

Judging Fairly

Leviticus 19:15 HCSB "You must not act unjustly when rendering judgment. Do not be partial to the poor or give preference to the rich; judge your neighbor fairly."

Before I begin, I would like to acknowledge that as I prepared for this sermon, I learned a lot from Rabbi Joseph Telushkin, a very wise man, though unfortunately not a follower of the Messiah. Nevertheless, his Nobel-prize winning writings are certainly worth the effort of reading and I encourage you to do so – particularly the book "A Code of Jewish Ethics".

However, though I liberally use Rabbi Telushkin as a source of case history and illustrations, no man is wiser than Yahweh Shaphat, so we will draw our conclusions from the Scriptures.

The capacity to make judgments is one of Hashem's most valuable gifts to mankind. Unfortunately, due to our sin natures, it is also one of the most dangerous gifts.

The proper exercise of judgment is required.

- **1 Corinthians 2:15 HCSB (15)** The spiritual person, however, can evaluate everything, yet he himself cannot be evaluated by anyone.
- **Galatians 6:1 HCSB** Brothers, if someone is caught in any wrongdoing, you who are spiritual should restore such a person with a gentle spirit, watching out for yourselves so you won't be tempted also.
- **2 Timothy 4:2 HCSB** proclaim the message; persist in it whether convenient or not; rebuke, correct, and encourage with great patience and teaching.
- **Titus 1:13 HCSB** This testimony is true. So, rebuke them sharply, that they may be sound in the faith

One of the principle words used to describe the office of church elder is "dayan" which literally means "judge." However, the exercise of godly, spiritual judgment is to be tempered by the Messiah's command:

- **Matthew 7:12 HCSB** *Therefore, whatever you want others to do for you, do also the same for them--this is the Law and the Prophets.*

In order to try to come some understanding of exactly how to translate that philosophy into every-day life, allow me to share with you a few principles of righteous judgment.

1. Try to judge empathetically.

Uriah demonstrated empathy toward his fellow soldiers and it kept him from aiding and abetting a terrible sin unknowingly.

- **2 Samuel 11:11 HCSB** Uriah answered David, "The ark, Israel, and Judah are dwelling in tents, and my master Joab and his soldiers are camping in the open field. How can I enter my house to eat and drink and sleep with my wife? As surely as you live and by your life, I will not do this!"

Paul exemplified an elder's empathy for his charges. Those who may be considering the eldership as a potential calling should carefully take into account this particular cost of ministry.

- **2 Corinthians 11:28-29 HCSB (28)** Not to mention other things, there is the daily pressure on me: my care for all the churches. **(29)** Who is weak, and I am not weak? Who is made to stumble, and I do not burn with indignation?

One difficulty in judging fairly is that we often judge ourselves by our intentions and others by their acts. We rationalize our own faults but are quick to blame others, particularly when we find their behavior annoying.

For example, if we fail to visit someone in the hospital, we excuse ourselves by saying, “I intended to go but was unable due to such and such. Surely my brother will understand how busy I am.” However, if we are the *patient* waiting alone in a hospital bed, we are often less understanding when others (including unfortunately at times our pastors) fail to show up.

Regardless, this is not a matter of choice because we are directly commanded to...

- [Romans 12:15 HCSB](#) Rejoice with those who rejoice; weep with those who weep.

a. Tend to ascribe good intent. We need to work at trying to ascribe good (or at least benign) intentions to others. If we excuse our own behavior by saying “That’s the way I am; that’s the way I was brought up; it’s difficult for me to change; I’m not perfect but neither are others”, then when confronted by irritating behavior we should respond with “That’s the way they are; that’s the way they were brought up; it’s difficult for them to change; they’re not perfect but neither am I.”

- [1 Corinthians 13:7 HCSB](#) (7) bears all things, believes all things, hopes all things, endures all things.

Paul’s description of *avaha* (in Hebrew) or *agape* (in Greek) includes the ability to believe the best of people. That is not to say that godly love is blind. It most certainly is not. But Adonaic Christians give people the benefit of the doubt until it’s clear that they don’t deserve it.

b. Love in spite of faults. Just as we love ourselves in spite of our faults, so we should love others in spite of their faults. Think about this with me. If you gave less to charity than you could at some point, or were less than completely honest in a business dealing or a conversation, do you consider yourself stingy or a patent liar? Then if you see your fellow man walking past a chance to give or if you think that your fellow man was less than completely honest, why not practice the same charitable standards towards him that you do for yourself? For example, consider the possibility that he is running short on funds and must choose between the charity and feeding his family. Or consider that he misspoke or was simply in error.

Part of “loving our neighbor as ourselves” means seeking out rationalizations and excuses for other’s behavior in the same way as we do for our own.

- [Matthew 6:12-15 HCSB](#) And forgive us our debts, as we also have forgiven our debtors. (13) And do not bring us into temptation, but deliver us from the evil one. [For Yours is the kingdom and the power and the glory forever. Amen.] (14) "For if you forgive people their wrongdoing, your heavenly Father will forgive you as well. (15) But if you don't forgive people, your Father will not forgive your wrongdoing.
- [Matthew 18:21-35 HCSB](#) Then Peter came to Him and said, "Lord, how many times could my brother sin against me and I forgive him? As many as seven times?" (22) "I tell you, not as many as seven," Jesus said to him, "but 70 times seven. (23) For this reason, the kingdom of heaven can be compared to a king who wanted to settle accounts with his slaves. (24) When he began to settle accounts, one who owed 10,000 talents was brought before him. (25) Since he had no way to pay it back, his master commanded that he, his wife, his children, and everything he had be sold to pay the debt. (26) "At this, the slave fell facedown before him and said, 'Be patient with me, and I will pay you everything!' (27) Then the master of that slave had compassion, released him, and forgave him the loan. (28) "But that slave went out and found one of his fellow slaves who owed him 100 denarii. He grabbed him, started choking him, and said, 'Pay what you owe!' (29) "At this, his fellow slave fell down and began begging him, 'Be patient with me, and I will pay you back.' (30) But he wasn't willing. On the contrary, he went and threw him into prison until he could pay what was owed. (31) When the other slaves saw what had taken place, they were deeply distressed and went and reported to their master everything that had happened. (32)

"Then, after he had summoned him, his master said to him, 'You wicked slave! I forgave you all that debt because you begged me. (33) Shouldn't you also have had mercy on your fellow slave, as I had mercy on you?' (34) And his master got angry and handed him over to the jailers until he could pay everything that was owed. (35) So My heavenly Father will also do to you if each of you does not forgive his brother from his heart."

- **Romans 5:6-8 HCSB** For while we were still helpless, at the appointed moment, Christ died for the ungodly. (7) For rarely will someone die for a just person--though for a good person perhaps someone might even dare to die. (8) But God proves His own love for us in that while we were still sinners Christ died for us!

c. Don't rush to negative conclusions.

- **James 1:19-20 HCSB** My dearly loved brothers, understand this: everyone must be quick to hear, slow to speak, and slow to anger, (20) for man's anger does not accomplish God's righteousness.

Rabbi Telushkin gives this illustration. Some years ago, a newspaper ran a photograph of new senators taking the oath of office. A few days later, the paper received a caustic letter complaining that "the senator from Hawaii doesn't know his right hand from his left." The writer was correct in that the senator from Hawaii had taken his oath while raising his left hand and not his right. What the writer didn't know was that the senator, Daniel Inouye, a recipient of the Bronze Star and the Purple Heart, had enlisted in the army after Pearl Harbor, and had lost his right hand fighting for his country.

So if you see someone you usually think well of apparently doing something wrong, don't assume that all you've thought about that person is wrong. Perhaps there is a rational explanation for their behavior. If and when the right time occurs, ask them to explain things to you.

Practice asking yourself, "Why did that person do such and such? What good intent could possibly have motivated them? What circumstance might have restricted them to that action?"

Because of the yetzer hara, the sin nature, we tend toward negativity. If we don't practice ascribing good to others, we will naturally gravitate toward a hostile interpretation.

For example, sometimes we use psychological jargon to mask our negative attitudes. If someone is late, we refer to them as "passive aggressive." If they are on time, we call them "obsessive compulsive". If they are early, we say they "fear disapproval" and are overly concerned about what others think.

Instead, if the person is late, consider the possibility that they were unavoidably detained through no fault of their own. If they are on time, consider them orderly and disciplined. If they are early, thank the Lord that they are humble enough to consider your time more valuable than their own and don't want to waste it.

- **Proverbs 19:11 HCSB** A person's insight gives him patience, and his virtue is to overlook an offense.

2. Avoid unfairness

Our struggle with our predilection for sin implies that darkness, sinfulness is our default setting. We must constantly be trying to be non-conformists. In this aspect (among others) we must go against the world's grain. We must be proactively counter-cultural.

- **Romans 12:2 HCSB** Do not be conformed to this age, but be transformed by the renewing of your mind, so that you may discern what is the good, pleasing, and perfect will of God.

a. Pray for and practice healthy thinking. Every day ask Adonai to “teach me to see the good traits in others and not merely their defects.”

- [James 3:2 HCSB](#) for we all stumble in many ways. If anyone does not stumble in what he says, he is a mature man who is also able to control his whole body.
- [James 1:5 HCSB](#) Now if any of you lacks wisdom, he should ask God, who gives to all generously and without criticizing, and it will be given to him.

Set aside a period of time and “fast” from negative thinking. For example, take a week and purposefully train yourself to positive thinking by consciously and deliberately saying something positive to yourself about each person you encounter, whether the encounter be **subjectively** a positive or negative experience.

b. Don't assume but instead investigate matters thoroughly.

- [Deuteronomy 13:14 HCSB](#) you are to inquire, investigate, and interrogate thoroughly. If the report turns out to be true that this detestable thing has happened among you,

The danger of judging others based on hearsay is so real that God Himself takes steps to avoid it.

- [Genesis 18:20-21 HCSB](#) Then the LORD said, "The outcry against Sodom and Gomorrah is immense, and their sin is extremely serious. (21) I will go down to see if what they have done justifies the cry that has come up to Me. If not, I will find out."

In Joshua 22:9-34, we read that when the tribes of Reuben, Gad and half the tribe of Manasseh built an altar at the Jordan River, the other tribes feared they would start their own religion and rebel against God. But before going to war, the priest Pinchas spoke to them and learned that they were building the altar as a memorial, and not to offer pagan sacrifices. Fortunately, war was averted.

In 1 Samuel, we see that King Saul never actually investigated whether or not David really intended to dethrone him. Instead, he jumped to conclusions, and launched a war that ultimately destroyed his own life, his family, his nation and also caused David a lot of unnecessary grief.

This is also why elders must be particularly protected. They counsel people in sensitive issues all the time. I have often experienced the wisdom expressed by Solomon in the proverb that goes:

- [Proverbs 26:17 HCSB](#) A passerby who meddles in a quarrel that's not his is like one who grabs a dog by the ears.

Often these people are having to be counseled specifically because they are wicked and sinful. A wicked person who feels convicted of his sin, or does not like rebuke or will not submit to the consequences of his sin will often lash out. This exposes elders to a threat that is not common to the rest of the congregation. Thus Paul commands:

- [1 Timothy 5:19 HCSB](#) Don't accept an accusation against an elder unless it is supported by two or three witnesses.
- [Proverbs 14:15 HCSB](#) The inexperienced believe anything, but the sensible watch their steps.

c. Don't pass on lashon hara (evil speech).

There's a great quote from the Orchot Tzaddikim that goes like this: “A gossip always seeks out faults in people, and talks of these faults. He is like a fly who always rests on a dirty spot. If a man has boils, the fly will ignore the rest of the body and sit on the boil. Thus it is with a gossip. He overlooks all the good in a person and speaks only of the evil.”

- [Leviticus 19:16 HCSB](#) You must not go about spreading slander among your people; you must not jeopardize your neighbor's life; I am the LORD.
- [Proverbs 11:13 HCSB](#) A gossip goes around revealing a secret, but the trustworthy keeps a confidence.

3. *Keep a proper perspective*

In order to do, that you need to...

a. Judge holistically. We need to learn to judge the WHOLE person fairly. In other words, when we assess another person, we shouldn't reach a conclusion about them as a person based on one or two negative things we know. We should make our judgment based on the person's behavior as a whole. If the person's behavior in a particular case was wrong but her overall behavior is good, we should (as much as possible) allow her general behavior to be our foremost impression of her. As Maimonides wrote in his "Laws of Repentance", "There are some merits which outweigh many sins" or as Peter put it,

- **1 Peter 4:8 HCSB** Above all, keep your love for one another at full strength, since **love covers a multitude of sins.**

b. Consider their circumstances.

- **Genesis 6:9 HCSB** These are the family records of Noah. Noah was a righteous man, blameless among his contemporaries; Noah walked with God.

Note the qualification added here. Noah was a righteous and blameless man "among his contemporaries". In some translations, it is put "in his generation." To understand that qualification, you need to go back four verses where Noah's contemporaries are described.

- **Genesis 6:5-6 HCSB** When the LORD saw that man's wickedness was widespread on the earth and that every scheme his mind thought of was nothing but evil all the time, **(6)** the LORD regretted that He had made man on the earth, and He was grieved in His heart.

There are two ways to interpret this phrase "blameless among his contemporaries". The first (and regrettably most popular) interpretation is that Noah was only blameless when you consider how bad everyone else was. I have myself used that interpretation but have found myself convicted that it is not a complete, or proper interpretation based on:

- **Romans 2:11 HCSB** There is no favoritism with God.

I now believe that a better, more wholesome variation of that midrash should be that if Noah was righteous in his wicked generation, how much more righteous would he have been had he been brought up in a more righteous environment? This more charitable midrash allows us to acknowledge the imperfections in the man while acknowledge the mitigating circumstances also, thus coming to an unbiased, fair judgment.

c. Consider their pattern of behavior. We do not believe or teach the twisted, unhealthy notion that each person should be judged favorably. Someone like Joseph Stalin who killed 43,000,000 of his own people¹ obviously must be judged as a wicked person. His murderous rage was a constant element of his entire life.

But consider a person who has killed accidentally, without evil intent. The Old Covenant made specific provisions for a person who was guilty of manslaughter – not murder. Those provisions included a chance to prove his innocence and a city of refuge to make sure he remained alive long enough to make use of that chance.

- **Deuteronomy 19:4-5 HCSB (4)** "Here is the law concerning a case of someone who kills a person and flees there to save his life, having killed his neighbor accidentally without previously hating him: **(5)** If he goes into the forest with his neighbor to cut timber, and his hand swings the ax to chop down a tree, but the blade flies off the handle and strikes his neighbor so that he dies, that person may flee to one of these cities and live.

Which leads us to our last point this morning.

¹ <http://freedomspace.blogspot.com/2005/04/how-many-did-stalin-really-murder.html>

4. At times reserve judgment. We need to develop mental “cities of refuge” where the object of our judgment may go until we have all the facts.

- **Proverbs 14:15 HCSB** The inexperienced believe anything, but the sensible watch their steps.

If you cannot get all the facts or at least enough facts to determine a pattern of behavior, then perhaps it's time to heed the words of the Master.

- **Matthew 7:1-6 HCSB** "Do not judge, so that you won't be judged. (2) For with the judgment you use, you will be judged, and with the measure you use, it will be measured to you. (3) Why do you look at the speck in your brother's eye but don't notice the log in your own eye? (4) Or how can you say to your brother, 'Let me take the speck out of your eye,' and look, there's a log in your eye? (5) Hypocrite! First take the log out of your eye, and then you will see clearly to take the speck out of your brother's eye. (6) Don't give what is holy to dogs or toss your pearls before pigs, or they will trample them with their feet, turn, and tear you to pieces.

We are allowed to make the judgment of whether or not we are faced with a dog or a pig. But only if we are actually able to see clearly as in

- **Galatians 6:1 HCSB** Brothers, if someone is caught in any wrongdoing, you who are spiritual should restore such a person with a gentle spirit, watching out for yourselves so you won't be tempted also.

Further, we need to be willing to abide by the same standard of judgment ourselves. As in

- **James 3:1-2 HCSB** Not many should become teachers, my brothers, knowing that we will receive a stricter judgment; (2) for we all stumble in many ways. If anyone does not stumble in what he says, he is a mature man who is also able to control his whole body.

And

- **1 Corinthians 10:12 HCSB (12)** Therefore, whoever thinks he stands must be careful not to fall!