

## **Judge Not: The Jewish Perspective on Casting Judgment**

In a recent New York Times article, titled “Brownface, Blackface and About-Face. Is Trudeau Who He Says He Is?”<sup>1</sup>, the two writers discuss the complicated situation Canadians find themselves in with just a month to go before the next Canadian federal election. In case you haven’t been reading about this, a few weeks ago images surfaced of Canada’s Prime Minister, Justin Trudeau, dressed in an Aladdin costume at an “Arabian Nights” themed party 18 years ago when he was a young teacher at a prep school. The outcry is not that he dressed up as Aladdin at an Arabian Nights themed party, but that he wore brownface makeup. Since then, two other similar images from his days in High School have come to light.

Almost immediately after these pictures came public, Trudeau offered an apology. He said, “What I did hurt...people who shouldn't have to face intolerance and discrimination because of their identity. This is something I deeply, deeply regret.” Darkening one’s face, Trudeau added, “is always unacceptable because of the racist history of blackface. I should have understood that then, and I never should have done it.” Later he said to reporters, “And I'm really sorry.”

Many Canadian citizens and critics from all over have been quick to judge Trudeau. Many do not accept his apology. Some have called him a racist. Some interviewed said they can no longer support him. The Times writes, “Could this be the same Mr. Trudeau who has welcomed thousands of refugees and has frequently apologized for Canada’s history of Indigenous abuse? Did the images from his past diminish his efforts in public life?”<sup>2</sup>

The question I have is: Should Prime Minister Trudeau be judged today on these actions from his past? And if so, how are they to be balanced against all the good he has done in his life, such as his advocacy on behalf of resolving the Darfur crisis, his commitment to winter sports safety following the death of his brother in an avalanche, his zero tolerance stance for sex-

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<sup>1</sup> Austen, Ian, and Dan Bilefsky. “Brownface, Blackface and About-Face. Is Trudeau Who He Says He Is?” The New York Times, 19 Sept. 2019, nytimes.com.

<sup>2</sup> ibid

ual assault and harassment, as well as his unconditional love and support he gives to his spouse and three children?

The Times acknowledges this conundrum. “Many voters may conclude that Mr. Trudeau’s record of championing ethnic diversity and immigration... offsets the offensive acts he did years before entering politics.” However, as John Ibbitson writes in *The Globe and Mail*, “This election is about who voters should trust to lead this country in difficult times. How can they trust a leader who committed a racist act and then kept it hidden, hoping no one would find out?”

I am not a Canadian citizen and so I am not voting in the upcoming election. I don’t have any skin in the game. Yet, this hotly debated newsworthy story has reignited a concern I have about our society today: *We live in a judgmental world*. It often seems that anything someone says or does is immediately scrutinized under a microscope. And even more problematic, if it is uncovered that a person said something unsavory years ago, despite how respected they might be today, they are judged unfavorably. Their careers are threatened and they are forced to deal with all of the shame and stigma that come as a result.

With Trudeau, it seems that his entire life, including his politics and principles are being judged solely on his actions decades ago. Those who are angry—rightly so as blackface or brownface have no place in our culture—might be overlooking the fact that people do mature, that bad behavior and choices people make in their youth do not necessarily follow them into adulthood, and that one cannot apologize and express remorse to everyone’s standards. If one has already made teshuva yet the public isn’t aware of it, then does it count? At the same time, how are we to judge people from their words and their actions? Should we judge people in the first place?

To answer these difficult questions, we ought to look towards the wisdom of our Jewish tradition and in particular, the rabbinic sages. In the mishnaic tractate, *Pirke Avot* (The Ethics of our Ancestors), we are taught the following: *v’he-vey dan et kol ha-adam l’chaf z’chut* “Judge the whole of a person

favorably.”<sup>3</sup> In other words, as Rabbi Joseph Telushkin teaches, “When you assess another, do not rely exclusively on one or two bad things you know about the person; be influenced by the good things you know as well, particularly if they are more significant.”<sup>4</sup> The examples Telushkin give are Oskar Schindler and Abraham Lincoln, two great individuals who are widely judged not by their indiscretions, but by their bravery and greatness.

This verse from Pirke Avot sounds lovely but is it realistic? How are we to judge someone’s whole person in the first place? Is that even possible? And perhaps the answer is implied by the question. It is an impossibility to judge the whole of a person since the only way to do that would be to be that person oneself. Yet, the sages understood that it is human nature to criticize others. While they may be warning us not to, if we do find ourselves in the act, then we should make sure to do it favorably and give people the benefit of the doubt more often than not.

The Talmudic sage who teaches us this piece of wisdom from Pirke Avot also says, “When you judge anyone, tip the scale in his/her favor.” When we do judge another person, we are to put their misdeeds on one side of a scale and their virtues on the other side of the scale. If the scales are balanced, then we should tip them towards merit. Just think for a moment about someone you’ve harshly judged recently. Maybe it’s an elected official, a co-worker or a friend. Did you also consider their virtues?

While our natural instincts will lead us to rush to condemn someone, Judaism also teaches us, aside from weighing virtues against transgressions, that we ought to consider possible excuses for their negative behavior. One could say that Trudeau was simply dressing up in costume, or that he was unaware of race related triggers that are more understood today, or that he was young and immature. If coming up with excuses presents a moral challenge, the next step is to judge the singular act on its own and not view it as characteristic of the totality of the person. To characterize Trudeau as a

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<sup>3</sup> Pirke Avot 1:6

<sup>4</sup> Telushkin, Joseph. *The Book of Jewish Values: a Day-by-Day Guide to Ethical Living*. Bell Tower, 2000., p. 36.

racist based on these pictures shows exactly what happens when we don't follow this wisdom.

In the the Torah's Holiness Code from parashat Kedushin, which we study on Yom Kippur, it reads, *Be-tzedek tishpot amitekha*, "In justice you shall judge your fellow human being."<sup>5</sup> While this statement was originally meant to apply specifically to judges so that they do not judge based on personal bias, one can also understand it as applying to everyday life. The Talmud's Rav Pappa teaches us that "in the case of a loved one, one does not see his faults; in the case of a hated one, one does not see his merits."<sup>6</sup> How true Rav Pappa's words are nearly 1500 years later. What a rare occasion it is to hear a politician, a news anchor, or any one of us call out the shortcomings or mistakes made by those we support or the merits of someone on the other side of the aisle. Not only do we not judge a whole person favorably, but we choose whom to judge based on our level of fondness or disdain for them.

While the verses from Pirke Avot and the Torah certainly appear similar in concept, they may actually be understood quite differently. "Judge the whole of a person favorably" can also be translated as "Judge *all* people favorably" and "In justice your shall judge your fellow human being" can be translated as "In justice you shall judge your *friend*."

In other words, the text from the Mishnah broadens the Torah's scope of who we should judge favorably. The rabbis may have been uncomfortable with the Torah's charge to only treat our friends, or fellow Jews, with compassion as we pass judgment. If we find ourselves pointing fingers, no matter who they are directed towards, friend or foe, Jew or gentile, we are to try and tip the scales to merit every time.

Why do the rabbis, depending on how you translate their words, want us to either not judge anyone at all, or to judge every single person favorably?

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<sup>5</sup> Leviticus 19:15

<sup>6</sup> BT Ketubot 105b

We find one answer in the Talmud<sup>7</sup> which records a teaching of the sages that one who judges others favorably will in turn themselves be judged favorably. It is almost as if God keeps tabs on us, even on our innermost thoughts. If we want to be judged positively, then we must model it in our own practice.

Another answer comes from the great medieval Jewish philosopher, Maimonides, who lists judging others favorably as one of the defining characteristics of a Torah scholar<sup>8</sup> and since everyone wants to be revered like a Torah scholar, then this is one way to achieve that respect.

From these texts it seems that our rabbinic sages are quick to give everyone the benefit of the doubt and judge everyone meritoriously. And the reasons to do so are clearly stated. What goes around comes around and it's what a mensch does. Yet, we all know that in real life there exist people who exemplify wickedness. When it comes to a serial sexual abuser, a murderer, or a lifelong crook, are we to also view them in a positive light while we search for their merits? Do Torah scholars turn a blind eye when they judge such people?

Casting judgment favorably at all costs and under any circumstances is not in line with the teachings of our sages. Believe it or not, the rabbis had conflicting ideas about pretty much every topic. They teach that it is sometimes dangerous to assume that people are good natured. In Tractate Derekh Eretz, we find a startling statement regarding how one should view others. It teaches: "People should always be in your eyes like thieves, but honor them like Rabban Gamliel."<sup>9</sup> This is the ancient Jewish way of saying, "Keep your friends close and your enemies closer."

The optimistic view of the rabbis is moderated by a realistic approach which balances the positive trait of being slow to judge with the level-headed need to be cautious. While some people have earned the right to be viewed

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<sup>7</sup> BT Shabbat 127b

<sup>8</sup> Hilkhhot De'ot 5:7 "A Torah scholar... judges every person favorably"

<sup>9</sup> BT Derekh Eretz, (Pirkei Ben Azzai 3:3)

favorably, others might be equally deserving to be deprived of the benefit of the doubt—and even to be presumed guilty. And it is this later view which seems to permeate the way we look at people, especially those in the public eye.

So how do we know how to judge one person especially when we don't know them personally? In his commentary on Pirke Avot, Maimonides, who has an answer for any question, teaches that if one is unknown and their act may be interpreted in one of two ways, Judaism obligates that they be judged favorably, whichever way that may be. If a person is known to perform evil deeds, and you see them perform a good deed, Rambam says we must be wary of them and not believe that it is good. We are allowed to be skeptical.

Now I want you to think about someone you know who does not appear to have many redeeming qualities. It may be someone at your work, in your community, in your family even. Find one good character trait about that person. Rabbi Nachman of Bratslav encourages us to make it our mission to find at least one good quality about such an individual, and if they seem to have no likable traits, we must search further, for every human being is created *b'tzelem elohim*, in the Divine image.

How are we to distill all of this information and guidance into a coherent and brief checklist? Here is my attempt:

First, don't do it. The only One who can judge the whole of a person is God. And the High Holy Days are specifically the time when God does just that. Today is in fact called the "Day of Judgment." Judging other is God's business, not ours.

If our inclination is too strong to overcome, then we must judge people favorably by looking specifically at the act itself, and by balancing any negative trait with a positive one. Perhaps there is a logical excuse for the transgression.

Our rabbis, however, were not naive. Evil existed in their time as it does in ours. Should someone commit egregious acts, then unless we can guide

them towards the path of *teshuvah*, we must hold them accountable, try to avoid them, and allow God to be the final arbiter.

There is much wisdom from our sacred texts and rabbinic sages. Imagine a world where each person searches to recognize an inner good and beauty in everyone. Where we give people the benefit of the doubt after they stumble and display a moment of weakness. And imagine a world that is less critical and focused more on inner strength and improvement, for who among us has not transgressed.

My friends, I would like to close with the lyrics to a song from my favorite musician and, dare I say, a sage in his own right, Bob Marley.

Don't you look at me so smug  
and say I'm goin' bad,  
who are you to judge me,  
and the life I live?  
I know that I'm not perfect  
and that I don't claim to be,  
so before you point your fingers,  
make sure your hands are clean.  
Judge not,  
before you judge yourself!  
Judge not,  
if you're not ready for judgement!  
The road of life is rocky,  
and you may stumble too:  
so while you talk about me,  
someone else is judging you.

I wish everyone here a *shana tovah u'metukah*, a good and sweet new year. May each one of us spend more time this year engaged in meaningful self-reflection and evaluation and less time judging the lives of others. And may this practice bring a much needed healing to our world.