

New Class and Source Sheets! Honesty and Cheating

by Rabbi Dr. Nachum Amsel | July 29, 2019

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Cheating is rampant in today's society. Just as in the adult world illegal business practice proliferates, so, too, in schools, cheating by students is widespread. To understand this phenomenon, it is necessary to first comprehend the underlying reasons for cheating by youngsters and teens. Then, the "how and why" of Judaism's opposition can be presented.

MEASURING PEOPLE BY ACHIEVEMENT

The importance placed by our society on the "bottom line," which is utilized to evaluate everything and everyone by what the person achieves or any particular action accomplishes, exerts enormous pressure on all people. Students cheat on exams and in other forms of school work because of this emphasis in western society in the twenty first century and pervades the world of children as well as adults. The more tangible the value, the greater the importance. These are the signals given by society, in general, and by parents to children, in particular. Thus, an athlete (whether in the Olympics or in Little League) is judged by his or her performance, not by the amount of effort or determination. Skill, talent and achievement count, not desire, discipline and sportsmanship. A student judged on performance, and not effort, feels that any achievement below the expectations of parents or peers will be unacceptable. The negative reinforcement for any accomplishment other than being the best, both tangible and psychological, will often be so great, that the pressure to achieve the expected high results becomes overwhelming. Therefore, as long as the pressure to succeed in school remains so high, the desire to cheat in order to achieve those expected results will remain so high that any other goals such as honesty, fair play and trying one's best will fall by the wayside.

PEER PRESSURE

If everyone else in a social group participates in an action that one knows to be wrong, the pressure to go along is enormous (see the chapter about "Peer Pressure" for an expansion of this idea). If many people, especially the popular people, are cheating in class, there is great psychological pressure on the others to "go along," especially if the chances of getting caught are small, with today's advanced methods of cheating. This is especially true when non-participation may damage one's standing in the group and may even threaten friendships. Because of these pressures, many students will cheat even if they believe it to be wrong. The people who do cheat also exert additional strain on all those who do not want to comply, since total class participation in cheating is a form of guaranteed protection in case the perpetrators get caught. The negative attitudes in some classes towards those who refuse to cheat also have a strong effect. No one wants to be a "goody-goody," at the expense of being made fun of by peers. In addition, if everyone else is cheating, the student who actually studied will often wind up with an inferior grade than those who cheated. Thus, the end result of not cheating will be a poorer grade than the many or majority of the class who cheated, in addition to displeasing peers and losing friendships. It is clear, then, why it is so difficult for youngsters to resist the temptation to cheat.

PARENTS ALSO SEND MESSAGES THAT CHEATING IS ACCEPTABLE

Children usually imitate what parents do, not what they say. A parent who tells a child it is wrong to cheat will have little impact on the child's behavior, if the child sees the parent acting in a less than honest

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manner. Children who see parents write off a family dinner at a restaurant as a business expense, fix parking tickets or violate the speed limit on a regular basis, help undermine the child's respect for the law and "doing the right thing." Actions of parents register with children of all ages, and they know very well what the parent is doing and why.

IT WORKS

The unfortunate truth is that most students who cheat never get caught. Since the risk is minimal and the results (i.e. praise from parents, getting into the better schools, being part of the "in" crowd) are very great, there is little reason not to cheat. Teachers are often naively unaware of the degree of cheating in their classroom and schools are usually too understaffed and underfinanced to provide the numbers of good proctors necessary to prevent cheating in a large class. Intensive teacher training to spot cheaters is also lacking due to a deficiency of funding in many schools and a shortage of strong will by the administration.

JUDAISM'S OPPOSITION

Cheating is classified in Jewish terms as *Genaivat Daat*, which can be translated as "stealing someone's thoughts," fooling someone, or receiving undeserved benefit. It is a form of stealing, clearly prohibited for Jews whether cheating against Jews or non-Jews.¹ Many students who cheat would never think of actually stealing, but in Judaism the two are clearly equated. In fact, according to the Tosefta,² cheating is the worst form of stealing. If it is indeed stealing thoughts, whose thoughts are these students actually stealing?

1. The teacher's. When the teacher sees a high grade, the assumption is that the student did the homework, learned the information well, and that the teacher has taught the material well. The teacher thinks highly of the student. All of these positive thoughts and evaluation by the teacher are "stolen" and undeserved.

2. The high school, college or graduate school. Because society is so achievement oriented, the next higher rung of education, be it high school, college or graduate school, evaluates its incoming students primarily on grades achieved, both in the classroom and in nationwide tests. When a student cheats on either of these, especially on a regular basis, it permits the student to be accepted to a more prestigious school (which is probably the goal of most cheating in schools). When this happens, the accepting institution is being "cheated" as it believes the student it has accepted has achieved a certain level of proficiency. Thus, that acceptance to the educational institution is a "stolen" acceptance.

3. Other students. Since it is grades that primarily determine who gets in and who does not, the cheater's higher grades deprives other students of getting in. It makes no difference whether it is a student in the cheater's class who will now have a lower class rank because of the cheating, or if the victim is even an unknown student from a competing school who might have been accepted if all the grades had been achieved fairly. These students who play by the rules have had their better educations stolen from them by those who cheated and "got ahead" illegally.

4. Parents. This idea applies especially to the parents who paid large sums of money for private school. They spent all this "extra" money (in addition to paying regular taxes for public school education) because they wanted and expected their child to get a better education. When the child gets a good grade

¹ Maimonides, Hilchot Mechirah 18:1

² Tosefta, Bava Kama 7:3

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as a result of cheating, the parent feels happy and that the money was well spent. However, because the child who cheated did not make a proper effort to learn, the parents' money, in essence was squandered. Thus, the child stole from the parents, not only their thoughts regarding his or her excelling, but also the money itself which was squandered.

5. The student. The student himself or herself is stealing his or her future. In addition to losing out on all that knowledge and properly developed study habits, which may or may not be significant in that person's future as an adult, the student's self-esteem cannot be high, knowing that all or most achievement was through cheating. After a while, the student who now relies on cheating will lose confidence in his or her ability to earn a grade legitimately. Eventually, the student will either get caught and punished or realize that he or she does not have the proper knowledge to enter and excel in a profession. Either way, the student has cheated himself or herself.

JUDAISM'S OPPOSITION TO STUDYING JUST FOR THE GRADE

One of the most significant areas of disagreement between Judaism and today's western values is the approach to "the bottom line," especially when it comes to study. In Judaism, being a good person, helping others and contributing to society are far more important than achieving or accomplishing for the purpose of prestige or merely to earn money. But when it comes to learning, Judaism's opposition to grading (as the purpose of learning) is greatest. In Judaism, the goal of Torah learning is called *Torah Lishma*, Torah learning for its own sake. There are many sources decrying learning which is done for any other purpose than the learning itself (such as getting the high grade in order to enter a better school). One source³ says if someone does not learn for its own sake, it is better that the person would not have been born. In a prayer recited each morning⁴ a Jew asks G-d to make the words of Torah sweet and to be able to study Torah for its own sake. There many other sources espousing the same theme.

Perhaps the most poignant source says⁵ that whoever learns Torah for its own sake, it is a life drug, but whoever learns Torah not for its own sake, it is a drug of death. While much could be analyzed from this source (see chapter about "Drugs and Alcohol" for an analysis of why Torah learning is called the drug of life), there are a number of similarities between learning only for the grade, i.e. to get ahead, and using a drug. Certainly, learning only for the grade can become addictive, in a negative way. The "high" one gets when receiving a superior grade (whether through cramming honestly for an exam or by cheating) is a "rush" not unlike a drug which is artificially induced. It should be made clear, at this point, that Judaism does not object to challenges and feelings of accomplishment.⁶ However, when that becomes the obsession, the focus or the only goal, on any level, Judaism opposes it, especially in learning.

PEER PRESSURE AND FRIENDSHIP

Although there are separate chapters discussing "Peer Pressure" and "Friendship," peer relationships certainly affect the cheating process and the desire to cheat, and should be mentioned in this context as well. Maimonides⁷ acknowledges the power of peer pressure. Therefore, he says, people must make sure to surround themselves with those individuals who have positive Jewish values and who will make a favorable impact. Translating this concept into the classroom setting, students who do not wish to

3 Berachot 17a

4 Morning prayers, private blessings on the Torah

5 Taanit 7a

⁶ See Avot 2:21

7 Maimonides, Hilchot Deot 6:1

cheat must learn to band together in order to stand up to the pressure. While this is often enormously difficult, it is one of the only ways to overcome the psychological pressure to cheat.

Regarding the argument that "if I do not help the cheater, I will lose his or her friendship," there has to be an honest evaluation of what true friendship is. If a friendship can be shattered by refusing to help to cheat on one exam, is that real friendship? Clearly, Judaism believes it is not. The Mishna⁸ states that any friendship that is dependent on one thing (i.e. helping to cheat or do homework for someone else) is not a true friendship, because if that "thing" disappears, the friendship is over. True Jewish friendship goes beyond any one (or two) things, and can certainly survive a refusal to aid someone who is cheating. While it is difficult to convince a youngster who is so concerned with peer approval that cheating is not the way to win friendships, as maturity occurs, he or she will begin to realize who are true friends and who are not.

It must also be made clear how one should act towards a really true friend, who cares about you. Major swindlers and embezzlers in adult life all started small, as cheaters on tests or as shoplifters of candy bars when they were children. In most cases, when they are caught, children stop this kind of activity. However, if they are never caught, there is positive reinforcement to continue and go further. The older a person becomes, the greater the rewards for cheating, but the punishment and risks are greater if caught. If the first time a person gets caught cheating at something is late in life (such as a president of a corporation or an inside trader), the price that individual pays is indeed high. Therefore, if a child is caught, the punishment hurts at the time, but, in the long run, does not ruin his or her life. Therefore, a really good friend who cares for that person, will not help the person cheat, so that the cheater is stopped early, saving much torment if caught later on. It is true that this "mature" argument is difficult for most children to appreciate, but, nevertheless, students must be made aware of the future hazards that follow a continued pattern of cheating.

WHAT JEWISH SCHOOLS CAN DO TO COMBAT THIS PROBLEM

Schools are usually unable to reverse conspicuous values that are so prominent and present in a society. Certainly, any action taken without the strong support of the parents and the rest of the community is doomed to failure. Nevertheless, there are certain policies and procedures that a school can initiate to send the right message to the students and help minimize cheating.

The emphasis of the school should reflect Jewish values, not act in opposition to them. Therefore, when the most prestigious school awards go to those who achieved the highest grades, the wrong signal is being sent, and Jewish values are not reflected. Schools should undertake Chesed programs, in which students who help others and the community, and these should be recognized with as much prestige as those who achieved scholastically. Scholastic awards for those who expend the maximum effort (even if no results were seen due to less than excellent aptitude) should also be given with equal prestige to those who achieve outstanding scholastic achievements. Finally, recognition for improvement by a student must be given prominence to the student body, to the parents and general community as well. Such initiatives by the school will go a long way to inform a student as to what is truly important from the Jewish perspective. But that is not all that can be done by a school.

Many students cheat because it reaps a very high benefit for a very low risk. The word must get out

8 Avot 5:16

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that anyone caught cheating will face the most severe penalties, including automatic expulsion and a letter in the student's permanent record. It must be made clear that both the administration and the faculty will strictly enforce this edict. Although this seems to be a drastic measure, as soon as the students realize the risk they are taking by cheating, most illegal activities will cease very quickly. Before the exam, teachers must emphasize to students the consequences of "looking up" or even looking suspicious during the exam. Friends must not be allowed to sit near each other, and proctors should randomly assign seats, and not allow students sit where they wish. Teachers must be diligent during an exam carefully watching students at all times. Although these steps seem negative, taken together with positive reinforcement for effort, rather than achievement, they can produce great changes. Of course, discussions between teachers and students about cheating itself are always beneficial, in addition. In the right atmosphere, students will be very forthright and honest in their feelings on this topic. It is a moral dilemma for most students whether to cheat or not, and they desire to discuss the issue in safe non-judgmental venue.

CHEATING "ONCE IN A WHILE" OR AS A JOKE

Many students claim that cheating is really wrong only if it takes place on a regular basis. Then, the overall grade point average is greatly affected and may set a pattern for life. Cheating on one isolated exam, however, or once in a while, does not hurt anyone, especially in subjects where the information is so "irrelevant." Sometimes students claim they cheat just for the thrill, as it is more exciting and fun than studying at home. If it happens once in a while, what harm could it cause?

If cheating is indeed a form of stealing, then just as it is a Biblical prohibition to steal even the smallest amount,⁹ stealing a person's thoughts, i.e. cheating, is Biblically prohibited, even if only in small amounts, i.e. once in a while. It is obvious that anyone who cheats occasionally for the psychological thrill and gets away with it, will have a great desire to do it more frequently. In addition, Maimonides, in the same paragraph,¹⁰ states that a person may not steal as a joke or even with the intention of returning the stolen object (i.e. admitting to the cheating later on), since this will eventually become habitual. Cheating, no matter how irrelevant or how infrequent, is never tolerated in Judaism.

PASSIVE CHEATING VS. ACTIVE CHEATING

Some students claim that since they are already prepared for the exam by studying, and then they merely let others copy from them, they are doing nothing wrong. They claim that this kind of cheating, called passive cheating, is not immoral since the cheating students would get their information elsewhere anyway from other students. Why lose friendships by covering up one's paper? Is this argument valid?

The situation can be analogous to gossiping, the sin in Hebrew called *Lashon Hara*. If people want to speak evil of others, but no one wants to listen, that sin could not be committed. In cheating, as well, if all who studied refused to passively cheat by letting students copy, then no one would be able to cheat in this manner, and they would have to develop more dubious, less reliable methods or not cheat at all. And if one does just sit passively and let others copy, Judaism does hold that person responsible.

In the classic sin in the Torah about speaking evil about another person, Miriam spoke evil to Aaron,

⁹ Maimonides, Hilchot Geneivah 1:2

¹⁰ Maimonides, Hilchot Geneivah 1:2

about their brother, Moses. Although she did the speaking, as the verb is in the singular, the Torah verse¹¹ records that both Miriam and Aaron spoke, in order to teach that one who listens passively is just as guilty as the one who speaks. The Talmud¹² states that this one act kills three individuals: the speaker, the listener, and the person being spoken about. Using this analogy, it can be demonstrated that a person who cheats passively is no less guilty than the active cheater, even though the passive cheater does not benefit. In fact, Judaism demands even more. Not only may a person not passively cheat by letting others copy, Judaism also expects a Jew to stop the cheating of the other people. If someone sits by and sees a sin being committed and could have stopped it, that person is also guilty.¹³ Therefore, the honest student must try to prevent the cheating by others. Of course, the possible recriminations from other students may make this act psychologically very difficult to openly tell the teacher who cheated, but there are other options. The threat to tell the teacher before the act is committed often can act as a deterrent. If a group of students can band together in the effort, it becomes far easier. And when finally telling the teacher, it could easily be done anonymously, thus easing the pressure a bit from the person informing.

SPECIAL BURDEN OF JEWISH STUDENTS WHO CHEAT TODAY

There is another important reason why Jewish students today should not cheat. The Talmud¹⁴ openly describes a situation where if a Torah scholar cheats and it becomes known, it will cause a desecration of G-d's name. Anything a Torah scholar does will be associated with all Jews and all of Judaism. There are rabbis today who believe that, in modern society, all students in a Jewish school have the status of the Torah scholar in regard to this issue. People who find out that Jewish students in a Jewish school are cheating will react in the same manner as described in the Talmud, and will think worse of all of Judaism. For this reason, Jewish students have a special obligation not to cheat.

Unfortunately, this is not only a theoretical discussion. Nor is it true, as some believe, that their cheating will never be discovered. A number of unfortunate incidents a few years ago revealed that some Yeshiva students from Orthodox and Conservative Day Schools were caught stealing and then selling the New York Regents exams. The front page of the New York newspaper proclaimed for the world to see how Jewish students cheat on a major scale. And the reactions to this scandal among non-Jews was predictable and justified.

In another famous, but not as well publicized incident a number of years ago, in the night class of a college, were Yeshiva students who learned Torah all day. During one exam, they asked the non-Jewish teacher to interrupt the exam briefly so that they may pray the evening prayer. However, instead of praying, they called out the answers to the exam in Hebrew. This type of cheating denigrates the reputation of all Jews everywhere, and tarnishes G-d's name as well. It is of the utmost importance that Jewish students be made aware of the additional risk they take when they cheat.

The act of cheating is not only just another Torah violation. It weakens the entire fabric of society. As a form of stealing, the Talmud says that it is equal to murder,¹⁵ because, like murder, it weakens society

11 Numbers 12:1

12 Arachin 15b

13 Shabbat 54b

14 Yoma 86a

¹⁵ Bava Kama 119a

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itself and the ability of people to live with each other. Only an honest society can grow properly and be maximally productive. An honest adult society can only evolve from an incorruptible children's society which must be fostered in the classroom.

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