Cohen, Randy. *The Good, the Bad, and the Difference: How To Tell Right From Wrong In Everyday Situations*. Doubleday, 2002.

In a hotel bar you see a friend's spouse in a romantic embrace with a stranger. Should you tell? A local businessman with ties to organized crime offers your charitable organization a sizeable donation. Should you accept the money? A friend borrows a huge sum from another friend and shows no inclination to ever repay the debt. Should you remain his friend? Your college class requires you to report cheating. Is it wrong to refuse to cooperate? Ethical problems arise with such frequency in everyday life that the spate of books, columns, and talk-show advice-givers catering to our felt need for moral guidance should come as no surprise. One such enterprise, from which the questions above are derived, is Randy Cohen's weekly "The Ethicist" column for the *New York Times Magazine.* The book under review collects these columns in chapters on Civic Life, Family Life, Social Life, Commercial Life, Medical Life, Work Life, and School Life, each chapter preceded by a brief introductory essay. Cohen stresses that what is important about his answers to readers' queries is whether he succeeds in showing, in his words, "the rational determination of right conduct." Ethics is, according to Cohen, "an attempt to answer the question 'How should I act now?'" and as such requires the satisfaction of, and mediation among, a variety of values, including honesty, kindness, compassion, generosity, and fairness. This approach to ethics, we are told, "requires something like diplomacy among the competing principles. . . . It is ethics as problem solving." (p. 10) In Cohen's words, "I embrace actions that will increase the supply of human happiness, that will not contribute to human suffering, that are concordant with an egalitarian society, that will augment individual freedom, particularly freedom of thought and expression." (p. 10)

It would be uncharitable to demand that Cohen, who is not a philosopher, produce the kind of systematic justifications of our moral judgments that are characteristic of philosophical ethics, were it not for the fact that Cohen's self-professed claim to fame is that he does *not* have the specific training associated with these more exacting matters of moral reasoning. "[T]here is an unexpected advantage to my lack of formal training," he writes. "The reader must consider not my credentials but my argument, and be persuaded – or unpersuaded – by that." (p. 4). Very well: as a primer on "how to tell right from wrong," Cohen's book is a failure precisely because he lacks a systematic approach that would generate *principled* solutions to ethical problems. Many of the book's hapless interlocutors are in a state of moral bewilderment, and Cohen's frequently flippant responses, straining for humor while trying to remain "on message," merely compound the difficulties.

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The introductory material that opens each of the book's chapters reveals a common rhetorical device, the less-than-innocent tactic of characterizing ideas with which one disagrees in disparaging terms. This device is employed whenever Cohen makes reference to conservative, libertarian, or religious ideas about morality, as when he writes of William Bennett's *The Book of Virtues*, "the values are Victorian and the tone is cranky nostalgia" (p. 14), or "The centrality of shopping is seen in the clash between those who cherish 'life, liberty, and the pursuit of happiness' and the 'life, liberty, and property' crowd." (p. 31). He succumbs to the fallacy of false alternatives, as when he writes: "*The Book of Virtues* is the champion of individual rectitude. 'The Ethicist' sees honorable behavior reflected in, affected by, and helping to bring about an honorable society." (p. 16). Surely these are not mutually exclusive. And he is not above the dismissive put-down, as in the case of the woman who has been telling outrageous lies to her ex-boyfriend about her name, age, looks, and profession in correspondence on an on-line dating service. The woman's roommate, who believes the ex-boyfriend is being deceived in a cruel way, asks for Cohen's recommendation. One would think that such behavior, involving as it does deception, manipulation, exploitation, and cruelty, would prompt a rather stern response, but Cohen's reply, in its entirety, is: "This is not an ethical crisis; it is the premise for a romantic comedy. I'd keep quiet. Except, talk to Meg Ryan's people." (p. 154). Such is the scope of our ethicist's "concern for actions that will not contribute to human suffering."

Although Cohen gives lip service to a high-mindedness that is reflected in the list of values above, his approach is not without controversy. The values Cohen invokes are independent, so the principles which give expression to them may come into conflict, and Cohen gives no indication how such conflicts should be resolved. Moreover, his apparent inconsistencies suggest he is out of his depth in the broader currents of ethical reasoning. This disability often leads to curious results. When a passenger on a bus can see that the woman sitting next to him is working on a special-education student's confidential evaluation form in full view, and wonders whether he should report this lapse in professional judgment, Cohen tells him he is "snooping" and should mind his own business. (p. 117). When a reader asks Cohen if it is wrong to watch a good-looking jogger in the adjacent apartment each night as he showers and prepares for bed, Cohen says "[E]njoy! It would be almost insulting to avert your glance." (p. 119) When corporate giant Wal-Mart refuses to carry stickered CD's and adult videos, Cohen accuses them of "allowing pressure groups to dictate what products they carry." But when Planned Parenthood prevails in getting Wal-Mart to carry contraceptives, Cohen notes favorably that Wal-Mart "has responded to its critics." (p. 45).

When a bank fails to correct an error in your favor, despite your repeated efforts to correct it, you must persevere: "The bank's error – no matter how persistent – does not justify theft." (p. 49). But when someone inadvertently takes your umbrella from a basket at the front of a store where

you have left it to dry, taking one of comparable quality that belongs to an innocent third party is "a kind of rough justice" (p. 134). And when a reader observes a charming woman in her seventies at the supermarket drop a box of cereal that has not been scanned into her bag and leave the store, Cohen calls this "a small crime against a big institution" and tells the reader she is being "afflicted with unwanted information" (p.48), but not what she should do.

When a reader wants to know how he should react to learning that his roommate has had sex with a girl from their school while in a drug-and-alcohol-induced stupor, Cohen tells him "the first thing you should consider are the wishes of the victim." (p. 215), even though no accusations have been made, no charges have been filed, and his assistance has not been solicited. There follows a list of demands he should put to his roommate (Cohen calls him "the rapist") –- he must be remorseful, ask for his victim's forgiveness and look for a way to make amends, admit he has a problem and seek counseling -- as conditions for the continuation of the friendship. (p. 215). Whether this response is consistent with Cohen's injunction in connection with another case that one has an "obligation not to abandon an intimate friend in a crisis" (p. 152) is unclear.

When a reader wonders whether he should remain friends with a man who borrowed $10,000 from another friend and who shows no inclination of ever repaying the debt, Cohen replies that this is not a transgression grave enough to sink a friendship; that what it calls for is to "remind the defaulting friend of his obligation, gently but persistently, and make it clear that you do not condone his lapse." (p. 156). Coming from someone who showed little reluctance to refer to "the rapist" and "the victim" and "the crime" before all the facts were in, as in the previous case, it is difficult to understand Cohen's fastidiousness, his preference for "defaulting friend" instead of "deadbeat" and "lapse" instead of "fraud."

When a police officer asks Cohen whether he must tell an inquiring spouse that her husband has been arrested for soliciting a prostitute, Cohen tells him he must tell the truth. (p. 131). When a man who has decided to break up with his girlfriend asks what he should do now that she has learned that her father is seriously ill, Cohen tells him he must put off telling her the truth. (p. 152). If your friends let their 4-year-old boy play naked when they visit you in the country, much to the discomfort of your 9-year-old boy, you should not confront them with the truth. (p. 155). If at dinner your neighbor says Grace in a way that seems appallingly sexist, there is no obligation to speak up or to remain silent. (p. 151). If you and your spouse are invited to a dinner party where one of the other guests is, in her opinion, a truly evil man, "go, but speak your mind." (p. 154).

Perhaps the principles that are implicit in Cohen's responses to all these cases constitute a consistent set, but it is impossible to determine this from Cohen's sketchy accounts.

Turning to other instances of Cohen's ethical judgment-making, we find further breakdowns in his ability to deal with ethical problems in a

principled and consistent way. Lacking a foundation in well-reasoned principles, Cohen is left with nothing but a situationist, seat-of-his-pants approach which yields some surprising results. The clearest examples of this shortcoming can be seen in connection with cases involving the obligations of friendship (as indicated above), dishonesty, and truth-telling. Should a university instructor who is told by two Russian-born students that a few Russian immigrants are admitted to both public and private universities and colleges by using false high school diplomas alert the admissions offices? Cohen says "I think you should keep this to yourself. . . . why is it a bad thing that these immigrants are so eager to attend college that they'd engage in deception to do so?" (p. 212). Cohen argues that "Their determination to pursue an education (although not, of course, their dishonesty) seems admirable," evidently dismissing the idea that this determination is *furthered and facilitated* by their dishonesty. When a student applying to a graduate journalism program that requires an undergraduate GPA of 3.0 asks if she must disclose her 2.958 average, Cohen does not demur approving of her "rounding up" to a 3.0. "If they'd asked for a 3.00, then you'd have to express your grade as three digits, rounding it to a 2.96. You'd be rejected from journalism school and have to find an honest job." (p. 217). But Cohen apparently doesn't understand that scrupulousness in the handling of small details (especially by a would-be journalist) is precisely part of what it *means* to be honest.

When a full-time baby-sitter asks her employer if she may use her employer's address to enroll her daughter in an excellent public school outside the sitter's neighborhood, Cohen says that "using a false address should not be a first step but it could certainly be a last resort." (p. 270). And why is that? Because "Given the current lamentable condition of public schools in New York, with the deck so stacked against this mother, her obligation to her child surpasses her obligation to tell the truth on an application form . . . That is, one does not have an ethical obligation to cooperate with an utterly unjust system." (pp. 270-271). Questions of the slippery slope at once arise: Where, if at all, would Cohen draw the line? May this mother falsify her application for financial assistance for the sake of her child? May she inflate a resume to obtain a better job? And note, too, that what initially sounds like charity is actually a slide into evasion. Cohen says "While lying is always unfortunate, if it is the only way a hardworking mother can overcome injustice and get her child a good education, I do not have it in me to refuse her." (p. 271). Cohen *does not have it in him* to refuse her, which is not *quite* to say that it is ethically permissible to lie, but most emphatically *not* to say that lying is *wrong*. He commits himself to saying no more than that lying *could be* a last resort, which is neither to rule it out nor to endorse it, and thus to leave the question unanswered.

But Cohen's sympathy with the poor and his talent for glib jocularity cannot redeem his project. To take a final example, Cohen makes a spirited attempt to convince us that a man whose wife of two months will neither have

sexual intercourse with him nor disrobe in front of him, nor sleep in the same bed nor consult a therapist, should either masturbate or hire a prostitute or seek out a willing partner for an extramarital affair. (These steps are necessary to forestall divorce, since the wife, once divorced, might be deported back to China where the couple met.) This remarkable advice is offered with Cohen's assurance that "people have quite a variety of attitudes about their sex lives and that it is not at all unlikely that this man could find someone to sleep with him even under these odd circumstances." (p. 165). But Cohen does not explain why he thinks these extraordinary options are incumbent on a spouse who is willing to make a good-faith effort to deal with his wife's disturbing behavior, or why they are ethically preferable to divorce.

I said above that Cohen's book was a failure, but in one respect it is a ringing success. He manages to encompass nearly every element in the canon of left-liberal orthodoxy and placate every left-liberal interest group: there is the reproof of corporations and big business and the imputation of "racism" in every antagonism between members of different races. Indeed, when a non-Asian reader tells Cohen he is *attracted* to Asian women (and wants to date Asian women exclusively), Cohen calls this "racism" and insists that it is his ethical responsibility to "understand" his desires. (p. 162). Cohen thinks "we are all racists" (p. 163), but then defines racism as "being influenced by that construct called race," thereby unwittingly trivializing the notion of racism by emptying the term 'racist' of any normative content. There is the attack on the wealthy and the repudiation of "gated communities." There is the obsession with finding invidious hierarchies everywhere, from gift-giving ("a river of beneficence that runs downstream, from the more to the less powerful") (p. 147), to compliments ("While a science teacher may compliment her pupil on an experiment well done, it would be impertinent of the student to say, 'Nice teaching!' The etiquette governing such exchanges not only announces but reinforces the social positions of those involved.") (p. 148), to school life itself, which Cohen likens to Colonialism. ("The kids are the indigenous people . . . who must live under the rule of the far more powerful outsiders, the teachers.") (p. 204), a dubious analogy, since it might just as accurately be said that the children are the "outsiders" who come and go, while the career teachers and administrators sustain the structure of norms and traditions that make up "school life." And there are the *ad hominem* attacks: Those who reject Cohen's anti-free market polemics and vague environmentalist beliefs are "private property extremists" and "fanatics" who "espouse greed and relentless self-interest." (p. 31). As we now can see, these righteous absurdities are not simply the products of an excessive parochialism. They are indications of a pervasive bias never far from the surface. Every reference to corporations, business, the market, the military, capitalism and the free enterprise system is tendentious and derogatory. This ideologically-launched approach reaches a peak of vehemence in a passage on the causes of the prevalence of school cheating, where Cohen writes:

> It's hard not to notice that kids born in the eighties are now of college age. They grew up under a president who emphasized self-interest at the expense of community, one who cultivated a goofy affection for cowboy fantasies of the autonomous individual who does not live among others, who denigrated public life as the machinations of wicked government. This is not a worldview apt to promote a sense of shared civic life with its concomitant sense of mutual responsibility. But, to be fair, it does promote capital gains cuts that benefit the wealthy, so things do balance out. (p. 205)

The irresponsibility of this malicious outburst is truly breathtaking. Cohen knows he has offered no evidence for the astonishing thesis that Ronald Reagan's own values were the source of widespread cheating, yet he evidently sees nothing wrong in speculating wildly about causes, attributing motives, and assigning blame. It is difficult to see how someone who thinks this is a responsible way to proceed in diagnosing our ethical malaise and providing ethical guidance is competent to discuss moral reasoning in the first place. For in addition to logical consistency, ethical competence requires a measure of impartiality, lack of rancor, and balanced judgment – features by no means in abundance in *The Good, The Bad & The Difference*.

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