

Cheating: Rosh HaShanah – 5767

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Shabbat Shalom and L'Shanah Tovah. May you all be written up in the Book of Life for blessing, health, and peace of mind, for this 5767.

An IRS agent stepped into a synagogue looking for the rabbi.

"Rabbi," he said when he found him, "do you know a Mr. Morris Katz?" "Well, yes, I do," said the rabbi.

"Is he a member of your congregation?" asked the agent. "Uh, yes, he is," said the rabbi, "why do you ask?"

"I'm from the IRS. Can you tell me something? Did he make the \$100,000 donation to the synagogue, that he claimed on his tax return?" asked the IRS agent. "I would have to check our records," replied the rabbi, "but if he hasn't, I can assure you that he will!"

There was a picture in a recent Newsweek Magazine article that pictured a preschooler next to a mountain of books, looking worried. The article introduced a certain Robert Cloud, president of an engineering company in suburban Chicago, who had the Ivy League in mind when he enrolled his sons, ages 5 and 8, in a weekly after-school tutoring program. "To get into a good school, you have to have good grades," he says.

In the last decade, the earliest years of school have become less like a trip to "Mister Rogers' Neighborhood" and more like SAT prep. In some cases, kids who are not cracking the reading code by the middle of first grade are denied recess, music and art, with the time replaced by writing exercises and spelling quizzes. Kids as young as 6 are being tested, and tested again – some every ten days or so, to ensure they're making sufficient progress.

Right here in Granville, Ohio, an elementary school principal has noticed a dramatic shift over the past ten years. "Kindergarten, which was once very play-based," says William White, "has become the new first grade." And a principal in North Carolina reports having to stave off demands from parents: that the *kindergarten* do class rankings.

In Britain, which adopted high-stakes testing about six years before the US, parents and school boards are trying to dial back the pressure. Andrew Hargreaves, an expert on education reform and professor at Boston College, says middle-class parents saw that there was "too much testing too early on, such that it was sucking the soul and spirit out of their children's early school experience."

The pressure to improve scores on standardized tests makes it hard for teachers to stay sensitive to the important qualities in children that tests cannot measure: diligence, creativity and initiative – or to nurture kids who develop more slowly.

And it has a second effect that has increased impact. And it is this second impact that I want to focus on this morning. But, first, let us re-examine briefly one aspect of the Torah portion regarding the planned sacrifice of Isaac that speaks to this point.

Abraham knows what the score is with Isaac, that God has instructed that he slay his son. But notice the deception. First, he tells his servant lad: “Stay here with the donkey while I and the boy go up to worship; then we will return to you.” WE? Not exactly the truth! And then when Isaac asks about the lamb for the burnt offering, Abraham again cheats the truth. He says, “God will see to the lamb for the burnt offering, my son.” Is that we just want ... to make it a bit easier on our kids?

Let us consider the more recent case of sixteen-year old William, who has been suspended for three days because the history teacher has accused him of plagiarism.

William’s parents are unhappy with the school’s disciplinary measures, and have asked for a conference with the headmaster and the teacher who made the accusation. There is no paper trail for the paper writing service and, “No,” says dad, an attorney, “you may not see my credit card bill.” “And, don’t you see,” pipes in mom, “we sent him to this school to increase his chances for success, not for you to come down on him so hard. Is that what you folks want to do, to ruin his life?

The parents, of course, “just want William to be happy,” or at least to ensure that he does not have pain, that he suffer no real consequences (As an aside, they don’t want the pain of embarrassment either.).

Anyway, I want the same for my two daughters, happiness, no pain. But I am also aware that, if I do not give them room to lose, to suffer setbacks, and to learn how to recover: how to be honest with themselves and others, how to be empathetic, to take initiative, to delay gratification, to learn from failure and to move on, to accept their flaws, and to face the consequences of having done something wrong, I have stolen from them something that money cannot buy. We cannot, and should not try, to take short cuts our way out to these emotionally maturing and character-building experiences.

In a recent, touted study, statistics show that, for children like most of ours, about two-thirds felt pressure from a variety of sources “to be perfect.” More

than half described their feels as worried, depressed or sad. Of course they cheat.

“And anyway,” says William in the next conference with all three folks, “even if I had cheated, I would not have been the only one to do so. All the kids cheat.”

Compared to earlier generations, we are emotionally closer to our kids; they confide in us more; we have more fun with them; we know more about the science of child development. But we are driven, and our kids feel driven: to get exceptional grades, to get into the right college, to avoid the shrinking middle-class.

And much of that has to do with the how we are shaping our children, not necessarily to maximize their skills, but to maximize their marketability: they play an instrument not because they love music, but because it’ll look good on a college application, as will that summer studying El Greco at the Prado. They work at the shelter, not to reflect the mitzvah of giving shelter to the homeless – not really – but because of that “community service” question that inevitably comes up during the college interview. The children come to understand that their fight for those in need is subtly self-advancing, a fight for themselves and for the standards on which those nasty admissions people seem so focused.

Being driven is one of the things that leads to cheating. Surveys say that the numbers of children who are driven to cheat are more likely to increase as the family income increases.

In today’s cutthroat academic environment, the motive to cheat has grown stronger. The increased drive for material success has made taking an easier way out; surviving the pressure, trying to live up to unsaid or blatant expectations makes fertile ground for rampant cheating.

In a 1999 survey of 1,000 faculty members at 21 colleges, 1/3 of the professors said they were aware of cheating in their classes but did nothing to stop it. Many professors would rather let cheaters slide than take on the bureaucratic hassles of pursuing disciplinary actions. In 1999 survey, roughly half of teachers said that the threat of litigation discourages them from punishing student cheaters. When cases are brought against students, the wealth of their parents can help neutralize the fallout in other ways. Stuart Gilman, president of the Ethics Resource Center in Washington, D.C., remembers that he failed a student for plagiarizing in a course required for graduation, but saw the student at graduation. The dean told him that the family had made a large contribution to the university, so they waived the requirement.

Cheating involving college athletes and their coaches rarely comes to light. But there are exceptions. Certainly, Ohio State has known of a number of cases over the past few years. Failing grades, ghostwriters, and payoffs to athletes and their families occur everywhere and all the time, rarely seeing the light of

day. As Former President of the University of Michigan, James Duderstadt, admits: “A lot of people just care what happens on a Saturday afternoon, and they put pressure on trustees and presidents that may be at odds with the direction the university should be heading.”

A psychiatrist in Westchester suddenly finds herself busy evaluating local teenagers for signs of even the slightest learning disability. She knows what is causing the spike in her business: a College Board ruling that students with disabilities who receive extra time on the SATs will no longer be identified to admissions offices as being disabled. The wealthy parents coming to her want only one thing: an official diagnosis of disability that will allow their kids more time on the SATs.

A former NYT reporter decides to write a book about his stint at the newspaper. He gets a six-figure advance – all in all not a bad payoff for Jayson Blair, who fabricated quotes and other information in numerous stories. Nor should we forget Kaavya Viswanathan, the Harvard sophomore whose novel, *How Opal Mehta Got Kissed, Got Wild, and Got a Life*, was rife with plagiarism....

Meanwhile, very little is done about the most common form of cheating in pro sports: doping. We have our poster-boy, of the Tour de France. The same ethic that inspired W. C. Fields’ adage, “A thing worth having is a thing worth cheating for,” may have stirred baseball player, Mark Grace, who declared concerning doping, “If you’re not cheating, you’re not trying.” Experts predict that it is only a matter of time before athletes start to make use of genetic enhancements to improve their performance, after which the battle for clean athletic competition will be completely lost.

And for us, obviously, cheating has been part of culture ever since there were rules. In theory, there is limitless opportunity in America for anyone willing to work hard. But today there are new pressures. In this economy, where success and job security can’t be taken for granted, it’s increasingly tempting to leave your ethics at home every morning. Everyone’s hustling, even in the professions. As the prizes for the winners have increased, people have become more willing to do whatever it takes to be a winner.

What happens when you’re one in the diminishing percentage of the middle-class, who struggles to make ends meet even as you face relentless pressures to emulate the good life you see every day on TV and in magazines? What happens when you think the system is stacked against people like you and you stop believing that the rules are fair? You just might make up your own moral code: if tax loopholes favor the rich, I’m only leveling the playing field by cheating more on my taxes. So, people who, on the whole, view themselves as upstanding members of society, who are committing felonies at tax time, betraying the trust of their patients, misleading investors, ripping off their insurance company, or lying to their clients.

A CEO inflates earnings to please Wall Street – and increases the value of his stock options \$50 million. A partner at a top accounting firm keeps quiet and goes along as a client cooks the books – in order to protect a mid-six-figure bonus pegged on bringing in and retaining clients. An A student cheats to get an A+ that she believes, correctly, could make a difference between going to a school where the chances of success are greater. A steady .297 hitter takes steroids to build muscles needed to be a slugger – and make \$12 million a year instead of a mere \$3 million. A journalist fabricates sources in his quest to write as many hit pieces as possible get lucrative lecture gigs.

Twenty-five years ago, many of the huge rewards being dangled in front of professionals didn't exist in a society with less wealth and a stronger sense of fairness. But in the '80's and '90's we came to live in a society where lots of people were striking it rich left and right – and cutting corners made it easier to do so.

There is also a punishment gap. Mayors are famous for eliminating “street crime” in Harlem; they overlook “suite crime” on Wall Street. While punitive morality increasingly governs the lives of those in America with little wealth, better-off Americans are actually coddled more than ever, whatever their sins. Government watchdogs are disemboweled in this self-regulatory era; the foxes guard the henhouse. White-collar criminals are – with the exception of some high-profile cases – untouched by prosecutors.

Those who are caught are treated lightly. Take the Merrill Lynch scandal involving a top analyst, Henry Blodget, who privately ridiculed the same stocks that he and Merrill were publicly pushing. “A piece of junk,” Blodget called InfoSpace, even as he was recommending it to investors. Facing prosecution, Blodget settled, agreeing to pay a \$4 million penalty – yet admitting of no wrongdoing. The settlement was easy enough to afford. Blodget had pulled in nearly \$20 million during his brief time at Merrill.

No one was held accountable when in 2004, Schering-Plough agreed to pay \$350 million to Medicaid for overcharging for drugs. Steal \$350 in an unarmed bank robbery and you're apt to spend years in prison. Steal \$350 million from Medicaid and Medicare and your name does not appear in a court document.

Who can forget Tonya Harding, who paid to have a rival skater's knee smashed, served no jail time, but has made millions, including the \$50,000 that FOX – that values network – paid her to duke it out on national TV with Clinton-scandal star, Paula Jones. Ah, and then there's Martha....

Famous wrongdoers are feted by the media and paid tens of thousands for their “confessions,” while ex-cons emerge from country club prisons with healthy tans and go on to make untold millions of dollars. These second chances are not doled out in Appalachia or Harlem or East LA.

One Wall Street journalist quipped: “Your broker has a better chance of getting busted for public drunkenness than being nabbed for fraud.” One of our landmen was fined \$100 million for insider trading, but the law permitted him to write off \$50 million of it as a business expense. You see, noted one analyst, we have paid politicians to create loopholes in the law so that we could always crawl between the cracks with plausible defense.

Protected cheaters get big payoffs. And the victims of cheating are real people: the elderly pensioner who must get by on less every month because WorldCom cooked its books while its pension funds lost billions.

Widespread cheating is undermining some of the most important ideals of American society and trickles down to our kids. The principle of equal opportunity is subverted when those who play by the rules are beaten out by cheaters, as happens every day in academics, sports, business, and other arenas. The belief that hard work is the key to success is mocked when people see, every day, that success comes to those who cut corners. The ideal of equal justice under the law is violated when corporate crooks steal tens of millions of dollars and get slapped on the wrist.

Our kids see this on TV: people are placing themselves at a disadvantage if they play by official rules rather than the real rules. What competitive high school student is willing to tolerate a lower class ranking than other students who are cheating?

Many parents may be caught up in the cheating culture themselves and set a negative example for their children. You might say to yourself, “I don’t cheat.” And you might remember the time you peeked at someone’s cards in a card game. Or nudged the golf ball out of its bad lie. Or the time you wanted a bagel in the office break room, but couldn’t come up with the dollar you were supposed to drop in the coffee can, but took the bagel anyway. And you told yourself you’d pay double the next time, and didn’t.

Some of us shuddered when Nobel Prize-Winning German writer, Günther Grass, whose is famous for his criticism of Nazism finally admitted decades after the fact that he volunteered for service during WW II in the Waffen SS, the elite unit of Nazi soldiers. “I wasn’t there,” he told us for all these years. Think of what your children think when they hear you whisper to the person who answered the phone to tell the caller: “**Tell her I’m not here.**”

It isn’t just the bold-faced names – including those who do insider trading or pill-popping, shot-taking, ballplayers or perk-abusing politicians – who cheat. It’s the waitperson who pockets tips instead of pooling them. It’s the Wal-mart payroll manager who goes into the computer and shaves employee hours to make his own performance look better. It’s the seventh-grader, who didn’t study for the health exam, copying from the kid sitting next to him.

Some cheating leaves barely a shadow of evidence. In other cases the evidence is massive. Consider what happened one spring evening at midnight in 1987: seven million American children suddenly disappeared. The worst kidnapping in history? Hardly. It was the night of April 15, and the IRS had just changed a rule. Instead of merely listing each dependent child, tax filers were now required to provide a Social Security Number for each child. Suddenly, seven million children – children who had existed only as phantom exemptions on the 1986 1040 forms – vanished, representing about one in ten of all dependent children in the United States. There the incentives are fairly clear.

Finally, we who are parents may even lack the skill to talk about them, not have the vocabulary, or be caught up in realizing that their own example might not be the best. We cannot discuss responsibility because they see that we come up short. We may talk about fairness, but we demonstrate by our actions that we care mostly about grabbing as big a piece of the pie as we can get, and our kids know it.

The character of America has swung over the past twenty-five years. “It’s your money attitude” weakens the social fabric and, rather than creating an ethos of “We’re all in this together,” it communicates that it’s every man for himself. As Alexis de Tocqueville pointed out in his mid-19<sup>th</sup> C. book about the American character: we are a people who are both idealistic and selfish, a people both liberated by and isolated by their own individualism.

Meanwhile, important values in our culture have been sidelined: belief in community, social responsibility, and compassion for the less able or less fortunate. Everywhere the collective spirit needed for a vibrant civil society is struggling to survive in an era where shared goals are out of fashion: individualism and self-reliance have morphed into selfishness and self-absorption; desire for the good life has turned into materialism; aspiration has become envy.

We have a need to balance self-acquisition and self-sufficiency with the concept of a stronger community that adds to our well-being. We might call this, as Zachary Karabell does in his book, *A Visionary Nation*, a move to “connectedness.” He makes the case that, when Americans become disillusioned with society's materialistic focus, they will seek not just a formal vision that includes family, intimacy, and spirituality, but a sense of connectedness with the world and other people.

For what it’s worth, here’s some advice:

- (1) Even if everyone else is cheating: Be a chump who files an honest tax return and who tells others that that is the only way one should operate.
- (2) Even if everyone else is cheating: Be a chump to pay \$18-20 for a CD at the store, or download from a pay-as-you-go site. And when a friend sends you a file, send it back to him or her with a small, “It’s copyrighted, and the violation of copyright is stealing.”

- (3) Even if everyone else is doing it: Be the chump who tells Allstate that someone else living with in your home does actually have his license, and – though she has sixteen points – does drive the car.
- (4) Be the chump who does not tell a blizzard of white lies that help people get ahead, and blow the whistle on those who do tells such lies.
- (5) Don't pad your billable hours, nor your resume; but do pad your musculature by struggle and sweat, not through syringes and steroids; conduct only the most cost-efficient medical tests and only those that have more than a rat's chance in hell of telling you anything really important.
- (6) Let your kids fail; and teach them how to succeed honestly.

[Schools meanwhile need to have honor codes. Good research shows that honor codes do reduce cheating – with the caveat that the institution itself must have a strong dedication to integrity at every level of the educational ladder.]

In our tradition, Abraham is honored and feted because his tent was open and inviting. He was community-minded, the paragon of hospitality. He welcomed strangers. He comforted wayfarers. But he did cheat around the edges a bit, twice deceiving foreign kings by telling them that he was not Sarah's husband, taking on Hagar as a dependent – even having a son with her – but then sending them away to an uncertain future, and, in our story, deceiving his servants and his son. Not a great example, folks.

And his grandson, Jacob, fooled his aging, blind father into giving him, the younger of the twins, the blessing accorded usually to the first-born, Esau. "You brother came with guile," he said, "and took away your blessing."

So all this is easier said than done. We seem so far beyond the "tipping point" that it would appear that we shall never recover. We wonder about the disadvantage we face when everyone else is doing it. And that is our biggest challenge.

So, parents, think about this: What will you do if your child gets caught cheating? And for others of us: What will we say, if anything, to friend or colleague at work who we know to be cheating? What will we say?

Let us pray, in accordance with the Psalms (43:1): "From those who treacherously cheat, rescue me." As the song goes, "And let it begin with me."