

**Kol Nidre Sermon 5782, *dan l'chaf zechut*, Giving Benefit of the Doubt
Rabbi Dan Danson, Temple B'nai Israel, Laconia, NH**

In your hands or on our screen you have a list derived from the Mishnah. It puts forward 48 qualities one should have if they're going to be a Torah scholar. It's a very good list of ethical assets and personality traits. I want to draw your eye to the one that is starred, "judging others favorably" or to put it another way, "giving others the benefit of the doubt," or in the Hebrew, *dan l'chaf zechut*. It's very easy when one's having a difference of opinion, or worse, when one feels that they're being wronged by someone, to ascribe negative motives to the other person. To essentially judge someone and not give them a break.

Rabbi Alan Morinis defines *musar* as "a Jewish spiritual tradition that offers insight and guidance for living by directing us to pay attention to the impact that our inner traits have on our lives." (p. vii, *Every Day, Holy Day*) We all have a daunting task on Yom Kippur, to chip away at things we could improve on. This evening I'd like to look at some behaviors that make us smaller, that reduce the image of God within us, and which can be diminished by *dan l'chaf zechut*, giving someone the benefit of the doubt.

It's easy to not give the benefit of the doubt when someone does something we don't like or pushes for something we don't agree with. Too often we hear ourselves describe them as being any of: inconsiderate, dishonest, selfish, thoughtless, or untrustworthy, and I'm just getting warmed up. It's easy to rush to judgment. Jewish tradition counsels us to take a different approach as this story from the Talmud illustrates,

Daniel, a poor farmer from the Galilee, hired himself out to work for three years for a man in the south. At the end of the three years, as the High Holy Days approached, he said to his employer,

"Pay me my wages. I will go home to my wife and family."

The man said, "I have no money."

Daniel said, "Give me vegetables and grain."

The man said, "I have none."

"Give me land,"

"I have none."

"Give me linens for my beds."

"I have none."

With that, Daniel gathered his clothing and his few belongings, put everything in a sack threw the sack across his shoulder, and went home. The day after Yom Kippur, his employer from the south appeared at Daniel's house. He brought Daniel's wages along with three donkeys laden with food, drink, and gifts. He paid Daniel, saying, "All these gifts are for you." Daniel's wife prepared a meal for them. After they had eaten, the former employer quizzed Daniel,

"When you asked me for your wages, and I said I had no money, what did you think?"

Daniel said, "I thought you had bought goods cheaply, so you had no cash on hand."

"And what about the cattle?" "I thought you may have hired them out, so you could not give them to me."

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“And what about the land?” “I thought you had probably rented it out, so you could not give me any.”

“And the vegetables and grain?”

“I thought you had not yet tithed them for the Temple, so you could not give them to me.”

“And about the linens for the beds?” “I thought perhaps you had consecrated your property to God before the High Holy Days, so you could not give any of it to me.”

The man said, “All you have spoken was the truth, Daniel. You see, I have a son who adamantly refused to study the Torah. I was so angry with him that I vowed everything that belonged to me to the Temple. If he would be foolish, I would leave him nothing. But my son repented during the High Holy Days and promised to study, so I went to the priests, and they released me from my vow. Now I am a man of property again; so are you. As you judged me favorably, so may God judge you.” (Shabbat 1127b)

Daniel’s equanimity may strike us as being a bit over the top, but notice he begins with questions rather than assumptions, and asks, “Why is this happening,” rather than going to anger. His conclusions about his boss, that he made bad business decisions and has religious obligations reflect Daniel’s knowledge of his employer and the obstacles that can come into play in life.

So too, the actions of his employer bear notice. On his post Yom Kippur visit to Daniel, he could have simply paid the wages and dropped the gifts off. But he sought a reconciliation with his employee and set out to do *teshuvah*. To be sure, he was making his case, justifying himself, but his questions reveal a deep respect for Daniel. He seeks to hear his story.

On the other hand, it’s easy to think, “There’s no reason at all that Daniel had to exercise such equanimity after it seemed like his employer was about to cheat him out of 3 years of wages”. The Talmud tells us that, “There are three kinds of men whose life is no life: those who are overly compassionate, those who are prone to instant anger, and those who are relentlessly fastidious” (Pes. 113b). We’re not talking about refraining from making the case for what is due to you, nor are we denying that there are times where some people really are out to do us harm. But taking a moment to not imagine the worst of someone has its place.

Whether it’s giving the benefit of the doubt, or the other qualities on our list, our inner qualities are like cups of water filling up a cistern. One by one they fill up the well and determine who we are. Daniel takes a moment to consider his response and he acknowledges to himself that he might be missing the piece of the puzzle that accounts for the disappointing behavior by his employer, and in doing this he elevates himself. We need to give others the same consideration and opportunity to make their case that we’d hope they would give us.

Our benchmarks for Yom Kippur include compassion, patience, and thoughtfulness. They’re all there inside us but we need to chip away at the habits that get in the way of them being realized and *dan l'chaf zechut*, giving someone the benefit of the doubt is a great place to start, especially considering the toxic atmosphere that seems to be gripping our country. May we be blessed with God’s love and compassion as we work at examining our inner traits as we strive to ennoble our lives in this New Year, 5782.