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# ❧ TAMING THE INNER CRITIC ❧

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## Transforming Attitudes by Judging Favorably

As we go about our daily affairs observing and interacting with our family, friends, acquaintances, and business associates, we are subconsciously (and sometimes consciously!) making judgments about others, either negatively or positively. Every interaction is entered into our mental computer. We can become inclined to judge people negatively. However, the Torah requires that we judge almost everyone positively (except someone with a known reputation for being “evil”). A positive attitude toward others can redefine the entire context of our lives and revolutionize all of our personal relationships.

This class will address the following questions:

- ❧ Why *should* I judge others positively? Isn't it better not to judge others at all?
- ❧ Must I be naïve and always give the benefit of the doubt?
- ❧ How can I judge someone negatively, maybe his upbringing and life circumstances forced him to act the way he did?
- ❧ How does judging positively affect one's mindset in general?

### Class Outline

#### Section I. The Mitzvah to Give Others the Benefit of the Doubt

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## SECTION I. THE MITZVAH TO GIVE OTHERS THE BENEFIT OF THE DOUBT

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As an introduction to the topic, consider the following story.

*In the Feingold home in Ashdod, Israel, mixed emotions reigned. There was great joy because the eldest daughter had just become engaged, yet at the same time the parents were worried because there was little money to pay for both the upcoming wedding and for their share of the cost of an apartment for the new couple.*

*Mr. Feingold traveled throughout Israel and the United States to raise money for his daughter's wedding. In addition, because his neighbors and friends understood the difficult situation, they too began to raise money for the family.*

*Finally, the night of the wedding arrived. But when guests who had contributed to the wedding walked in to the hotel's largest ballroom they were quite surprised. The room was decorated with opulent magnificence, including elegant floral arrangements, and a seven-piece band was playing as the first of six courses was served.*

*Was this what people had raised money for? And had the rabbis not recently spoken out against ostentatious weddings, encouraging people not to make lavish affairs because it might compel others of more modest means to imitate or duplicate them? And here the Feingolds had used so much money, including other people's money, for one night, when the bride and groom needed to buy an apartment! The people who had been invited left the hall dismayed and displeased.*

*A few days later, Mr. Feingold, who sensed the resentment in his guests, broached the topic with the rabbi of his community, Rabbi Elya Weiss, and explained what had happened. "When I first came to discuss prices and fix a date, the wedding hall owner asked me, 'Do you by any chance have Feingold relatives in Germany?' When I told him that Leo Feingold was my late father, tears welled up in his eyes. He exclaimed, 'I am alive today only because of your father! He hid my family and me and saved us from the Nazis. My whole family owes their lives to your father!'*

*"Mr. Feingold explained how he had always wanted to meet his saviors to pay them back in some small way, but he had lost contact with them after the war. He insisted that he would make us a beautiful wedding," continued Mr. Feingold, "and even though we tried to talk him out of it, he felt it was his way of showing gratitude.*

*"When we came to the wedding hall that night, we were as shocked as anyone else. I couldn't say anything to anyone because our benefactor had asked that his present remain a secret. However, when I saw the reactions of the guests, I went to him to get permission to reveal the truth. I now ask of you, Rabbi Weiss, please let everyone know the truth."*

*The next morning in shul, Rabbi Weiss told the whole story to his congregation.*

*Once again the people were surprised, but this time at themselves. All those who had spoken negatively suddenly realized that in reality they had not known all the facts – even though at the time, they were sure they had! (Adapted from Rabbi Paysach Krohn, *Around the Maggid's Table*, pp. 164-167.)*

How many times does something like this happen to us? If only the wedding guests had paused to think, and judge positively. They knew Mr. Feingold and his family well. He had a long history of upstanding and moral behavior in their community. So why did they jump to a swift and superficial conclusion about the lavish wedding?

### 1. Vayikra (Leviticus) 19:15 – God tells us to judge our fellow “with righteousness.”

You should not commit a distortion of justice [as a judge in court]. You should not favor the poor, nor honor the great. With righteousness you should judge your fellow.

לא תעשו עֵוֹל בְּמִשְׁפָּט לֹא תִשָּׂא פָנֵי דָל וְלֹא תִהְדַּר פָּנֵי גְדוֹל בְּצַדֵּק תִּשְׁפֹּט עִמִּיתְךָ.

What exactly is meant by the phrase “judging righteously”? The Talmud explains in the next source.

### 2. Talmud Bavli (Babylonian Talmud) Shavuot 30a, with Rashi – If you see someone doing an action that could be interpreted positively or negatively, give him the benefit of the doubt.

“With righteousness you must judge your fellow” [Vayikra 19:15] – This means that you should judge your fellow favorably.

Rashi

“Judge your fellow favorably” – This does not refer to judging litigants in court. Rather, it refers to someone who observes another person doing an action that could be interpreted as either a wrongdoing or as a neutral act. You should not suspect him of a wrongdoing; rather assume he is innocent.

בצדק תשפוט עמיתך הוי דן את חבריך לכף זכות.

רש"י

הוי דן את חבריך לכף זכות - ולא בדין בעלי דינים הכתוב מדבר, אלא ברואה חברו עושה דבר שאתה יכול להכריעו לצד עבירה ולצד זכות הכריעו לזכות ואל תחשדהו בעבירה.

The Torah requires us to view people as basically upright, honest, and good-hearted and therefore give them the benefit of the doubt.

### 3. Sefer HaChinuch, Mitzvah #235 – We should give the benefit of the doubt in the courtrooms of our minds, just as we must judge fairly in a court of law.

There is a mitzvah to judge with righteousness ... which means treating the litigants fairly and equally ...

Another aspect of this mitzvah is that it is appropriate to judge another's actions positively, always interpreting other people's actions and words in a favorable way ...

לשפוט בצדק ... ובא הפירוש שנצטוו הדיינים להשוות בעלי הריב...

ועוד יש בכלל מצוה זו שראוי לכל אדם לדון את חברו לכף זכות, ולא יפרש מעשיו ודבריו אלא לטוב....

Just like a judge must act fairly in court (as in the first part of the verse), the Sages reveal that the Torah's directive “to judge righteously” also applies in the courtrooms of our own minds. As we shall explain in Part B, this mitzvah applies in different ways depending on the individual in question.

## PART A. LOVING OTHERS AND JUDGING THEM POSITIVELY ARE MUTUALLY DEPENDENT

The next sources describe how the mitzvah to judge others positively is an expression of loving one's fellow as oneself.

1. **Rabbi Alexander Ziskind, Yesod V'Shoresh Ha'Avodah, p. 15 – Judging others positively enables us to “love others as we love ourselves.” If we judge others negatively, it is very hard to love them.**

The positive commandment to “judge your fellow with righteousness,” [Vayikra 19:15] ... which is to judge him positively regarding his actions and general conduct ... is closely connected to the mitzvah to “love one’s fellow as oneself” [ibid. 19:18].

It is clear that if one judges his fellow negatively even once, he will find it difficult to fulfill the mitzvah to love that person in the future.

ומצות עשה של “בצדק תשפוט עמיתך” היינו לדון את חבריו לזכות בכל ענין ובכל מעשה שיעשה חבריו ... היא תלויה ומחוברת למצות עשה של “ואהבת לרעך כמוך”.

כי דבר ברור הוא, באם שידין לחבריו לכף חובה אפילו פעם אחת, שוב לא יכול לקיים בו מצות עשה של “ואהבת לרעך כמוך” על בוריה ושלמותה.

Judging others positively is a prerequisite to be able to love others. And as the next source shows, the converse is also true: loving others is a prerequisite to be able judge them positively.

2. **Rabbi Dovid Kronglass, Sichot Chochmah U'Mussar, Vol. I, p. 82 – Loving others enables one to judge them positively.**

If one truly loves another as a father loves a son, he will very naturally have a positive outlook toward that person. He will see everything that person does in a positive light, and judge him positively.

Thus, the mitzvah of judging positively is really an outgrowth of the mitzvah to “love your fellow as yourself.” The extent to which one judges others positively is a good indicator of his love for others.

אם יש אהבה בין אדם לחברו, אהבה אמיתית כאהבת האב לבנו, אז בא ממילא ובטבע המבט לטובה, ורואה הכל ודן הכל לכף זכות.

א”כ נמצא דמצות “בצדק תשפוט עמיתך”, הוי דן את כל האדם לכף זכות, היא תוצאה ממצות “ואהבת לרעך כמוך”. ומידת דן לכף זכות היא באמת סימן מובהק שיש בו אהבת הבריות.

Thus judging others positively and loving others are mutually dependent. You can’t really love others unless you judge them positively; and you can’t really judge them positively unless you love them. The next source describes a practical consequence of the fact that judging positively is built on loving others as yourself.

3. **Rabbi Avrohom Ehrman, Journey to Virtue, 2:12 – Loving another “as yourself” means using the same self-justifications by which we excuse our shortcomings to excuse the shortcomings of others.**

The Torah tells us to “love others as we love ourselves” in order to exhort us to go to the same lengths to excuse the actions of others as we would go to overlook our own failings.

Do you ever excuse yourself by saying: “That’s the way I was brought up. What can I do? All right, so I’m not perfect”?

Next time we jump to condemn someone, put yourself in his place and say, “That’s the way he was brought up. What can he do? All right, so he’s not perfect.”

These are not excuses to continue negative behavior. Rather, this way of thinking is meant to help us view another person in a different light, to replace anger with sadness and empathy for someone who does not see that what he is doing is wrong.

It is almost always possible to find some way to excuse, or at least mitigate the severity of any action or bad quality one sees. Often the person does not understand the seriousness of what he was doing, or his training and life experience have led him to believe that his action was actually good, or even required! The following scenario is an example.

*Adam was the ultimate problematic high school student. He regularly taunted others, and had no interest in his studies. His only real enjoyment was to make jokes at other people's expense. David regularly complained to his parents about Adam.*

*One day David's mother said to him, "It sounds like there's something going on in Adam's life. Why don't we investigate his situation at home?"*

*After a few days, it became clear that Adam's parents were going through a divorce. Adam wasn't receiving the love and recognition he so desperately needed, and was acting up in school to get some much-needed attention.*

*David now felt empathy and love for Adam, and his feelings about his actions changed drastically. (Rabbi Avrohom Ehrman, Journey to Virtue, 2:11.)*

In such situations, if we are capable, we should explore opportunities to reach out and offer help to the other person. (See Morasha class on *Chesed*.)

As the next source describes, judging positively should not be done as a mechanical way of discharging one's obligation. It should form the basis of a whole new attitude toward others.

**4. Rabbi Shlomo Wolbe, Alei Shur, Vol. II, p. 207 – We must search for the good qualities in others. This is the opposite of what people may do naturally, focusing on the negative and ignoring the positive.**

Someone who judges others favorably *really hopes* that his fellow man is guiltless. He seeks ways of understanding the other's actions as good.

This is the extent to which one must regard another person with a positive attitude, and wish to see his actions as issuing from a good source. We should search out another's positive qualities. This is the opposite of what most people usually do, which is to immediately notice another person's shortcomings and ignore his strong points.

הדן לכף זכות רוצה שחברו יהיה זכאי ומחפש דרכים  
כיצד להבין מעשיו שיהיו על צד כוונה טובה....

... כל כך יש להסתכל בעין טובה על כל אדם ולרצות  
דווקא לראות כל מעשיו נובעים ממקור טוב! מכאן  
שאנו צריכים לחפש אצל בני אדם דווקא מעלות, היפך  
מדרך העולם שאת המגרעות רואים תיכף ומהמעלות  
מתעלמים.

## KEY THEMES OF SECTION I:

- ⌘ Every second we pass judgments on other people's behavior. In the blink of an eye, we bring to trial, cite evidence, and pronounce sentences on whomever we see. Just as the Torah provides protocol for the courtrooms of law, it provides guidance for the courtrooms of our mind. In a radical departure from the negative or neutral judgments we pass on others, God requires that we judge others positively, and give them the benefit of the doubt.
- ⌘ Seeing others in a positive light is a prerequisite for being able to “love your neighbor as yourself.” At the same time, loving others is a prerequisite to being able to view them positively. Since the two are mutually dependent, how then does one start to love and see others positively? To begin the process, we should use the same self-justifications by which we excuse our own shortcomings to excuse the shortcomings of others.
- ⌘ The attitude of, “That’s the way he was brought up. What can he do? All right, so he’s not perfect” can replace anger at another person with compassion, frustration with loving patience, and harsh sentences in the courtroom of the mind with blessings for his success.

## SECTION II. THE REPUTATION OF THE INDIVIDUAL MATTERS

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### PART A. OVERVIEW

As we noted above, the mitzvah to give others the benefit of the doubt depends upon the type of individual in question. Judaism requires us to *think* about the behavior of others, rather than passing judgment instinctively. As the next sources will show, even though we are required to judge positively when interpreting the actions of others, we are certainly not required to be naïve.

#### 1. Pirkei Avot (Ethics of the Fathers) 1:6, with Rambam (Maimonides) – It is praiseworthy to give a stranger the benefit of the doubt.

Yehoshua ben Perachya says, “Establish a rabbi for yourself, acquire a friend, and judge every person favorably.”

Rambam

“Judge every person favorably” – This refers to someone whom you do not know, and therefore cannot tell if he is a *tzaddik* [an upright person] or *rasha* [habitual wrongdoer].

In such a case, if you see him doing something or saying something that could be interpreted in two ways, one good and one bad, you should give him the benefit of the doubt and assume the action was good ... This approach is praiseworthy.

יהושע בן פרחיה אומר עשה לך רב וקנה לך חבר והוי דן את כל האדם לכף זכות.

רמב"ם

הוי דן את כל האדם לכף זכות - ענינו כשיהיה אדם שלא תדע בו אם צדיק הוא אם רשע,

ותראהו שיעשה מעשה או יאמר דבר שאם תפרשהו על דרך אחת יהיה טוב, ואם תפרשהו על דרך אחרת יהיה רע, קח אותו על הטוב ולא תחשוב בו רע... וכשיהיה בלתי ידוע ... צריך בדרך החסידות שתדין לכף זכות.

The Rambam introduces us to three categories of people:

1. A tzaddik: someone who is known to *always* act correctly in a certain area of Torah law and interpersonal relationships.
2. A rasha: someone who is known to *always* act incorrectly in a certain area of Torah law and interpersonal relationships.
3. Someone you don't know.

Since people are complex, different areas of a person's behavior are independent of each other and are not always consistent. For example, a person could be a tzaddik with regard to honoring his parents, and a rasha in money matters (heard from Rabbi Yitzchak Berkovits, Jerusalem; Kodesh Yisrael, Ch. 23).

In the previous source we learnt that in the case of a stranger, when you don't know whether he is a tzaddik or rasha, it is praiseworthy to give him the benefit of the doubt. In the next sources, we will deal with the other categories.

2. **Rambam, Pirkei Avot 1:6 – The actions of a tzaddik should be judged positively in all situations. One is even required to excuse suspicious actions and give a favorable interpretation.**

If the person is publicly known to be a tzaddik, and is known for doing good deeds, and the observer sees an action that looks entirely negative – and nobody is able to interpret it in a positive light, unless he makes an unlikely assumption – it is still proper to take the positive approach and see the action as good. Since there is some possibility that it was indeed a good action, you are not permitted to suspect him of having acted wrongly.

אבל אם יהיה האדם נודע שהוא צדיק מפורסם  
ובפעולות הטובות, ונראה לו פועל שכל עניניו מורים  
שהוא פועל רע, ואין אדם יכול להכריעו לטוב אלא  
בדוחק גדול ואפשר רחוק, הוא ראוי שתקח אותו  
שהוא טוב, אחר שיש שם שום צד אפשרות להיות  
טוב ואין מותר לך לחושדו.

The following incident in the Talmud illustrates the extent to which one must judge the actions of a tzaddik positively.

3. **She'iltot d'Rav Achai Gaon, Parshat Shemot, She'iltah 40 – Rabbi Akiva knew his employer was a tzaddik, and went to great lengths to judge him positively when he was not paid on time for his work.**

Rabbi Akiva worked for Rabbi Eliezer ben Hurkenos for three years. On the eve of Yom Kippur, Rabbi Akiva was preparing to leave and bring his wages home to his wife and children. Rabbi Akiva asked Rabbi Eliezer for payment of his wages. Rabbi Eliezer replied that he had no money to give, although Rabbi Akiva saw that he did in fact have money ...

[Later Rabbi Eliezer paid the full wage to Rabbi Akiva.] Rabbi Eliezer asked Rabbi Akiva, "Did you suspect me when I refused to pay you in cash, even though you saw that I had money?" Rabbi Akiva replied, "I assumed that you had found a bargain real estate investment, for which you had set aside the money" ...

ומעשה ברבי עקיבא בן יוסף שהיה מושכר אצל רבי  
אליעזר בן הורקנוס ועשה עמו שלש שנים. כשבא  
ליפטר ממנו בערב יום הכפורים אמר לו תן לי מעותי  
ואלך ואפרנס את אשתי ואת בניי. אמר לו אין לי מעות  
שאתן לך. והיה רואה מעות בידו ...

אמר לו בני חייך כשאמרת לי תן לי מעותי ואמרת לי  
אין לי מעות שאתן לך והיית רואה מעות בידי במה  
חשדתני אמר לו אמרת שמא שדות וכרמים נודמנו לו  
בזול וביקש ליקח מהם ...



“Did you suspect me when I refused to pay you in pillows and blankets and land, when you saw that I had them?” was the next question. Rabbi Akiva replied, “I assumed that you had pledged all of your assets to the Temple.” [Since if they were consecrated, Rabbi Eliezer could not use them.] ...

“That is exactly what happened!” explained Rabbi Eliezer. “My son, Hurkenos, was not studying Torah, and to set him straight, I consecrated my property to the Temple [gifting away the inheritance that would have been his]. I later went to the Sages, and they annulled my commitment, [so now that everything has returned to my possession, I am able to pay you!]”

כשאמרת לי תן לי כרי' וכסתו' בשכרי ואמרת לי  
אין לי והיית רואה כרים וכסתות בתוך ביתי והיית  
רואה לי קרקע במה חשדתני אמר לו אמרתי שמא  
הקדיש רבי כל נכסיו לשמים

אמר לו העבודה כך  
היה הורקנוס בני לא היה עוסק בתורה והקדשתי כל  
נכסי לשמים כדי שיעסוק בתורה עד  
שבאתי אצל חכמים והתירו את נדרי. . .

In the above incident we see the extent to which Rabbi Akiva was prepared to stretch the bounds of credibility to explain the out of character behavior of his employer on the eve of Yom Kippur (the holiest day of the year), rather than believe the more unlikely assumption that his employer was acting maliciously. From this we learn that we should apply all our reasoning abilities to come up with a plausible explanation for a tzaddik's actions, as illustrated in the following incident.

*It is related that Rabbi Shimon Schwab (1908-1995, New York) observed an Observant congregant eating a hot dog from a non-kosher hot dog stand. Rabbi Schwab assumed he must have a life-threatening illness (cholel mesukan), which required him to eat immediately at the onset of symptoms. Did Rabbi Schwab judge the situation correctly?*

*Yes, most committed shul congregants are tzaddikim in the area of eating only kosher food. Therefore, Rabbi Schwab would be obligated to judge him positively, and make up a plausible explanation (even if it may be farfetched) as to why the man had a good reason to eat non-kosher food at that time.*

*Later, Rabbi Schwab was informed that the same congregant was hospitalized, and went to visit him. He was suffering from a bleeding stomach ulcer, and his doctor had instructed him to eat immediately at the onset of symptoms! (Heard from Rabbi Yitzchak Berkovits, Jerusalem.)*

A more common example follows:

*Miriam was usually on time for her appointments with Dinah. So when Miriam was late, Dinah presumed that an urgent matter had caused the delay, rather than assuming that Miriam had acted with disrespect toward her.*

In the next source we come to the last category, the rasha.

#### 4. **Rambam, Pirkei Avot 1:6 – The actions of a rasha should be judged negatively until he improves himself.**

Similarly, if someone is a rasha, and his negative actions are well-known, and we see him perform

וכן כשיהיה רשע ויתפרסמו מעשיו ואחר כך ראינוהו  
שיעשה מעשה שכל ראיותיו מורות שהוא טוב ויש בו



an action, which according to all who see it gives the impression of being good, with only a small possibility of it being negative, it is proper to be wary of him and not believe that the action was good, since there is a possibility that he acted

צד אשפרות רחוק לרע ראוי להשמר ממנו ושלא תאמן בו שהוא טוב אחר שיש בו אפשרות לרע.

Once someone has justly earned a bad reputation, it is up to him to prove that he has changed. Although we are generally required to judge others positively, we are also required not to be naïve.

To summarize, the reputation of the individual in question matters:

1. We must always give the tzaddik the benefit of the doubt and judge his actions positively, even when they appear negative.
2. We must always suspect the rasha, even if he appears to be doing something good.
3. If the person is unknown, it is praiseworthy but not required to give him the benefit of the doubt.

The following scenarios help to illustrate applications of this mitzvah:

**Scenario A.** *You're at the local gym getting dressed. You overhear a child say to his father, "Daddy, these pants aren't mine." The father responds, "It doesn't matter. Just put them on and let's go." What should you think about this incident?*

**Response.** *If the father is someone you do not know, it is praiseworthy to judge the father positively. One could make a plausible explanation, for example: the child meant that the pants were a sibling's and not his own, and therefore the father did not object.*

**Scenario B.** *You are in a classroom waiting for a class to start. Two students are talking and one whispers something to the other, and then they both look at you and continue talking. Are they talking about you? Is it good? Is it bad?*

**Response.** *If they are unknown to you, it is praiseworthy to judge them positively and make up a plausible explanation, for example: they were speaking positively about you, or they were not actually looking at you or even talking about you.*

*If they are tzaddikim in the area of avoiding lashon hara (derogatory speech) then one would be required to judge them positively.*

*If they are reshaim who are known to be consistently negligent in avoiding lashon hara, one should judge them negatively.*

**Scenario C.** *You have a good friend who lives in a different town, whom you speak to on the telephone every Friday while driving home. One Friday you call, and there's no reply, so you try again on Sunday. After leaving three messages during the week, he has not returned your call. Is he giving you the cold shoulder? Or is his cell phone broken?*

**Response.** *Since he's a tzaddik when it comes to answering your telephone calls (since you speak every Friday and he has exhibited derech eretz, proper conduct, in this area), you should judge him positively. You should make up a plausible explanation (even if it may be farfetched), for example: his cell phone was not working, or the cell phone company mistakenly suspended his service.*

## PART B. JUDGE THE ACTIONS, NOT THE PERSON

By way of introduction to this part – Judaism distinguishes between the *actions* of a person, versus who the *person is himself*, independent of the actions we see him doing. Even though the best way to know a person is through how he chooses to act, nevertheless it is possible that his actions are largely shaped by outside influences or internal struggles that we are not aware of. That being the case, his external actions are not an accurate reflection of who he really is “inside” (heard from R’ Yitzchak Berkovits, Jerusalem).

Therefore, the Torah gives us license and guidelines how to judge his *actions*. This is the mitzvah to “judge your fellow with righteousness,” to make a thoughtful assessment of a person’s *actions*, rather than jump to conclusions.

At the same time – as we shall see in the next source – the Torah warns us not to judge the person himself.

1. **Pirkei Avot 2:4 – Since we can never know all the influences that caused a person to act negatively, we cannot judge the person himself.**

Do not judge your fellow until you have reached his place.

ואל תדין את חברך עד שתגיע למקומו.

2. **Rabbi Ovadiah of Bartenura, ibid. – The only time we could judge another person is if we were faced with the exact same challenge, and we were able to overcome it.**

If you see someone else fail a challenge, do not judge him until you have undergone the same challenge and overcome it.

אם ראית חברך שבא לידי נסיון ונכשל, אל תדינהו לחובה עד שתגיע לידי נסיון כמוהו ותנצל.

Since we can never “stand in another person’s shoes” and since we are not that person, with his life circumstances, it is impossible that we will face the *exact* same challenge, and therefore we cannot judge him as a person. We can only judge his actions.

## PART C. WHY JUDGE AT ALL?

The Torah asks us to judge one another positively. In other words, we’re supposed to judge. Why is this so? Wouldn’t it be better not to judge people’s actions at all? To “mind your own business” and “live and let live”?

1. **Rabbi Yitzchak Berkovits, personal correspondence – If we’re anyway going to judge the actions of others, at least let us judge *correctly*. To be active and constructive members of society we *need* to make judgments about the actions of others.**

There are two answers:

1. It is human nature to draw conclusions. It would be naïve to think that we will not instinctively judge the actions of other people. The Torah acknowledges the human mindset, and therefore gives us guidelines on how to judge others *correctly*.
2. The Torah directs us to be active participants in society. We are not supposed to turn a blind eye to the world around us! One should *not* just say, “I am not getting involved; I don’t want to know, nor do I care about what he or she did.” We have to care! Judaism is about being active members in society, not sticking our heads in the sand. Failure to judge the actions of others is passively withdrawing from society.

The next source discusses another reason why one should judge others positively.

2. **Rabbi Yehoshua Leib Diskin (Maharil Diskin), Teshuvot Maharil, end of Vol. I – To preserve one's spiritual level, the Torah tells us to judge others positively. If one thinks someone else is transgressing, then it becomes more acceptable to transgress too. But if one judges him positively, and thinks that he is not acting inappropriately, then it remains unacceptable to transgress.**

[Consider the following:] a town has ten Jewish people living in it. If one person commits a transgression, he breaks down the fence of embarrassment, which had prevented people from sinning until now. If a second person sins, he does not need to break this barrier, and he does not need as much brazenness, because the second person is only sinning in front of eight others, and he has one other who is his accomplice. If a third person sins, he has even less brazenness. Following this principle, the fifth person does not need any brazenness at all ...

... In telling us to “judge every person positively” [Pirkei Avot 1:6] the Sages are giving us wise advice. This advice is in order that we should not break down the internal barriers of embarrassment that hold us back from transgressions. [How so?] When we view every person as being righteous, then we will hold ourselves back from transgressing [since we will think that no one else is transgressing, so how could we be the first?!] However, when one sees the negative in every person, then he is likely to stumble [since he will think others are transgressing, and therefore it becomes more acceptable in his mind to transgress].

עיר שיש יו"ד יהודים, וא' חטא, ר"ל, ע"כ פריץ גדר  
הבושת לגמרי, לא כן השני שיחטא כמו כן, אינו צריך  
לעזות כ"כ, כי לא לבד שאינו מתבייש רק בפני ח', אף  
גם הרי יש לו מסייע, וחלילה הג' שיחטא אינו אז פנים  
כל כך, כללו של דבר הה' שיחטא א"צ לעזות כלל ...

חז"ל יעצונו לדון לכף זכות, למען לא ימצא לנו פתח  
בלבבינו לפרוץ גדר הבושה, וכאשר נחקוק על לבבינו  
שכולם צדיקים איככה יערב אח"כ להקדיח תבשילו,  
לא כן כאשר ימצא בכל אחד שמוץ דופי, כי אז הוא  
עלול ליכשל ח"ו באין מושל ברוחו.

## KEY THEMES OF SECTION II:

- ∞ The Torah requires us to strike a balance between judging other people's actions positively, and being naïve. Therefore, it differentiates between three categories of people:
1. A tzaddik is someone who is known to always act correctly in a certain area of Torah law and interpersonal relationships. We must always give the tzaddik the benefit of the doubt and judge his actions positively, even when they appear negative.
  2. A rasha is someone who is known to always act incorrectly in a certain area of Torah law and interpersonal relationships. We must always suspect the rasha, even if he appears to be doing something good.
  3. If the person is someone you don't know, it is praiseworthy but not required to give him the benefit of the doubt.

- ≈ Since people are complex, a person could be a tzaddik with regard to honoring his parents, but a rasha in money matters, for example. Furthermore, we can only judge and form opinions about a person's *actions*, but we can never judge the *person himself* since we do not share his life's circumstances.
- ≈ Why does the Torah instruct us to judge the actions of others at all? Since it is human nature to draw conclusions, the Torah guides us how to judge *correctly*, rather than make swift and superficial judgments.
- ≈ Additionally, Judaism is about being active members in society, and to be able to help and care about others we need to consider that maybe what someone is doing is wrong and self-destructive for him and his family, rather than just turn a blind eye.
- ≈ Finally, judging people positively is a means to preserve one's spiritual level, for as long as a person thinks that others are not transgressing then it remains unacceptable to act inappropriately himself.

## SECTION III. THE BENEFITS OF JUDGING OTHERS POSITIVELY

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### PART A. PEACE AND HARMONY

Quite often we judge an individual with the smug self-assurance that we know the whole story. Consider what would have happened in the following episode if the townspeople had judged the tailor more positively.

*The Rashash (Rabbi Shmuel Strashun of Vilna, 1819-1885) was known for his great Torah knowledge and his great wealth. He spent many hours studying Torah (his commentary on virtually the entire Talmud is printed in most modern editions of the Talmud) and took time off from his role as a merchant banker to administer a free-loan fund.*

*One day, a tailor named Reb Zalman came to borrow three hundred rubles payable in a year, and an entry was made in the Rashash's ledger. One year later, to the day, R' Zalman handed the money back to the Rashash who placed it under the back flap of the book he was using, so as to minimize the interruption to his studies. At the end of the afternoon, he returned the rare volume to the shelf with the money still tucked away in the back flap.*

*One week later, when the Rashash asked R' Zalman about the money, he claimed that he had returned it on the due date. To resolve the matter they decided they would go to a Beit Din (court of Jewish law).*

*The news spread around the town like wildfire that the plain, simple tailor, R' Zalman was involved in a court case with the revered Rashash. People were outraged that anyone had the audacity to contradict the scholarly and saintly Rashash. R' Zalman's character and reputation had been tarnished. The court ruled that R' Zalman would have to swear that he had indeed repaid the loan. The Rashash however did not want to take the chance of having a fellow Jew swear falsely, and so he relented and dropped the case.*

*But the townspeople stopped doing business with the hapless tailor, and finally he moved out of town, a broken man.*

*A year later, the Rashash was involved with the same subject he had been studying on that fateful day, and as he pulled the rare volume he had used then, he noticed three hundred rubles fall from the back flap. This was*

the money that R' Zalman had claimed he had paid!

After searching for R' Zalman to make amends, the Rashash found him living in a small home far from the town and pleaded for forgiveness. "What good is forgiveness?" said R' Zalman sadly. "My business is gone, my money is lost, and I'm the laughing stock of the community." The Rashash offered to go into every shul and announce that it was his mistake and people should restore the proper respect to R' Zalman. "No," said R' Zalman dejectedly, "people will only say that the Rashash is a tzaddik, and it is his compassion that compels him to act in this manner. They will never believe that I was really right."

The Rashash was perplexed, for he understood human nature and knew that R' Zalman was right. People wouldn't believe him after a whole year of doubt and rebuke. The Rashash thought for a moment, and then said, "I have a daughter ... now if I take your son as a son-in-law, which means that we will be related through marriage, then no one would doubt that you are indeed a respectable man."

R' Zalman agreed to this proposal. The prospective bride and groom happily agreed as well, a wedding was arranged and R' Zalman regained his former status in the community. (Adapted from Rabbi Paysach Krohn, *The Maggid Speaks*, pp. 36-39.)

How different would the life of Reb Zalman have been if people had judged him positively. He would have maintained his business, and not needed to move to another town. (Fortunately, *this* story has a positive ending in that his daughter was fortunate to marry the son of the Rashash.) In the next sources, we will see that judging positively is a key to peace and harmony in a community.

### 1. **Sefer HaChinuch, Mitzvah #235 – Judging others positively creates peace and harmony, builds communities, and removes negative feelings.**

The ... mitzvah of judging favorably serves as a catalyst for achieving peace and friendship between people.

Therefore, the main purpose of this mitzvah is to direct communities in establishing fair judicial systems, and to bring peace between them, by removing the suspicion between one person and another ...

גם במה שאמרנו שכל אדם חייב לדון חבירו לכף זכות ... יהיה סיבה להיות בין אנשים שלום ורעות.

ונמצא שעיקר כל כונת המצוה להועיל ביישוב בני אדם אם ישר הדין, ולתת ביניהם שלום עם סילוק החשד איש באיש.

Imagine how many rifts could have been avoided if people had simply refrained from jumping to conclusions about what the other said, did or meant, or why he did it!

What positive justifications can you come up with for the following incidents? What might be causing these people to act as they do?

- *The girl behind the counter gets impatient with you and answers your questions reluctantly and tersely.*
- *A gentleman coming from behind you on the sidewalk brushes past you so that you're startled, not bothering to apologize.*
- *Your neighbor parks his car right near the entrance to your driveway after you have asked him not to at least three times.*
- *Your roommate comes into the room at 3 a.m. talking loudly on his cell-phone.*

How do you feel toward these people *before* you try to think about explaining their actions? How do you feel *afterwards*?

## 2. **Rambam, Hilchot De'ot (Laws of Conduct) 5:7 – The Torah personality judges everyone positively and is a pleasure to be around.**

A *talmid chacham* [a person whose actions and personality are shaped by Torah values and wisdom] should not shout like an animal when he speaks with people. Neither should he raise his voice. Rather, he should speak calmly with everyone ...

He should make sure to take the initiative to greet everyone first, so that he is pleasant to be around. He should judge people positively, and speak favorably about others, never speaking negatively of them. He should love and pursue peace ... In general, he should always speak words of wisdom and loving-kindness.

תלמיד חכם לא יהיה צועק בשעת דיבורו כבהמות וכחיות. ולא יגביה קולו ביותר אלא דיבורו בנחת עם כל הבריות ...

ומקדים שלום לכל האדם כדי שתהא רוחן נוחה הימנו. ודן את כל האדם לכף זכות. מספר בשבח חבריו ולא בגנותו כלל. אובה שלום ורודף שלום ... כללו של דבר אינו מדבר אלא בדברי חכמה או בגמילות חסדים וכיוצא בהן

In the Rambam's formulation, judging positively is one aspect of the refined character of a person whom others like to be around.

### **PART B. HOW WE JUDGE OTHERS DETERMINES HOW GOD RELATES TO US**

Consider the following analogy:

*The imposing marble walls compound your feeling of nervousness as you pace up and down the hallways, waiting your turn to plead your case. True, it is only a \$200 speeding ticket that you have come to contest, but the atmosphere is fraught with tension.*

*Suddenly a young fellow rushes down the hallway to the courtroom. As he passes you he steps on your toe. To his mumbled "Oh, I'm sorry," you respond patiently, "No problem. Really, I know you're probably in a big rush and nervous like I am." The fellow smiles with relief and continues on his way.*

*Moments after the exchange, the door opens and you are called in to stand before the judge. Humbly, you begin your plea, "I know I was traveling above the speed limit, but please understand I was in a rush ..."*

*As you look up you see the judge seated on the platform next to the fellow you just encountered in the hallway.*

*"That's my son," the judge explains, "Now what were you saying?"*

*And then with renewed confidence you plead your case, knowing the judge will treat you as kindly as you treated his son. (Adapted from *The Code of Jewish Conduct*, Rabbi Yitzchok Silver, p. 7)*

Every time we judge our fellow, there is a Father in Heaven watching to see how generous we will be in giving the benefit of the doubt. God Himself relates to us accordingly. This concept is expressed in the following sources.

### 1. **Talmud Bavli, Shabbat 127b – How we judge others determines how God relates to us.**

If one judges his fellow positively, he will be judged positively by the Omnipresent.

הדן חבריו לכף זכות דנין אות לזכות



We set the standards for our own evaluation by how we evaluate others. As Rav Chaim Volozhiner explains: the verse “God is your shade” (Tehillim/Psalms 121:5), can be understood as “God is your shadow.” Just as a shadow mimics a person, so too God’s conduct toward a person “mimics” that person’s actions (Nefesh HaChaim 1:7). This principle of reflection in Divine Providence is known as “measure for measure” (*middah k’neged middah*). If a person is forgiving and kind toward others, God Himself is forgiving and kind toward this person.

The connection between the principle of *middah k’neged middah* and judging others positively is explained more fully in the next source.

2. **Chofetz Chaim, Shmirat HaLashon, Sha’ar HaTevunah, Ch. 4 – At the moment we choose how to interpret another’s actions, we determine how positively or negatively our actions will be judged in the future.**

How important it is that a person accustom himself to judge others favorably! A person’s habit of judging others positively, or the opposite, is an important factor in his own status as either a tzaddik or rasha.

How so? It is well known that a person’s status is determined by whether his mitzvot exceed his wrongdoings or the opposite ... Now if God were to scrutinize our mitzvot, most would be found to be lacking ... If, on the other hand, God approaches our deeds with an attitude of compassion, searching out our good points, then our mitzvot will remain intact.

Now, all of this depends on our own opinion-forming habits toward others. If one judges others favorably, he will also be judged favorably by Heaven, as we learn in the Talmud [Shabbat 127b]. If one forms negative opinions of others, the ministering angels also speak ill of him on high ...

Therefore, a person must be aware, while forming opinions about others, be they positive or negative, that he is at that moment setting up judgment for himself!

והנה מזה מאד צריך האדם לחזק את עצמו במדה זו לדון את כל אדם לכף זכות, כי על ידי מדה זו דכף זכות, וכן להיפך ח"ו, נקל להאדם להעלות על עצמו שם צדיק או רשע.

כי ידוע הוא דחובתו של אדם וזכותו תלויים לפי רוב המצות והעונות שיש בידו... אם ידקדק הקב"ה ח"ו אחר עשיית מצותיו, ימצאו רובן בעלי מומין, והמצות שישארו לו יהיו מיעוטא דמיעוטא נגד העונות שיש לו... אבל אם הקב"ה יתנהג עמו במידת הרחמים, ויחפש עליו זכות בכל ענינו, ישארו זכויותיו על מכוון ...

והנה כל זה תלוי לפי ההנהגה שהנהיג עצמו בימי חייו עם הבריות. אם דרכו היתה לדון אותם לכף זכות, דנין אותו ג"כ לזכות, כדאיתא בשבת קכ"ז. ואם דרכו היתה ללמד חובה על הבריות ולדבר עליהם רע, גם מלאכי השרת מדברים עליו רע למעלה, כדאיתא במדרש...

על כן צריך שידע האדם בנפשו בעודו בחיים, כי בעת שהוא דן את חברו, בין לטב בין למוטב, אז בדיבורו ממש הוא מסדר דין לעצמו.

3. **Ba’al Shem Tov Al HaTorah, Vayikra 19:15 – No verdict is ever passed on a person until he himself issues that same verdict. Therefore, a person is shown someone else doing the same wrongdoing that he did, and whatever judgment he passes on that person is how he himself will be judged.**

When someone sees someone else doing something lowly, he should make every attempt to judge that person favorably, saying, “He must have been under immense internal pressure to do

כשרואה אדם דבר נבלה מאיש רשע שעבר עבירה חזקה ידין אותו לכף זכות, כי מצד רדיפת היצר הבוער בו עושה, ומצד... שאינו יודע חומר האיסור בו, ..., ובזה מציל גם עצמו מדין...



this, or he does not realize how awful what he did really is.” In taking this attitude, one actually helps himself as well ... [This is because whatever one sees in another, he must know that he actually carries the same flaw.]

When he can find some way of justifying the other person, that argument will stand in his merit as well ... We have a tradition that no verdict is ever passed on a person until he himself issues that verdict. How so? The person is shown someone else doing what he himself is guilty of, and his reaction to that person's flaw is what determines the judgment of his own misdeeds.

וכישמצא זכות לחבירו יהיה גם עליו זכות... קבלנו שאין נגזר על האדם שום גזר דין אלא אם כן הוא פוסק בעצמו כן... מראין לו אדם שעשה איזה עבירה מעין מלאכתו... והוא פוסק עליו את הדין וחותם זה הדין על עצמו.

### PART C. SEEING THE POSITIVE IN OTHERS IS A WAY TO EMULATE GOD

To introduce the following sources we must remember that every mitzvah brings humanity closer to perfection and Godliness (Rambam, Hilchot Teshuvah 3:4). Depending on the level of the person who did it, his intent, and various other factors, a mitzvah can have varying levels of effect on the nature of the world. Additionally, all deeds have a spiritual existence, beyond the physical world (Pirkei Avot 4:11, R' Ovadia of Bartenura ibid.). A person's "home" in the World to Come consists of the structure he built through his mitzvot during his lifetime.

The idea expressed in the sources below is that God allows mitzvot to have a much stronger impact on the nature of the world than transgressions, and that their spiritual existence is much more real and longer lasting than those of transgressions.

#### 1. **Rabbi Moshe Cordovero, Tomer Devorah Ch. 1, Eighth Attribute – God allows our mitzvot to have an eternal spiritual impact for our benefit, but limits the power of transgressions.**

God interacts with the Jewish people with the attribute called, "Restricting the Power of Wrongdoings." This means that while mitzvot blossom and ascend to the very highest of places, entering before God Himself, misdeeds are not allowed to enter before God.

... In spite of the fact that God is aware of all of man's actions, be they right or wrong, nevertheless there is a difference between them. Good actions ascend and unite to form and build an entire structure. Transgressions, however, do not combine to form one entity; rather they remain separate, never forming one unified entity, and they do not enter before God.

הקב"ה מתנהג עם ישראל במידה זו והיא סוד כבישת העון. כי הנה המצוה היא כפורחת עלתה נצה, ובוקע ועולה עד אין תכלית לכנס לפניו ית', אמנם העונות אין להם כניסה שם ח"ו.

... עם היות שהוא משגיח על דרכי איש, הטוב והרע, עם כל זה הטוב אינו כובשו, אלא פורח ועולה עד למאד ונכלל מצוה במצוה ונבנה ממנו בנין... ועונות אין להם סגולה זו, אלא כובש אותם שלא יצליחו הצלחה זו ולא יכנסו פנימה.

God is aware of all of our actions, words, and even our thoughts. Nevertheless, He has ordained that good, constructive actions have a much more powerful effect than wrong, destructive actions. The Torah instructs

us to emulate God (Devarim/Deuteronomy 28:9, see Morasha class on *Being Like God*). How should we emulate God in this particular characteristic?

2. **Ibid. – To emulate God we should remember the favors and positive actions that others do for us, and forget their negative actions.**

Man should emulate this trait as well. Instead of ignoring the favors another person has done for him and concentrating on the bad things that he has done, he should do quite the opposite. He should do his best to forget about the negative things the other person has done, and consistently recall the good things. He should allow the impression of these good things to outweigh all the other things that this person did to him.

One should not try to cancel out the favors the other person has done by saying, “True, he may have done me a favor – but he also wronged me!” Rather, when it comes to misdeeds, he should allow himself to be appeased in the easiest way possible, while never forgetting the favors he has received. In downplaying the bad things that have been done to him, he emulates God’s trait of restricting the power of transgressions.

אף מדה זו צריך האדם להתנהג בה, שלא יכבוש טובת חברו ויזכור רעתו שגמלהו, אלא אדרבה יכבוש הרע וישכחהו ויזיחהו ... ותהיה הטובה סדורה תמיד לפניו, ויזכור לו הטובה ויגבירה לו על כל המעשים שעשה לו,

ולא ינכה בלבו ויאמר אם עשה לי טובה הרי עשה לי רעה וישכח הטובה, לא יעשה כן, אלא יתרצה על הרעה בכל דרך ריצוי שיוכל, והטובה אל יזיחה לעולם מבין עיניו, ויעלים עינו מן הרעה כל מה שיוכל, כדרך שהקב"ה כובש עונות.

3. **Rabbi Alexander Ziskind, Yesod V'Shoreh Ha'Avodah 1:8 – Since we are all God's children, He wants us to judge each other positively, even though we may have imperfections.**

It is the Creator's desire that people constantly find merit in His children, the holy nation, even when they do not follow His Will ...

This can be compared to a father whose son does not act as he should. Any intelligent person will understand that the father *wants* people to judge his son positively and plead his case. And if the father hears someone finding fault with his son, he will become upset.

Certainly, then, this is the case with regard to the Creator ... He desires that all people constantly judge His children favorably.

שרצון הבורא ית' שילמדו סניגוריא בתמידות על בניו אף בשעה שאין עושים רצונו של מקום ...

כדמיון האב שיש לו בן שאינו הולך בדרך טובה – יודה על זה כל בר שכל שעם כל זה רצון האב שילמדו בני אדם על בנו זה תמיד סניגוריא ולדון אותו לכף זכות. ובודאי אם ישמע מאיזה אדם שלמד עליו חובה, דבר זה על אפו ועל חמתו.

כל שכן בהבורא ית'... שרצונו שילמדו על בניו סניגורים ולדון אותם בתמידות לכף זכות.

Let's conclude with the following story, which not only underscores the importance of judging everyone favorably, but also illustrates that misjudgments can prevent us from having insight into people who are in fact emulating the attributes of God!

*In the village of Radomsk, there was a butcher who was considered to be a tightwad, rarely responding to any of the charitable activities in the community. In the town there was a soup kitchen where the hungry would go*

*for meals. After the butcher died, the kitchen was unable to provide meals and it was then discovered that the “tightwad” butcher had secretly been donating the food, but did not want anyone to know it so that he would not run the risk of becoming egotistic about it. Apparently the butcher believed that it was not enough to be charitable, he also had to be careful not to toot his own horn over it. (Rabbi Abraham J. Twerski, M.D., Do Unto Others, Andrew McMeel Publishing, p. 142.)*

**KEY THEMES OF SECTION III:**

- ⇒ Judging others positively is a building block of society. It replaces negativity and mistrust with positive feelings and confidence in others. And it makes for pleasant company.
- ⇒ Countless arguments and ruined personal lives could have been avoided if only people would judge others positively. Think about how you feel toward others if instead of thinking, “Why is he always so rude and angry to everyone?” you excuse his behavior with, “I feel bad for him, he must be having a really hard time.”
- ⇒ On a deeper level, the way we judge others determines how God relates to us. At the moment we choose how to interpret another’s actions, we determine how positively or negatively our actions will be judged by God in the future.
- ⇒ Finally, when we remember the favors and positive actions that others do for us and forget their negative actions, we are emulating God, for He does the same regarding our actions. He allows our mitzvot to have an eternal spiritual impact for our benefit, but limits the power of transgressions.