaning of the word txt “in place of,” “in return of,” “for,” affirm as suggested earlier.

This reading and understanding of Josephus is not at variance or in disagreement with the readings of Sprinkle, Kugel and Bush. Sprinkle and Bush read this law figuratively recommending substitutionary compensation based on the use of the words “and he will pay” (וַיִּתֵּן) and “in place of,” “in return of,” “for,” (חַוָּה) which support their respective conclusions. Josephus however, reads and understands it literally but takes a point of departure in regard to the application of the *lex talionis*. With respect to the application of this law, he recommends substitutionary compensation. This indicates that even in its literal reading (*the lex talionis*), it was not to go and gorge an eye, a tooth or a hand, but monetary compensation (figurative) was the possible way it was applied. Josephus’ reading and understanding of the *lex talionis* also does not suggest vengeance in any form. In fact, he stipulates substitutionary compensation.

Philo another renowned Jewish commentator, commenting on harms or losses inflicted on a victim and the penalty that is to be meted out to the offenders as reflected in Exod 21:22-25, in the same way reads this law in its literal sense as Josephus. He says, “the law motivates equal penalty corresponding to the offense or the actions of the victim. In other words, “offenders should undergo the same kind of punishment similar to the offence, which they have committed.

Philo's reading advances the understanding that the *lex talionis* advocates that offense must be equal or correspond to the crime. This is the basic underlying principle behind the *lex talionis*. However, regarding the application of this law, he takes a point of departure. He rather recommends monetary compensation.

Bloomberg (2007:27) makes further comments on the interpretation of the *lex talionis* by Philo saying that, the import of Philo's comment is "the value of an eye for an eye, the value of a tooth for a tooth,' and so on... may well be that the text was interpreted in this more lenient sense from early on." Philo in like manner also reads the text of Exodus 21:22-25 in its literal sense of "tit for tat," however, what he is also recommending here is "the value of an eye for an eye, the value of a tooth for a tooth. His recommendation is more consistent with his allegorical method instead of the literal talion. Philo's understanding about the *lex talionis* hinges on what a victim's former condition was worth before the incident. Then the culprit is expected to calculate the value for it and payment be made.

Thus it could be observed in both of the comments by Josephus and Philo that they do not contradict themselves on the original reading and understanding of the *lex talionis* (literal). Josephus' reading of the *lex talionis* seems to correspond with his general literal model of interpretation but recommends monetary compensation. However, Philo's comments on the *lex talionis* seems to correspond more with his general allegorical method; which is consistent with his overall hermeneutic of the possible application of the *lex talionis*, which I agree with, was the possible way the text of Exodus 21:22-25 was applied (figuratively) in ancient Israel.

The import of their discussions on the *lex talionis* does not encourage vengeance in anyway. In fact vengeance is out of place in the application of the *lex talionis* as far as Josephus and Philo are concerned.

The rabbinic tradition interprets the *lex talionis* figuratively recommending monetary compensation as the other scholars have endorsed above. For instance, in *Baba Qamma* 83B, it is noted that “he who injures his fellow is liable to compensate him on five counts: (1) injury, (2) pain, (3) medical costs, (4) loss of income, and (5) indignity.” In case the injury affects any part of the body (eye, tooth, hand, leg etc), the victim is supposed to make an estimation of how much he was worth before the incident and how much he is now worth, if it leaves him in pain, they assess how much the victim is willing to take, when it involves medical loss, it could again be recognized in *Baba Qamma* 83B, “the culpable is required to provide medical care and all other expenses involved...all is assessed in accord with the status of the one who inflicts the indignity and the one who suffers the indignity.”¹³ These conclusions were arrived at because the oral tradition understands that the culpable person is required to pay monetary compensation based on the estimation and how much the victim is willing to accept in compensation for the loss incurred, here, (the husband of the woman). Furthermore, it is noted in *Baba Qamma* 83B,

For it has been taught in Tannaite authority: Might one suppose that if someone blinded a person’s eye the court should blind his eye? Or if he cut off his hand, then the court should cut off his hand, or if he broke his leg, the court should break his leg?

Scripture states, “He who hits any man ... and he who hits any beast”- just as if someone hits a beast, he is assigned to pay monetary compensation, so if he hits a man, he is required to pay monetary compensation.¹⁴

What is stipulated in *Baba Qamma* 83B stands to affirm that, monetary compensation was rather recommended instead of the literal application of the *lex talionis* according to the rabbinic tradition. Moreover, in the case where the intention involved in the whole episode was premeditated, the *lex talionis* may apply literally, but here is the case the “hit” was unintentional, then the culpable is not in any way liable to the literal application of the talion. Rabbi Simeon writes,

Now from the viewpoint of the rabbis, there is no problem, for they maintain that if one intended to kill one party and killed another, he is liable, for it is written, “If men strive and hurt a woman with child: (Ex. 21:22). But how does R. Simeon deal with the clause, “You shall give life for life” (Ex. 21:23)... Since the murder of the woman was unintentional, according to Simeon there is no death penalty? It means that there has to be a payment of monetary compensation for the death, in accord with the view of the Rabbi for it has been taught on Tannaite authority.¹⁵

The rabbinic viewpoint is relevant here because it goes back to the first century. There is a shift from a literal application to the payment of money, at least in relation to wounding and maiming. The rabbinic tradition in the first century emphasized monetary compensation. There is a fairly agreement between Philo and Josephus on the interpretation of the *lex talionis*. The rabbis understood this passage endorsing monetary compensation in the first century.

³ Jacob Neusner, *The Babylonian Talmud: A Translation and Commentary: Sanhedrin*, vol. 16, 92A- 92Q. (Massachusetts: Hendrickson Publishers, 2005), 416.

Here again in relation to the application of the *lex talionis*, the rabbinic tradition which goes back to the first century understood and applied this law figuratively recommending monetary compensation. This is also agrees with my earlier position (figurative) on monetary compensation as the possible way the text was understood and applied.

The LXX translation assumes that, no matter what, the strike resulted in the death of the fetus. What could have been the case that in the MT one can read two possible outcomes regarding the outcome with injury or without injury? The LXX translators concluded on the development of the unborn child. With this, if the accident should happen early in the woman's pregnancy, at a time when the fetus is "not fully formed," then it means the man (who struck the woman) cannot be deemed to have killed another human being (Kugel, 2007). Notwithstanding, a potential human being has been lost so he must definitely be fined. However, if the accident happened late in the pregnancy with recognizable human features, it was deemed to be already fully developed. Thus, having at this stage taken a human life, the man was subject to the death penalty. Hence, souls for soul, eye for eye etc. The LXX understanding of the *lex talionis* here indicates that in the event of any one of the two possibilities happening, the victim shall pay.

From the foregoing, it could be observed that consistently the general view or understanding held on to by renowned scholars such as Kugel, Sprinkle, Josephus, and the rabbinic tradition as well as the LXX on the *lex talionis* indicate that the text was never implemented in its 'tit for tat' sense and thus meant for vengeance. It is only Philo who reads and understand the text literally.

However, in regard to its application, he recommends monetary compensation which must be supervised or determined by the law court. Key words in the text such as ונתן meaning “and he shall pay or give ” and the preposition תהיה also meaning ‘for’ or ‘in return for’ which for me are more consistent with the general discussions in the text. Thus suggesting equivalent compensation to ensure proportionality.

Much as the views of the above scholars bring to the fore appreciable insights on the talion in Exodus 21, there is more to be gleaned to enhance ones understanding about the talion here. Looking at the text (Exodus 21:22-25) in its entirety, the talion here comes to control reckless and negligent behaviours in society so that the rights of the vulnerable are adequately protected. It also comes to ensure that in the event of a member of a society incurring a loss of some kind, this law comes to restore and ensure equality between two people. The closest modern category of law that could describe the basic assumption underlying this is that of corrective justice. In cognizance of this, Ernest Weinrib (2002:349) writes corrective justice establish equality between two parties one of whom might have suffered loss which, if unattended to may cause injustice and unfairness. “The law corrects this injustice when it re-establishes the initial equality by depriving one party of the gain and restoring it to the other party... The result is a restoration of the original equality of the two lines.”

This is evident from the context of the text (Exodus 21) in the use of the verb שלם in the piel stem on the property offenses (Exod 21:34-22:14). This term (שלם) occurs in a legal context 24 times in the Hebrew Bible.

It occurs 14 times in this section of the *Mishpatim* and only four other instances in the legal codes of the Pentateuch (Duabe, 1969). In the property laws, the word שלם means “to make full” or “to restore,” which clearly expresses the ideals of restoring balance. In the injury laws of Exod 21:18-19 for example, if one man injures another in a fight, the injurer is to pay for the victim’s loss of time and ensure a full recovery (שבתו יתן ירפא ירפא). In this way, the injurer’s responsibility extends to the point of restoring the victim to his former state, before the balance was upset.

These examples indicate that the ideals of corrective justice underlie the *Mishpatim*. In respect of this, Houtman (1993) argues that the *Mishpatim* aimed at “the preservation of a stable and liveable society that is marked by justice through conflict management, the offering of compensation and finding equitable settlements, harmony is promoted and restored.” Thus in the end, the law attempts to protect one of the fundamental human rights in society. It thus indicate that even the unborn child has the right to live. Again, although it is the victim who is expected to insist on his or her right to seek redress, the law prescribes a legal process to be followed in ensuring that the victim receives fair judgment. The victim steps aside and the law takes over the legal process.

The above discussions by scholars who have written elaborately on the *lex talionis* rests on how the text was understood in ancient Israel. In my candid opinion and more importantly, the basic issue here is not so much about the literal application of the talion as it is more about the language of the law in the *Mishpatim*, as it expresses an ideal to be followed by the judges.

The language of corrective justice that is restoring balance which is thus employed in a context of punishment. Considering the entire context of the *lex talionis* as it occurs here in Exod 21: 22-25, it could be noticed that, the text comes to stipulates social order in order to avoid negligent behavior in society. That is to say, negligent behavior in society is culpable to punishment which must fit the crime.

Hebrew Text of Leviticus 24: 10-23 (The *Lex Talionis* and Blasphemy)

10 וַיֵּצֵא בְּרֵאשִׁית יִשְׂרָאֵלִית וְהוּא בֶן-אִישׁ מִצְרַיִם בְּתוֹךְ בְּנֵי יִשְׂרָאֵל וַיִּנְצֹצוּ בְּמַחְנֶה בֶן הַיִּשְׂרָאֵלִית וְאִישׁ הַיִּשְׂרָאֵלִי:

11 וַיָּקֹב בְּרֵאשִׁית הַיִּשְׂרָאֵלִית אֶת-הַשֵּׁם וַיִּקְלֹל וַיִּבְיֵאוּ אֹתוֹ אֶל-מֹשֶׁה וְשָׂם אִמּוֹ שְׁלֵמִית בֶּת-דְּבָרִי לְמִטְהַרְדּוֹ:

12 וַיִּנְיָחֻהוּ בַּמִּשְׁמֶר לְפָרֹשׁ לָהֶם עַל-פִּי יְהוָה: פ

13 וַיְדַבֵּר יְהוָה אֶל-מֹשֶׁה לֵאמֹר:

14 הוֹצֵא אֶת-הַמְּקַלֵּל אֶל-מַחוּץ לַמַּחֲנֶה וְסָמְכוּ כָּל-הַשֹּׂמְעִים אֶת-יְדֵיהֶם עַל-רֹאשׁוֹ וְרָגְמוּ אֹתוֹ כָּל-הָעֵדָה:

15 וְאֶל-בְּנֵי יִשְׂרָאֵל תְּדַבֵּר לֵאמֹר אִישׁ אִישׁ כִּי-יִקְלֹל אֶלְהֵוֹ וַיִּנְשֵׂא חֶטְאוֹ:

16 וַיִּקְבַּע שֵׁם-יְהוָה מוֹת יוֹמָת רָגוּם וְרָגְמוּ-בּוֹ כָּל-הָעֵדָה כַּגֵּר כַּאֲזָרָח בְּנִקְבוֹ-שֵׁם יוֹמָת:

17 וְאִישׁ כִּי יִבֶּה כָּל-גִּפְשׁ אָדָם מוֹת יוֹמָת:

18 וּמַכָּה גִפְשׁ-בְּהֵמָה יִשְׁלַמְנָה גִפְשׁ תַּחַת גִּפְשׁ:

19 וְאִישׁ כִּי-יִתֵּן מֵיּוֹם בַּעֲמִיתוֹ כַּאֲשֶׁר עָשָׂה בֶן יַעֲשֶׂה לוֹ:

20 וְשָׂרָר תַּחַת שָׂרָר עֵינֵי תַּחַת עֵינֵי שֵׁן תַּחַת שֵׁן כַּאֲשֶׁר יִתֵּן מִיּוֹם בְּאָזְנֵם בֶּן יִגְמֹן בּוֹ:

21 וּמַכָּה בְּהֵמָה יִשְׁלַמְנָה וּמַכָּה אָדָם יוֹמָת:

22 מִשְׁפָּט אֶחָד יִהְיֶה לָכֶם כַּגֵּר כַּאֲזָרָח יִהְיֶה כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם:

23 וַיְדַבֵּר מֹשֶׁה אֶל-בְּנֵי יִשְׂרָאֵל וַיֹּצִיאוּ אֶת-הַמְּקַלֵּל אֶל-מַחוּץ לַמַּחֲנֶה וַיִּרְגְּמוּ אֹתוֹ אָבֹו וּבְנֵי-יִשְׂרָאֵל עָשׂוּ כַּאֲשֶׁר צִוָּה יְהוָה אֶת-מֹשֶׁה: פ

Translation of Leviticus 24:10-23

10 Now a son of an Israelite woman, whose father was an Egyptian went out into the camp to struggle or fight with the son of an Israelite.

11 and the son of the Israelite (woman) blasphemed the Name, and he cursed. And they brought him to Moses. His mother's name was Shelometh, the daughter of Dibri, of the tribe of Dan.

12 and they put him in custody, in a place of confinement, until the will of YHWH is declared.

13 And YHWH said to Moses, saying, bring him outside of the camp the one who cursed,

14 And let all who heard him, lay their hands upon his head and let the entire congregation stone him.

15 And say to the sons of Israel, saying, if a man curses his God, he shall bear his sin.

16 But whoever curses the Name of YHWH, he shall be killed to die. The entire congregation shall stone him, the sojourner as well as the native, when he curses or blasphemes the Name, shall he be put to be killed.

17 Whoever kills a man shall be put to death.

18 Whoever kills a beast shall repay or give life for life.

19 And when a man gives a defect in his fellow, just as he has done so it shall be done to him.

20 fracture for fracture, eye for eye, tooth for tooth, just as he gave the defect in the man so it shall be given to him.

21 Whoever kills a beast he shall repay, and whoever kills a man he shall be killed.

22 The same One judgment or law shall be for the sojourner and the native as well, For I am the LORD your God.

23 And Moses said to the sons of Israel, and they brought out of the camp who had cursed and they stone with stones. And the sons of Israel did as YHWH commanded Moses.

Leviticus is a book of laws set within a narrative framework, and it may therefore seem strange to talk about its theology. Leviticus is therefore more than a description of past historical events and more than a collection of dated laws (Wenham, 1979). The book tells us about God's character and will, which found expression in his dealings with Israel and in the laws he gave them.

The theology of Leviticus can hardly be discussed in isolation from that of the other books in the Pentateuch, particularly of those most closely related to it such as Exodus. When these books are read in relation with Leviticus, some of the theological presuppositions of the latter stand out the more clearly (Wenham, 1979). For instance, Exodus describes the making of the Sinai Covenant and the erection of the Tabernacle: both these institutions are fundamental to the theology of Leviticus (Wenham, 1979).

The central theme of the book is holiness. The book intends to show how Israel was to fulfill its covenant responsibility to be a kingdom of priests and a holy nation (Ex 19:6; Lev 26:5). The purpose of the book is to provide guidelines to priests and laypeople concerning appropriate behavior in the presence of YHWH. It was intended for the entire Israelite community, with at least two purposes: (1) that people would know and value their privileges and responsibilities before God; and (2) that priests could not gain oppressive power over the people with any monopoly on the knowledge of how to approach God.

Leviticus was written to show Israel how to live as a holy nation in fellowship with God, and thus to prepare the nation for the high service of mediating the redemption of God to all the nations (Merrill, 1991; Sailhamer, 1992).

The next occurrence of the *lex talionis* is found in Leviticus 24:10-23. In sharp contrast to the two *talionic* formulae, the context of this occurrence is unique and different. Whereas the other two appear as the prescribed penalty for a specific casuistic law, the talion here is entrenched or rooted in a brief narrative (Lev 24:10-23). Of course, not all scholars accept this piece as constituting a narrative. Gerstenberg (1996:361) commenting on this text wrote, “the excessively abbreviated... and scarcity of concrete details concerning those involved prevent us from classifying this section as a ‘narrative,’ it is merely a stereotyped ‘case’ placed before the actual legal text.” Martin Noth (1965:179) however, recognizes the qualities of this piece as a narrative. He calls it a “legal sentence... in the form of a narrative precedent.” Similarly, James Watts (1999:40-45), further cited numerous instances in other ancient literature where law and story are intertwined, which gives credence to Kiuchi’s claim that Lev 24 is a legal narrative. Furthermore, Michael Fishbane (1988:98) has identified the narrative of Lev 24:10-23 as one of fair “ad hoc legal situations set during the period of the desert wanderings” (Num 9:6-14; 15:32-36; 27:1-11). Another issue that helps in the understanding of this short narrative is that, it is analogous or similar to the message and content of the Book of Leviticus as found in chapters 8-10, particularly chapter 10, which defines the offence and subsequent deaths of Nadab and Abihu.

Thus not only is the occurrence of the *talion* distinct from the other two recorded in Exodus 21 and Deut 19, its framework is different from Leviticus and seems to be analogues to the three pericopes in (Num 9:6-14; 15:32-36; 27:1-11) (Vroom, 2009).

Leviticus chapter 24 divides into two sections. The first section talks about Israel's requirement to supply oil and bread to the tabernacle in its daily worship (vv1-9) while the second section talks about the execution of a blasphemer vv. 10-23 (Sprinkle, 2015:160). Vv. 1-9 move from the obligations for Israelites to worship on holy days (Lev 23) to obligations to maintain worship on daily basis. In other words, the chapter switches from usual instructions observed in the book to a narrative that describes an incident that leads to legislation on blasphemy. The text starts with the story of a man who commits blasphemy and continues with a series of related penalties (Bellinger, 2001:145).

This chapter (Lev 24) uncharacteristically, does not point out structural markers typical of many sections of Leviticus, irrespective of familiar phrases such as "I am the Lord your God" (v.22), this is a permanent rule for your descendants (v.3; cf. 3:17; 10:9; 16:29; 17:7; 23:14, 21, 31, 41), and a permanent due (9; cf. 6:11; 7:34; 10:15). Some commentators still have reservations about the connection between the material in this chapter and what precedes and follows it (Wenham, 1979). However, scholars are convinced that the position of this narrative of the blasphemer (vv. 10-23) happened soon after Moses had given the instructions about the lampstand and bread of the presence (vv. 2-9). Wenham (1979:309) indicates that, "the laws were given at specific times and places to meet particular situations."

The passage under consideration here depicts a scene in which the will of YHWH is needed to determine a sentence or verdict for the half-bread foreigner who committed blasphemy (vv. 12-16) and eventually carried out (v. 23).

There is a tactical point here between the declarations of the verdict and its execution, series of laws can be read in vv. 16b-22, one of which is the *lex talionis* (v. 20a). It must be indicated here that there are interpretational difficulties in this text most of which do not have direct implications for the present study. What is significant here is to determine the meaning and the function of the *lex talionis* in this text and the social situation that warrant the application of the *lex talionis*, and also to determine whether the *lex talionis* can be used to seek vengeance. Wenham (1979) writes concerning the pericope under consideration, “they arose out of specific situations which were brought to court for legal judgment.” The penalty in a given case is recorded as a guide for judges in the future should similar cases occur again.

The text seems to be talking about what should be done to a foreigner who blasphemes the Name of the Lord or shows disrespect to ‘the Name.’ The text also depicts a real situational issue which needs the mind of God to guide in the proceedings on what to do to the one who “used” the Name during a fight. The concern here has to do with the way God’s name was used. The text follows with a reason to the seriousness of this “sin” as well as the scope of the law (bringing all including the native Israelite and the foreigner under one law) and what should be done to the blasphemer. That is, the blasphemer should be put to death.

The Pericope starts with, “Now an Israelite woman’s son, whose father was an Egyptian went out (אצ’) into the midst of the Israelites (vv.10-11). The wording presupposes that, the man left his camp, which was set apart from the main camp where the Israelites lived. The Vulgate seems to invite the reader to envision a scene. It says, “Then Behold an Israelite woman’s son... went out to.” This makes the incident as truly an occurrence that happened, in fact a historical event. The text clearly points out the man’s identity (whose father was an Egyptian) as being of mixed blood. Inside the main camp this man (half-breed Israelite) engaged in a fight with an Israelite. In the heat of the contest, he (the half-breed Israelite) pronounced (נקב) the name of God, in such a way that he (קלל) “cursed” or “blasphemed” (Hartley, 2002).

Jonathan Vroom commenting on this text takes a structural analytical approach to read Leviticus 24. His goal was to examine the meaning and the purpose for which this law was given. He reads and understands the *lex talionis* as it occurs in Leviticus 24 with a universal focus. He writes that there is an overwhelming evidence that the author carefully and purposefully crafted or created this narrative and law into one common unit with a chiasmic structure (Vroom, 2009). The structure below demonstrates it:

A	13	And the Lord said to Moses,
B	14	“Bringing out of the camp him who cursed; and let all who heard him lay their hands upon his head, and let all the congregation stone him.

C	15-16a	And say to the people of Israel, whoever curses his God shall bear his sin. All the congregation shall stone him;
D	16b	The sojourner as well as the native, when he blasphemes <i>the</i> Name, shall be put to death.
E	17	He who kills a man shall be put to death.
F	18	He who kills a beast shall make it good, life for life.
G	19	When a man causes a disfigurement in his neighbour, as he has done it shall be done to him
H	20a	Fracture for fracture, eye for eye, tooth for tooth;
G'	20b	As he has disfigured a man, he shall be disfigured.
F'	21a	He who kills a beast shall make it good;
E'	21b	And he who kills a man shall be put to death
D'	22	You shall have one law for the sojourner and for the native; for I am the Lord your God.
C'	23a	So Moses spoke to the people of Israel;
B'	23b	And they brought him who had cursed out of the camp, and stoned him with stones.
A'	23c	Thus the people of Israel did as the Lord commanded.

The above structure reveals that the focus of the pericope bothers on universal obligation to the law, regardless of ethnicity as v22 indicates “You shall have one law for the sojourner and for the native; for I am the Lord your God.”

This episode depicts or illustrates how many of the case laws in the Pentateuch originated, especially those that begin “If a man does so and so,” and then the penalty will follow (Noth 1965). Vroom’s understanding of this passage is that the talion here enjoins all people including the native Israelites to obey God’s law given to them.

The nature of the pericope indicates that, the case here arose out of specific situations which were brought for legal attention, the penalty in a given case is recorded to serve as a guide for judges to apply in the future should similar cases occur (Noth, 1965). It should be noticed that the judge whose decision is here recorded is not Moses, but God. God himself was the author of law in Israel, not the king or some human authority as in Mesopotamian Law (Wenham 1979).

The issue at stake here is that a foreigner is to be punished for blasphemy in the same manner as a native Israelite is punished which is the basic principle the *lex talionis* ensures. Vv. 15-16 continues on this and brings all people, regardless of ethnicity, under one common law against blasphemy. The death penalty is stressed by being expressed three times in v15: twice with יומת, “he is to be put to death (cf. 20:2, 9) and once by רגם, “to stone” (cf. 20:2, 27). The section also introduces the legal part which form the center of the chiasm,

מִשְׁפָּט אֶחָד יִהְיֶה לָכֶם בְּגֵר כַּאֲזָרָח יִהְיֶה כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם

That is, “You shall have one law for the sojourner and for the native,” the death penalty is also observed in the use of the words אזרה and גר.

Both the law of blasphemy and the laws of vv. 17-21 are universally binding, applicable to all regardless of ethnicity.

This act of punishment was to instruct the Israelites and to serve as a warning to them. The seriousness of this offence is seen in the way God required a foreigner to be executed in much the same way as the Israelites who were his people and hence were identified with his holy name (Rooker, 2001). This is the main emphasis of the whole pericope, according to Jonathan Vroom. This suggests supremacy of YHWH's law over everyone in a covenant society.

We can understand that the *lex talionis* in Lev 24 is not about vengeance. The emphasis of this law has a universal focus rather than vengeance. In fact Vroom's analysis does not in any way give a clue to the reader that the text encourages vengeance.

The Vulgate another authoritative witness to the biblical text captures the incident in just the same line of thought about what should be meted out to the one who blasphemes the name of the Lord. However, it understands that before the blasphemer is punished, the culprit must be put into prison first, until the decision of the judge is consulted to guide in the process. The same punishment should be meted out to both the native Israelite and the foreigner, thus ensuring equality before the law. The law from v19 moves away from specific cases to general cases; the Vulgate allows for the repayment of its equivalent so that there will be equal judgment for the native Israelite as well as the foreigner.

Thus, the Vulgate understands the purpose of the *talion* here in Lev 24 as ensuring equity and fairness. Vengeance is out of the blueprint of the vulgate.

Similarly, Weingreen (1972) and Hartley (2002) even though individual scholars, their arguments converge on similar points or understanding. They build an argument on the seriousness of the offense that warrants the execution of the *lex talionis* in Lev 24 around the verbs נקב and קלל in the passage. They believe that the meanings of the two verbs and their objects activate the *lex talionis*. They observe that a study of נקב and קלל indicates that both verbs have a wide range of usages and meanings.

In the text נקב has its object as השם, “the name,” in v 11 and in v 16 שם יהוה that is, “the name of Yahweh.” נקב also has possible meanings such as “bore through, stipulate, determine, name, designate” (BDB, 666). With this range of meanings, one can see how the use of נקב can serve as a euphemism to belittle and defame one’s name. In respect of this they believe that “the half-breed Israelite merely spoke the special name of God to defame it.” Weingreen (1972) for instance takes נקב to mean to “utter the name of God with impious and contemptuous words.” In any case, the use of the word suggests disrespect for a revered deity, in this case God.

Regarding קלל, it means “to be swift, slight, be lightly esteem,” “curse,” that is, to treat with contempt (BDB, 886). In the Old Testament, קלל is used in two other places with אלהים “God,” as its object in Lev 24:15 and Exodus 22:27(28) respectively. However, in this passage Lev 24 (vv 11, 14, 23) קלל is used three times for “blasphemy,” without an object all in the piel stem.

Hartley (2002) informs me that by this time in ancient Israel, authors felt reluctant to use a name of God with קלל's lightly esteem meaning is very evident.

This for Hartley (2002) indicates that the use of קלל was moving away from its literal meaning "to esteem lightly" to "to curse." Therefore, it should not surprise the reader if קלל is used without the usual object of God.

According to Livingston (1986), these two verbs need to be taken together because they describe a single act of wrongdoing, but not two distinct acts. Thus it can be concluded that the use of נקב with השם, "the Name," means that this half-breed Israelite distinctly spoke the revealed name of God and that the addition of קלל means he spoke it in a reproachful manner.

Taking the two positions together, one can argue that the half-breed Israelite uttered the name of God contemptuously to belittle or defame it. We do not know for sure whether he cursed his Israelite opponent using God's name or cursed God himself.

Here, the offense is not simply in the uttering or pronouncing of the holy name of Yahweh (the LORD); rather, it is about using the Lord's name in a curse that deserved the death penalty (see vv. 14ff). Therefore, he may be saying something like, "May Egyptian god curse Yahweh." In that sense, the half Egyptian has shown a hidden loyalty to the Egyptian religion of his mother. Misuse of God's name is condemned in the third commandments (Exod 20:7).

Generally, cursing God is forbidden in the Old Testament (Exod 22:27; Lev 20:9), so blasphemy brings guilt on those who hear it as well as on the blasphemer himself. Sprinkle (2015:162) commenting on this writes, “the offense is not that the man said the name “Yahweh but that he slandered Yahweh.”

The incident of blasphemy provided an occasion to spell out some of the cardinal principles of biblical law (the *lex talionis*) in a short digression vv. 16-22 (Wenham, 1979). Therefore, to respond to this serious offense and get rid of this guilt the hearers had to lay their hands on the blasphemer’s head (v.14) and stone him. Before the above action is carried out, the Vulgate discourages instant personal vindictiveness or vengeance. It rather recommends that “... sent him to prison, until they might know what the Lord would command which is also the decision of the judges.” The Vulgate first, prefers that even if an offense is established the due legal steps or process must be taken to ensure fair trial and justice.

This gesture confirms that those who were present at the time of the blasphemy have heard the blasphemy from this specific man and has brought punishment upon his own head. The execution was to be done outside the camp in order to avoid defiling the camp by taking human life. On this action by the hearers, scholars hold different views. Wenham (2002) believes that all who heard the blasphemy had incurred guilt because of the gravity of that sin. Noordzij (1982:245) describes the hearers as having been infected by the potent of the magical words. A third view by Porter (1976:194) however, holds that the hearers had to remove the guilt that had been incurred by hearing the blasphemer (Porter, 1976:194).

For Porter, the involvement of the witnesses in the execution process was to attest to the fact that the blasphemer truly committed the offense.

There is still another view, which considers the responsibility of the hearers, which sounds more plausible to the context.

This view upholds that, their hearing of the words of the blasphemy made them become obligated to take the proper steps leading to the offender's conviction and eventual punishment. The burden of the hearers of the blasphemy is portrayed by the word "bear" (נשא) was not in making them guilty by hearing. Instead in having to take action against another person. Thus they were to "lay their hands on his head, the blasphemer is to be stoned. This applies equally to resident aliens or foreigners as well as native Israelites (vv. 16, 22). Thus Lev 24:19-21 sets out the *talionic* formula 'eye for eye, tooth for tooth' also known as the "law of retaliation." In respect of this, later Jewish traditions interpreted vv 15 and 16 in an expanded manner, requesting that no one should curse using any name of God.

They held that whoever uses the Name will be stoned. Hartley (2002) commenting on this indicates that "these laws along with other passages inspired the Jews of the Second Temple period to discontinue pronouncing YHWH, the tetragrammaton. As a result of this position, when contemporary Jews come across this name for God while reading the Scriptures, they usually say either אדני, "my Lord," or, "the Name."

From the foregoing discussions, the *talionic* principle spelt out here enshrines the legal steps that should be taken to ensure fair trial in the law court. \

But does not suggest vengeance as some have understood it. In relation to the above case, it is to carry out a responsibility in order to purge out an offence committed by using God's name blasphemously. This was to accord the necessary respect for God's name. In fact, in real sense the scope of the law embraces all (including the native Israel and the foreigner). No personal vindictiveness is encouraged.

The discussion of the proper execution of the blasphemer is the transition to the next series of laws, which begins with the execution of a murderer (24:17). Vv 17-22 introduce the penalty for murder with its resultant "life for life." The root שלם "to repay or to reward" "make restitution" (24:18), has in its semantic range in the *piel* stem the meaning of "be complete," "make safe," "make good" (BDB, 1022). This use of this verb consequently refers to a person who has to compensate to make good or loss for which he is responsible (Exod 21:34, 36, 37; 22:2-4, 6, 8, 10-14) (Duabe, 1947: 135-136).

Therefore, in the case of killing an animal or smiting a soul, the person who causes the death of the animal or smiting a soul is allowed to make restitution for the loss with the ultimate aim of making it good or safe as suggested by the meanings of שלם in the *piel* stem.

The phrase מכהנפש "the one who smites a soul," is common to both this law and the preceding one on the murder of human being. The law requires that compensation be made. The central theme of this section is that of commensurate punishment for a crime, what has been called *lex talionis*.

An application of the principle may be found in Deut 19:16-19, where a false witness was to suffer the exact punishment that would have been rendered to the man against whom he had made accusation. Even that, the principle was not always carried out literally (See, however, Deut 25:11-12). Justice was to be fair, not arbitrary.

The next set of laws occurs in v19-20 which opens with a specific law, moves to a generalized list of injuries v 20 and returns to a specific law (v20b).

The issue in v 19 has to do with causing a disfigurement (מום) that is any type of bodily mutilation in an associate or neighbor (עמיה) which calls for a precise equivalence penalty for each offense in vv20-21 (Levine, 1989). So that affected individuals or victims do not end up causing grievous injuries to offenders. Hence, שבר תהת שבר עין תהת עין שן תהת שן כאשר יתן מום באדם בו fracture, eye for eye, tooth for tooth; as he has disfigured a man, he shall be disfigured.”

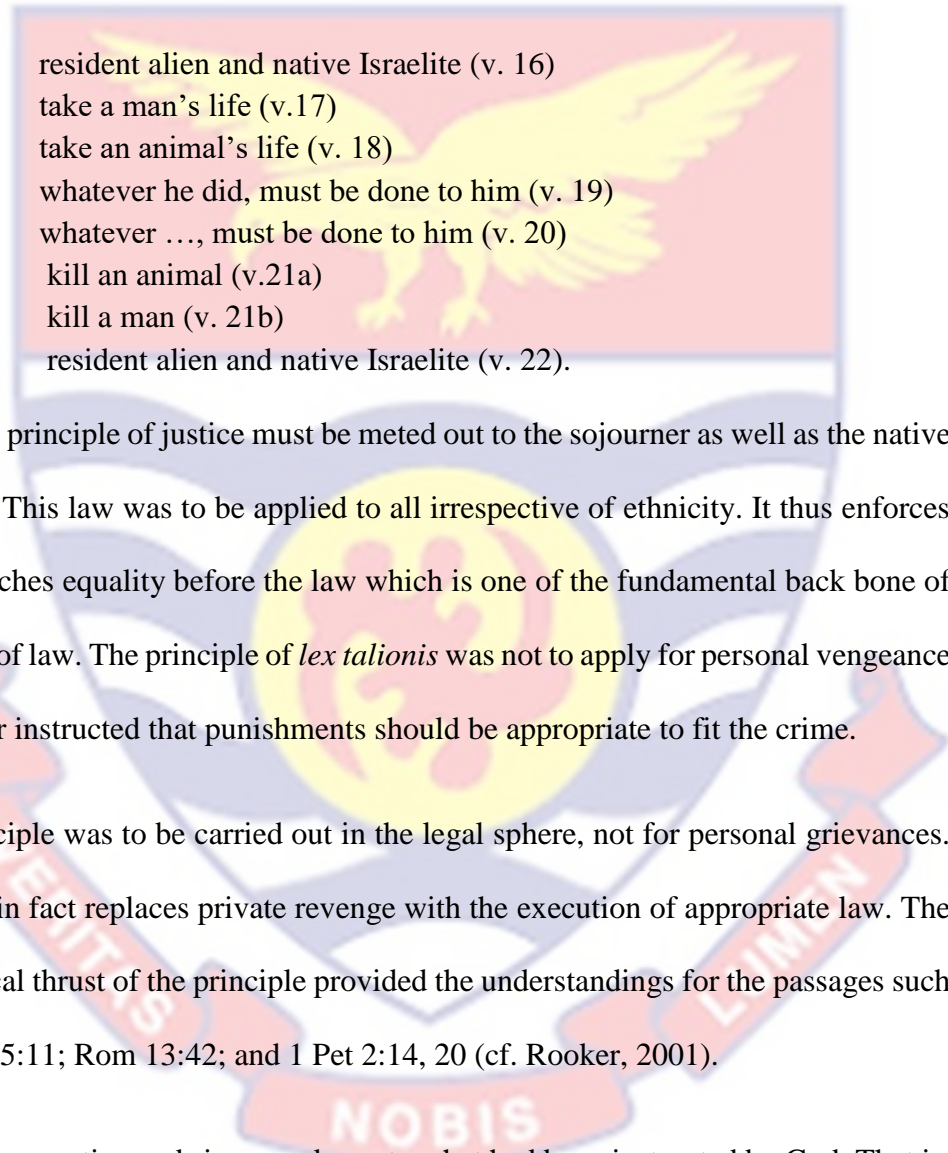
This basic principle of justice is found in several ancient judicial systems. One of such is the Hammurabi Code, Middle Assyrian Laws, Roman law in the Twelve Tables (450 B. C.) and before that in the laws of the Lipit-Ishtar. However, there is a major difference between the Hebraic law and the Code of the Hammurabi. That is in the latter, this principle of justice applied only in case of freedmen and to individuals who occupied a lower social class (Hartley, 2002; Renger, *IDBS*: 545).

What is significant in this section is the high value of human life, which is illustrated by the fact that killing of an animal may be compensated for or by restitution but did not call for the death penalty 24:21.

The reason the talion is cited in this context apparently is to emphasize the seriousness of the offense of blasphemy, which would warrant capital punishment.

Wenham (2002:213) has skillfully noted the symmetry in the inverted chiasm of vv.

16-22:

- 
- A. resident alien and native Israelite (v. 16)
 - B take a man's life (v.17)
 - C take an animal's life (v. 18)
 - D whatever he did, must be done to him (v. 19)
 - D' whatever ..., must be done to him (v. 20)
 - C' kill an animal (v.21a)
 - B' kill a man (v. 21b)
 - A' resident alien and native Israelite (v. 22).

This principle of justice must be meted out to the sojourner as well as the native Israelite. This law was to be applied to all irrespective of ethnicity. It thus enforces or entrenches equality before the law which is one of the fundamental back bone of the Rule of law. The principle of *lex talionis* was not to apply for personal vengeance but rather instructed that punishments should be appropriate to fit the crime.

The principle was to be carried out in the legal sphere, not for personal grievances. The law in fact replaces private revenge with the execution of appropriate law. The theological thrust of the principle provided the understandings for the passages such as Acts 25:11; Rom 13:42; and 1 Pet 2:14, 20 (cf. Rooker, 2001).

The narrative ends in accordance to what had been instructed by God. That is, the blasphemer must be stoned to death. Therefore, v 23 indicates that the Israelites took the blasphemer outside the camp and stoned him.

Although this form of punishment is thought to be harsh by many (Rooker, 2001), we should be reminded of the teaching of this section that dreadful deeds require equally dreadful punishments. “The Bible doesn’t present capital punishment as ‘cure-all’ for crime. It presents it as a form of punishment that shows respect for law, for life, and for humans made in the image of God (Damarest, 1990), what is significant here that is noteworthy is that blasphemy is a serious offence against God.

Jan Joosten’s views about the talion in Lev 24 has a universal focus. He reads and understands the talion as having universal obligations calling on all mankind to the obedience of God’s law. According to Joosten, the language of the text reveals this focus and emphasis. For him this is obvious from the use of the word ‘man or mankind’ (אדם) in vv. 17, 20, and 21, which clearly covers all humanity in the Holiness Code. Jan Joosten (1996) recently recognized this, He identified two occasions in the Old Testament where this term ‘man or mankind’ (אדם) was used to refer to all humanity beyond Israel.

The first can be seen in Lev 18:5, which reads:

וּשְׁמֹרְתֶם אֶת־הַקְּדוֹתַי וְאֶת־מִשְׁפָּטַי אֲשֶׁר יַעֲשֶׂה אֹתָם הָאָדָם וְחַי בָּהֶם אֲנִי יְהוָה:

You shall therefore keep my statutes and my ordinances,

by doing them which a man shall live: I am the LORD.

This verse comes after a command to do away with the lustful cultic practices of the other nations (v.3) in favour of YHWH’s law (v.4). Then follows a series of prohibitions that reflect these practices in (vv.6-23), which serve as bases for the banishment of the Canaanites from the land (vv.24-25).

Therefore, this chapter (Lev 18) indicates that anyone living in the land irrespective of their ethnicity, is bound to follow the statutes of YHWH. So it is advantageous for everyone (both foreigners and Israel) to observe the laws of YHWH, if they want to live on the land as Douglas (1999) also recognizes this.

The second use of אדם, according to Joosten can be found in Leviticus 24, the chapter under consideration. He compares Lev 24:17 with Gen 9:6 and Exod 21:12 as follows:

Lev 24: 17	Gen 9:6	Exod 21:12
And (any) a man that fatally strikes any human life shall surely be put to death.	Whoever spills the blood of a human by a human shall his blood be split. For in the image of God he made humanity.	Whoever hits a man so that he dies shall surely be put to death.

Joosten observes parallels from these three texts. In Gen 9:6, there is a clear emphasis on all humanity, whereas in Exod 21:12 there is less emphasis on the universal application of the law. The contrast between the use of אדם in Lev 24:17, 20 and 21, and the use of איש in Exod 21:12 gives credence to the argument that there is an emphasis in Lev 24 on the universal obligation to the law. With this Joosten concludes as Vroom (2009) that the use of the term אדם further confirms that the main focus of this pericope is on the universal obligation to the law, regardless of ethnicity. For Joosten the main focus of Lev 24 is not about vengeance, rather the text enforces universal obligation to God's law.

From the foregoing, we note that there is a contrast between the laws of vv.17-21 and blasphemy. While blasphemy serves as a model example of sacred offenses, the talion, along with the surrounding laws of vv.17-21 serves as the model example of secular law.

Therefore, in totality, the talion as it is found in Lev 24 emphasizes that both the native Israelite and the alien are all subject to all Israel's secular and cultic laws. The central position of the talion in this passage is to highlight the fact that even foreigners are obliged to Israel's secular laws. Therefore, an analysis from the context indicates that the talion in Lev 24 serves as a model or example of secular law but not for personal revenge or vengeance. A critical look at the passage brings to the fore three main emphasis of the narrator. First, the structure of the passage reveals that its focus is on the universal commitment to the law, irrespective of one's ethnic inclinations. Second, the language of the legal section (vv.17-21) endorses this. Third, parallels with the Covenant Code indicate that the nature of this particular law enjoins all humanity regardless of ethnicity.

Joosten concludes along the same line of thought as Vroom (2009:60), "all these features demonstrate that the main emphasis of this passage is on the universal obligation to Israel's secular and sacral laws, regardless of ethnicity, but not vengeance" It is obviously clear from the above discussions that the talion as found in Lev 24 has universal commitment enjoining both the Israelites and foreigners to obey God's laws.

While the views of the above scholars introduce the reader into an array of knowledge on the emphasis of the talion as suggesting universal obligation to Israel's laws irrespective of ethnicity, the role of the talion in the Holiness Code remains unclear as well as the status of the alien. This is compounded by the contrast vv.17-21 seems to pose to the role of the talion in Leviticus 24.

The main point of the pericope emphasizes that both the native Israelite and alien are subject to all Israel's secular law. The talion in this pericope seems to place obligation on the status of the alien in the land in Lev 24. Vroom (2010) writes, "The reason the Holiness Code is preoccupied with the unique position of the alien is due to its perception of the land of Israel." The Holiness Code recognizes the sacredness of the land. That is, the land is Holy, including everything that is done on it. While the Priestly source tends to restrict the sacred sphere to the sanctuary, the Holiness Code extends its border to embrace the entire land (Milgrom, 1995). Joosten (1996) brings to the fore three ways this can be recognized. First, the statement כִּי־לִי הָאָרֶץ (for the land is mine) in Lev 25:23 indicates that the physical land of Israel bore special significance to God. Second, the fact that the land must have rest (Lev 25:1-7) also indicates it was regarded as holy. And third, the fact that sin causes the land to vomit out its inhabitants (Lev 18:24-30; 20:22) again, indicates that it had a sacral significance similar to that of the tabernacle.

The implication of this theological emphasis is that the inhabitants of the land, whether native or alien, must not pollute the land. The alien especially, if wanted to live in the land of Israel, must not pollute it.

This possibly explains the particular status of the alien in the Holiness Code. In respect of this, they were obligated to adhere to the prohibitions and admonitions of the law. On account of this, Lev 24:10-23 fits into the theological agenda of the Holiness Code. The significance of blasphemy and the laws of Lev 24:17-21 become clear.

The Holiness authors addressing a new crop of Israelites living with foreigners in a new social situation cites the talion in the Covenant Code to indicate that foreigners are obligated by all of Israel's known laws.

In my candid opinion, the *lex talionis* as found in Lev 24 comes to emphasize the sacredness of YHWH's law or the sanctity of the law, which transcends all ethnic inclinations and nationalities. The *talionic* formula lay at the heart of secular law; as the talion in Exod 21:22-25 comes as a corrective measure to ensure corrective justice, the talion found in Lev 24 comes to ensure restorative justice for all. The Holiness authors paired the *talionic* formula with blasphemy to demonstrate that the alien was obligated to follow all of Israel's law.

Deuteronomy 19:15-21 (The *Lex Talionis* and False Accusation)

The final occurrence of the *talionic* formula is found in the case of the false witness in Deut 19:15-21. The pericope is as follows:

Hebrew Text of Deuteronomy 19: 15-21

¹⁵לֹא-יָקוּם עַד אֶחָד בְּאִישׁ לְכַלְעוֹן וּלְכַלְחָטָאֵת בְּכָל-חָטָא אֲשֶׁר יַחַטָּא עַל-פִּי שְׁנֵי עֵדִים אֶן עַל-פִּי
שְׁלֹשֶׁה-עֵדִים יָקוּם דָּבָר:

¹⁶כִּי-יָקוּם עַד-חָמֵס בְּאִישׁ לַעֲנוֹת בּוֹ סָרָה:

17 וְעַמְדוֹ שְׁגִי־הָאֲנָשִׁים אֲשֶׁר־לָהֶם הָרִיב לִפְנֵי יְהוָה לִפְנֵי הַכֹּהֲנִים וְהַשֹּׁפְטִים אֲשֶׁר יִהְיוּ בַיָּמִים הָהֵם:

18 וְרָשׁוּ הַשֹּׁפְטִים הַיָּטִב וְהַגָּדוֹל וְהַיָּשָׁר הַלֵּוֹד שָׁקֵר עָנָה בְּאִתּוֹ:

19 וַעֲשִׂיתֶם לוֹ כַּאֲשֶׁר נָמַם לַעֲשׂוֹת לְאִתּוֹ וּבְעֵרַת הָרָע מִקִּרְבּוֹ:

20 וְהַנְּשָׂאֲרִים יִשְׁמְעוּ וַיִּרְאוּ וְלֹא־יִסְפוּ לַעֲשׂוֹת עוֹד כַּדָּבָר הָרָע הַזֶּה בְּקִרְבּוֹ:

21 וְלֹא תַחֲוֶס עֵינְךָ גִּפְשׁ בְּנֶפֶשׁ עֵינְךָ בְּעַלְיוֹן אֵין בְּשׁוֹן יָד בְּיָד רֶגֶל בְּרֶגֶל: ס

Translation of Deuteronomy 19:15-21

15 One witness shall not stand against a man for any punishment or guilt for any sin he has sinned, but upon the mouth or evidence of two witness or three witness a matter shall stand.

16 If a violent witness shall arise against a man to answer for wrongdoing,

17 then the two parties to the dispute or strife must stand before the LORD, before the priests, and before the judges who would be in office in those days;

18 and the judges shall investigate to do good, and behold, if he has purposed or devised a deception against his brother,

19 then you shall do to him just as he has purposed or devised to do against his brother, so you shall consume or purge the evil from among you.

20 And the rest shall hear, and fear, and shall not do again this evil thing among you again.

21 And your eye shall not pity, it shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

The book of Deuteronomy is a law, and the whole of it is in the context of covenant-treaty form and contains repetitive exhortations to give heed to the sovereign Lord and to the stipulations of the covenant (Gaebelein, 1992). Continuity of these treaties, as well as their schematic literary structure, lends itself strikingly to the relationship between the LORD and his people Israel as made known through

Moses. Gaebelein (1992) further indicates that, the book of Deuteronomy calls for the enactment (renewal) of the covenant as a preparation for the entrance into Canaan. The book presents the way of life that the Israelites were to follow in the Promised Land.

Deuteronomy 19 happens to be the last of the *talionic* texts for discussions in this project. Chapter 19 of Deuteronomy commences a section where an orderly arrangement of laws is not visibly recognized, although smaller pericopes can easily be identified. The present chapter (Deut 19) is basically about homicide (vv. 1-13) and witness (15-21). The basic regulations are given (1-3) and then interpreted in (4-7). An extension of these basic laws follows (8-9) and a warning against shedding innocent blood (10). Finally, the case of deliberate manslaughter is discussed (11, 12), after which the section concludes with a general exhortation (13) (Thompson, 1974; see also von Rad, 1966).

There are two basic issues concerning the relation between the talion and the case of the false accusation which scholars have been deliberating here. The first has to do with the seriousness of the allegation, whereas the second with the degree to which it correspond to the crime. Regarding the seriousness of the allegation, there seems to be tension within this case as to whether it refers exclusively to a capital accusation or to just any type of allegation. On the other hand, there are indications in the text that suggest the law deals with capital accusations which in turn has implications for the talion. Vroom (2009) indicates that if (the talion) assumes only capital allegations, then only the first part of the talion is appropriate. He further identifies three indications that substantiates or affirms this position.

In the first place, the fact that this law follows the homicide laws (Deut 19:1-13) suggests it is serious. Second, the case contains three motive clauses that indicates the death penalty.

These are (1) the purge formula (so you shall purge the evil from the midst of you); (2) the “hear and fear” formula (And the rest shall hear, and fear, and shall never again commit any such evil among you); (3) the pity formula (Your eye shall not pity; it shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot). Third, the use of the word סרה suggests that the allegation has to do with apostasy which require the death penalty.

However, there are also evidences in this case that suggest it deals with any type of false allegation. One can identify two clues.

First, the opening of v. 15 (“A single witness shall not prevail against a man for any crime or for any wrong in connection with any offense that he has committed”) uses broad language to describe the range of offenses that require multiple witnesses (no case may arise for any offense). Second, the use of the phrase “then you shall do to him as he had meant to do to his brother,” suggests a variety or series of possible accusations. From the foregoing, the clues recommending a capital accusation cannot be ignored, while the clues suggesting otherwise must also be taken seriously. What then is the meaning of the text?

The text seems to talk about having more than one evidence in connection with an offense before a final decision or judgment is made on any case.

The procedures to follow are both parties to the dispute shall appear before the LORD, the priests, and the judges who might be in office.

The judges are to diligently investigate the matter in order to establish the validity of the accusation and whatever intentions which the accuser might have intended for the accused, must be meted out to him so that the rest shall hear and fear in order to discourage the repetition of similar behavior and also to remove the evil from the society. In fact, the priests and the judges should not have pity on the false accuser; the measure should be equal to what the accuser had meant for his brother. Hence, “it shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.”

The basic flow of the case is fairly clear. It starts with a general principle that, all legal issues require more than one witness (v. 15). After this follows the procedure or the process for the implementation of false witness.

The parties involved must go to the sanctuary (before YHWH, the priests and the judges) where a body of Jurists shall make an investigation (inquire diligently) and a final verdict pronounced (16-18), after which corresponding punishment will follow to which the accused would have otherwise received (vv. 19-21). As was done in the previous discussions on the talion in Exod 21 and Lev 24, the function of the talion will be examined in its immediate context and the larger theological purpose it serves. These analyses will throw light on how the Deuteronomic draftsmen employed the *talionic* formula.

As indicated above, the opening verse of v. 15 uses broad language to describe the range of offenses that requires multiple witnesses before a final verdict can be given on a case.

Two provisions are presented to discourage justice on the basis of inadequate or false testimony: no sentence or verdict can be made based on a single witness, and a false witness is to receive the punishment his testimony would have brought upon the accused in 16-21, (Carmichael, 1985).

The content of this verse parallels that of Deut 17:6 (see also Num 35:30, both passages deal with capital offenses). Though “a case is established” – that is, placed before the magistrate, still “a single witness shall not suffice or be sufficient to convict a person regarding any crime or any sin.” Rather, it must be on the testimony of two witnesses or... three witnesses” (Christenson, 2002). From this, “it is obvious that in life-and-death issues one would want to rest his case on sound evidence and reliable testimony. Regarding the nature of the case one witness would not be sufficient, for it would then become a matter of one’s word against another” (Merril, 1994:279).

Although a requirement for more than one witness has been established in v 15, cases would inevitably arise in which there is only a single witness. Vv 16 mentions a “malicious or violent witness” (עֵרֵהָמָס), this is one who appears against someone in court “bringing criminal charges” (Pritchard, 1969). It can also mean a witness who either meditates some covert violence himself, or who assists by his false testimony (cf. Exod 23:1, Ps. 35:11), (Driver, 1902:235).

Craigie (1976) argues that, in the absence of further witnesses, the legal problem here was to determine which of the two parties in the dispute was telling the truth. The procedure to be followed was to send the two parties in the dispute to the central tribunal (v17).

In spite of the requirement of more than one witness to provide evidence to the case (v 15), the final verdict should be decided “before YHWH” by the priests and judges; “then both parties to the dispute shall appear before the LORD, before the priests and the judges who are in office in those days.” The phrase “before YHWH,” (לפני יהוה) according to Christenson (2002), often implies a sanctuary and is used frequently in contexts of formal worship at the central sanctuary, which is not the case here, in Israel’s understand there was a tent of meeting. All the same, the case will have to be decided in the presence of YHWH. Tigay (1998:184) however suggests that, another possibility is that the phrase “before YHWH” does not refer to the place of the trial at all, instead to the fact that “the priests and the judges who are in office in those days are the representatives of YHWH and that He is with them in their adjudication.” It would probably means that the trial, was to be held in the place of the assembly within the local town or perhaps in the nearest Levitical city.

The judges would make a diligent investigation of the case (v.18) and pass judgment on the basis of their findings. The outcome of the findings would not be enough until everything is decided before the presence of YHWH.

Craigie's and Pritchard's understandings of this law do not just vengeance. They both suggest that in the event of meeting all the requirements that must be met for the principle of 'measure for measure' to be implemented, it is the responsibility of the civil authorities who are referred to in the text as judges to take over and supervise. That, right legal procedures are followed to ensure that punishment fit the intentions of the crime so that equity and fairness prevail.

Christenson (2002) and Tigay (1996) commenting on this biblical law in Deut 19:16-21 believe that 'eye for eye, tooth for tooth' principle in this context is closely linked to the intentions of the crime. They indicate that upon further thorough investigations, if it turned out that the witness bringing the charge was giving false testimony, then his punishment would be determined on the basis of the intentions of the crime; then the *lex talionis* would be operative (v.19) before YHWH. If, when "the judges shall inquire thoroughly," they find that indeed the witness is a false witness, then the punishment that person (the accuser) sought to inflict on the accused shall be done to him. What is significant here is the fact that, the final verdict has to be given or decided before YHWH. This indicates YHWH's interest in ensuring that equity and fairness prevail. Christensen believes that "a false witness" (שקר) refers in the sense of one who breaks the law by telling lies about someone else (see Prov 17:4). For him, a false witness is a law breaker.

The words "you shall do to him" (ועשיתם לו) are addressed to those (possibly the priests and the judges) assembled in judgment of the accused, since the false witness has threatened to subvert or undermine the ability of the court to administer justice.

While Tigay (1996:378) commenting on this states, “The plain sense of the text is that even if the false testimony never leads to a conviction, once it has been given the witness is subject to punishment.” Then he concludes with this, “then you shall do to him as he had meant to do to his brother; so you shall purge the evil from the midst of you” (וַעֲשִׂיתֶם לוֹ כַּאֲשֶׁר זָמַם לַעֲשׂוֹת לְאֶחָיו וּבְעֵרַת הָרַע מִקִּרְבּוֹ). Here, the activation of the *lex talionis* is determined by the intentions and the validity of the witness.

The judges were to access the gravity of the intentions (evil intentions behind the witness) of the accuser that would determine the *lex talionis*. The Judges were to ensure that punishment was equivalent to the same intentions intended for the accused and in the same measure of “eye for eye, and “tooth for tooth,” etc. this was to be carried out to discourage further occurrence.

In this case, the purpose of the law about witnesses here becomes as deterrent (20-21), so that “others shall hear of it and shall fear;” in the measure of “Life for life, eye for eye, tooth for tooth” as the accuser had intended (cf. Exod 21:23-24; Lev 24:17-21) – the *lex talionis* (Christenson, 2002). The *lex talionis* in this context bothers on intentions meant for one another but not physical mutilations.

Therefore, it should be understood here that the concept of an “eye for an eye” is not intended as a matter of vengeance in kind, but rather a limitation of such vengeance that must not exceed the original injury. It is simply to deter and to purge evil from society.

From the analysis of the text (that is, Deut 19), first, it can be observed that the talion was given to deter or discourage people from wrongful accusations so that an undesirable behavior was not repeated. Hence the phrase “the rest shall hear, and fear, and shall never again commit any such evil among you” (וּבַעַתְּ הָרַע מִקִּרְבְּךָ) (ועשיתם לוֹ כְּאֲשֶׁר זָמַם לַעֲהָאֵת לְאַחֵיו). Second, this unfortunate behavior is considered as a grievous evil. So the appropriate action that must be taken to curtail this is to remove or eradicate the evil from the midst of the community; hence “and you shall purge the evil from the midst of you.”

The jurist shall not in any way show mercy or have pity, hence, בְּשֵׁן דִּי בִיד רַגְלֵי בְּרַגְלֵי, עֵינְךָ נִפְשָׁא בְּנִפְשָׁא עֵין בְּעֵין שְׁוֹן. That is, “Your eye shall not pity; it shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.” That is, the punishment must fit the crime.

According to Raphael Draï a French legal scholar and an expert in Jewish law, translators of the phrase ‘eye for eye’ (עֵין תַּהַת עֵין) made a mistake. For Draï, תַּהַת does not mean ‘for’ but ‘under, at the place of, in lieu of.’ In respect of this, it is not correct to identify the principle ‘eye for eye’ read in the Hebrew Bible to be similar formulas found in the Ancient Near East or what would appear much later in the Roman Law.

He further strengthens his argument with an example from Exod 21:27 where the same תַּהַת is rather translated ‘in compensation of,’ “if he knocks out a tooth of his male or female slave, he shall let the slave go free in compensation for the tooth.”

Generally, Draï believes that the whole spirit of the Jewish law denies the possibility of a literal implementation of the *talionic* formula. With this, Draï's understanding of the *lex talionis* means that, compensation (monetary compensation) should be the correct reading of the *lex talionis* and the possible way to interpret it and apply but not a literal reading of gauging an eye for an eye. Draï's position on the *lex talionis* here also comes to reinforce what earlier scholars have posit that, this biblical law was understood in the figurative sense recommending monetary compensation but not for vengeance.

The contributions of Raymond Westbrook to this argument is very much appreciated. His argument also bothers on the translation of the *lex talionis*. For Westbrook, the *talionic* formula is an idiomatic expression that was used to refer to monetary compensation instead of literal 'eye for eye and tooth for tooth.' According to him in ancient Israel there was no need to mention the sum because the judges had accurate cues in customary law. Therefore, if the *lex talionis* is understood as commending a financial compensation, the rest of the formula makes sense. He states "once the expression "give or pay for life" is understood as the payment of a set sum at which a person's life is valued, then the continuation of the rest of the *talionic* formula causes no difficulty.

Westbrook's understanding of the *lex talionis* supports the figurative reading of the text, which advocates for monetary compensation but not literal reading, which in most cases vouches for vengeance which is not the point of the text. For him, when the *lex talionis* is understood this way the sense of the text becomes clear and does not pose any difficulty for the reader.

These stipulations show the seriousness of the false accusation in ancient Israelite society. Also for the fact that this law was given to discourage further occurrences of evil intentions and also to purge the society without fear or favour indicates its seriousness. The purpose of the talion here, is basically to deter people from repeating similar behaviours and to purge the evil from society.

Relationship between the Talion Formula and False Accusation in Deuteronomy 19

In what way does the talion formula in Deut 19 relate to the false accusation? The basic principle of the talion requires physical maiming or mutilation. One cannot read of many instances of accusations which lead to *talionic* punishment other than death. In fact, there is hardly any mention of a crime in Deuteronomy that would require physical maiming. We can identify only two references; one to whipping (22:18) and another to beating (25:2-3). The only punishment that prescribes mutilation is Deuteronomy 25:11-12. On account of this, Vroom (2009:83-84) argues, “it is possible the draftsmen had other crimes in mind that require penalties beyond the laws of Deuteronomy, it is unlikely the *lex talionis* would have been included in this.

Thus, the talion does not seem to fit with the details of the crime of false accusation.” However, it can be observed from the text that, the language of the talionic formula necessitates harm. The principle of the talion suggest that.

Again, the talion here does not seem to fit with the crime of false accusation, since the crime does not bring any physical injury. The *talionic* phrase “you shall do to him as he plotted to do to his brother” seems to fit, but the formula “eye for eye” does not. No physical harm whatsoever was actually meant to be inflicted against the accused. There is also lack of physical harm in the crime of false accusation which demonstrates that the talion has no literal connection with the depicted crime in Deut 19:16-21.

The basis for the activation of the *lex talionis* calls for harm to be caused in the first place. What the accuser meant against his brother was wishful thinking. The text still indicates that the accuser will be punished in like manner as he plotted or intended against his brother, not according to what punishment the accused actually received. That is, an eye has to be lost in the first place for an eye to be removed as punishment. But in this case, there is nothing like that.

As a result of these difficulties, some scholars such as Von Rad (1966:129), Vogt (2006: 132-133), Nelson (2002:243) have argued that “this ancient and weighty maxim occupies merely modest position here, being cited as part of a sermon-like addendum;” Others such as Huffman, (1992:321) have also argued that “The penalty in the case involving perjury would be compensated or fined.” In much the same way, Chinitz (1995:85), wrote, “If he testifies that his fellow maimed another man, what he intended for the victim of his false testimony was not the literal eye-for-eye but monetary compensation.

Therefore his punishment is also monetary and not literal.” This was Chinitz’ position on the text but it is not directly stated. Vroom (2009), also argues that the talion here does not fit the motive clauses discussed, which adopts a punitive penalty.

The examination of the text reveals that the talion (v. 21b) has no direct link to the crime of false accusation as compared to the other talia in Exodus and Leviticus. From the text (Deuteronomy 19) one can observe that, the talionic punishment (v. 19a) is only natural to the case of false accusation.

The formula was employed to help cast this law in accordance with the unique Deuteronomic mode of expression. Deuteronomy has a unique homiletic and exhortative or instructional style. That is, failure to observe God’s law will result in punishment. In respect of this, Weinfeld (1972:242) wrote, “The fundamental innovation in Deuteronomy is neither the legislation nor the history woven into it, but the homiletic framework, which unfolds the entire book.”

Von Rad (1966:19) in similar manner states, “this trend toward exhortation is the real characteristic of the Deuteronomic presentation of the law.” This distinctive feature of the Deuteronomic law makes an intelligent mode of expression. That is why in most cases, they simply state that punishment will correspond to the accusation (Vogt, 2006). The Deuteronomic authors cast the false accusation law into its distinct educative style, in that the talionic punishment is followed by three motive clauses and the talionic formula (Von Rad, 1966). Although the equivalence between crime and punishment entailed in the talion does not literally match the crime, the principle of reciprocity does.

Excursus of the Textual Modifications of the Talion in Exodus, Leviticus and Deuteronomy

It can clearly be observed that the *lex talionis* in the Torah is repeated in the three places discussed in the Torah (Exod, Lev, and Deut) with repetitions and modifications for contextual reasons.

This repeated prescription of the same principle of justice in the Pentateuch is remarkable even more when one realizes that the different books referred to above belong to different contexts in different centuries (Ilboudo, 2009). The book of Exodus is identified as mainly written in the 8th century BCE (SKA, 2000). The book of Deuteronomy dates back to the 7th century BCE, during a period of relative prosperity of Israel and state centralization. While the book of Leviticus goes back to the period after the exile (582/581), a time when Israel as a diaspora learnt from other cultures and gained experience more universality (SKA, 2000).

The *lex talionis* found in Exod 21 appears as a provision of law regarding non-fatal assaults following the Decalogue with a series of provisions on social order beginning with slavery and then continuing with capital crimes and finally property laws. The next usage of the *lex talionis* comes in Leviticus 24, where the context is ritualistic laws as opposed to social order in Exod 21. After laying out the laws of religious holidays, the Sabbath and those against cursing God, the Bible invokes the principle of the *lex talionis*. After mentioning the *lex talionis*, the Bible returns to its discussion about cursing God.

It could be observed that, the *lex talionis* in Leviticus corresponds to the context in which it is placed and differs significantly from that in Exodus.

Interestingly, as in Leviticus, the *lex talionis* in Deuteronomy is a principled one, a seeming application, rather than explication. As in Exodus, but unlike in Leviticus, the passage in Deuteronomy is more concerned with social order than religious majesty; namely, Deuteronomy 19 discusses judicial control over society (Nissel, 2009).

In addition to the contextual issues, a few textual differences could be observed. First, ‘fracture for fracture is added in Leviticus. Second, life, burning, wound, and stripe are left out. Third, and most importantly, Leviticus clearly includes general principle of law in its rendition of the *lex talionis*, “just as he has done so it shall be done to him.” The last verse of the *lex talionis* in Deuteronomy (And your eye shall not pity, it shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot) lends credence to the strict application of the principle. Furthermore, Deuteronomy articulates the *lex talionis* as עין בעין rather than תהיה עין עין. In that sense, the Deuteronomist author drops the prepositional תהיה and replaces it with ב. Although both prepositions can be translated as “for,” this nuance is often lost in translation.

David Daube (1947) sees in this subtle variation a new aspect of biblical justice. He indicates that, “Whereas the iterations *lex talionis* in Exodus 21 and Leviticus 24 concerns restitution for injury, Deuteronomy applies the *lex talionis* to false testimony, where no injury exists.”

In this case, false witnesses must be punished for the harm that they intended to cause even when no injury ensues. In addition, the prepositional ב in עין בעין allows for this broader interpretation of punishment as atonement in addition to restitution.

Finally, though the prepositional ב in עין בעין, can also be read to mean “for” (like תהת). It is frequently used in the Bible to mean “with.” On this reading, Deuteronomy requires that false witnesses be punished *with* exactly the “eye” that they sought to be taken from the defendant.

Thus, v. 21 employs the *lex talionis* at once both figuratively (“eye”) and literally (“with”). With this nuance, the Bible is surely not restricting this passage to the singular case where a false witness seeks to have the defendant’s eye gorged; the “eye” is used here figuratively. Therefore on this interpretation, the Bible couples v. 19 (“do unto him, as he had intended...”) to v. 21 (“And your eye shall not pity...”), so as to require that judges not exercise their judicial discretion mercifully. In this way, one can argue that perhaps it is only in this context of courtroom legalism – rather than self-help vigilantism – that the Bible employs the *lex talionis* to mean mirror justice (Nissel, 2009).

Demands of the different contexts and situational factors account for the modifications observed in the three texts found in the Torah on the *lex talionis*. As indicated above, the talion in Exodus is placed there to fit the situation. The same applies to the other two *talia* in Leviticus and Deuteronomy respectively.

Summary of the Talion as in Exodus, Leviticus and Deuteronomy

As indicated at the onset, the goal of this chapter was to ascertain the meaning and function of the *lex talionis* in Exod 21:22-25, Lev 24:10-23, and Deut 19:15-21. In Exod 21:22-25, which is part of the Covenant Code, the talion, served as a literal function to prescribe a penalty for a specific crime.

The case opened with a model example of reckless behaviour, after which the talion clearly expands the scope of this law beyond the mere details of the initial case and express the ideals of restoration and balance.

In the Holiness Code where the talion appears (Lev 24), the formula tends to play a more significant role in the author's theological agenda. Here, the talion serves as a model example for all of Israel's moral laws. Regarding this theological foundation, the alien as well as the native Israel are all bound by one law. Since both sacred and secular offences can pollute the land, all inhabitants are subject to the law, irrespective of ethnicity.

In Deuteronomy, the formula was used for stylistic purposes. In the immediate context, the formula served as a penalty attached to a specific crime of false accusation, which had no direct connection to a typical offense of *lex talionis* warranting punishment. Mutilation is an unlikely penalty here, whether an accusation proves true or false. In the event of a possible mutilation, the punishment does not match the crime. Since no harm was done, no eye or tooth or foot could be taken, according to the literal wording "eye for eye and tooth for tooth." In fact, that was an unfulfilled plan.

To a certain extent, the formula is a catch-all phrase that expresses a range of punishments corresponding to the range of possible false accusations entailed in the crime. Again, it expresses that the punishment must fit the crime which is enshrined in v. 19a (you shall do to him as he plotted to do to his brother). In all the three occurrences the *lex talionis*, does not support retaliation of any kind in its ‘tit for tat.’

From the foregoing analysis, it can be recognized that the general consensus of the discussion on the talion is that, the concept of an “eye for an eye” is not meant for vengeance, and there is no motivation whatsoever for retaliation given or implied in this text. Rather, a limitation of such vengeance that must not exceed the original injury.

Jesus’ Comments on Matthew 5:38-42 Regarding the *Lex Talionis*

³⁸ Ἦκούσατε ὅτι ἐρρέθη· ὀφθαλμὸν ἀντὶ ὀφθαλμοῦ καὶ ὀδόντα ἀντὶ ὀδόντος.

³⁹ ἐγὼ δὲ λέγω ὑμῖν μὴ ἀντιστῆναι τῷ πονηρῷ· ἀλλ’ ὅστις σε ῥαπίζει εἰς τὴν δεξιὰν σιαγόνα [σου], στρέψον αὐτῷ καὶ τὴν ἄλλην·

⁴⁰ καὶ τῷ θέλοντί σοι κριθῆναι καὶ τὸν χιτῶνά σου λαβεῖν, ἄφες αὐτῷ καὶ τὸ ἱμάτιον·

⁴¹ καὶ ὅστις σε ἀγγαρεύσει μίλιον ἓν, ὕπαγε μετ’ αὐτοῦ δύο.

⁴² τῷ αἰτοῦντί σε δός, καὶ τὸν θέλοντα ἀπὸ σοῦ δανίσασθαι μὴ ἀποστραφῆς.

Translation

38 You have heard that it was said, eye for eye and tooth for tooth.¹⁶ 39 But¹⁷ I say to you do not resist evil; on the contrary, whoever strikes you in the right cheek, turn to him also the other.¹⁸ 40 And the one desiring to judge you and take your tunic, give also to him the garment. 41 And whoever will force you to go one mile. Go with him two. 42 The one asking you to give, and the one desiring to borrow from you, do not take away.

The text for consideration in Matt 5:38-42 falls within the six-antithesis pattern in the antithesis is missing. Sermon on the Mount. Matthew's thoughts are now moving in the sphere of Old Testament; so they jump to the *lex talionis*, which provides the starting point of the fifth antithesis (Gundry, 1982). The context is the debate within Judaism about authoritative interpretation of the Torah (Harrington, 1991). The usual introductory pattern as is observed in the second and the sixth antithesis is missing. Jesus in this text does not begin his comments on each of the six areas with the words, 'it is written' but with the words, 'You have heard that it was said.' Another point of interest is the introduction of the coordinating conjunction, which at first glance may seem is in sharp contrast to the Old Testament, instead, Jesus is recommending an act of mercy on the part of his disciples.

¹⁶ The text begins with the verb Ἠκούσατε, which is quite unusual to the antithesis pattern of conduct. Donald L. Hagner (1993:30) notes that "the introductory formula, as in the second and sixth antithesis, lacks only the reference to the ancient. The material cited is again drawn verbatim except for the *kai*, and from the OT (LXX), where it occurs identically in Exod 21:24."

¹⁷ The next section of the text in question seems to be in sharp contrast to the previous statement δὲ, a coordinating conjunction links the previous thought. However, others cite this as on Jesus' part as contradicting the OT. Craig S. Keener (1999:196) comments that, modern readers sometimes cite this example as a case of Jesus disagreeing with the Old Testament. But Jesus is not so much revoking a standard for justice as calling his followers not to make use of it; they qualify justice with mercy because they do not need to avenge their honor.

The introductory phrases do not suggest that Jesus is doing away with the law in favor of his own teachings. Closer examination of the text reveals that in four cases he was extending the application of the law, sometimes including within its purview attitudes as well as actions. In two cases the Mosaic law is being superseded by the higher ethics of the Kingdom (Gundry, 1982).

The text (Matt 5:38-42) refers to the *lex talionis* discussed early on. Characteristically, Jesus introduces the discourse with an authoritative remark, “But I say to you...” This introduction clearly indicates a change in emphasis. It tends to modify a previous principle which requires and limits punishment commensurate to the offense. As the *lex talionis* avenges a person’s honor vindicating the person by punishing the assailant.

Keener (1999), notes that “by Jesus’ day, the fundamental principles governing the *lex talionis* where individuals were not to adjudicate and enforce this law but by the judiciary has been overlooked. It became prescriptive for vindictive personal offenses instead of restricting revenge and retaliation. D. A Carson (1978) state in this regard, “the question then became, how far may my personal retaliation extend, without breaking the law? ... The law was thus being dragged into the personal arena, where it could scarcely foster even rough justice, but only bitterness, vengeance, malice, hatred.” Dickson (1981) commenting on this said, “Our Lord teaches his disciples that it were better to suffer injuries, and to expose ourselves by our patience unto the hazard of double wrongs rather than to follow the corrupt doctrine of men,” v39.

V40 presupposes a courtroom scenario (40 And the one desiring to judge you and take your tunic, give also to him the garment). Here, Jesus sets forth a principle that teaches the disciples to abstain from pressing a case further to the law court, which the Old law (*lex talionis*) recommends. The results of which could be loss of ones tunic. Oden (2001) on this is of the view that, “to go beyond the tolerance of physical injury, Jesus expects the disciples to stay away from the contest of any form of judgement.” The verb ἀγγαρεύσει (force you) in v41 has Persian origin and comes with the idea of men who carried royal mail. This probably suggests men pressed into service in carrying out orders under military authority. Therefore, when one is pressed into service by the military authority to assist in bearing a load, one should not simply go the required mile but an extra one too.

Thus, these unjustifiable requests should be complied with-indeed; the response should considerably exceed the requests (Hagner, 1993). In v42, Jesus appears to be prescribing to his disciples to be willing to give freely from the heart but not to give endless amounts of money to everyone who asks from them. Here in no doubt teaches his disciples a charitable response to whomever may ask from them.

In a nutshell, what Jesus is saying here in these verses is that his followers simply have no rights here. In v39, the follower of Jesus has no right to retaliate and wreck his vengeance; they also do not have any right to their personal possession vs 40, both their time and money. Personal self-sacrifice displaces personal retaliation; “for this is the way the savior himself went, the way of the cross. And the way of the cross, not the notions of “right and wrong,” is the Christian’s principle of conduct” (Carson1978:2-7).

Chapter Summary

The occurrences of the *lex talionis* in the Old Testament has indeed posed a major difficulty for interpreters. In all the three occurrences of the talion in (Exod, Lev, and Deut), we have seen that the three occurrences of the talionic formula are not completely independent. Despite their differences, they are all built upon the basic literal meaning of the phrase (“eye for an eye, tooth for a tooth” etc) with each presenting a wide range of offenses. This indicates some degree of relatedness between the three occurrences. Again despite the similarities, each formula conveys its own variant meaning. In the Covenant Code, the formula prescribes a literal punishment for a specific crime that expresses the ideal of restoration and balance. In Deuteronomy a whole different nuance can be identified- that of rhetorical force indicating reciprocity.

Generally, it appears the literal reading or understanding of the *lex talionis* by Ghanaian politicians is not what the text itself prescribes in the first place. Moreover, this reading is inconsistent with the general context of the *lex talionis* in the Pentateuch. Instead, figurative understanding which advocates for monetary compensation is the popular understanding and the possible way scholars who have written elaborately on the *lex talionis* have attempted to bring out of the text is more consistent with the context of the text and also believe was the way the *lex talionis* was implemented in ancient Israel.

The conclusions of two renowned Rabbis sum everything up. Rabbi Doathai b. Judah signals the difference of size of eyes of the perpetrator and the victim as an obstacle of the Implementation of the *talionic* formula in its literal sense: he states “what then will you say where the eye of one was big and the eye of the other little, for how can I in this case apply the principle of eye for eye?” In much the same way, R Simon b. Yobai indicates that where the perpetrator is blind: what then will you say where a blind man put out the eye of another man, or where a cripple cut off the hand of another, or where a lame person broke the leg of another?”

From the foregoing, it can be seen that in all the three different contexts (Exodus, Leviticus and Deuteronomy) that the talion occurs, none of them reveals any clue or trace for retaliation or vengeance. The social situations the talion occurs do not warrant retaliation in its practical sense.

The basic import of these pericopes is that in a covenant society there is no room for revenge (Hamlin, 1995). Even in the laws of the Eshnunna and the laws of Ur-Nammu, which predate the Code of the Hammurabi by a few centuries, set fines for personal injuries (Frymer-Kensky, 1980), were the possible recommendations but not taking the law in their own hands to seek vengeance. The *lex talionis* was never practiced in its literal sense of its “tit for tat.” The lawgivers had come to realize that inflicting personal injury as paying back for an offense committed damages both to the welfare of the society and the moral order in the community (Finkelstein, 1961).

Fred R. Shapiro (2010) editor of Yale Book of Quotations is said to have quoted Mahatma Ghandi as saying, “if eye for eye and tooth for tooth” was to be practiced, then the whole world would go blind” (Yale Book of Quotations, 2020).

Additional point to support the argument that the *lex talionis* was not practiced in its “tit for tat” and therefore was not meant for vengeance in ancient Israel. According to Deut 25:12, a woman who tries to help her husband during a fight by seizing his opponent’s genitals is to have her hand cut off. Therefore, the *lex talionis* primarily serves as the basis for establishing equivalence of loss in a given case. It thus serves to providing a principle or formula both for the law court to determine a just award in cases of personal injury and for the court to correct any abuses of unjust compensation that might arise from offenders.

Therefore, having looked at the biblical law (*lex talionis*) in all the three social contexts or occurrences in the Pentateuch, it was discovered that this “eye for eye, tooth for tooth” formula was never meant for vengeance in any form.

Instead, to guide the judges to administer fair judgment, restore equity and balance in the *Mishpatim* (Covenant Code), as a model example for both Israel’s moral laws in the Holiness Code, and as a deterrent to the general society so that others will hear, fear, and not to repeat such behaviors again in the Deuteronomistic Code.

Looking at the two texts in which the talion is placed (OT and NT), the thrust of the Old Testament instruction was to limit vengeance and an instant punishment at the law. In Matthew, Jesus explains the ethics of the Kingdom, which is directed basically to conduct at the personal level, rather than the social level.

On account of this Gaebelien (1984) states, “rather, as OT context shows, to provide the nation’s judicial system with a ready formula of punishment which must correspond to the offense... and in Jesus’ day the courts seldom imposed *lex talionis*.” Again, the Old Testament text recommends monetary compensation by the judges to be paid by the offender, in the New Testament, Jesus completely discourages the idea of going to the law. He recommends rather that, the issue be settled amicably through forgiveness.

Moreover, the *lex talionis* in the Mosaic law was a real advancement for the cause of justice instituted to prevent actions of retaliation and revenge, the victim could go to the judicial governing authorities to seek justice. In the New Testament Jesus discourages seeking justice but expects the righteousness of his disciples to surpass that of the Pharisees and the scribes.

R. T. France (2007) commenting on this indicates, “in place of the principle of retribution he sets nonresistance; in place of defense of legal rights he sets uncalculating generosity; in place of concern for oneself he sets concern for the other.” The observations demonstrate basic agreement between the two testaments, which is an indication of unity in diversity.

The interpretive relationship between the two texts is exhibited in Jesus’ use of the OT in Matthew 5:38. He quotes from the OT text and applied it in his teaching in the NT, this clearly indicates his affirmation of the OT that what God expected in the OT continues in the NT.

As God discouraged retaliation and avenging personal injuries in the OT, in much the same way he expects the same attitude in the NT and even go further (i.e. to forgive). In other words, the same ethical instruction that was relevant for the OT people of God then, is still relevant for the Christian (Ghanaian politicians today).



CHAPTER FOUR

EVALUATION OF THE ANALYSIS OF THE *LEX TALIONIS* ALONGSIDE WITH GHANAIAN POLITICIANS' UNDERSTANDING OF THE *LEX TALIONIS*

Introduction

The way Ghanaian politicians understand this biblical law and are using it is inconsistent with the purpose of this law in the first place. It is acknowledged that Ghanaian politicians use the Bible in different areas in the Ghanaian political space such as during electioneering campaigns, in governance, in their political and spiritual lives, in the promotion of peace, and in support of governance. In the chapter preceding this, the *lex talionis* was analyzed in all the places it occurs (Exodus 21, Leviticus 24, and Deuteronomy 19) in the Pentateuch. It was discovered that this “eye for eye, tooth for tooth” formula was never meant for vengeance in any form. Instead it was to guide the judges to administer fair judgment, restore equity and balance in the *Mishpatim* (Covenant Code); in the Holiness Code it was to serve as an example for Israel’s moral laws, and as a deterrent to the general society so that others will hear, fear, and not to repeat such behaviors again in the Deuteronomy as against what Ghanaian politicians are using the *lex talionis* for.

On account of this, as I indicated in chapter one, in this chapter I evaluate the findings made from the chapter preceding this alongside the way Ghanaian politicians are reading, understanding and using the *lex talionis* in order to provide basis for the conclusion of the present study.

Lex Talionis As Understood by Ghanaian Politicians

As indicated in the introduction of this study, the general understanding of the *lex talionis* by Ghanaian politicians is that, this biblical law was meant for vengeance. Ghanaian politicians seem to understand that ‘eye for eye and tooth for tooth’ literally means when one offends, then the offender’s eye or tooth must be gauged out as a way of seeking vengeance. For instance, in the interview section of this study, almost all the Ghanaian politicians who agreed to be part of this study acknowledged and affirmed when responding to the question (*In what way do you think the biblical maxim of ‘eye for eye and tooth for tooth relate to political vengeance in Ghanaian politics?’*). Responding to this question, both NDC and NPP politicians from both political divide acknowledged that, this biblical law to a large extent informs political vengeance in Ghanaian politics. Some of the politicians could quote statements by other politicians such as ‘all die be die,’ and ‘boot for boot as examples of expressions of the Ghanaian politicians’ understanding of this biblical law. They seem to take this biblical law at its face value. That is, reading it in its literal sense of it. This literal reading of the *lex talionis* seems to correspond to the way Josephus and Philo also read and understand the text. These renowned Jewish scholars read the *lex talionis* literally in much the same way as Ghanaian politicians do, but take a point of departure in its implementation. Josephus for instance writes in his *Jewish Antiquities IV* translated by H. ST. J. Thackeray:

He that maimeth a man shall undergo the like (*italics mine*), being deprived of that limb whereof he deprived the other, unless indeed the maimed man be willing to accept money; for the law empowers the victim himself to assess the damage that has befallen him and makes this concession, unless he would show himself too severe (*Josephus Jewish Antiquities IV 611*).

In his literal reading of the *lex talionis*, Josephus still thinks the law allows for monetary compensation by the victim when it comes to its implementation. He further states the law allows him (the victim) to assess the loss in monetary equivalences and accept it in kind. With this, one gets the understanding that in the literal reading and understanding of the *lex talionis* as it is the case with Josephus, room for monetary compensation was allowed. In the same vein, Philo also reads the *lex talionis* literally but thinks monetary compensation was the right way the *lex talionis* was implemented in ancient Jewish society. He indicates that “the value of an eye for an eye, the value of a tooth for a tooth,’ and so on... may well be that the text was interpreted in this more lenient sense from early on.” His reading of the *lex talionis* is more consistent with his allegorical method instead of the literal talion (Colson, 1929-62).

Bloomberg (2007) commenting on Philo’s understanding of the *lex talionis* writes that, Philo’s reading of the text hinges more on what a victim’s former condition was worth before the incident. In that sense, how much the victim was worth (in terms of monetary value) was expected to be evaluated taking into considerations the gravity of the injury or the harm caused so that a proportional compensation that fits the injury be given to him. This is meant to strike parity and to restore equity and balance as observed in the final analysis of the *lex talionis* in the previous chapter.

Francesco Parisi (2001) has observed that the *lex talionis* evolved from or went through periods of transitions from a primitive stage of direct retaliation of maiming to a gradual emergence of proportional retaliation into a stage where the wrongdoer buys out the victim's retaliatory right with pecuniary compensation. Parisi (2001:5) locates the *lex talionis* within the stage of pecuniary compensation period which 'introduced a stabilizing constraint in the dynamics of discretionary retaliation.' It can then be deduced from Parisi's understanding that the *lex talionis* was introduced into the Hebrew Bible at the time 'eye for eye, tooth for tooth' in its literal sense had given way to monetary compensation. One can gather from Josephus, Philo and Parisi that the *lex talionis* although could be read literally, but was understood figuratively and implemented through the recommendation of monetary compensation in the event of a transgressor causing harm to another person.

In respect of the above, at its face value the *lex talionis* can be read literally as Ghanaian politicians do, however, in practical terms figurative understanding which vouches for monetary compensation was the most general way it was applied in ancient Israel as indicated by Josephus and Philo. And this is at variance to the way Ghanaian politicians understand the *lex talionis*.

***Lex Talionis* As understood by Scholars in the Hebrew Bible and Ancient Israel**

Most of the time what Ghanaian politicians understanding of the *lex talionis* is inconsistent with what the Hebrew Bible indicates. As indicated, textual evidences from the Hebrew Bible (Exod 21; Lev 24; and Deut 19) discovered from chapter three and commented on by scholars who have written elaborately on the *lex talionis* indicate otherwise.

These findings are what we are going to use to evaluate Ghanaian politician's understanding in order to prove what must truly constitute what is *lex talionis* from the Hebrew Bible's perspective.

Textual evidences from the analysis in the previous chapter (4), indicate that *lex talionis* in the Hebrew Bible presupposes certain prerequisites or features such as the context of the text (that is the social situation that warrants the implementation of the *lex talionis*), prescribed way of executing it, a body of judges or jurists to supervise the process and a purpose or function in the overall theological agenda of the narrator are all taken into consideration. And more importantly, the *lex talionis* was understood in the figurative sense, prescribing monetary compensation.

This substitutionary or monetary compensation understanding of the *lex talionis* in the Hebrew Bible means a just valuation of the punishment so that punishment fits the crime in question (Nissel, 2009). From this understanding one can argue that at the core of the *lex talionis* is measuring the value of what a victim worth before an injury and then a commensurable compensation is paid to the victim for the loss incurred considering the nature of the injury. This is what all the renowned scholars seem to understand the text was read in ancient Israel and agreed upon for implementation. This was what civil authorities possibly might work out for the transgressor to pay as compensation to the victim. None of the scholars such as Sprinkle (1993), Bush (1981), and James Kugel (2007), ever indicated in their interpretations in any way that the *lex talionis* was ever meant for vengeance.

There are other pragmatic scholars who are more concerned about the how the *lex talionis* was applied in ancient Israel. Yung Suk Kim (2006) for instance, indicates that life in ancient Israel was lived in family-oriented (or clan), cultural religious life in which individuals had strong emotional ties to one another. Individuals knew each other very well, frequently gathering in on important religious festivals. In other words, the meaning of life lies in communal living. This way of life in regard to the *lex talionis*, according to Kim (2006), suggests that literal application of the ‘eye for eye and tooth for tooth’ was hardly the case because they knew each other very well to gauge each other’s eye or tooth. Therefore the function of the *lex talionis* would have been originally to avoid unregulated revenge instead to support the victim’s family with a virtual compensation.

Kim further argues that it would be almost impossible to apply the *lex talionis* in its ‘tit for tat’ of gauging an ‘eye for an eye and a tooth for a tooth’ in subsistence agriculture environment such as ancient Israel which valued human life for farm labour. This presupposes that human life for labour must be preserved. Therefore, body parts such as eye, nose, hand, tooth, and feet are essential not only for physical and social lives but also for labour power (see Exod 21:26-32); and also for the survival of family and community as a whole would be very much appreciated. In this case if an eye was lost, it affects the individual and the family at large. The reality here requires some sort of compensation for the victim’s family which may be payment for the loss of time, for medical cost etc so that life can continue. He concludes that “a derivative moral principle could be something like this: share life, do not retaliate, help each other, live together in the community.”

Considering what scholars are saying, one cannot find in any of the texts analyzed in the Hebrew Bible that the *lex talionis* was meant to seek vengeance. Instead, it was given to guide the judges in making decisions where judgment was to be commensurate to the nature of the injury and to serve as a deterrent to others from repeating such actions. The law was to protect human life rather than taking human life. Hence, the law of retaliation does not serve as the basis for personal action or vengeance, not even according to the Old Testament code. Talion formula” was an attempt to make the punishment fit or correspond to the crime of the offence (Bruckner, 2008:205; see also Allen, 1969).

Analysis of Data from the Responses of Ghanaian Politicians: (Comparison between the Understandings of the *Lex Talionis* by Ghanaian Politicians and what the Hebrew Bible indicates)

In order to answer the proposed research questions, open-ended questions were administered to Ghanaian politicians to elicit responses for analysis in order to compare it to the findings from the Hebrew Bible. The interviews in this study were conducted during the election year (2020) in Ghana. So, some of the participants responded passionately about the issues the questions addressed. It was expedient to consider or highlight the sensitive questions, which were most important as far as the objectives of this study were concerned.

Differences

One can recognize marked differences between the understandings of the *lex talionis* by Ghanaian politicians on one hand and *lex talionis* as understood by scholars who have written elaborately on it in the Hebrew Bible on the other as well as what the texts communicate. With the literal reading of the *lex talionis* by Ghanaian politicians, they understand that this biblical law was meant to seek vengeance by inflicting pain or causing harm against political opponents. This reading normally results in the literal application of the *lex talionis* with dire consequences or implications. Whereas in the Hebrew Bible, scholars indicate that figurative reading which recommends monetary compensation was how people in ancient Israel understood the text and applied it.

The *Lex Talionis* as a Model of Justice

Dovlo (2006:13) in a write up affirms that “although political parties and their candidates have always discounted vengeance, by promising or denouncing vendetta during political campaigns, ... the human element of it still lurks glaringly around us.” This statement by Dovlo affirms the observation that political vengeance is real in Ghana’s body politic. This normally has dire consequences (politically, socially, legally, psychologically etc).

What is peculiar about this vengeance in the Ghanaian political arena is that, Ghanaian politicians appeal to the Bible to support it. This understanding by Ghanaian politicians translates into all sorts of atrocious vengeance carried out by them under the guise of the biblical law of ‘eye for eye, tooth for tooth.’

Item two (2) on the questionnaire, *what retaliatory attitudes do you observe in the lives of Ghanaian politicians*, was meant to ascertain retaliatory stance in the Ghanaian body politics from both political divide in order to establish the reality of political vengeance. It was observed from the responses that, frontline politicians when they assume office execute political vengeance of some sort. From the responses again, when they assume power, they start to terminate the appointments of previous government officials appointed by the previous government (now in opposition) with parliamentary approvals, some are asked to proceed on leave until further notice (Akyena Brentuo, 2009). Others have their contracts abrogated, and the party that has taken over the reins of government discontinue previous government programs and policies etc. At other times, some are incarcerated into prisons and their assets frozen for causing financial loss to the state. This is done by both the two dominant political parties (NPP and the NDC) when they take over the reins of government (Adinkra, 2005).

During the interview process, it became necessary to add up item (5) on the questionnaire (which aspect of Ghanaian politics do you observe political retaliation, could you please explain? as a follow up question to item 2. Respondents from both party divide identified specific areas in Ghanaian politics this phenomenon manifest itself. This includes Job appointments, award of contracts, victimization to mention a few. For them this is *lex talionis*. Most of the time the intentions do not normally match the offence. This is not peculiar only to Ghana as it is the same in most African countries and in some advanced democratic nations such as the United States of America.

At other times too, this vengeance results in physical assault, mutilation of human body parts, brutality, death etc. This occurs when Ghanaian political parties make use of ‘vigilante groups’ to execute vengeance. Political vigilantism often involves violence, harassment, assassination of political opponents, both physical and psychological. According to Justice Tankebe (2019), vigilantism is when people “take the law into their own hands” in order to protect or advance their interests. It involves the use of political power against others who are perceived to be a threat to their interests in the name of partisan politics. In Ghana, political parties whether in government or opposition form, fund and use these vigilante groups who act on their behalf. The activities of these vigilante groups are often violent, target opposition parties and public officials and those who are party functionaries seize their properties or assets with the intent of paying back in the sense of inflicting pains or causing harm.

At the community and individual levels, certain individuals who are normally adherents of a particular political party are recruited, trained, and funded by politicians to carry out retaliatory actions against political opponents. The manifestations of these atrocities result in seizures of public places of convenience and toll booths, forcibly removing people from government offices and bungalows all in the name of the biblical law of ‘eye for eye, tooth for tooth’ (Addai, 2019). To Ghanaian politicians this is what it means by *lex talionis*. Tankebe (2019) identifies these groups as young people who feel that the state does not represent their interests. They feel powerless because they do not have opportunities to improve their situations in life.

These frustrations make them vulnerable to the indoctrinations by politicians who give these young ones ideological justifications for their actions. For them it's a time to retaliate and pay back. Again, most of the time the intentions and the basis for their actions do not match the offense. These perpetrations have implications for the development of Ghana (Oteng, 2009).

It appears the Ghanaian politicians' understanding of the *lex talionis* is inflicting direct pain and causing harm and displeasure to political opponents, and mutilation against innocent people. The abrogation of contracts, implementing the 'policy' of proceeding on leave indefinitely without any compensation, abrupt termination of legitimate appointments, all are expressions of *talionic* intentions against political opponents. A new *talionic* phenomenon that emerged from the present study is vindictive politics (Oteng, 2009). Famous of this is the controversial Act 'causing financial loss to the state' (Adinkra, 2005). Under President J. A. Kuffour, a Fast Tract High Court was established to prosecute former government officials who were deemed to have caused financial loss to the state during their tenure of office (Addai, 2019).

The Ghanaian politicians' understanding of the *lex talionis* as indicated above seems to conform to an old primitive understanding of the *lex talionis* before the promulgation of the biblical *lex talionis* in ancient Israel (Nissel, 2009). Nissel (2009) concludes that this position in their time was in the minority opinion. Not everybody in ancient Israel subscribed to this.

This supports findings from the analysis of the Hebrew texts of Exod 21, Lev 24 and Deut 19, which seem to present a contrary view. As we observed in the analysis, the unanimous conclusions by scholars on the *lex talionis* in Exodus in particular indicates that monetary compensation was the possible way it was understood and applied based on the words of the narrator's "and he shall pay." Martin Noth (1962) commenting on this indicates in this regard that the *lex talionis* in Exod 21:22-25 is a legal principle to guide judges in decision making, not just a rule to govern personal relationships of vengeance from man to man.

In Deut 19 for instance, Weinfeld (1972) believes that the formula was employed to help cast this law in accordance with the unique Deuteronomistic mode of expression which is homiletic and exhortative in style. According to Von Rad (1966), this makes Deuteronomy distinct from the other books in the Pentateuch. This exhortative homiletic feature made the authors to state that punishment will correspond to the accusation (an attempted offence). This is the real essence of the *talionic* formula. Hence the talion in Deuteronomy is entirely stylistic. From the textual evidences and arguments from scholars, we understand that the talion was given to serve as a model example to guide judges in the administration of justice.

The *Lex Talionis* Placed Within Context

Item 7 on the questionnaire (*How would you relate Hebrew Bible's "eye for eye, tooth for tooth" with political retaliation in Ghana?*) was meant in particular to find basis to relate the two situation or contexts so that the researcher can find basis to compare them.

Context as used here refers to the occasion in ancient Israel that warranted the execution of the *lex talionis*. In all the three occurrences of the *lex talionis* found in the Hebrew Bible, there is a specific unique occasion to each. In regard to the Exod 21, the *lex talionis* happens to be part of casuistic laws giving to the Israelites in the Covenant Code. These casuistic laws are conditional in nature and require that for 'B' to happen 'A' must occur. That is to say, in the absence of A, B would not occur. Bringing this to bear on the *lex talionis*, it suggests that the *lex talionis* does not happen out of the blue or vacuum. Something must happen with concrete evidence to show for before it can be applied to a given situation. In other words, a harm or serious injury must be caused to serve as sufficient reason to warrant punishment (Muraoka, 2009). In the broader context of the talion in Exodus 21, the *talion* in Exod 21:22-25 falls within the larger corpus of the *mishpatim* (commandments). It does not stand in isolation; rather it is part a body of commandments YHWH gave to the people of Israel. Once this is recognized the place of the *talion* in its proper perspective can be appreciated.

In Leviticus 24, the *lex talionis* occurs in a ritualistic context within the Holiness Code. It falls within obligations giving to the Israelites on the observance of holy days to the obligation on legislations on reverence for YHWH's name to discourage blasphemy. These were laws given at specific times and places to meet particular situations. The structure and language of the text reveal that the main focus affects all humanity (Wenham, 1979; Joosten, 1969).

Unlike the other two *talia*, the *lex talionis* in Deut 19 does not fall within a body of laws but happens to be part of regulations on the case of false accusation which requires that a single witness is not enough to warrant verdict but two or more.

It tends to ensure the judges control over society (Nissel, 2009). With this, we recognize that the Hebrew Bible's *lex talionis* arose from specific situations and occasions.

Responses to the question, *How would you relate Hebrew Bible's "eye for eye, tooth for tooth" with political retaliation in Ghana* indicates otherwise. In the Ghanaian political scene however, it appears whenever there is a change of government the winner takes it all. It thus becomes an opportunity for the winning political party to take the law into their own hands and wrongfully begins to seek vengeance through the implementation of their so called *lex talionis*. In the Ghanaian political scene, wielding political power is an 'opportunity' to seek vengeance on political opponents Adolf *et al* (2012). Context as we observe in the Hebrew Bible and the conditions that should precipitate *lex talionis* as mentioned above are normally absent in the Ghanaian political atmosphere. A careful examination of the background and responses to the questionnaires for this study indicate that some cases that are deemed 'lex talionis' *per* Ghanaian politicians' understanding do not satisfy the conditions which the Hebrew Bible will classify as *lex talionis* (Adinkra, 2005). Conditions that must precipitate the *lex talionis* are normally absent, instead unjustified and unwarranted excessive harm are perpetrated against political opponents without any basis (Dovlo, 2006; Oteng, 2009).

Against this backdrop, what Ghanaian politicians understand as ‘lex talionis’ is not really *lex talionis* when compared to the Hebrew Bible’s *lex talionis*.

The *Lex Talionis* Requires a Substantive Case

It was observed in all the three occurrences of the *lex talionis* in the Hebrew Bible that, there was a substantive case to warrant the implementation of the *lex talionis*. The *lex talionis* does not arise from a vacuum, an issue or a scenario representative of a possible similar occurrence at stake called for it. In Exod 21, fighting between two men which could result in an injury called for the *lex talionis* (Sprinkle, 1993); in Lev 24, blasphemous statement which is an indicative of violation of YHWH’s law warranted it, while in Deut 19, false accusation which presumes a purported harm against another person allowed for it.

To ascertain how and when political relation is espoused by Ghanaian politicians, item 8 on the questionnaire (*How retaliatory would you be if you get political against your political opponents, considering what you have experienced so far?*). Since the inception of the fourth republic in Ghana in 1993, the two political parties (NPP and NDC) have all won four elections each, and each has also been in opposition. Therefore, it was to ascertain how each of the political parties have used power and how each has also felt power in opposition. Responses from the respondents from both political divide indicates that, in the Ghanaian political scene however, victims in the Ghanaian context are victims of circumstances. Politicians take undue advantage over situations, which do not really warrant the application of the *lex talionis* to seek vengeance.

The winning party selectively picks certain individuals who were in the previous government and pursue them with what they call ‘witch hunting’ but in actual fact it is retaliation. Sometimes victims might not have committed any ostensible or cogent offence but they just become victims of circumstances without any witness or evidences to support claims or charges against them. The Ghanaian situation is such that a change in government becomes an ‘opportunity’ for the winning party to seek vengeance. Two respondents from both political divide describe it as ‘the winner takes it all’ (Interview with NP 1 and ND 1). This is incongruent or inconsistent with the findings we observed in Deuteronomy 19 in particular.

In Deuteronomy 19:15 (cf Deut 17:6, the case of false accusation), the text categorically indicates that ¹⁵“A single witness shall not prevail against a man for any crime or for any wrong in connection with any offense that he has committed; only on the evidence of two witnesses, or of three witnesses, shall a charge be sustained (חַתָּאת בְּכָל־חַטָּאת אֲשֶׁר יַחַטָּא עַל־פִּי שְׁנֵי עֵדִים אֹו עַל־פִּי שְׁלֹשָׁה־עֵדִים יִקֹּום דְּבַר) (15) לֹא־יִקֹּום עַד אֶחָד בְּאִישׁ לְכָל־עוֹן וְלִכְלַל *lex talionis* indicates that, one witness would not be sufficient to decide on a case involving ‘violent witness’ (עֲרֵה־מַס). A thorough investigation (v.18) would have to be conducted before any action could be taken. The text further recommends the procedures to follow in determining the truth of the charges before it should be brought “before YHWH,” (לִפְנֵי יְהוָה) the priests and the judges who are in office in those days but not to take the law in their own hands and begin to execute unlawful judgment.

On account of this, Christenson (2002) and Merrill (1994:279) agree with the provision from the text that “it is obvious that in life-and death- issues one would want to rest his case on sound evidence and reliable testimony, for it would then become a matter of one’s word against another.”

The *Lex Talionis* Requires Measure for Measure

Methods that are usually employed by Ghanaian politicians to implement their understanding of the *lex talionis* is diametrically opposed to what the Hebrew Bible prescribes. The method they usually adopt to read the text is inconsistent with the general context of the *lex talionis* (Sprinkle, 1993). They divorce the text from its original setting and read their own ideas or meanings into it. Gordon Fee and Douglas Stuart (2003) posit that when this is done, the text can be used to support anything, it can even become a dangerous weapon for the devil. This translates itself into the implementation of the *lex talionis* in the Ghanaian political space. On account of this, item 1 on the questionnaire (*Can you tell me how familiar are you with the biblical maxim “an eye for and eye, and a tooth for a tooth)* was meant to encourage Ghanaian politicians to share their knowledge on the phenomenon and also attempt a definition in regard of how they understand it. It was revealed from the responses that, they have a fairly knowledge on the subject matter and understand this biblical law as espousing equity concerning punishment and offences from both political divide.

The import of their understanding indicates that it was meant to prescribe punishment for people in line with their offences.

A respondent understanding is expressed as follows, “the biblical maxim attempts to prescribe punishment for people in line with their offences would also mean that, people who are wronged respond in equal measure.” Another respondent from the other political divide wrote, “the law means You do me, I do you.” These two responses indicates that, the general understanding of measure for measure from the perspective of Ghanaian politicians is “You do me I do you.” By this, they mean you made me suffer during your time in government, so you must also suffer in like manner ((Interview with NP 2 and ND 2). Ghanaian politicians’ understanding of ‘measure for measure’ comes through literal reading of the text which all the scholars who are trained in the interpretation of the Scripture unanimously disagree. Another variant reading of the *lex talionis* which hinges on the word ‘return’ by Ghanaian politicians comes close to the Hebrew word ‘in return of’ (תהת). Their understanding of ‘return’ here means ‘paying back wrong for wrong’ or returning harm for harm to equal it instead of monetary compensation. This reading (literal) in the Ghanaian political context manifests in forcibly removing adherents or ‘party faithfuls’ of previous government from public places of convenience (toilets), toll booths, etc., while immediate past government officials are harassed through ‘witch hunting’ are asked to proceed on leave, ejected from government bungalows etc. This is inappropriate measure for measure (Oteng, 2009; Adinkra, 2005; and interview with (Interview with NP 1 and ND 1).

Nissel (2009) describes this understanding by Ghanaian politicians as vengeful and at variance, to what the Hebrew Bible presents about the *lex talionis*.

Nissel (2009:117) maintaining his position, quotes Jeremy Waldon as arguing that it is even impossible “for the same act to be performed twice, at different times and with the different dramatis personae.” He concludes that this view is reflected in Jewish sources. Saadia Gaon (892-842 CE) similarly, argues “the biblical concept of ‘eye for eye’ was evidenced that the Bible should not be read as meaning ‘tit for tat’ since it is impossible to measure the punishment for an injury or harm with absolute precision” (Walen, 2021).

What is measure for measure in the Hebrew Bible comes to ensure sameness, equity and fairness (Tigay, 1996). There is no hint of returning injury or harm even if that is the case. The Hebrew Bible’s rendition of measure for measure indicates that, if one loses the right eye, it is the right eye that must be removed so to speak but not the left eye figuratively speaking. And if one loses the right tooth, it is the right tooth that must be removed so to speak but not the left tooth. But this is different in the Ghanaian situation. A transgressor might not have suffered an injury or harm, but he might inflict an injury on his victim. The primary intention behind these outrageous acts in the Ghanaian political space is to cause pain in order to leave the other political opponent vulnerable and unpopular. An important feature of the *lex talionis* is the basic principle of measure for measure.

Measure for measure in the Hebrew Bible’s understanding calls for executing an exact corresponding penalty to the offence so that the punishment fits the crime or the offence Christenson (2002). In other words, the principle requires that the punishment involved should fit the crime (measuring the punishment according to the crime, no more and no less).

This is to ensure ‘sameness,’ ‘equivalence,’ ‘equity’ in order to strike even or restore parity (Nissel, 2009). So that neither party does not feel cheated but satisfied at the end of the deal with the main intention of restoring or reestablishing equity. Findings from the text indicate that normally the value of what an eye is worth is worked out for the transgressor to pay in monetary terms.

A typical example of this principle can be found in 2 Samuel chapters 12:10-12; 16:21-22 where YHWH told King David that in response to what he did to Uriah he (YHWH) would pay him (David) back in the same measure for measure.

The text reads:

Now, therefore, the sword will never depart from your house, because you despised me and took the wife of Uriah the Hittite to be your wife.” This is what the LORD says: Out of your own household I am going to bring calamity upon you. Before your very eyes I will take your wives and give them to one who is close to you, and he will lie with your wives in broad daylight. You did it in secret, but I will do this thing in broad daylight before all Israel (NIV).

In this text, King David planned and committed an immoral and murderous acts from the roof top of the palace, true to YHWH’s word another person committed a similar act against David from the roof top. So measure for measure is not about inflicting pain or mutilating parts of human body of victims. David’s punishment in this text fits his crime. It is a measuring rod to ensure equity and balance in order to strike even (sameness). The Leviticus’ rendition explains it clearly, ‘as he has done, so shall it be done to him’ whereas in the Ghanaian political scene most often the penalty greatly exceeded the crime.

The *Lex Talionis* Should Be Supervised By Civil Authority

To know who is mandated by the laws of Ghana to ascertain what punishment should be meted out to an offender, item 11 (Who in your opinion is mandated by law to carry out justice in Ghana? Politicians or judges?) was administered to verify this. Responses to this particular question revealed that, in Ghana, anybody wielding political power can execute justice of some kind to anyone. In the Ghanaian political scene, we note as a matter of fact from responses of Ghanaian politicians that, vigilante groups (such as “veranda boys,” “invincible forces” etc) from the two main political parties (NPP and NDC) most of the time carry out their own form of *lex talionis* and forcibly remove people from toll booths and public places of convenience and inflict pain and various degrees of injuries on political opponents. These are unconstitutional groups established by their main political parties to protect the interest of the party. Sometimes when there is stench of an occurrence, no proper legal procedures are carried out by civil authorities where evidences must be gathered to substantiate accusations as we read in the Hebrew Bible Deut 19 (Amankwaah, 2013; Anderson, 2006; (Adinkra, 2006).

When all the necessary and sufficient conditions are met, we understand from the Hebrew Bible that a recognized supervisory body of eminent judges or jurists (in modern legal language we can call them civil authorities) take over to implement the *lex talionis* ensuring measure for measure so that victims do not over charge. No private individuals take the law into their own hands to seek vengeance by executing personal unconstitutional wishful acts of violence against political opponents. In Exod 21, when harm or serious injury (אִסוּן) is established, the text recommends thus ‘and he shall pay as the judges determine’ (וַיִּנְתֵּן בַּפְּלִלִים).

These judges were the officially recognized body in ancient Israel society mandated by law to supervise the administration of the *lex talionis* when harm was caused. While in Lev 24 the blasphemer who committed the offence was put into custody until the custodian of the law (who happened to be YHWH) was consulted before any action could be taken. After this a group of witnesses who heard the blasphemer pronounced those blasphemous words must be part of the prosecution process. The law takes the right to seek vengeance out of the hands of individuals. Private individuals are totally out of the prosecution process as can be observed as follows:

וידבר יהוה אל-משה לאמר¹² ויניחיהו במשמר לפרש להם על-פי יה
למהנה וסמכו כל-השמעים את-ידיהם על-ראשו ורגמו אתו כל-העדה
¹⁴ הוצא את-המקלל אל-מהוץ

¹² And they put him in custody, till the will of the LORD should be declared to them.¹³ And the LORD said to Moses, ¹⁴ Bring out of the camp him who cursed; and let all who heard him lay their hands upon his head, and let the congregation stone him.

In Deut 19 we observe a typical legal jurisprudence. The text stipulates a legal process to be followed. When it was also established that an offence has been committed judgment or punishment should not be executed on single witness but on the evidence of two or three witnesses to the case. Instead, before action could be taken, proceedings must commence before YHWH, the priests and the judges who are in office at the time of the incident must be called upon to be involved. The judges are required to inquire diligently (וּדְרָשׁוּ הַשְּׂפָטִים הַיָּטֵב) to establish the validity of the accusation. When the accusation turns otherwise (false), whatever intentions that the accuser might have had in mind against the other person must be meted out to him in the same measure for measure.

The intent is to purge the evil from among the people and the punishment must be measure for measure without pity. We recognize here that the case involved must have witnesses, a body of judges must be present, thorough investigations conducted, and with a purpose to accomplish.

Enoch Cobb Wines (1855:272) commenting on this law regarding who should oversee its implementation writes,

this law... did not authorize the retaliation of injuries by individuals, and so make each man a judge and avenger in his own cause. Such a principle as this never entered into the mind of the Hebrew lawgiver... in every instance of the application of the principle of the *lex talionis*, it was the duty of a legal tribunal to adjudge, and of the public executive power to inflict, the punishment.

Wines' commentary indicates that the application of the *lex talionis* be it literal or figurative (monetary compensation) does not rest in the hands of the individuals in the society, but a legal tribunal. A recognized body of eminent judges (civil authority) in society.

The *Lex Talionis* Meant to Serve as Deterrent

To determine what Ghanaian politicians think as the purpose of this biblical maxim, item 6 on the questionnaire (*In what way(s) do you think the biblical maxim of "eye for eye and tooth for tooth" was meant for retaliation?*) was espoused to serve this purpose. Responses from Ghanaian politicians to this revealed that, this biblical law was meant to support vengeance.

Generally, in the Ghanaian political space, politicians believe that, it is normally motivated by vengeance but not justice or to remove evil from the society as we read in Deut 19. The intentions behind the implementation of the *lex talionis* in the Ghanaian political arena is to cause pain and discomfort to the victim, deprive him or her of his or her livelihood and satisfaction. Not to talk of bringing sanity into the system. Normally there is selective ‘Justice,’ the one who might be picked as a victim might not be the same person who committed the offence but for the mere fact that he or she belongs to that party in opposition. At other times, it is intended to criminalized and make other political parties unpopular (Interview with ND 1; Adzimah-Alade et al 2020:204-205). The *lex talionis* in the Ghanaian political context is always directed towards politicians in opposition. The one who might cause pain (or an offence) might not be the same person who might suffer the consequences. A victim of political vengeance might not have committed any offense against a perpetrator but for the fact he or she happens to be a member of a political party. Against this back drop, we cannot say what Ghanaian politicians deem as *lex talionis* in fact is not *lex talionis* at all because there are vast disparities (Adzimah-Alade *et al.*, 2020; Silke 2001).

It is also recognized that the *lex talionis* was meant to achieve a purpose in ancient Israelite’s society from the Hebrew Bible. We note from the text that (Exod 21; Lev 24; and Deut 19) each of the talion carries with it a specific intention. In Leviticus 24 and Deuteronomy 19, textual evidences present a different picture as compared to the Ghanaian situation.

The talion as it is found in Lev 24 emphasizes that both the native Israelite and the alien are all subject to all Israel's secular and moral laws. The central position of the talion in this passage is to highlight the fact that even foreigners are obliged to Israel's secular laws. The law brings both natives and foreigners under one common legislative control in a society. The Deuteronomic talion in particular explicitly spells out the intentions behind it or the purpose for which the talion was given. In Deut 19 the talion is meant to purge and serve as a deterrent to others so that such an undesirable behavior is not repeated in the future (*בְּהִמָּה יִשְׁלֹמֶנָה נֶפֶשׁ תַּהַת נֶפֶשׁ*) (*וְאִישׁ כִּי־יִתֵּן מוֹם בְּעַמִּיתוֹ כַּאֲשֶׁר עָשָׂה כֵּן יַעֲחָה לוֹ* ¹⁸ *וְנִמְכָּה נֶפֶשׁ* ¹⁹). From this, one can recognize that the talion does not suggest any form of personal revenge or vengeance, rather a caution to prevent others to repeat such attitude and to purge evil from society.

Similarities

Common Acknowledgement of the Phrase “eye for eye, tooth for tooth”

To know the similarities and the relationship between what we observe in the Ghanaian political arena and what we understand from the Hebrew Bible, item 1 on the questionnaire (Can you tell me how familiar are you with the biblical maxim “an eye for an eye, and a tooth for a tooth”? Please explain?) was asked. It came out clearly from the responses that Ghanaian politicians are very familiar with this biblical maxim. We observe that Ghanaian politicians rightly quote the biblical phrase “eye for eye, tooth for tooth,” which is normally called the *lex talionis* or law of retaliation as it is presented in the Hebrew Bible.

Two of the respondents (ND 1 and NP 2 who are not Christians nor Moslems and it is expected of them not to be able to know much about this law, were able to indicate that they know it is in the Bible and the Holy Koran. As to how they knew about this, they said, “they attended mission schools so they were taught there. This biblical knowledge acknowledgment support the discussions in chapter two of this study and the role the Bible play in Ghanaian society. This also indicates that, irrespective of one’s religious affiliation in Ghana, Religious and Moral Education taught in Ghanaian schools at the basic levels, really goes a long way to inform the pupils (Awuah-Nyamekye, 2010).

Ghanaian politicians acknowledge that their knowledge of ‘eye for eye and tooth for tooth is greatly informed or influenced by the biblical phrase “eye for eye, tooth for tooth” as found in Exod 21, Lev 24, and Deut 19. They can freely quote and associate the biblical phrase “eye for eye, tooth for toot” with what is found in the Hebrew Bible but not to any other source. Even with their literal reading of the *lex talionis*, they understand that the law comes with reciprocity in the sense of (Give and take or ‘you do me I do you’). For them, the Bible attempts to instruct that if anyone removes one of your eyes, you should repay by removing one of his eyes (Interview with NP 1, ND 1). That is to say, if A should happen or occur, then B must automatically become the consequent. Much as Ghanaian politicians recognize the existence of the *lex talionis* in other documents such as the Hammurabi Code and other Ancient Near Eastern texts, their knowledge of the *lex talionis* is greatly informed by the one in the Hebrew Bible (They prefer to designate the source as the Mosaic Law in the Bible).

Common Understanding of A Presupposed Past Incident

As it is recognized in the Hebrew Bible that before the *lex talionis* applies there must have been a previous incident, an occasion to warrant it. Exod 21 assumes a supposed incident that calls for a decision of the *lex talionis*. The text indicates “and if two men are fighting” (יְהִי־מִלְחָמָה וְנִגְפוּ) and “if any harm follows” (וְיָדָהּ) (וְאִם־אִסּוֹן), while in Lev 24 an actual historical incident took place. A half-breed Israelite picked a fight with another Israelite and in the cause of the fight, the half-breed Israelite pronounced curses against the name of YHWH. This called for the will of YHWH to be known before any action could be taken against the blasphemer. Whereas Deut 19, the text starts with a general principle that, all legal issue require more than one witness (v. 15). After this follows the procedure or the process for the implementation of false witness. The parties involved must go to the sanctuary (before YHWH, the priests and the judges) where a body of jurists shall make an investigation (inquire diligently) and a final verdict pronounced (16-18), after which corresponding punishment will follow to which the accused would have otherwise received (vv. 19-21). In much the same way in the Ghanaian context there is a presupposed ‘incident’ in the past. Ghanaian politicians can identify an occasion in the past administrations or in the present a previous government treated them badly as basis to warrant or justify their actions as the reason for doing that (Interview with NP 1, NP 2, and ND1, ND 2).

Common acknowledgement that Offence Must be punished

It was generally understood from the interpretations of the texts (Exod 21, Lev 24, Deut 19) in the Hebrew Bible that the formula ‘eye for eye, tooth for tooth’ suggests that offence must be punished and the punishment must be proportional to the offence committed (Nissel, 2009; Vroom, 2009; Interview with NP 2). The respondent (NP2) indicated that offense must be punished in light of the gravity of offense. This response is motivated by the fact that, this particular respondent is a legal practitioner and fully knows that legal actions must be meted to to any offense committed in society. Similarly, among Ghanaian politicians there is this general understanding from the Hebrew Bible that the formula ‘eye for eye, tooth for tooth’ suggests punishment must be tantamount to the crime or offence committed. This understanding is supported by textual evidence from the Hebrew Bible. There is similarity in the phrases ‘eye for eye,’ however, the understanding is not what is reflected in the Hebrew Bible although the formula ‘eye for eye, tooth for tooth’ is clearly stated. The meaning the Hebrew Bible accords to this concept is different.

We also recognize from the comparative analysis between the Hebrew Bible’s *lex talionis* and the general Ghanaian politician’s understanding of the *lex talionis* that, one can recognize some similarities. However, the differences far outweighs the similarities. The differences demonstrate that the general understanding Ghanaian politicians accord to the *lex talionis* in Ghana is at variance to the *lex talionis* we find in Hebrew Bible. Ghanaian politicians understand that the *lex talionis* was meant for vengeance but the unanimous interpretations given by scholars indicate that, this is not the case.

This position is supported by the scholars (Kugel, 2007; Bush, 1981; Draï, 1991; Sprinkle, 1993 etc) who have written elaborately on the *lex talionis* in the Hebrew Bible.

The similarities on the other hand, also indicate that Ghanaian politicians are religious and have a fairly good knowledge of the Bible. This was seen in the way and manner they use the Bible in areas such as governance, elections, their personal and spiritual lives, in parliament etc in chapter three of this project. This can be attributed to the fact that most of Ghanaian politicians attended Mission Schools where they received teachings from the Bible as it was recognized in chapter two (Debrunner, 1967; Awuah-Nyamekye 2010). There is no doubt that Ghanaian politicians are religious. This was observed in chapter two of this study (The use of the Bible in socio-political discourse in Ghana). Moreover Dovlo (1994), posits that religion and politics are inseparably fused together. In other words, the African in general is as religious while he¹⁹ is religious. Ghanaian politicians are generally religious both in their private and public lives. This is also supported by Mbiti (1969) who indicates that Africans are generally “notoriously incurably religious.”

We thus recognize that in all respect there is no clue to support the belief that the *lex talionis* was meant to seek vengeance of some form. Instead, the *lex talionis* was originally intended as a means of providing justice and of purging evil from among God’s people.

¹⁹ The pronoun ‘he’ is used here in the generic sense.

It was established as a check to inappropriate punishment in which case, punishment was handled out without real regard for individual cases where often the penalty greatly exceeded the crime and was not to be administered by individuals, but only by civil authorities and civil courts to protect the public, to punish offenders and to deter crime (Exod 21:24; Lev 24:20; Deut 19:21).

Implications of the Literal Application of the *lex talionis* by Ghanaian Politicians

It is likely that researchers have most of the time focused on the favourable aspects of vengeance in part, because they simply seek to explain why an apparently negative and disruptive behavior is so common (Schumann, 2010). However motivating and justifiable vengeance might be, vengeance has a dark side, not only for the recipient or the victim, but also for the avenger. In the study, the following implications are drawn from the responses gathered from respondents to the question (*Could you please explain how political retaliation has affected you politically, socially, economically, and psychologically?*).

Social Implications

In the context of criminal justice, the principle of proportionality that should govern the valuation of punishment comes into sharp focus (Nssel, 2009). Since what may constitute punishment may differ from one society to the other, the principle of proportionality is always open to abuse. Against this back drop, the social implications of the implementation of the *lex talionis* in the way Ghanaian politicians understand and apply it, have dire social consequences on human rights, human life and human dignity.

Once the text on the *lex talions* is misread, it affects the understanding and eventually the application. In the Ghanaian socio-political context, one of the major social implications resulting from the literal application of the *lex talionis* is defamation and criminalization of character. Others are discrimination, harassment, embarrassment, and physical assaults. Sometimes it leaves victims incapacitated and deformed for life. The *lex talionis* as found in Exod 21 comes to ensure that there is social order with maximum respect for the protection of human life. The text indicates that if the strike causes any harm or injury to the mother and she eventually loses the fetus, then the *lex talionis* applies. The text recognizes that even an unborn fetus has the right to live and must be recognized as such and be protected. The text thus seeks to protect the fundamental human rights of the fetus. That is to say a fetus has the right to live. Any harm caused to it will be culpable to punishment. But when the fetus loses its life through negligence on the part of two then the text recommends substitutionary compensation, for the perpetrator must pay 'eye for eye, tooth for tooth' which the judges must supervise (Sprinkle, 1993; Kugel, 2010). But when the society fails to carry out this then all sorts of social vices can occur leaving some people incapacitated for the rest of their lives. There is likely to be a rippling effect of this on the society. (Oteng, 2009) writes, when victims of social and political injustices feel that the state does not represent their interest and do not have enough resources to meet current economic demands, then these groups organize themselves into vigilante groups to perpetrate social vices especially.

Legal Implications

From a criminal law perspective, the principle (*lex talionis*) attempts to put legal restrictions on a court's power and any individual, necessitating that the punishment shall fit the crime no more and no less (Nissel, (2009). The standard for this appropriateness or correctness perception is proportionality. That is to say, measuring the punishment to suit the crime. This was supposed to be supervised by competent law of jurisdiction which must ensure neutrality and fairness in the course of executing justice. This basic tenet seems to have lost its original initiative in the Ghanaian context. As a result, the maxim has been misunderstood by some scholars as well as Ghanaian politicians as a primitive basis for punishment or simply as a justification for vengeance. This misunderstanding from the Ghanaian perspective motivated the so-called law of 'causing financial loss to the state' with its accompanying fast tract courts in Ghana. Under this Ghanaian law, previous government officials were convicted and put into prison.

The biblical repetitions of the *lex talionis* comes with the basic idea of justice. The Hebrew Bible requires that punishment be the same as the act that constitutes or equals the offence (e.g. 'eye for eye'). Caution however must be sounded here to note a clear distinction between retribution and vengeance. While retribution is done for a wrong, revenge or vengeance may be done for an injury or harm (Nissel, 2009). In support of the fact that the *lex talionis* was not meant to execute vengeance, Nissel (2009:117) quotes Jeremy Waldon as arguing that it is impossible "for the same act to be performed twice, at different times and with the different dramatis personae." Nissel concludes that this view is reflected throughout Jewish sources.

To guide judges in the law courts, another renowned law philosopher scholar Saadia Gaon (892-842 CE) argued that “the biblical concept of ‘eye for eye’ was evidenced that the Bible should not be read literally since it is impossible to measure the punishment for an injury with absolute precision” (Walen, 2021). This position implicitly supports the figurative readings of most of the scholars interacted with as observed in the previous chapter. Political power in Ghana seems to subvert the power of the law court to execute justice. In other words, the Ghanaian situation regarding the *lex talionis* suggests that political power seems to be more superior to the power of the law courts which is supposed to be supreme instead.

Psychological Implications

McCullough, *et al.* (2001) indicate that a vengeful disposition is related to a variety of adverse psychological outcomes. These undesirable outcomes include depression, as well as reduced life satisfaction. Again, Cardozo, *et al.* (2003) in a study of the psychological effect of vengeance observed that strong desires for revenge and greater willingness to act on these desires have also been associated with post-traumatic stress disorder symptoms. Kim and Smith (1993) have also observed that ‘tit-for-tat’ strategies in politics can result or motivate counter-revenge and prolonged feuds. They explained that one act of vengeance from the ‘revenge-seekers’ perspective and the one revenge incident from the transgressors’ perspective, revenge-seekers’ rated the revenge as equitable, whereas transgressors rated the revenge as excessive.

For Kim and Smith, this creates gap in perceptions and can likely contribute to escalating cycles of revenge, because transgressors perceive revenge-seekers' attempts to 'get even' as unreasonably severe and thus deserving counter-revenge. This is the exact situation in the Ghanaian socio-political context which the literal understanding and application of the *lex talionis* has brought to light. It was revealed through the responses (Interview with all the NP's 1-5 and ND's 1-5) that political vengeance in Ghana can be traced back to the second republic. Political vengeance has become a cycle in the Ghanaian socio-political context. A respondent indicates that after the overthrow of the first republic, some government officials in the first republic were harassed, publicly disgraced and tortured. The same can be witnessed in subsequent republics in Ghana.

The 2008 presidential campaign brought in its wake issues bothering on vengeance and possible counter-vengeance. The N.D.C flag bearer Prof. John Evans Atta-Mills lamented about this. He complained: "We have gone through a lot. We have been harassed....Tsatsu Tsikata's current predicament is indeed an example of the harassment" (Atta-Mills, Political Campaign at Agona-Swedru, 2009; Akyena Brentuo, 2009). It was also obvious that the trials of the former First Lady, Nana Konadu Agyeman Rawlings, the incarceration and imprisonment of some N.D.C. officials like late Victor Selormey, George Sappah Yankey and Kwame Peprah, under the controversial law of Causing Financial Loss to the State would be retaliated (Acheampong, 2012). This act of 'vengeance' on the part of the N.P.P motivated counter retaliatory comments from N.D.C. functionaries.

The seemingly jovial, but serious calls to N.P.P. from N.D.C. members to expand the Nsawam Prison were also interpreted as a clear sign of coming retribution. On account of this, some religious leaders who foresaw a possible retribution should power change hands, spoke against vindictiveness but called for justice. When the N.D.C. took over the reins of government in 2009 some ministers of the previous government under former President J. A. Kuffour like Hon. Stephen Asamoah Boateng were incarcerated and tried before the law court (Interview with NP 3).

Revenge and counter-revenge acts normally result and contribute to worsen and aggravate the plight of some previous government officials from both political parties. Moreover, revenge motivations predict negative health outcomes. According to Lawler *et al* (2005), vengeful considerations result in physiological conditions such as high blood pressures and increased cardiovascular diseases. It is strongly believed that former deputy finance minister Mr. Victor Selormey's (now deceased) health condition deteriorated in prison on account of political vengeance (Interview with ND 1). Therefore, he quickly had to be bailed out and sent to the hospital but eventually died. Even though in the cases of Selormey and Asamoah Boateng competent courts of jurisdiction tried them, one cannot discount the psychological traumas they went through. Normally, what victims of political vengeance go through worsen or exceed their offence. In anyway, revenge or vengeance of any form does not achieve its desired goals without leaving psychological effect on the victim and the perpetrator as well (Interview with NP 1; Oteng, 2009).

Political Implications

Reading and applying the *lex talionis* in the way Ghanaian politicians do have political implications. Political implications of political vengeance within Ghana's young democracy is not far-fetched. According to Oteng (2009), vengeance is often based on the fallacious belief that "two wrongs make a right." He explains that in politics, seeking vengeance more often than not becomes the vehicle for damaging political opponents out of personal resentments, and cutting the wings of an opposition party. This normally results in vengeance begetting vengeance which eventually leads to the cycle of political vindictiveness. Thus vengeance can wreak a great deal of emotional toll on political parties at both ends of it. In the Ghanaian political space, when power changes hands from incumbent party to the main opposition party, vindictive politics become all too common. Justice sometimes becomes selective and the arch of justice seems so bent on persecuting some members of the previous political party, even situations of legitimate prosecutions could be deemed as pursuits of persecution of political opponents in the eyes of the public (Oteng, 2009). Again, this cycle of political vindictiveness weakens the justice system and shakes the very foundation of the country's democratic institutions thus undermining the very democratic credentials of the nations. Most of the time these vengeful acts are carried out in the name of ensuring justice and restoring sanity in the system.

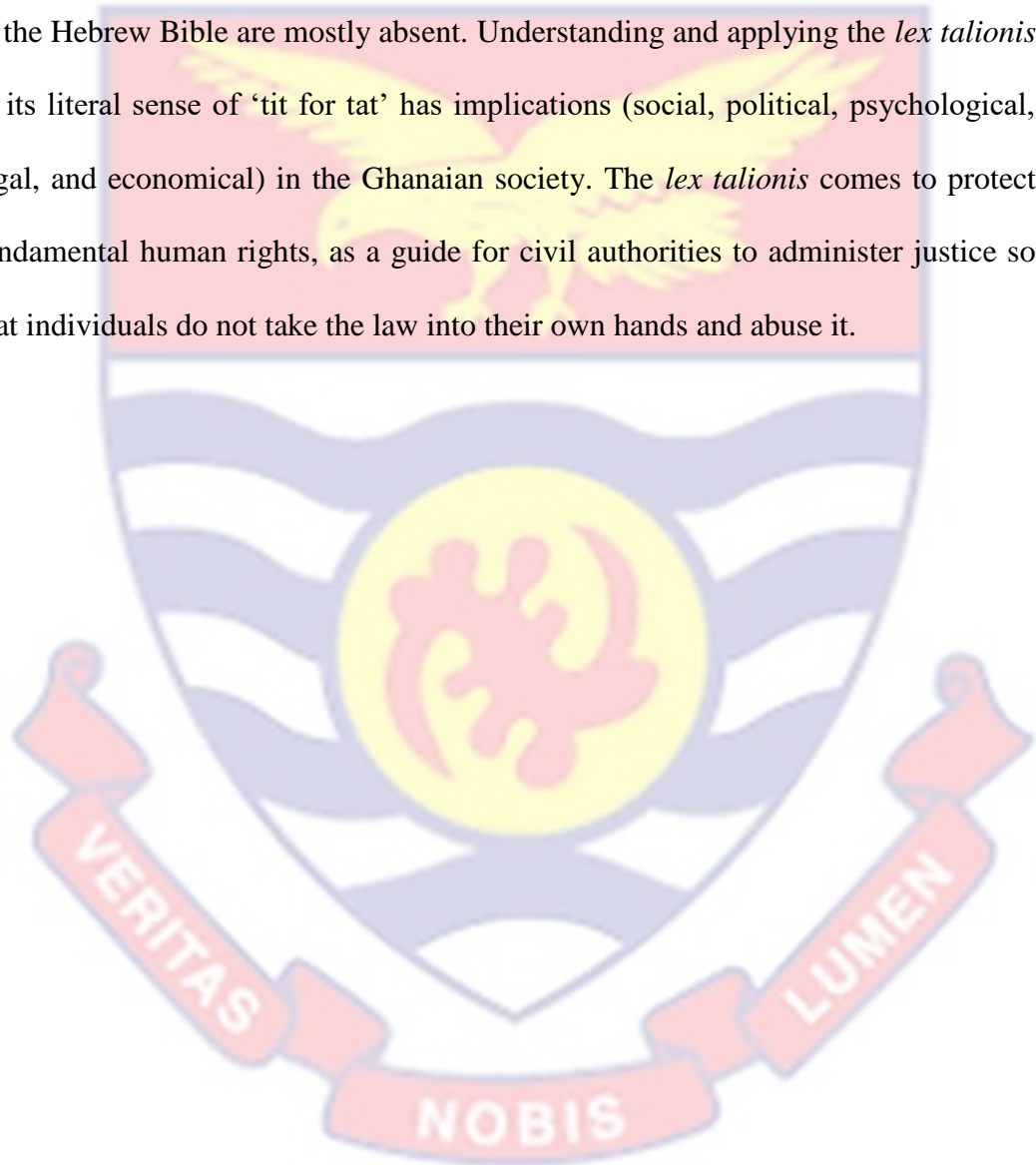
Economic Implications

It was also revealed through the study that reading and applying the *lex talionis* in the way Ghanaian politicians do have economic implications. One of the channels through which political vengeance is executed especially when new political party takes over the reins of government is ‘political tactics’ such as witch hunting, proceed on leave, termination of contracts, etc. while some are forcibly removed from offices, tollbooth, and ‘toilets,’ which in the end affect their source of livelihood (Tankebe, 2009). Victims of such tactics end up losing their jobs which eventually affect their families and their contributions to the Gross Domestic Product of the Nation of Ghana in the end (Debrah, 2009).

Chapter Summary

We have seen the central role the Bible plays in the socio-political culture of Ghanaians. This indicates the influencing power of the Bible as permeating all the various sectors of the Ghanaian society socially, spiritually, legally, economically and politically. We can see the presence of the Bible in the lives of individuals, families, communities, and at essential state functions. Therefore, the Bible plays a central role in the socio-political segments of the Ghanaian culture. One cannot take the Bible out of the Ghanaian society, in fact an attempt to do so will jeopardized the moral and ethical fabric of the entire nation. However, when the Bible is misread, it will be misunderstood, and eventually misapplied in Ghanaian society.

The main focus of this study is to find out if the *lex talionis* was meant for vengeance and can therefore be used to support it. In fact from the comparisons, in the first place, what constitutes *lex talionis* from the Ghanaian perspective is not *lex talionis* at all. Precautionary measures that must serve as prerequisites to warrant *lex talionis* in the Hebrew Bible are mostly absent. Understanding and applying the *lex talionis* in its literal sense of ‘tit for tat’ has implications (social, political, psychological, legal, and economical) in the Ghanaian society. The *lex talionis* comes to protect fundamental human rights, as a guide for civil authorities to administer justice so that individuals do not take the law into their own hands and abuse it.



CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

Introduction

The present study was motivated by the fact that Ghanaian politicians use the biblical law of ‘eye for eye, tooth for tooth’ to seek vengeance on political opponent. They believe that this law was meant for vengeance, which evidence from the Hebrew Bible does not support. Therefore, the primary objective of this study was to find out whether the biblical maxim of ‘eye for eye and tooth for tooth’ can be used to support political vengeance in Ghana. If Ghanaian politicians are using the Bible in politics, then what is it about the Bible in relation to the Ghanaian culture in general and the politics of Ghana?

Summary

The use of the Bible in politics in the Ghanaian society inspired me to investigate the place of the Bible in Ghanaian culture in chapter two. I needed to establish the importance of the Bible in the Ghanaian culture and the following came to the fore. It was discovered that the Bible was introduced into the Ghanaian culture with the arrival of the Europeans in the then Gold Coast. The Europeans in an attempt to Christianize the indigenes, that is, the people of Gold Coast introduced biblical teachings into the educational curriculum. Religious education – which was then called, was taught from the Bible to every school child irrespective of his or her religious belief.

Now religious studies is taught from the basic school to the tertiary levels. This effort transformed into making the Bible become part of every fiber or sector of the Ghanaian culture as one can see the Bible in government, spiritual lives, and social lives of Ghanaians. Especially, during rites of passages (birth, marriage, and death) the Bible plays a significant role at birth where in most Ghanaian tribes the child is taken to the church in accordance to 1Sam 1 and Luke 2 for naming and dedication to the Lord. When two mature individuals reach the acceptable marriage ages, they take their marriages to the church for blessing and dedication. The priest or the Pastor preaches during sermon delivery and counsels them from the Bible. And during death the deceased is taken to the church for memorial and burial services and committal. The priest or the Pastor again, through Biblical procedure, commits the deceased to his or her maker (God). We got to know that the Bible plays a significant role in the lives of Ghanaian Christians from birth to death. So in the Ghanaian culture, the Bible confronts the Ghanaian in every sphere of his or her life.

In addition, I discussed about how Ghanaian politicians make use of the Bible. We also got to know that the Bible plays a significant role in Ghanaian politics. It is believed in the Ghanaian political culture that the Bible carries with it powers to turn fortunes around. Therefore, during electioneering campaigns political parties in Ghanaian use biblical texts and Christian themes from the Bible to support their political claims in order to canvas votes from Ghanaians. We also noticed the role of the Bible at official state functions (such as swearing-in of government officials) and in governance. After electioneering campaigns, the use of the Bible takes a different turn.

Ghanaian politicians use certain portions of the Bible to seek vengeance. It was also detected that when power change hands after elections, Ghanaian politicians use the Biblical texts such as Exod 21, Lev 24 and Deut 19 to seek vengeance. This also comes to strengthen or emphasize the argument that the Bible plays a significant role in Ghanaian politics. This repository of biblical knowledge and its eventual usage could be attributed to the fact that most Ghanaian politicians attended mission schools and are also well aware that 71.2% of the Ghanaian population are Christians according to 2010 Ghana Statistical Service.

In chapter three which is the pivot of this study, I identified and analyzed the preferred biblical texts Ghanaian politicians use to seek vengeance on political opponents in order to find out what biblical scholars are saying about the *lex talionis* and how it was applied in ancient Israel and the purpose it was meant for. Using tradition history, which is an offshoot of historical-critical methodology, I attempted to understand the history behind the *lex talionis* and how it was applied in its ancient contexts. It was understood after the analysis of the three texts (Exod 21, Lev 24 and Deut 19) in the Torah that the *lex talionis* emerged from different contexts in ancient Israel with a purpose to serve (in Exodus, it was meant to institute social order so that the right of the vulnerable is protected, Leviticus as a ritualistic guide and in Deuteronomy for the Judiciary to control society).

The figurative reading of the text which renowned scholars in the field whose profession it is to interpret the scripture adopt to read the text is what the study has brought to the fore.

This reading allowed for substitutionary compensation in which in the event of someone breaking the law, the value of an ‘eye or tooth’ so to speak was worked out for the perpetrator to pay to the victim under the supervision of the judges, instead of the literal reading of the text which Ghanaian politicians adopt to read it. It was finally discovered that, the *lex talionis* was not meant for vengeance in any form in ancient Israel. Instead, it was given to guide the judges to protect human lives and to take the law from private individuals and also purge evil from among God’s people in ancient Israel

The above conclusion was arrived at by the meaning of the Hebrew words *וְנָתַתָּה* and *חֶהָה*. These words mean to “give or pay” and “for” or “in return of” respectively. Apart from the fact that the law was never meant for vengeance, the law does not allow individuals to take over the process of executing punishment as it is the case in the Ghanaian situation. Even in the Ancient Near Eastern texts, similar texts were also noticed that payment of ransom which is the same recommendation in the Hebrew Bible was what the text recommended for the perpetrator to pay to the victim. The only difference is that, in the ANET it was based on social class.

As I indicated in the general introduction, it became necessary to compare the findings I made from the analysis in chapter three to the way Ghanaian politicians understand the *lex talionis* in chapter four of the study. So in chapter four, I conducted a detailed comparative analysis of what the Hebrew presents alongside how Ghanaian politicians understand the *lex talionis* (it was meant to seek vengeance).

It clearly came out that there are differences and similarities. However, the differences far outweigh the similarities. The differences demonstrate that the general understanding Ghanaian politicians accord to the *lex talionis* in Ghana is at variance to the meaning of the *lex talionis* as found in the Hebrew Bible. The similarities on the other hand, also indicate that Ghanaian politicians are religious and have a good literal knowledge of the Bible but they apply it wrongly.

Conclusion

Now given all these things regarding what scholars such as (Sprinkle, Nissel, Kugel, etc) who have written elaborately on the subject matter of this study have demonstrated to us concerning the function of the *lex talionis* and how it was applied in ancient Israel, the present study has revealed that the general reliable understanding of the *lex talionis* which scholars have handed down to us is that, this biblical law was never meant to seek vengeance in ancient Israel and in Ancient Near Eastern society. We thus recognize that in all respect there is no clue to support the understanding that the *lex talionis* was meant to seek vengeance of any form as Ghanaian politicians do. As indicated above, the biblical concept of ‘eye for eye’ as evidenced in the Hebrew Bible should not be literally understood as such since it is impossible to measure the punishment for an injury with absolute precision. Instead, the *lex talionis* was originally intended as a means of providing justice and of purging evil from among God’s people in ancient Israel.

So therefore, in the Ghanaian political context the *lex talionis* cannot be used to seek political vengeance in any form on political opponents. For that matter, Ghanaian politicians are wrong to use this biblical law to seek vengeance on political opponents.

Contribution: Hebrew Bible's *Lex Talionis* Akin to the Rule of Law

The *lex talionis* should be understood as a law akin to the tenets of the rule of Law in our contemporary times, particularly, in the Ghanaian political space. A. V. Dicey (1885) prescribes three basic principles that must characterize the rule of law in every state. First of all, he advocates that every law must be supreme of the land, it must protect the fundamental human rights of its citizens and ensure equality before the law. Jordan Syahredzan (2016) explains these principles clearly for us. He indicates that by the supremacy of the law, it means the law is a legal principle that governs a nation, as opposed to being governed by arbitrary decisions of the people who wield power.

Second, by equality before the law, the law must not be based on the identity, position or the class of the person. In other words, there can be no exclusion from the application of the law based on class or social status. Everyone including the law-makers themselves, are subject to the laws they make. Third, protection of fundamental human rights. By this, it means that every person in a state must be entitled to equal protection. The law must seek to protect the citizens of the state. In other words, if a person who holds power commits a wrong on a citizen, the citizen must be allowed to seek redress from the person in power.

The rule of law is universal. Syahredzan (2016) concludes that no person may be punished or made to suffer unless the person has committed an offence. The offence must be related to another legal principle that ensures that person must be deemed innocent until proven guilty or otherwise.

The intents of the rule of Law as propounded by A. V. Dicey comes to reinforce the purpose of the Hebrew Bible's *lex talionis*. The rule of law comes to protect fundamental human rights such as the right to live and also check inappropriate punishment and not to be administered by individuals, but only by civil authorities and civil courts to protect the public, to punish offenders and to deter crime (Exod 21:24; Lev 24:20; Deut 19:21) . In Exod 21, we observe that in the event of a harm or a mishap causing even the death of a developing fetus, the law intervenes to protect the baby and the mother by empowering the judges (בפללים), to determine the gravity of the injury and then prescribe monetary compensation that is proportional to the offence as the possible alternative means of ensuring equity and fairness. This attempt by the law to protect the fetus, a developing baby and the mother as well, indicates the law recognizes that an unborn baby has the right to live. The rule of Law also comes to ensure equality and supremacy of the law in a society.

The talion as it is found in Lev 24 emphasizes that both the native Israelite and the alien are all subject to all Israel's secular and cultic laws. This puts everyone equal before the law, thus not respecting or giving special preferential treatment to some selected few in society.

With these resemblances we can break the cycle of political vengeance and vindictiveness by implementing the *lex talionis* in the same way as the rule of law comes to enforce or establish in a society.

Recommendations

1. Since the *lex talionis* is a law, the process of establishing justice in Ghana must follow the prescribed or due legal process. So future researchers based on the evidences from the text(s), the due process(s) that the texts prescribe must be strictly followed in order to keep with the highest legal ethical standards.
2. Future researchers should look at other avenues this law can be applied to purge the evils in society, which have been caused, by misinterpretation and misapplication.
3. Future researchers should look at how best this law can be used to protect fundamental human rights of the vulnerable in society.
4. As the present study has revealed that the *lex talionis* is akin to the rule of law, future researchers must look at how the *lex talionis* can be transformed to support the tenets of the rule of law in Ghana instead of supporting vengeance.
5. Future researchers should take the variables (political, social, economic, psychological and legal) drawn from the implications and study each independently in the Ghanaian context.

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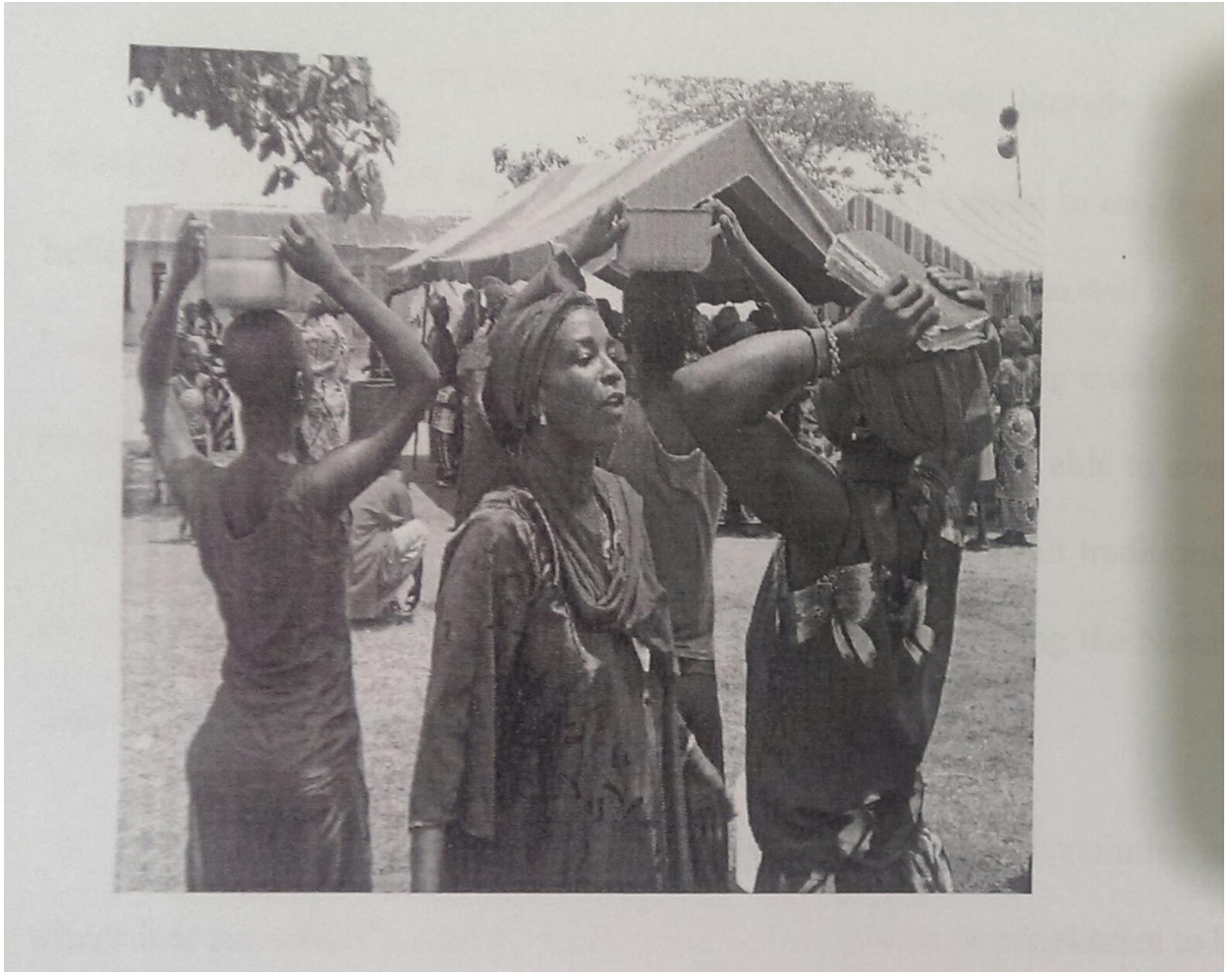
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APPENDIX A: Prophetess Esther Quayson of the Twelve Apostles Church



Appendix B: Former moderator of the Presbyterian Church of Ghana Rev Dr Yaw Frimpong Manso conducting a naming and child dedication



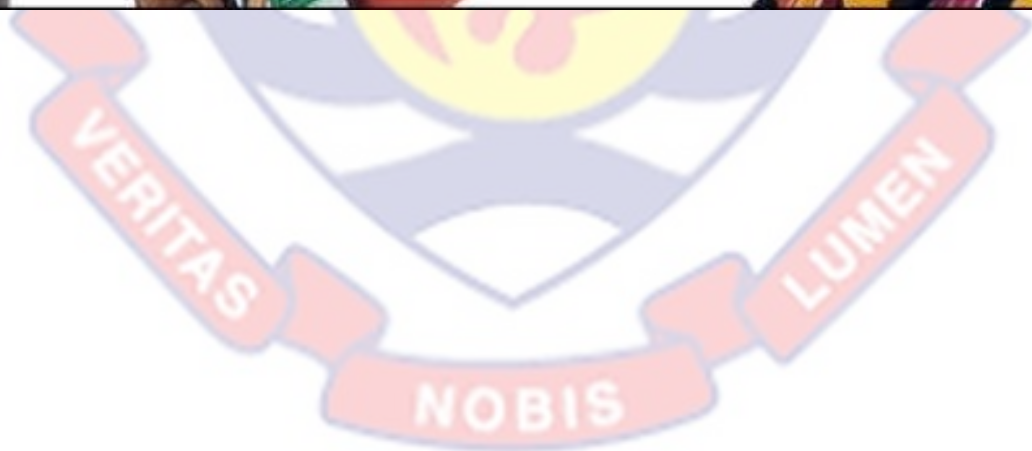
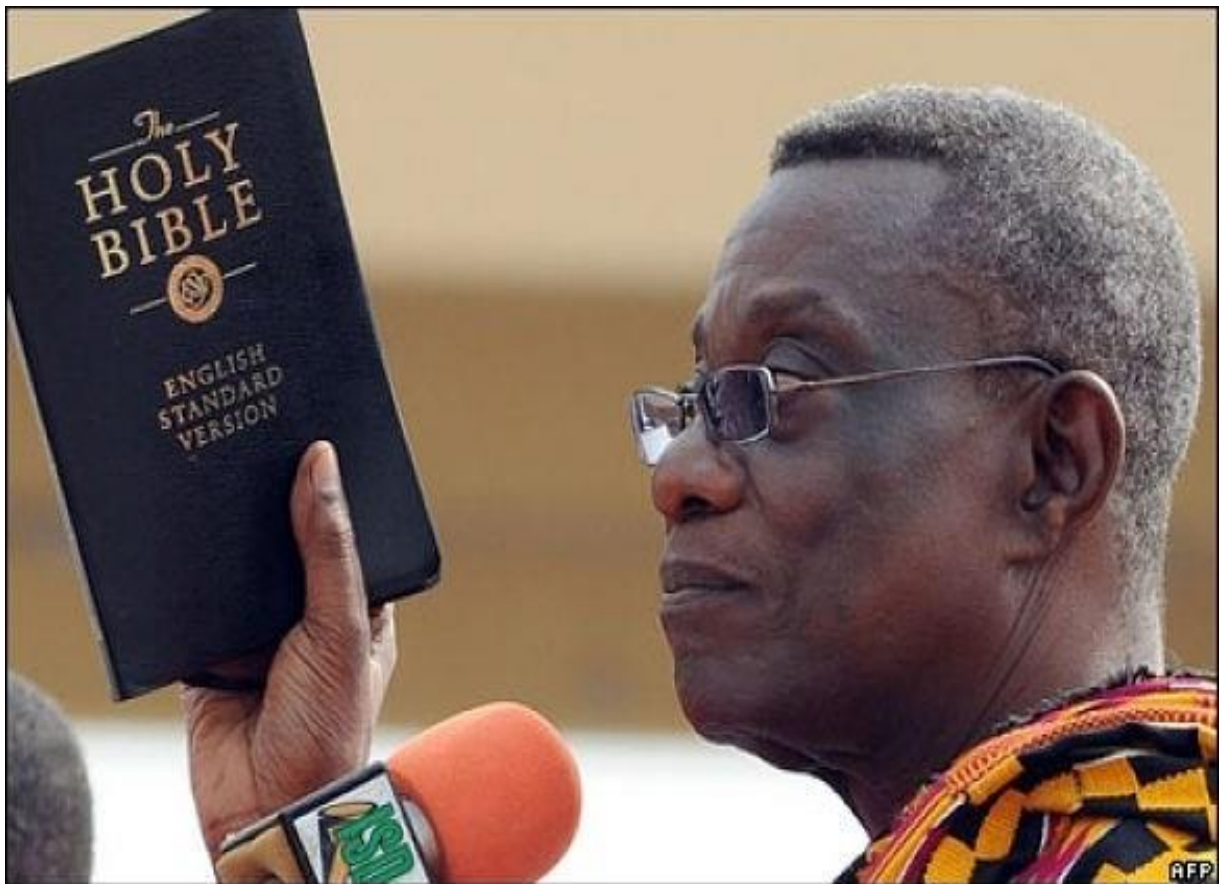
Appendix C: Ghanaian mother warding off evil spirits with an open Bible



Appendix D: Ghanaian prophet on the Asumasem TV show



Appendix E: Former president of Ghana Professor John Evans Atta-Mills (now deceased) using the Holy Bible to swear his oath of allegiance



APPENDIX F

OPEN-ENDED QUESTIONNAIRES

1. Can you tell me how familiar are you with the biblical maxim “an eye for eye, and a tooth for tooth”? Please explain?
2. What retaliatory attitudes do you observe in the lives of Ghanaian politicians generally?
3. How would you define political retaliation or vengeance?
4. To what extent do you perceive political retaliation in Ghanaian politics? Can you please explain?
5. Which aspects of Ghanaian politics do you observe political retaliation? Can you please explain?
6. In what way(s) do you think the biblical maxim of “eye for eye and tooth for tooth” was meant for retaliation?
7. How would you relate Hebrew Bible’s “eye for eye, tooth for tooth” with political retaliation in Ghana?
8. How retaliatory will you be if you get political power against your political opponents considering what you have experienced so far?
9. Please explain how political retaliation has affected you politically, socially, economically, and psychologically?
10. In what way(s) can you connect the way you were treated with your association with your political party?
11. Who in your opinion is mandated by law to carry out justice in Ghana? Politicians or judges?

