

JUDGEMENT WITHHELD

by Rabbi Eliyahu Hoffmann

Parshas Tazria contains many of the laws of tzaraas, a spiritual illness whose identifying characteristic was a white patch appearing on a person's skin. Not every white patch necessarily indicates tzaraas; there are several secondary symptoms that determine whether the person should be declared tamei (impure). One of the secondary signs of tzaraas is if the white patch subsequently caused at least two hairs in its area to turn white. Another secondary sign of tu'mah (impurity) is if a patch of healthy skin appears within the afflicted white area.

What is the symbolism of the two white hairs? I should point out that not only does a person's natural white hair not qualify as a secondary sign of impurity; the requirement is specifically that the hairs turn white as a result of the skin having turned white. If the hairs turned white first, and then the skin, the person is pure. Why must the discoloured hairs be subsequent to the white skin?

According to Chazal, our Sages, tzaraas afflicts one who is not careful with his tongue. Lashon hara means to speak maliciously about another Jew - even when it's true. Closely tied-in to the mitzvah of shemiras ha-lashon (being careful with one's tongue) is another concept: Havei dan es kol ha-adam le-kaf zechus - Judging one's fellow man favourably. Easier said than done, this means that we are obligated to give others the benefit of the doubt, even when things appear overwhelmingly obvious that they have done wrong.

There has been a surge of literature recently whose thrust has been, through the medium of storytelling, to demonstrate how one never knows when things are not as they first appear. Reading such stories, one is truly amazed at the strange and unlikely scenarios in which Reuven seems so obviously at fault, and yet isn't - although Shimon would have had absolutely no way of knowing so.

There is another, less fascinating facet of judging others favourably; one that doesn't require us to perform any sort of mental gymnastics in order to conjecture what might have happened. It's really quite simple: People make mistakes. Most likely, you have too. It doesn't mean they're bad people; but it's quite possible they may have made an error in judgement, discretion, etc.

Take the following example: You arrange to meet a friend at a certain location at 3:00. Being a punctual person, you arrive at 2:55, and take a few minutes to take in the scenery. Three o'clock comes and goes; 3:15 and then 3:30. By the time 3:45 rolls around, to say you're nervous would be an understatement. It's everything you can do to control your anger. Reminding yourself of the dictum, you begin to conceptualize possible scenarios which could somehow explain your peer's blatant

inconsideration. A flat tire? A sudden case of amnesia? A red light that refused to turn green? The longer you wait, the more far-fetched your "favourable judgement" becomes.

Have you ever forgotten something? Even something very important to you - which you really didn't want to forget - and you did? Would you have said at the time that your forgetting was a reflection of your callousness and inconsideration, or would you have tried to explain (to the victim of your error) that you really feel terrible; that you wanted so badly to remember; that they're really important to you; that you made a mistake... Judging favourably can sometimes mean putting yourself in the same situation, realizing that mistakes and errors sometimes happen, and refusing to be judgemental and hateful.

It is noteworthy that the Mishna encourages to judge our fellow favourably - not necessarily to create the most far-fetched scenario that renders him completely un-responsible for his actions - but rather to judge him, in our thoughts (and speech), with favour. Refusing to be judgemental, and understanding that despite having likely made an error, he is still a good person, certainly satisfies our obligation to give others the benefit of the doubt; and it does so in a way that sits better with our feelings and imaginations.

Why is it so important not to be judgemental of others? The Zohar explains that when a person perpetrates a wrongdoing, the Heavenly Court would likely be able to absolve him from punishment; in every sin, so to speak, there is a "silver lining." A Jew, even when he sins, does so with a heavy heart. Furthermore, there are almost always some sort of extenuating circumstances that can tip the heavenly scales in his favour. When, however, a peer judges his fellow disfavouredly, unbeknownst to him, his judgement ascends and bears witness in the Heavenly Court, and the angelic jury has no choice but to administer some sort of punishment as a result of the harsh testimony of a friend.

By speaking lashon hara, we render judgement over the subject of our derision. The matter has been decided: there is no favourable light in which to frame his actions. Unfortunately - for him as well as for us - harsh judgements and punishments are liable to come upon him and his community as a result of our negative speech. Perhaps if we would have tried to refrain from being judgemental - to allow for the fact that people make mistakes without necessitating that they be "raked over the coals" - then we would have avoided speaking altogether, wanting no part in the harsh judgement of a friend or peer.

How does all this relate to tzaraas - an affliction that befalls specifically those who speak negatively and judge disfavouredly? At first, the ba'al lashon hara finds his skin has turned white. Yet this alone does not render him tamei. It is only if the skin has discoloured the hairs within its domain that he is declared a metzora. Similarly, lashon hara begins with a questionable action - so and so has done such and such. There is the potential for harsh criticism and defamation. On the other hand, one might consider the circumstances, the fact that we all have faults, other factors of which one might

not be aware, and choose not to malign the perpetrator of the deed. Lashon hara occurs only when one takes the questionable action and chooses to paint it with disfavoured colours - his speech and judgement discolour the deed. Perhaps, too, this is why a minimum of two hairs must become discoloured: symbolic of the speaker and his audience, who together form a viable set of witnesses (Jewish law requires a minimum of two witnesses).

We are presently traversing a time during which Jewish prayers are focused on beseeching the Almighty to bring peace to His people. Yet we must take the first step. By refusing to speak disparagingly about others, and by refraining from being judgemental about things we often don't really understand, we bring peace and blessing to our community and our nation.

Have a good Shabbos.

Dedicated in loving memory of Levi Yitzchak ben Avraham Leib. Ye'hei zichro baruch.

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