

## **Justice vs. Compassion: They Are Doing The Best They Can**

An old classmate from Rabbinic school, Michael Maumer, who is now the Provost of the school, taught an interesting take on a Talmudic midrash. Yes, I know, the title Provost is a tad formal. Senior Academic Administrator is a more descriptive title for the same job. Boss of the Deans, Supreme Judge of the students and faculty, expresses a bit more of the position's responsibilities. I suppose that anyone who has spent enough time around the academic environment would not be too surprised to learn that an early usage of the title "Provost" was as the "keeper of a prison." Students and teachers will certainly see the logical connection. How fitting it is then, that the *shiur* he presented to our Rabbinic alumni gathering at Hebrew Union College in Jerusalem this past summer dealt with God as Judge. The passage is from Tractate *Avodah Zarah* and goes as follows:

Rav Judah said in the name of Rav: 'There are 12 hours of daylight. The Holy One of Blessing [God] spends the first three sitting and concerning Himself with Torah. During the second three God sits in judgement of the whole world. And when God sees that the world is so guilty as to deserve destruction, God transfers from the Throne of Justice (*Kisei HaDin*) to the Throne of Compassion (*Kisei Rachamim*).'

It's theologically disconcerting, and frankly, a little strange imagining God, the Creator of the universe, hopping from one throne to another. Rest assured that our Rabbinic ancestors were well aware of the troublesome allure of anthropomorphism, that is, projecting human traits, actions and even motives to God. Judaism goes to great lengths to avoid making drawings or sculptures of God lest we think of God as a thing, an object, and a mere part of creation. According to our theology, God is the Creator, not a creation. God is not the sun or the stars or a really, really powerful guy in the sky who pulls the strings of fate and fortune. Rather, Judaism teaches that God is the Energy. God is the Will and the Consciousness of all Creation. Okay, for those of you Star Wars fans who are simply begging for me to say it, yes, God is like the Force.

So how can the Talmud (and our prayer books for that matter) include passages that portray God as a being: *Avinu*, our Father or our Parent; *Malkeinu*, our Ruler? Why does the text include references to "God's mighty outstretched arm" or, well, that God "sits on thrones" of Judgement and Compassion and hops from one to the other? There's a simple answer: We are human beings and we communicate using human language. Our metaphors have to make a connection to a human experience for them to make sense.

Okay, so let's unpack that passage from the Talmud. God sits on the Throne of Judgement and finds the world guilty. What were our Rabbinic sages trying to teach us? One obvious possibility is that in their day, the world was filled with violence and cruelty, corruption and vanity. They saw waste alongside hunger, prejudice coupled with oppression and people taking advantage of one another by lying, cheating, and spreading false rumors and malicious gossip. They saw the poor plundered, the vulnerable victimized, the weak trampled underfoot, and cries for help ignored. They saw that the great prophesy when spears would be modified to become pruning hooks and swords made into plowshares was nowhere in sight and increasingly becoming a mere fantasy, a pipe dream. Nations all around them continued to learn war and all walked through the valley of the shadow and were very much afraid. And they saw that when human beings sit in judgment of others few escape unscathed as innocent. (But of course, that was then. Things are so much better now!)

As the Talmudic metaphor continued, for us to survive, there has to be compassion and mercy. Expounding on the very first line of Genesis, the beginning of creation, Rashi, the great 11<sup>th</sup> century scholar, commented that when God initially created the world, only the Divine attribute of *Din*, Judgment, was utilized. Rashi taught that God knew that the world could

not endure under the strict measure of pure judgment. Accordingly, God combined judgment with compassion and mercy.

It was remarkably insightful of our ancestors to realize that pure justice is too harsh a standard for us. And just as God demonstrated that the world needs both justice and compassion, so too our personal survival and the well-being of our relationships require both justice and compassion.

On the recommendation of Mindy Greene, a long time Temple Sinai member, I read Brené Brown's Rising Strong. There is so much worthwhile in Brown's book. It offers wise advice about dealing with adversity, conflict, learning, growing and rebuilding positively after a struggle (pretty good book to read after the summer we had!). However, the chapter I found most compelling, the one that I keep going over in my mind is the one that I initially found to be unrealistic, naïve, and simply wrong. That's not a knock on Brené Brown. She confesses that when she was first introduced to this counter-intuitive idea, she, too, rejected it.

It all began when she went to her therapist to vent about a terrible experience she had. She was pressured into giving a pro-bono presentation for an organization and then guilt tripped into rooming with a stranger (a fellow presenter) at a hotel. Upon entering the hotel room, she found her roommate sprawled out on the shared sofa eating a giant, gooey

cinnamon roll. The roommate reached out to shake Brené's hand, thought better of it, wiped her hands, sticky with icing, on the cushions of their room's sofa, and then reached out to shake her hand. (Isn't that a Purel moment!) The roommate was also a smoker, who scoffed at the rules against smoking in the hotel, joking: "No big deal. We'll spray some perfume!" Brené was not amused.

As Brené admitted, she had little tolerance for people she judged to be either "sewer rats or scofflaws." She even had a definition for each. A "sewer rat" is a person who doesn't care about the rules and doesn't respect other people's stuff. A "scofflaw" is someone who doesn't follow the rules and makes fun of those who do follow the rules! To Brené, the roommate was both a "sewer rat" and a "scofflaw."

To her chagrin, Brené's therapist was having none of it. She said, "Do you think it's possible that your roommate was doing the best she could that weekend?" Brené was incensed. Her anger even turned against her therapist for daring to fob some kind of ridiculous, naïve concept that people really are all just doing the "best they can." She became obsessed with the question and asked many friends and acquaintances, "Do you think, in general, that people are doing the best they can?" Brené Brown is a professional with a doctorate in Social Work; she is also a research

professor at the University of Houston. So when she asks questions, she compares those responses clinically to other data. She saw a pattern that those who struggled with perfectionism were the harshest in their judgements of others. They were as hard on others as they were on themselves, and for those who are perfectionists, that's pretty hard. Her research also showed that those who think that people, generally, do the best they can, are more accepting of human imperfection, more compassionate, and more forgiving. They have found a way to be both vulnerable and still believe in their self-worth. And if they can be forgiving of their own flaws and imperfections, then it was much easier to be forgiving of others.

Yes, but! What about those who simply don't try hard enough? Those who, by your estimation, are lazy or disregard rules of common courtesy and restraint? What are we to think? That they really are doing the best they can? Let's face it, how are we to know? Who are we to judge? How are we to know what another person is dealing with at home? We are not privy to the battles a person has, the struggles of health, both physical and emotional. We are not privy to the demands and challenges a person is facing, the energy they are expending on past hurts, on current anxiety, on doubts and personal demons. How are we to know? Who are we to

judge that a person's effort is not their best effort? Perhaps it is their best effort and we have simply heaped unrealistic expectations on them.

The truth is that we cannot know if another is doing their best or is just playing us and the system to get by with doing less. Ultimately, Brené Brown came upon a touching insight. It came from her husband who said: "I don't know [if a person is doing their best]. All I know is that my life is better when I assume that people are doing their best. It keeps me out of judgment and lets me focus on what is, and not what should or could be."

Moving from the Throne of Judgment to the Throne of Compassion and Mercy understands that while we may not be able to determine exactly what is right or true, we sure can make things better by acting with more kindness and tenderness.

Moving from the Throne of Judgment to the Throne of Compassion also means that we are less prone to the frustrations and resentments that plague relationships. Unreasonable or ambitious expectations of other people are resentments waiting to happen. By realizing that another person's actions are beyond our control, we lessen the potential for frustration and resentments. That doesn't mean that we have to accept disappointment and be satisfied with lower expectations. Rather, we should

try to acknowledge that what a person is doing may very well be the best he or she can do.

I have to admit that I am terrible at this. I passionately believe in the power of positive transformation. I believe that we are all capable of self-improvement. I believe wholeheartedly that with a good work ethic, will power, determination and grit a person can achieve well-beyond what the so-called experts and standardized tests can predict. We have all witnessed inspiring examples of individuals who remade themselves after setbacks and failures, after addictions and injustices. We know people who have survived dysfunctional childhoods and trauma and were able to overcome those hurdles to achieve remarkable successes.

I believe that the power of prayer and faith can give a person that extra boost of self-worth that is so vital to the process of positive transformation. I believe that the power of faith can lift up a person's spirit and help bring about *teshuvah*, repentance, reaffirmation, and a higher sense of purpose. *Ut'shuvah, ut'filah, utz'dakah maavirin et roa ha'g'zeirah*, that by returning to the right path, through prayer and righteous giving, we can transcend the harshness of the decree. Those concluding words of *Un'taneh Tokef* affirm that our destiny is in our hands and in our control.

But just because I believe in the potential for self-improvement and positive transformation does not mean that I should expect another person to live up to the ideal that I've set. It is a hard and humbling lesson to realize that I am simply in no position to judge another person. Indeed, none of us is in a position to determine that another person is doing anything other than the best they can. We can disagree with another's actions. We can be disappointed that a person did not live up to his or her promises. And we can determine that it is best not to depend on that person to live up to certain expectations. It is a new mindset, one that I'll have to keep working on. But it is clear that it is better to assume that people are doing the best they can because that helps me be less judgmental. It lets me focus on what is, and not what should or could be.

In the Midrash, God began on the Throne of Judgment and then moved to the Throne of Compassion. God started with highest of expectations for humanity but that was untenable. In the Torah's account of Noah and the Flood we are given a similar story of God's decision to change how humans are to be judged. After a storm of frustration with the corrupt state of humanity, God unleashed a flood that would wipe out all life save for a fortunate few. That story concludes with the creation of the rainbow as a symbol of God's mercy. The rainbow was presented with the

promise that never again would God judge the world with such harshness, that forever more, mercy and compassion would temper pure justice.

The passages in the Torah and the Talmud are given to us as a template.

Just as God realized that the world and humanity could not survive without tempering justice with compassion, all the more so we need to realize that our personal relationships and our society cannot endure without the tender touch of mercy.

Goodness knows, this world could use a lot less judgmental proclamations and a lot more utterances of compassion and mercy. And though we can point at the current state of politics or the abusive rants that are so evidenced on social media, this is the day for our own confession. Tonight, the beginning of Yom Kippur, the Day of Atonement, is a time for confessing our own role in the deteriorating environment that is straining society. Today, we, like God, can sit on two thrones. We may have come here filled with anger or disappointment because of what someone else did or did not do to or for us. We may feel wronged because someone did not live up to our expectations. We may feel taken advantage of because someone else did not do their fair share. We may feel that someone did not fully appreciate us or give us the credit we were due.

But let us admit that the power to resolve all the painful issues is most likely beyond our control. We may sit in judgment, but we will find no peace or satisfaction. Let us instead resolve to release the anger and hurt and frustration and disappointment that have accumulated like old newspapers, filling the storerooms of our soul with yesterday's problems. Let us release the toxins that are poisoning our spirit. And let us sit on the Throne of Compassion: embracing life and interacting with each other with greater tenderness and kindness.

*Ken yehi ratzon.*