

“Judging Righteous Judgment”

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In my professional life I am a state court judge. As such, on a daily basis I pass judgment on people and their claims. This is not a responsibility I take lightly. For those who don’t know me (and even for many who do), the black robe I wear and the accompanying demeanor can be intimidating. I know because some brave souls occasionally tell me so! Although logic also tells me that this is the case, often when I’m reminded how I can appear to others, I am taken aback. I suppose that, for most of us, there are significant differences between the person that others see and the person that we experience ourselves to be. In my case, beneath the robe I still can see traces of an insecure young girl forced to grow up quickly by circumstances beyond her control. I dare say that all of us at times in our lives have felt judged—whether fairly or unfairly. Other times, we may have been the ones doing the judging. Today I want to share with you some of my experiences with judging and the lessons I have drawn from those experiences. The theme for my talk is drawn from Matthew 7, which teaches us to beware of how we judge others. The irony is not lost on me.

By way of background, let me take you back to the spring of 1960. I was a happy-go-lucky nine-year-old who, like most children, gave little thought to the larger world around her. Of course, I knew that Cuba, the country of my birth, had experienced a revolution. Still, it was not something to which I

gave much thought. My world revolved around my immediate family—my mother, father, and brother—and an extended family of grandparents, aunts, uncles, and cousins.

Everything in my life changed that spring. Fidel Castro had come to power a year earlier, and with that, our family's fortunes changed dramatically. My mother had worked with Fidel in the early months of the revolution but had left the movement disenchanted with its direction. The family's money and professional status also made us suspect. In March of 1960 we were told that we would have to leave Cuba. My mother is Puerto Rican and a U.S. citizen; as her children, my brother and I also traveled with American passports. Within a matter of days we were bound for Puerto Rico, my mother's family home; however, because my father was a Cuban citizen, he was not allowed to come with us. Almost overnight I had to leave behind the only home I'd ever known, my father, most of my family, and every material possession I had enjoyed in my short life.

Three years after leaving Cuba for Puerto Rico, we moved again, this time to New York, in search of better opportunities for our family. By then my father had been allowed to leave Cuba, but his failing health prevented him from working, so Mother remained the sole breadwinner. For the second time I was uprooted from a familiar environment. Compounding the problem was the need to learn English and endure schoolmates who made my language efforts and my hand-me-down clothes frequent targets of ridicule.

For a few months we lived with friends, but as soon as we could, we began looking for a place of our own in a New York City suburb. My mother heard about an apartment that she thought we could afford, so she made an appointment to see it and asked me to come along. As the building superintendent was showing us around, I turned to my mother and made some comment in Spanish. I don't remember what I said, but I remember the reaction. Stopping, the building supervisor turned to us and asked if we were Puerto Ricans. I answered that we were Cuban refugees. I'll never forget his response: "Well, I guess that's OK; it's just that we don't rent to Puerto Ricans."

Being young, naive, and with limited command of the language, I don't think I could have defined the words prejudice and stereotype, but what I felt was unmistakable. I felt judged, and I was found wanting. With the experience of years, I realize that those statements condemned him, not us,

but at the time, I'm sorry to say, I felt ashamed of my heritage. I never asked my mother what she felt that day. Being a practical woman, probably all she worried about was that the apartment was in a good location at a reasonable price. As for me, to this day when I think about unrighteous judgment, I think about that experience.

As a convert to the Church, I am grateful for prophetic insight into how we ought to judge. In the Prophet Joseph Smith's translation of Matthew 7:1 we read: "Judge not unrighteously, that ye be not judged: but judge righteous judgment" (JST Matthew 7:1–2; italics added). Modern revelation thus teaches us what is prohibited: judging unrighteously. It also gives us an affirmative command to judge righteously.

When I received the assignment to speak at this conference, the first thing I did was to read Elder Dallin Oaks's seminal talk on judging.¹ I must admit, however, that his talk left me in a quandary. What could I possibly add to what an apostle of the Lord—and a former judge—had already said? I didn't think the conference organizers would allow me to fulfill this assignment by simply submitting a photocopy of his talk. Although time does not permit me to revisit his talk in full, I'd like to summarize the four principles of righteous judgment that Elder Oaks identifies:

1. We're authorized to make only "intermediate judgments." We should not presume ourselves able to assess another's ultimate standing vis à vis the Lord.
2. Our judgments must be guided by the Spirit of the Lord.
3. Judgment must be within our stewardship.
4. As much as possible, judgment should be deferred until there is adequate knowledge of the facts.

Elder Oaks has clearly explained that the Lord reserves to himself final judgments about persons and circumstances. By contrast, we are expected—indeed, required—to make "intermediate judgments" in order to exercise our personal moral agency.² By "intermediate judgments," Elder Oaks means those decisions that we must make each day as part of that eternal and inalienable right of choice—the essence of Agency.

We know that agency is an eternal principle encompassing both the ability and the freedom to choose between good or evil.³ In the opening and closing scenes of the Book of Mormon, we read how two prophets taught this truth. In 2 Nephi, Lehi instructs his son Jacob as follows: “Wherefore, the Lord God gave unto man that he should act for himself. Wherefore, man could not act for himself save it should be that he was enticed by the one or the other. . . . Wherefore, men are free according to the flesh; and all things are given them which are expedient unto man. And they are free to choose liberty and eternal life, through the great Mediator of all men, or to choose captivity and death, according to the captivity and power of the devil, for he seeketh that all men might be miserable like unto himself” (2 Nephi 2: 16, 27).

At the end of this sacred book of scripture, Mormon gives similar instruction: “For behold, . . . it is given unto you to judge, that ye may know good from evil; and the way to judge is as plain, that ye may know with a perfect knowledge as the daylight is from the dark night. For behold, the Spirit of Christ is given to every man, that he may know good from evil; wherefore I show unto you the way to judge; for everything which inviteth to do good, and to persuade to believe in Christ, is sent by the power and gift of Christ; wherefore ye may know with a perfect knowledge [that] it is of God. . . . And now, my brethren, seeing that ye know the light by which ye may judge, which light is the light of Christ, see that [you] do not judge wrongfully” (Moroni 7:15–16, 18).

Clearly these scriptures teach that we must make judgments in life—the question is not whether we judge but rather how we judge. Wrongful or unrighteous judgment can apply to our judgment of others as well as to our judgment of ourselves. Unrighteous judgment can often be traced back to the sin of pride. Jesus taught powerfully the connection between pride and unrighteous judgment when he asked: “Why is it that thou beholdest the mote that is in thy brother’s eye, but considerest not the beam that is in thine own eye? Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and canst not behold a beam in thine own eye?” (Matthew 7:4–5).

The Lord castigates the hypocrite who presumes to tell another what is wrong with him when his own view is obscured by even greater beams, or shortcomings. The Savior is warning us against looking for fault in others when we should be working to fix our own failings, whether they result from limited or false information, hypocrisy, or sin.

One of the most powerful scriptural examples of unrighteous judgment is the account of the woman taken in adultery. As recounted in John 8, when the scribes and the Pharisees asked the Savior what should be done with the woman, He uttered a single, simple statement: “He that is without sin among you, let him first cast a stone at her” (John 8:7). Jesus forced the woman’s accusers to search their consciences before standing in judgment. Confronted with their own hypocrisy and sins, the accusers departed.

Modern-day prophets continue to warn against unrighteous judgment and its root cause: pride. President Benson, taught that “pride is a sin that can readily be seen in others but is rarely admitted in ourselves. . . . It is manifest in so many ways, such as faultfinding, gossiping, backbiting, murmuring . . . envying, coveting, withholding gratitude and praise . . . and being unforgiving and jealous.”⁴ Each of these manifestations of pride is inextricably linked to an unrighteous judgment of others.

In the field of psychology, “projection” is defined as falsely imputing to others our own feared and objectionable characteristics.⁵ President N. Eldon Tanner taught that “the further out of line or out of tune we ourselves are, the more we are inclined to look for error or [weakness] in others and to try to rationalize and justify our own faults rather than to try to improve ourselves.”⁶ A poet describes this same phenomenon as follows:

It’s all so easy,
when you’re on the
outside looking in.
[It is] all so easy
to see [clearly] who is
. . . wrong
and [who is] the “saint.”
It is only difficult
When the windows

become mirrors.⁷

Rarely do we get a true picture when we are on the outside looking in. Our judgments, more often than not, are based on limited and often faulty information. Perhaps that is why folk wisdom advises us to not judge others until we've "walked in their shoes." And yet, on a daily basis the temptation is to make snap judgments. Those who would judge others must always remember the fundamental weakness inherent in any earthly judgment—the fact that "we cannot see what is in the heart."⁸

Among my responsibilities as a judge, the weightiest is to pronounce a sentence upon criminal defendants. To prepare to do so, I request that the probation department prepare a presentence report on the defendant. The report tells me the official version of the offense as well as the defendant's version of what happened. It also tells me about the defendant's prior criminal history (if any), about his or her educational and employment history, about any drug, alcohol or mental health treatment history, and about the defendant's family background. In addition, the probation agent may attach other materials such as psychological reports or letters from family and friends. In all, these reports often range between nine and fifteen pages in length. I read each report and the probation department's recommendation before the time set for sentencing. I mull over what I should do with this individual, but I do not reach a decision at that point.

In court I hear from the defendant, from defense counsel, the prosecutor, the victim, and often from many of the defendant's relatives. At that point I have about as much information as anyone could reasonably be expected to have before making a decision. What I do not—and cannot—have, is the ability to see into the heart of the defendant.

I like to think I can make educated guesses about how successful a defendant will be on probation based on his past performance. The truth is that sometimes I'm wrong because "man can judge only what he sees; he cannot judge the heart or the intention, or begin to judge the potential of his neighbor."⁹ Right now I have a probationer who is defying all predictions. Steve, as I will call him for purposes of telling his story, comes from a dysfunctional family, had dropped out of school at a young age, had an unstable work history, and a rap sheet as long as my arm. Although young, by the time he appeared before me he had graduated to felony-level criminal offenses. In short, there was little to commend him, and in preparing for his

sentencing I had little basis to believe that he would complete anything other than a term of incarceration.

My first inkling to the contrary came on the day that Steve sat in the courtroom waiting for sentence. It was a particularly busy afternoon, and it was well past 5 P.M. when I finally got to him. Although Steve knew full well that the probation department's recommendation was that he spend several months in jail, he patiently waited his turn. He was the last person left in the courtroom when his turn arrived and I asked him what, if anything, he wanted me to know before I sentenced him. Without offering excuses for his behavior, Steve accepted responsibility for his crime. I imposed the recommended jail term, to be followed by a lengthy probation period. I ordered him to report back to court once he was released from jail so we could review the conditions of his probation. When he appeared on the appointed day, I gave him a lengthy list of requirements: He was to pass a high-school equivalency exam, complete community service, secure stable employment or further his education, and pay fines and restitution.

Defying all objective predictions based on his past record, Steve is demonstrating constructive, positive behaviors, one step at a time. When he passed his high school equivalency exam with flying colors we had a little ceremony in the courtroom in which I presented him with a gift-wrapped bottle of sparkling cider to celebrate his achievement. His wisecrack when I handed him the bottle made everyone in the courtroom laugh. "Gee," he said, "no judge has ever given me anything other than jail!" At our last review hearing, I congratulated him on his progress and told him I was proud of him. His answer humbled me. "I've decided," he said, "that I can't do this for you; I have to do it for myself." Steve's answer reflects the truest measure of change—a changed heart. His story is a cautionary tale about how easy, how tragic, and how wrong it is for us to make intermediate judgments about people and circumstances even when it is our responsibility to pass judgment on others.

A discussion of unrighteous judgment is not complete without turning the gaze inward. When we do so with even a small measure of honesty, we can easily see how our view of self can also be distorted. We know that pride can lead to a false sense of superiority, causing us to misjudge others. At the same time, pride can encourage us to minimize and rationalize our own shortcomings. Perhaps an even more insidious manifestation of unrighteous judgment comes in thinking too little of ourselves.

In a 1989 April general conference address, Elder Marvin J. Ashton stated: “When we take it upon ourselves to pass self-judgment and simply declare, ‘I am not worthy,’ we build a barrier to progress and erect blockades that prevent [us from] moving forward. We are not being fair when we judge ourselves . . . [because] personal measurement or judgment oftentimes may be severe and inaccurate.”¹⁰

In my experience women seem to be afflicted to a greater degree than men by negative personal measurement and self-judgment. To be sure, some of us rationalize our behavior and view ourselves through rose-colored lenses. Others of us take the opposite tack, choosing to view our lives through dark lenses of despair. When we do so, we become overly focused on our own shortcomings and weaknesses. We must remember that self-deprecation is not the same thing as humility. Chronic feelings of inferiority and unworthiness—unrelated to how we’re keeping the commandments—are not of God.

In this context President George Q. Cannon taught: “Now, this is the truth. We humble people, we who feel ourselves sometimes so worthless, so good-for-nothing, we are not so worthless as we think. There is not one of us but what God’s love has been expended upon. There is not one of us that He has not cared for and caressed. There is not one of us that He has not desired to save and that He has not devised means to save. There is not one of us that He has not given His angels charge concerning. We may be insignificant and contemptible in our own eyes and in the eyes of others, but the truth remains that we are the children of God and that He has actually given His angels . . . charge concerning us, and they watch over us and have us in their keeping.”¹¹

As I researched the scriptures and pondered the teachings of modern-day apostles and prophets, I gained insight that may not be novel to some of you but that resounded in meaningful ways to my heart and mind. I came to understand that the key to Matthew 7, verse 1, is found in verse 2: “For with what judgment ye judge, ye shall be judged: and with what measure ye mete, it shall be measured to you again.” Luke’s recounting of this portion of the Sermon on the Mount gives us added perspective: “Judge not, and ye shall not be judged: condemn not, and ye shall not be condemned; forgive, and ye shall be forgiven” (Luke 6:37).

After we read Luke, the words of the Lord's Prayer came to mind with new significance: "And forgive us our debts, as we forgive our debtors . . ." (Matthew 6: 12; italics added). Several verses later we read: "For if ye forgive men their trespasses, your heavenly Father will also forgive you: But if ye forgive not men their trespasses, [then] neither will your Father forgive your trespasses" (Matthew 6:14–15).

In the Book of Mormon, Alma instructs his son Corianton to the same effect: "Therefore, my son, see that you are merciful unto your brethren; deal justly, judge righteously and do good continually; and if ye do all these things then shall ye receive your reward; yea, ye shall have mercy restored unto you again; ye shall have justice restored unto you again; ye shall have . . . righteous judgment restored unto you again; and ye shall have good rewarded unto you again. For that which ye do send out shall return unto you again, and be restored; therefore, the word restoration more fully condemneth the sinner, and justifieth him not at all" (Alma 41:14–15.)

The more I thought about these scriptures, the clearer it became how perfectly just God is in His approach to judging us. I realized that He gives us the opportunity to set the standard by which we will be judged: "With what measure ye mete, it shall be measured to you again" (Matthew 7:1). Our treatment of others will be perfectly mirrored in how He will treat us. God's paradigm for judging creates the perfect incentive to do right—if for no other reason, out of self-interest!

Of course, the Lord wants more than self-interest to guide our judgments: "Now the end of the commandment is charity out of a pure heart, and of a good conscience, and of faith unfeigned" (1 Timothy 1:5). Bishop H. Burke Peterson has written: "No one can be classed as a true follower of the Savior who is not in the process of removing from his heart and mind every feeling of ill will, bitterness, hatred, envy, or jealousy toward [others]."12

With new eyes I reread the Golden Rule: "Therefore, whatsoever ye would that men should do to you, do ye even so to them" (Matthew 7:12). I wonder if we weren't given this commandment because, knowing us as He does, God recognizes the me-centeredness of human nature. I believe that is why the Golden Rule first asks us to determine how we want to be treated and then tells us to apply this standard to our treatment of others. With perfect justice, God then applies this same measure in judgment of us. This insight on judgment was perfectly captured by Arthur Henry King when he said:

“Judge not, that ye be not judged” does not mean that we must not judge; it means that if we judge, we must be prepared to be judged. We must remember that we should judge in such a way that we shall not mind being judged in [that] same way. That is the point. To commit ourselves to a judgment is to be prepared to have someone else commit himself by judging us.”¹³

Choice and judgment are inextricably linked to our growth and progression as sons and daughters of God. We are commanded to judge not unrighteously but to judge righteous judgment. It is of eternal consequence that we understand the difference between the two. The Lord’s plan in this area is perfectly clear and perfectly just: He who knows our hearts better than we do will judge us in the same manner and by the same measure as we judge others. That we may bring charity to our task of judging, being guided by “that Spirit which leadeth to do good—yea, to do justly, to walk humbly, to judge righteously” (D&C 11:12), I pray in the name of Jesus Christ, amen.

Notes

1. Dallin H. Oaks, “‘Judge Not’ and Judging,” *Ensign*, August 1999.
2. Oaks, “‘Judge Not’ and Judging,” 7.
3. Bruce R. McConkie, *Mormon Doctrine*, 2d ed. (Salt Lake City: Bookcraft, 1979), s.v “agency.”
4. Ezra Taft Benson, “Beware of Pride,” *Ensign*, May 1989, 4.
5. See, for example, C. H. Patterson, *Theories of Counseling and Psychotherapy* (New York, Harper & Row, 1966), 187, 311.
6. N. Eldon Tanner, “‘Judge Not that Ye Be Not Judged,’” *Ensign*, July 1972, 35.
7. Sharron Pitts, “Judge Not That Ye Be Not Judged,” *New Era*, March 1985, 51.
8. Tanner, “‘Judge Not that Ye Be Not Judged,’” 35.

9. Tanner, ““Judge Not that Ye Be Not Judged,”” 35.
10. Marvin J. Ashton, “On Being Worthy,” Ensign, May 1989, 20.
11. Gospel Truth: Discourses and Writings of President George Q. Cannon, sel. Jerreld L. Newquist, 2 vols. (Salt Lake City: Deseret Book, 1974), 1:2.
12. H. Burke Peterson, “Removing the Poison of an Unforgiving Spirit,” Ensign, November 1983, 59.
13. Arthur Henry King, Arm the Children: Faith’s Response to a Violent World (Provo: Brigham Young University Studies, 1998), 129–30.