STUDENT PANEL ABSTRACT
Released Spring 2003
Abstract Discussions:
Monday March 3rd 12:30 and 7
Sunken Lounge

Introduction

Honor Council confronted itself for failing to publish an abstract of an Honor Council trial from the previous semester in the time frame stipulated in the Honor Code (within four weeks into the next semester). This, in turn, led to the convening of a Student Panel, as required by the Code\(^1\). A Student Panel is comprised of 12 members of the community who are not presently serving on Honor Council, with a dean serving as Chair.

The abstract in question was not published within the prescribed four week time period because the jury member who agreed to write it never did so.

Honor Council's statement to the Student Panel is paraphrased as follows:

Honor Council’s Statement of Events (to the Student Panel)

Despite Honor Council’s attempts to contact this jury member, through electronic and campus mail, telephone, and even instant messaging, he never produced the abstract within the given deadline of four weeks. As only he possessed the needed notes, no other Honor Council member could write it. When confronted, the student declared that he had written the abstract, but that he would not send it, as he wished this to be a “test case”. He sent Honor Council an official statement reflecting this stance. During the Sunday meeting of the fourth week, Honor Council came to a suspicion of violation regarding this student, and proceeded to confront itself for not producing the abstract by the designated time.

During the first meeting, the Student Panel focused on some of the following issues in order to determine whether or not Honor Council was in suspicion of violation, thereby necessitating a trial:

Student Panel's Discussion – First Meeting

Technically speaking, failing to produce an abstract by the designated time constituted a violation of the Code. Student Panel questioned whether there was more that Honor Council could have done, such as seeking the intervention of a faculty member. However, given the facts in front of Student Panel, some members suggested that, due to the trust that the Honor Code instills within the community, Honor Council would have had no reason to expect deception on the part of the member whose task it

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was to write the abstract. Thus, Honor Council would have done everything reasonably expected of them. It should be noted that at one point in the four-week period, the student sent Honor Council an unintelligible attachment, as it came up as all symbols. This would have reassured Honor Council that the abstract indeed had been written, but that electronic transmission was temporarily obstructing its publication.

This reasonable expectation of trust within the community brought to light a possible flaw within the procedures of Honor Council. Why should one student be able to manipulate Honor Council so? Is the process to blame, and not Honor Council? If so, changes in the Code would be needed. For this reason, it was suggested that perhaps a Plenary resolution can mend this defect, something which would fall out of Student Panel’s jurisdiction.

Student Panel’s general feeling was that Honor Council was not to blame for the missing abstract because Honor Council was held up by the misconduct of one juror. Student Panel then considered whether Honor Council needed to be taken to trial. Some members did not feel the circumstances warranted a trial, but that some action in fact had to be taken. Other members felt that nothing short of a trial would be sufficient in getting the message across. The meaning of “trial” was then defined, not as a scheme of delegating punishment, but as a means of repairing a breach of trust. It was pointed out that Honor Council’s trust had been breached, and that the repair was already under way. Thus, how can one try the group whose trust had been breached? In addition, Honor Council had confronted itself, suspecting it had violated the Code. Perhaps Honor Council’s awareness of the problem could constitute its resolution.

Tentative Consensus

Discussion of these issues resulted in a tentative consensus (with one member standing outside, and another undecided) that a trial would be pointless, and that perhaps a strong recommendation to Honor Council in the form of a letter would be more appropriate. Additionally, Honor Council should inform the community of the recent events, and the missing abstract must be published as soon as possible.

Student Panel’s Discussion – Second Meeting

The second meeting of Student Panel, convened a few days later, confirmed the previous consensus, and the previously undecided member later agreed to also stand outside consensus.

In the second meeting, new information was brought to light, such as the pressure felt by the person who did not write the abstract. He had never written the abstract, and thus was not being truthful when he said that he had already written it some time before it was due. The student felt overwhelmed with commitments, which is why he did not respond to Honor Council’s attempts to contact him. His statement that he wished this incident to be a “test case” was said purely out of anger and frustration.

Reaching Consensus
Student Panel found this new information interesting, but, although genuinely concerned for the well-being of the student, it was deemed irrelevant to the decision for which it had gathered. This consensus on “no trial plus a letter to Honor Council expressing the Student Panel’s concerns and recommendations” was reached, with two members of Student Panel standing outside.

Letter of Recommendation

It was decided that Student Panel’s letter to Honor Council should contain the following suggestions and concerns:

- The importance of communication with the community. Honor Council should write a letter to the community, to be attached to the late abstract, explaining the recent events.
- A grateful acknowledgement of Honor Council’s awareness of the issue, and its genuine intentions to meet the requirement, but its failure to do so.
- Indication that a revision of the abstract process is in order, to prevent any future occurrences.
- A suggestion that Honor Council might allow the fourth week of its designated time to be the “Critical Period” where progress on abstracts is checked.
- A suggestion to Honor Council that perhaps meeting notes might be photocopied for easier accessibility; they might be held by a secretary in a central location. Once the notes are turned into an abstract, they may be destroyed.
- A suggestion that Honor Council implement the ability to change delegation of responsibility if necessary.

Some concern was expressed with respect to the wording of the letter. After the changes, members were appointed to write letter and the Panel abstract, and with this the meeting was concluded.

QUESTIONS

It is important to follow and obey the laws and understandings that govern a community. But when and how should compassion be considered in the case of a breaching of the law?

Trust is an integral part of the Haverford community. However, is testing this trust justifiable and appropriate? Does a test of trust necessarily imply distrustfulness on the part of the tester, or is it a warranted challenge against blind trust?

The Honor Code instills within students a sense of personal responsibility to ourselves and to others in the community. This responsibility includes the duty to report breaches of trust, but does it also imply mindfulness of and concern over other students’ physical, mental, and emotional well-being?
Letter from Student Panel to Honor Council

Communication with the community is one of the most important responsibilities of Honor Council. We understand that Honor Council had every intention of meeting the requirements of the Honor Code and releasing the abstract on time, and we believe that every reasonable course of action was taken. However, it disturbed this panel to realize that one person was able to force Honor Council to violate its responsibilities under the Code. We strongly suggest that some practical measures be taken to ensure that something similar does not happen again, as well as resolving the current situation. Several thoughts and suggestions we had include:

- We would hope and expect that the missing abstract will be released before the end of the semester.
- A letter to the community, attached to the abstract, would be a good medium for explaining the position of Honor Council and informing the community about what is being done to solve the problem.
- A resolution proposed at Plenary, changing the Code and therefore the procedures Honor Council follows, is probably the only way to prevent a breach of trust in the future. Such a resolution might, for example, state that notes from trials could be photocopied, kept in a central location, (so that abstracts are not dependent on one person and the set of notes that person possesses) and then destroyed once the abstract has been written. This is obviously only one of several possible alternatives.

The student panel struggled with a number of issues before deciding against a suspicion of violation, with two members standing outside of consensus. While the panel felt that the members of Honor Council did their best to fulfill their obligation, the fact remained that technically speaking the Code was violated, regardless of the issue of culpability. Nothing would have been gained from a trial process, however; a change in the procedural workings of Honor Council, and thus in the wording of the Honor Code itself, is required, and trial resolutions could not achieve this. The panel feels confident that Honor Council will take action in response to these events, and wants to thank them for confronting themselves over this matter. Doing so showed responsibility and respect for the Code, and should be applauded.

Student Panel #1