

# Dhammapada 256-257: Judgmental vs Judicious

Bhante Bodhidhamma · YouTube Talks · 17:57

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*Namo tassa bhagavato arahato sammāsambuddhassa. Namō tassa bhagavato arahato sammāsambuddhassa. Namō tassa bhagavato arahato sammāsambuddhassa.*

Homage to the Buddha, the blessed, noble and fully self-awakened one.

I shall continue by chanting the verses that we're going to do tonight.

*Na tena hoti dhammiko, yen' atthaṃ sahasā naye. Yo ca atthaṃ anattañ ca, ubho niccheyya paṇḍito. Asāhasena dhammena, samena nayatī pare. Dhammassa gutto medhāvī, dhammiko ti pavuccati.*

That translates as: One is not called righteous because one hastily judges what is good. A wise person has thoroughly investigated both the right and the wrong. Judging others without haste, justly and impartially, such a wise person, guardian of law, is called righteous.

So it's about judging. And Gil Fronsdal's translation: One is not a judge who judges a case hastily. A wise person considers both what is and isn't right. Guiding others without force, impartially and in accord with the dharma, one is called a guardian of the dharma, intelligent and just.

Before we go into the actual verses, here's the little story that surrounds it. It seems that some bhikkhus were returning from alms round, caught in a storm. They sheltered in the hall of justice at Sāvattihī, which is the capital of Kosala. King Pasenadi was a great supporter of the Buddha. They saw judges making arbitrary decisions and taking bribes and reported this to the Buddha. The Buddha said, "If one is influenced by monetary considerations in deciding cases, he cannot be called a just judge who abides by the law. If one weighs the evidence intelligently and decides a case impartially, then he is called a just judge who abides by the law."

Now, the commentary says something that perhaps is more attuned to us: it is very easy to judge others, to point out others' mistakes and bad qualities. Therefore, we have to be very thorough when we have to judge others. We have to listen to every possible point of view. We have to look at the problem from all sides. Only then can we be able to judge according to truth and call ourselves righteous.

Just one or two words that we've come across there: *dhammato*, translated as righteous. It actually means to stand in the Dharma. The Dharma here means, of course, the law, the truth—not only the spiritual laws, but just the general laws, truthfulness. Well, *dhammato* is given in the dictionary as fitness, propriety, a general rule, higher law, cosmic law, general practice, regular phenomenon, usual habit. So it's got a wide range of meaning.

In terms of justice or in terms of our sense of judging, it means to be as truthful as we can. And that means you need to collect as many facts and views and opinions as you can before you can come to a decision about somebody.

The other one is a rather interesting word: *sāhasa*. It has an odd meaning. It has violence, violent, hasty, arbitrary action, acts of violence, a sense of force. So one translator translates it as hasty—get on with it without really listening to both sides. And the other one is with a bit of force, a bit of push. Get on with it. So that's what these two words are.

And of course, one is called a guardian, a *gutto*, a guardian of the Dharma, if one is judging properly.

Of course, I looked up what makes a good judge—I mean a judge in court. My research came to some qualities that perhaps we should all have: patience, open-mindedness, courtesy, tact, firmness, understanding, compassion and humility. But of course, these are general characteristics of somebody who is a judge.

But when you're in court, there are four qualities that we would expect of a judge. The first one is that he's not averse to the accused, no matter how terrible the actions of the accused have been. Not to be glowering there saying, "I hate this guy, I hate this woman. I'm going to make sure that they go down." He's going to be aware of that aversion and not indulge it.

And of course, he's not going to be partial to the prosecutor. Could be the other way around, of course, that he has a liking or he feels that there's been some injustice done to the defendant and he's biased against the prosecutor. Either way, it obviously isn't going to come to a good judgment, or the way that he talks to the jury is going to be tainted.

He also doesn't want to be swayed by the baying of the crowd, the newspapers saying "hang him." You've got to be careful not to get caught up in that general feel of things. And the way things are really riled up by newspapers and politicians, as we've seen all over this business of the government and Brexit and all that.

And finally, of course, he's got to be free of fear—fear of reprisals, especially when he or she, the judge, sends somebody to prison, or in the old days, to hanging. In some parts of the world that still is possible. To be killed as a judge—in fact, in 1992, Giovanni Falcone, who was the judge in Sicily who brought many of the mafiosi to trial, was shot dead. So it happens.

I've also put here what the actual judge said. I've got a recording of it, which I thought you might be interested in. So you can imagine yourself standing in the dock.

This is the judge sentencing somebody to death. This would be before 1965, so it's not that long ago:

"You will be taken from this place to a lawful prison and then to a place of execution where you will suffer death by hanging, and your body buried in the precinct of the prison in which you shall be last confined

before execution. And may the Lord have mercy upon your soul."

You can imagine listening to that. Just to rub that in, I thought I'd give you what they used to say in the 18th century: "The Lord is that thou shalt return to the place whence thou camest, and from thence to the place of execution where thou shalt hang by the neck till the body be dead, dead, dead, and the Lord have mercy on your soul."

It's pretty gruesome. These days, of course, at least in many of the Western countries, we've abandoned hanging. But just to finish this little bit off about judges, there was, of course, a standing joke when they brought hanging to an end in Britain. The judge sentenced somebody: "You will be taken from this place to the place of execution and be hanged until dead." And the clerk of the court jumped up and said, "Your Honour, hanging has been abolished." So the judge cleared his throat and said, "You will be taken to the place of execution and hanged by the neck until it really, really hurts."

That's always a good standing joke.

What this takes us to, of course, is the whole thing about judging. And this takes us to the fact that when we're judging people, when we see people, when we hear people, we've always got this background judging going on. We're always fitting them into a box in some way. And of course, what we're doing is being prejudicial—prejudging, prejudicial.

Now, the Dalai Lama actually says that love is the absence of prejudice. Well, it's definitely one of the big cornerstones of it—not being judgmental. But that doesn't stop us from being judicious, which means, of course, to come to a right understanding about somebody or some action. So it's not as though we have to stop judging. We just have to make sure that it's fair and that it is based on facts and truth.

Just thinking about judging or prejudice, speaking for myself, but I'm sure it's true for everybody in any society: you are given the prejudices of your society from the moment you're born. They're inculcated. You can't—it's part of the whole cultural education that you get. So you're bound to have, in my opinion, you're bound to have racist, sexist, prejudice against religions, et cetera, et cetera. It's got to be there.

And what's important really is to understand that when, because we are more aware, more mindful of what we're doing and what we're thinking—when you see a prejudicial thought come up, to know that that's all conditioning. And even though some shame and guilt might come up around it, those are to be seen as guardians. So this is where the Buddha says that shame and guilt about doing something harmful are guardians. Otherwise, you know, we would just indulge it. So there's a proper sense of shame and a bit of guilt that comes up which stops you from indulging that particular prejudice.

But if it goes on and on—being guilty and dreading consequences because of this old conditioning—then of course it's gone on too long. It's not proper to the situation. There's no need for that. It's only when we indulge those thoughts—either allowing the mind to escape on a fantasy or to actually speak something or to do something which is prejudicial—that then of course we should have a greater sense of shame and

guilt.

And that leads us to apology. Shame and guilt are the beginnings of compassion, of understanding, opening up to the pain that we've caused somebody else.

And of course, we're full of it. I've even forgotten classism, which is a big one in our society. Xenophobia brought up through immigration. So all these prejudices that come up, they have to be acknowledged. If they're not, of course, then we suppress them. We suppress them out of fear, out of an aversion towards them. But remember, Freud was perfectly right. These things slip out in little Freudian slips and they can be very embarrassing.

So it's best to be aware of any prejudicial thought that comes up and to accept that that's part of our conditioning. But we're not indulging it. We're not giving it headway. And in so doing, we've not done anything wrong whatsoever. There is no consequence. There's no *kamma* to have to suffer. And eventually, of course, these things become very light in the mind—little traces that really don't bother us anymore.

Now, one little trick you can try, which opens us up to these background voices, these little devils that we have within us, is just to walk down the street, turn your head, look at somebody, and just listen to the judgments that you're coming up with, to the opinions, to the biases that you're coming up with in the mind. As I say, that's not to be excessively guilty about or anything. It's just to know that there is within us these conditionings, and that by not indulging them, in time they atrophy, they die away. Of course, they are replaced by love, compassion, sympathetic joy, and so on.

That's a little exercise that we can occasionally try on ourselves just to wake us up to the fact that these things are with us really. And even when we are fully liberated, they remain as *vāsanā*—they remain as little traces in the mind, but of course they have no effect whatsoever.

So these two verses are really asking us to look at this whole process of judging and to be able to make that distinction between being judgmental—being prejudicial, coming to opinions and understandings and decisions and actions based on not enough knowledge or on our own prejudicial views and opinions—and being judicious, which is of course coming from the point of view of—here he uses the word intelligence—to do something with intelligence, to be rational about something. But there's a sense of wisdom about it too. And then of course we can make proper judgment. We can be righteous. We can be standing in the Dharma. Standing in the Dharma—that's where we want to be.

So this is *dharmassa gutto*. That's what we want to be. We want to be standing in the Dharma.

I can only hope my words have been of some assistance, that I have not caused any confusion, and that you will, by your own devoted practice, liberate yourself from all suffering sooner rather than later.

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