You hold in your hands the super-abstract spoken of in last semester’s Star Wars trilogy. It is the goal of this abstract to clearly delineate the confusing and long drawn-out events only tangentially referred to in the trilogy. Specifically, this document will address the events surrounding the confrontation, trial, and resignation of a past Honor Council Co-Chair, and the aftermath that surrounded the release of the abstract from that trial. Honor Council realizes that by specifying the position and term of the individual, we have broken his confidentiality. Honor Council, in releasing this abstract, is violating the section of the Honor Code that reads “Abstracts are detailed enough to outline the issues, but vague enough to protect the confidentiality of the people involved”. (VII, A) However, in the interests of community education, and in part because he broke his own confidentiality (limiting our ability to protect it), we have reached consensus that the most productive discussions can only occur if all of the facts are known. Dates are included not to implicate the individual, but instead so that the community can keep the various Honor Councils involved in this procedure accountable for their actions. We encourage you to discuss the broader issues raised in this, and not the specific individual involved.

April, Year A

Ben Kenobi, the Honor Council Co-Chair, had an extension on a paper for Professor Queen Amidala, which he thought had expired. He told Amidala that he had turned it in through campus mail. She asked that Ben also put a copy in her mailbox, and he agreed to do that. Several days later Ben saw Amidala outside of class and said that the paper was in her office box. Amidala then checked both her campus and office mail and did not find the paper. Concerned, Amidala emailed Ben and he promised to come explain the situation to Amidala. Ben did not show up to meet with Amidala at the designated time, despite her emails, but did contact his dean about the problem. Amidala talked with Ben’s dean about her concerns and finally asked Ben to formally contact Honor Council.

Honor Council met to discuss whether there was a suspicion of violation. Anakin Skywalker, the other Co-Chair, presented Honor Council with the facts of the case. Complicating these meetings was the fact that Ben had confided to two of his friends on Council, Luke and R2D2, that the case they were discussing involved him, so only those two and Anakin were
aware of his identity. Also of note is that he had told them separately, so neither R2D2 nor Luke was aware that the other knew. Although Luke and R2D2 both had personal relationships with Ben, they felt obliged to remain part of the discussion. It should be noted that under the Honor Council guidelines of the time, had either Luke or R2D2 left the discussions, Council would have been left with only 14 members (Ben was obviously not part of these discussions), and under those circumstances no members would be allowed to stand outside of consensus. Given the controversial nature of the topic, it was imperative that all members work hard to put aside their personal biases and join the discussions in good faith.

The discussions proceeded contentiously, and somewhat unproductively for a few days. An ongoing obstacle was the wish of three members to stand outside of a consensus on a suspicion of violation. Luke, R2D2, and one other member all wished to stand outside for varying reasons, and Council was therefore unable to reach a decision. By this time, rumors about the identity of the person had been flying, and gradually the sphere of people who knew widened to include many members of Council. Neither Luke nor R2D2 told anyone, so specifically how the information came about was probably a combination of rumor and Ben’s suspicious absence from the meetings (Anakin had told Council that Ben was too personally involved to discuss the matter). Ben then came to the next meeting, announced that he was in fact the confronted party, and that he felt a trial was necessary. Honor Council reached consensus, with some difficulty, on a suspicion of violation, and the matter was sent to an academic trial.

April-May, Year A: The Academic Trial, AKA . . .

The Ben Abstract

Fact-Finding:

Professor Amidala’s Statement

Amidala addressed the jury first. She said that she had given Ben an open-ended extension on his paper, trusting that he would complete it when he could. One day Ben saw her after class and told her that he had handed in his paper through campus mail. She then asked him to also drop off another copy in her personal mailbox outside her office because campus mail is unreliable. He agreed. Later that week (3-4 days), Ben saw Amidala, again outside of class, and he told her that he had just left a copy of the paper in her mailbox 30 minutes ago. Amidala went to both mailboxes later that day to get the paper, but it was not there. At this point, Amidala emailed Ben concerning the missing paper. Somewhat later, Ben wrote back saying he would
come talk with her the next day and explain the situation, but he didn't show up. After Ben did not show up for their meeting, Amidala got in touch with Dean Emperor, Ben's dean, who had more contact with Ben, and the Emperor suggested that Amidala make a further attempt to talk with Ben. Eventually, Ben and his professor talked (roughly 2 & 1/2 weeks after he first told her he had handed the paper in). After their conversation, Amidala again asked the Emperor for advice. Finally, Amidala asked Ben to formally contact Honor Council. She emphasized to the jury that on two occasions Ben claimed to have handed in his paper when he hadn't, and that he never showed up to their arranged meeting. She added that she would have been fully understanding if Ben had simply told her that he would need more time than he had wanted to complete his paper.

Ben's Statement

Next, Ben addressed the jury. He said he agreed that his interactions with Amidala concerning his paper were dishonest. He had believed that his extension was limited, and when he first saw his professor outside of class, he had felt pressure because he thought his paper was due and it wasn't finished. The second time he saw Amidala, the paper was foremost on his mind so he assumed it was on hers as well. Panicking, he told her that he had handed a copy into her other mailbox even though he had not. He had completed some of the paper at that time. After this incident, Ben tried to contact the Emperor and had difficulty getting in touch with him. Ben did not respond to any of Amidala’s emails (except to schedule a meeting with her) because he wanted to talk with the Emperor first. After initial talks with Emperor, Ben considered and planned to discuss further with the Emperor the possibility of dropping the class. Ben told the jury that he had acted dishonestly, but his actions did not necessarily qualify as an academic violation because, though they concerned work, they were purely social in nature. He felt that the Honor Code does not involve social interactions with professors because they are not accountable to the Code. He felt unsure that Honor Council could, therefore, try him in an academic trial. He wanted, instead, to work personally on repairing his relationship with Amidala. He believed that through their discussions that they had already had, the problem was being solved. When the jury had asked the clarifying questions they felt necessary (mostly concerning dates and times), Ben and Amidala left and the jury began their deliberations.

DELIBERATIONS I:

Many different points of view entered the discussion about whether or not Ben had violated the Honor Code. The jury discussed the distinction Ben had addressed between common forms of academic violation, such as plagiarism or cheating, and his actions. Some jurors argued that lying about turning a paper in is equivalent to lying about your work through plagiarism and cheating. They commented that his lie could potentially have given him an
academic advantage. Some said that even if Ben's actions didn't give him an advantage, they still breached the crucial sense of trust between students and their professors. This violation of trust affects the entire community. The jurors were also disturbed that Ben had lied twice. Some could see how he could have done it once since he was panicking, but that after the first time he should have thought about what he had done and tried to remedy the situation by being honest with Amidala. They felt that the second time showed a lack of integrity because Ben avoided the difficult conversation he needed to have with his professor. He had chances to restore the level of trust in his relationship with Amidala and he didn't take them. One juror felt strongly that Ben had not violated the Honor Code and that his actions should only affect his grade in the class because he handed in nothing. Since no physical work was involved, his lies were his own personal matter, which the jury could not judge. Many jurors disagreed, saying that the social and academic honor codes depend upon each other. They felt that the consequences (a low grade) should not be the same for a person who lies and a person who honestly admits that their paper is incomplete. Most of the jury agreed that even though there was no cheating or plagiarism, since Ben lied to a professor about academic work this constituted a definite violation of the academic portion of the honor code. The jury reached consensus, with one member standing outside, on the following statement of violation:

**STATEMENT OF VIOLATION:**

By lying to his professor on two occasions, and therefore breaching the trust between the professor and himself, Ben failed to display 'proper conduct and integrity,' and thus violated the Honor Code.

**CIRCUMSTANTIAL:**

At this time, Ben explained the circumstances surrounding his violation. He said that during the time his paper was supposed to be written and handed in, he was deeply taxed emotionally. He was highly involved with a very serious case that took up virtually all of his waking hours. He was experiencing high levels of stress and very little sleep, which were beyond his control. The circumstances surrounding the trial had interfered with his ability to perform well in class, even to go to class sometimes. Amidala had understood his situation and that is why she had given him such lenient extensions. He said that he knew he hadn't dealt with his stress well, but he hadn't known how to deal with it well.
DELIBERATIONS II:

At this point one juror excused himself from the rest of the trial because of previous commitments. The jury considered the circumstances surrounding Ben's academic violation. They understood how much he had been forced to sacrifice and that he had been extremely stressed from the trial in which he had been involved, but felt that it did not excuse his dishonest conduct. The fact that Ben had stopped attending the class also worried the jury. They discussed further the difference between academic and social violations and how these could relate to resolutions. Since Ben missed most of the classes and had done no work since the initial paper, the jury felt very wary of allowing him to receive full credit for the class. They weighed the options of failing him or giving him no credit, but because of circumstances involved, they devised a plan giving Ben the opportunity to receive half a credit for the work that he had done and would make up.

The jury discussed at long length the issues involved concerning the Honor Council Co-chair violating the Honor Code. This was a very difficult issue to address because it was unprecedented and provoked very different opinions from various jury members. The most basic point of contention was whether or not Ben was accountable to his position as well as to the community and the Code. Some felt that his violation should be treated just like the violation of any other community member. He had not signed the Code twice because he had been elected Chair and should not be held to a higher standard. Furthermore, by electing him, the community was not making him a representative of the Code, but only an adjudicator of the Code. Some with this opinion even felt that Ben would be a stronger Chair having had the experience of a different, more poignant perspective in a trial. Others felt very strongly that Ben should be held accountable to his position as chair above and beyond the normal considerations in a trial. They felt that the votes of the community were votes of confidence and that he should either step down or put the decision in the community's hands by breaking his own confidentiality. Some even questioned how Ben could preside over other trials fairly, having broken the Code himself. Furthermore, a few jurors were concerned that by not holding him accountable to his position, the jury was privileging him because of his closeness and reputation with Honor Council. The jury was torn, in some cases fundamentally, between these different views and could not reach any consensus that completely pleased everyone. However, they discussed possible resolutions, recalling that they should address accountability, repairing the breach of trust, and education, and finally reached common ground. There was discussion concerning whether or not all resolutions should be included in the abstract, as some of them dealt with Ben as HC Chair. The final decision made on this problem is a matter of contention (see April Year B section)

The jury reached an initial consensus on the following resolutions.
RESOLUTIONS:

1. By the end of finals period, Ben will complete and turn in the paper that he said he had turned in.

2. Ben has the option of:

   a. Receiving 1/2 credit for his work in the course and:

      -- completing a 3-5 page un-graded research proposal, in outline form, and having an oral conference with Amidala regarding his plans for the research paper.

      -- completing the research paper (10-12 pp.) by the end of the summer. The research paper is to be turned in by the first day of classes fall semester.

   OR:

   b. Failing the course.

3. The jury recommends that Ben and Amidala have a mediated dialogue to address each other's concerns, including any miscommunications or misunderstandings between them. [The goal of this dialogue is to begin to repair their relationship and re-establish a level of Trust between them.]

4. Ben will write a letter to the community, to come out with the abstract, addressing the seriousness of the infraction, exploring its effect on the community, and reflecting on the place of trust in our relationships at Haverford. Amidala also has the option to write a letter to come out with the abstract, addressing the seriousness of the infraction, its effect on the community, etc. (Note this letter is not included in the abstract, because Ben has yet to write it and give it to Honor Council. In the interest of educating the community as soon as possible, Honor Council has decided to release this abstract without Ben’s letter.)
5. As a way of educating future council members, Ben will write an anonymous letter to be read by this and future Councils addressing what lead to his infraction, in the hope that others will learn from his mistakes.

6. Ben will be suspended from his duties on Honor Council until such time that all of the resolutions stated here are successfully completed. Specifically, this means that Ben will not adjudicate over trials, attend Council meetings, or discuss confidential Honor Council matters.

7. After completing resolutions 1-5, Ben will write a letter to the jury and Council addressing the inherent conflict in having the co-chair of Honor Council violating the honor code. The letter should address in some way the question: "How can we feel confident in your ability to administer the Honor Code?"

8. Because the jury was unable to reach unity on a recommendation regarding Ben’s accountability as co-chair of Honor Council, each jury member will write an individual letter to him giving our personal recommendations regarding Ben’s tenure as Chair.

The panel broke until the next meeting, scheduled with Amidala and Ben.

PRESENTATION OF RESOLUTIONS:

The jury reconvened and presented the resolutions to Ben and Amidala. They both expressed deep concerns about the resolutions. Before the presentation of the final resolutions, Amidala had strongly urged the jury to address the fact that Ben was a Chair of Honor Council. Although he felt that some of his concerns had been addressed, Amidala felt that Ben should have been forced to step down as Chair. Ben was extremely upset. Ben explained how he thought the jury had no right making any resolutions regarding his position. He felt very strong that his violation was totally separate from his position as chair and his position should not have been addressed. After hearing their opinions the jury reassessed the resolutions extensively,
recessed for twenty-four hours and came to final consensus on the unchanged resolutions with two members (one of them was the one who left early) standing outside of consensus.

(End of Academic trial summary)

Soon after the completion of the trial, Ben took a most unconventional action. He wrote a brief letter outlining the situation, posted it on the comment board and signed his real name. He reported that he had been involved in a trial. Amidala, upon reading this letter, felt that there were several points that needed to be clarified and corrected; in an even more unconventional action, she posted a letter of her own in response to Ben's letter. (Unfortunately, neither Ben's nor Amidala's letters could be found in the comment board archives). At this point it would be accurate to state that all hell broke loose. Many people called for Ben's resignation, a few voices asked for patience until all the facts were known, and in general chaos dominated the comment board for the final few weeks of the semester.

There were several procedural abnormalities during the trial, concerning notifying Ben of meeting times and decisions, the conduct of Amidala, and meetings knowingly scheduled when one juror was unable to attend. For these and other reasons, Ben wished to appeal the decision, but was discouraged from doing so by the President of the College. Additionally, before his comment board posting, his confidentiality was broken to several non-student members of the Haverford community. These remarks are not intended to cast doubt on the validity of the outcome of the trial; they are presented solely in the interest of giving a clear picture of the events surrounding this case.

**September Year A**

Ben sent a request to Honor Council that his abstract be delayed for reasons of confidentiality. Many members of Council had not read the abstract in question, but given Ben’s legitimate and justified concerns about confidentiality, Council reached consensus to delay the abstract for the maximum period allowed by the Code, one year. Ben also formally resigned as Co-Chair of Honor Council.

**April Year B**

The time for the publication of the abstract was drawing near, and several members of Council were asked to read it (2 from the trial, 2 who weren’t, standard Council procedure). It is unclear whether or not Luke was one of these people, but he read the abstract and was alarmed at
the specificity of the abstract. He felt it violated confidentiality, and needed considerable work before it could be released. There was also some ambiguity on whether or not the last four resolutions from the trial were to be included. The release of this abstract became of matter of contentious debate for Honor Council. The agonizing process of this decision was the basis for the Star Wars abstract (appendix A).

One point that was not included in the Star Wars abstract for reasons of confidentiality should be elucidated here. The issue of whether or not the Ben abstract should be released was brought up legitimately (at least in the eyes of that Council) because there were differing accounts concerning whether or not the final 4 resolutions (those concerning Ben’s position as Honor Council Chair) should be included in the abstract. Ben claimed that the jury had decided not to include those resolutions in the abstract, because they destroyed his confidentiality. Some members of the jury agreed with Ben, but others insisted that the jury had come to consensus that all resolutions would be included in the abstract. Because there was no clear information regarding the intentions of the jury, the Spring ‘Year B Council decided that it would make the decision concerning the final format of the abstract.

The final four resolutions further complicated all of the issues brought up in the Star Wars trilogy. Because of the inherent tension between the mandate that Council release an abstract that educates the community and keeps itself accountable (and therefore includes all resolutions made by the jury) and the fact that including all of the resolutions would break confidentiality and break the letter of the Code (VIII.A.1), Council was incapable of reaching consensus, and the consequences outlined in the Star Wars abstract resulted.

September - November Year B

A member of the newly elected Council brought to the Chairs his concern that the Ben abstract, the case of which had been fairly public knowledge, had not been published. The Fall ‘Year B Council was informed of what had gone on in that earlier decision-making process, and the Fall ‘Year B Council reached consensus to publish the Star Wars abstract (appendix A). In an attempt to keep confidentiality on a rather public matter, Ben was referred to in all of the Star Wars abstracts as two people, Obi-Wan and Yoda.

November Year B, after the release of Star Wars

Many members of the community attended the abstract discussion following the release of the Star Wars abstract. They expressed extreme concern over the fact that the abstract had been delayed longer than one year, in direct violation of the Letter of the Code. In addition,
some community members were concerned that some members of the Spring ‘Year B Council had broken Council’s confidentiality by communicating with Ben under questionable circumstances. Many were disenchanted with the Spring ‘Year B Council’s actions. They felt that a breach of trust had occurred, and that the only way to rectify it was to release the Ben abstract.

Honor Council first took action against itself. All new members of Honor Council (those who had begun their first term in the Fall of ‘Year B) confronted the Spring ‘Year B Honor Council (including members who were still on Council as of Fall ‘Year B). The confronting party felt that the communication between some members of the Spring ‘Year B Council and Ben might have violated the Honor Code. The rather inconclusive results of this confrontation were presented to the community in the Empire Strikes Back abstract (Appendix B).

Simultaneously, Honor Council addressed the issue of the release of the abstract. Despite the wishes that many community members voiced and the responsibility Council members felt to educate the community, Honor Council ultimately decided that the abstract must be delayed until Ben left the galaxy. This decision is outlined in Return of the Jedi (Appendix C). Members of Council came to consensus for a wide variety of reasons. Many felt that an adequate abstract must contain all parts relating to Ben’s position as Honor Council co-Chair, but also felt that this information was so detailed that it defied the clearly laid out restrictions on abstracts. Others came to consensus because they felt that the Spring ‘Year B’s decision process, while flawed, was valid.

**December Year B, Honor Council is Confronted Over Return of the Jedi Decision**

After the release of the final two chapters in the Star Wars trilogy, four members of the community, the Ewoks, wrote a Comment Board letter and later confronted Honor Council at an HC meeting for violating the Honor Code by delaying an abstract for longer than one year. The Ewoks linked Ben to the Star Wars abstract, because it was a case they knew had happened, but for which no abstract had been released. Their Comment Board letter stated that because Ben had already broken his confidentiality on the Comment Board at an earlier date, the confidentiality clause was a moot point in this case. Therefore, they believed, Honor Council had no justification for delaying the abstract longer than one year.

The Ewok’s first concern was that Council had not clearly and concisely admitted that they had violated the Honor Code in their Return of the Jedi decision. The Ewoks brought up many good reasons why they felt the release of this abstract would have been beneficial to the community and to HC/community relations, reasons they felt overrode the confidentiality concern. They felt that abstracts were meant to educate the community and to keep Honor Council accountable. Abstracts released more than a year after the trial could not keep the Council that decided upon the case accountable, nor could they educate the community against which the breach of the Code had been committed. Abstracts, they argued, gave the community
a language with which to discuss problems, both on Council and in the general community. They pointed out that in the Bill abstract (another extremely public case, available in the abstract binder), “rampant speculation” was stopped once an abstract was released. The Ewoks feared that Council was setting a standard that confidentiality was more important than educating the community. They also stated that Honor Council had created a breach of trust with the community by violating the Honor Code, and wanted to know how Council was going to repair this breach.

Members of Honor Council addressed some of these concerns by acknowledging that they had broken the Code in their Return of the Jedi decision, but also pointed out that they had implicitly acknowledged that fact in the letter to the community. Many members of Council reiterated their belief that both the release (due to the confidentiality clause) and the non-release (due to the one-year clause) of the abstract would have violated both the Letter and the Spirit of the Code. Both Council and the Ewoks were frustrated, for members of Council felt that they could not disclose all of the reasons for their decision due to the confidentiality restraint. Council members did, however, admit that in the Empire Strikes Back and Return of the Jedi they had not done enough to justify their decision to the community. Many members therefore resolved to put up personal statements on the Honor Council Board to explain the reasons they had come to consensus on these two decisions. They hoped that this would begin to repair the breach of trust with the community. They also felt that the release of the super-abstract would better explain all of the reasons for the delay. Furthermore, Council members explained that after 20 - 30 hours of discussion, they had been tired and defensive by the time of the release of these two letters to the community. Council members accepted fault for these actions, and engaged in a discussion with the confronting party about how to better curb this common side effect of the consensus process.

Both parties also discussed ways in which Council could be held more accountable to the Community, especially given the restraints put on Council by consensus and confidentiality. One of the proposals was to create a committee made up of Deans and randomly picked community members which would review decisions in which it was felt that Honor Council had broken the Code. Other possible Plenary resolutions discussed included amending the consensus process, and more clearly delineating the role of confidentiality in all Honor Council procedures. (In the interest of full-disclosure under which this super-abstract was conceived, it should be admitted that none of these Plenary resolutions moved beyond the conceptual phrase. Due to exams, Winter break, and problems with HC Chair elections, these specific reforms fell through the cracks. The spirit of these reforms was somewhat carried on in the revised Honor Code written by one Honor Council member. This revised Code, however, did not receive enough signatures to be considered at Plenary.) The Ewoks left the meeting feeling that they did not entirely agree with Honor Council’s decision, but now understood the motivations behind it. Some of the Ewoks still felt that the Star Wars trilogy did not hold Council completely accountable, because Council was leaving some of its decisions unexplained due to matters of confidentiality. Both parties, however, decided that there was no need for further proceedings.

**Spring Year C**
The next semester, members of the Fall ‘Year B Council wrote this abstract. It was brought to the attention of the Spring ‘Year C Council that Ben had left campus, and that his absence would be for an extended but undetermined amount of time. The Spring ‘Year C Council had to determine whether Ben’s absence constituted “leaving the galaxy” as stated in the Return of the Jedi abstract, for although he was gone, he is presumably coming back to Haverford. Some members felt that the spirit of the Return of the Jedi decision was to release the abstract when Ben was not on campus. Since, after several attempts to obtain such information, Council was not able to determine when or if Ben was ever coming back, the abstract should therefore be released. Others felt that the educational value of this super-abstract far exceeded the need to retain confidentiality, especially if that delay was going to be for an indefinite amount of time. With three positions unfilled due to unrelated resignations and one member removing himself from the discussion, the remaining 12 Honor Council members came to consensus that this abstract should be released.

Wrap-up

Even with an exhaustive abstract such as this one, many issues have not been discussed. This is not for reasons of confidentiality, but because of our own logistical limitations. Please ask any member of Honor Council any questions you have regarding any issue having to do with Star Wars. Freed from the restrictions of confidentiality, we will answer your questions to the best of your abilities. In addition, this case has so many contentious attributes, that no two people present at any stage of the process remember things in the exact same way. This super-abstract tries to reconcile some of those differences in opinions, but ultimately it is biased by its authors. The Phantom Menace also brings up many issues dealing with the Honor Code, Honor Council, and HC/Community relations. Please raise as many comments and concerns as you can, either at the community forum, through e-mail, or in-person. We hope that with this super-abstract, Honor Council has begun to repair the breach of trust with the community that was caused by these events and its own actions.

Questions:

1. Should the original trial have dealt with the fact that Ben was Chair of Honor Council?
2. Should members of Honor Council be held to a higher standard on matters relating to the Honor Code? If so, does this higher standard also apply to members of Council who broke the Code in their capacity as members of Council (specifically, the Star Wars Councils)?

3. Did this abstract need to state Ben was Chair of HC in order to be educational? If so, should it still have been released on schedule?

4. What are the implications of confidentiality in this case?

5. Do you think that Ben benefited from a “pocket of power” because he was a former member of Honor Council?
6. If an individual chooses to break his own confidentiality in a public forum, should Honor Council still be expected to protect his confidentiality?

7. Can an entire Honor Council be held accountable for their actions? If so, how?

8. Can Honor Council reexamine a decision made by a previous Council?

9. Other Comments:
Please e-mail any comments to code@haverford.edu, or leave a message at 896-2917, or speak with any member of Honor Council. You may also campus mail this question sheet to Maura Purcell or Andy Ray. Thank you for shopping at Honor Council for all of your controversy needs. If your still reading this, see you at the forum.

“*Obi-Wan and Yoda*” was the abstract name used for “Ben” in the Star Wars abstracts. “Ben” was split into two characters in an attempt to preserve confidentiality in a very public case.

**Appendix A: Star Wars**

**Note:** This abstract is not the result of a trial. The Honor Code states, “abstracts may be published for mediations and discussions as well if the Honor Council feels that the community could benefit from their distribution” (Honor Code, VII.A.1). In this situation, we are publishing an abstract of a discussion begun by an earlier Council and reopened by the current Council. We are releasing it not merely because the community could “benefit” from it, but because the community has a right to understand several of the issues. The need for Honor Council to be held accountable to the community has been asserted time and time again at such forums as Plenary and abstract discussions; we hope that this abstract will address such concerns. Furthermore, we hope that this abstract will encourage the community to engage in a collective dialogue to consider the issues raised.

**Background:**

Honor Council has several important responsibilities as the body which “administers the Honor Code on behalf of the community” (Code, II). Several issues relevant to this discussion are presented below as stated in the Code:

- VII.B.3: “Honor Council must follow the stated procedures for handling concerns.”
- VII.C.1: “Honor Council is charged with interpreting the sections of the Code that leave room for flexibility.”

- VII.C.1: “In interpreting the Code, it is the Honor Council’s responsibility to consider both the community and the individual involved, and to try to find the balance between what is best for both.”

- II.A: “All decisions made by Honor Council, including those approving Council publications, are made by consensus.”

- VII.A: “In the interest of keeping the community informed, abstracts must be written within four weeks of every trial, joint panel, or SFP. If an individual(s) requests that the abstract be delayed, Honor Council will weigh the importance of keeping the community informed with the effects of immediate release on the confidentiality of involved individual(s).”

- VII.A: “Honor Council will reach consensus on whether or not to withhold the abstract. Abstracts may be withheld for no longer than one year.”

- VII.B.1: “All matters involving individual students which are brought to Honor Council’s attention must remain in strict confidence. No Council member shall discuss cases in progress with other students who are not members of Council.”

- VIII.A.1: “Abstracts are detailed enough to outline the issues, but vague enough to protect the confidentiality of the people involved. No names or revealing information such as specific dates, classes, instructors or, in social cases, any detailed information which would identify any individual, are included.”

The Story:

Long, long ago, in a galaxy far, far away, Honor Council was faced with a decision in which it was forced to violate the Honor Code. An earlier Council had consented to delay the
release of an abstract for one year in order to protect the confidentiality of the parties involved. This abstract was fairly detailed, and Council consented upon the fact that such detail must be maintained in order to retain the abstract’s educational value. The year had come and passed, and Council was faced with releasing the abstract. Two members of Council, Luke and Leia, raised concern over the impact of the abstract on the individuals involved in the procedure, Obi-Wan Kenobi and Yoda. Obi-Wan and Yoda had expected the abstract to be released and did not approach Council about it. Nonetheless, Luke and Leia felt that the abstract would cause these individuals to relive the trial and that releasing the abstract would violate their confidentiality. Honor Council normally delays an abstract only on request of a party involved, but in this case some members of Council saw that Luke and Leia had an interesting and valid point.

Council began discussing the issues. On the one hand, the Code explicitly states that an abstract may only be withheld for only one year. On the other, the Code demands that Council must protect an individual’s confidentiality and personal freedoms. Here, it became an issue of whether Honor Council should emphasize the rights of the community or the rights of the individual. Council discussed this issue for a long time. Luke, Leia, and others asserted that releasing the abstract, because it was so specific, would breach Obi-Wan’s and Yoda’s confidentiality. Doing so would be an explicit violation of the Code (see VII.A and VIII.A.1). The whole community would know that Obi-Wan and Yoda were involved; Obi-Wan and Yoda would be forced to face another trial, this time in front of the public. It would cause them unnecessary grief and would make them relive a difficult part of their lives. Han Solo and Chewie, however, thought that the community must be informed. They referred to the Code’s clause that any abstract had to be released within one year. Ignoring this clause would also be an explicit violation of the Code (see VII.A). Over time, it became clear that Honor Council was going to have to make a difficult decision. Either way, the Council agreed, the Code would be violated.

At this point, Honor Council decided to approach Obi-Wan and Yoda in order to prevent possible painful deliberation over a non-issue; if Obi-Wan and Yoda would not mind if Council released the abstract, the discussion could cease. Before this point, one or more Council members had been in contact with Obi-Wan and Yoda, informing them of the discussion Honor Council was having and some specifics of that discussion. Because of this unofficial communication, which continued throughout the discussions, many Council members seemed to feel that Obi-Wan and Yoda were in the room in spirit and were monitoring everything discussed. Furthermore, many Council members had close relationships, either positive or negative, with Obi-Wan or Yoda. After Council’s official contact with Obi-Wan and Yoda, it received a letter outlining their concerns with the abstract’s release and their belief that it should be delayed. Council as a whole discussed whether or not they should consider the letter in the decision-making process and consented to use the letter as a way of examining the views of those who had most at stake, Obi-Wan and Yoda.

Council had now been discussing the release of the abstract for more than twenty hours and the process had essentially reached a standstill. Council was able to reach consensus on the need to make a decision: they consented that they would neither pass on the decision nor make a decision by default. In other words, not reaching a decision would have, in effect, been a binding decision in and of itself because it would have delayed the abstract.
Council struggled for days to revise the abstract so that the accused parties would not be exposed. However, the act committed by Obi-Wan and Yoda was so singular in nature that any mention of it would reveal their identity. The resolutions also pointed directly to their Jedi abilities, and, after a lengthy discussion, Council decided that the abstract must come out in its original form with all of the resolutions intact if the educational benefit were to be realized.

The situation grew increasingly hostile. Eventually, time had run out and Council needed to decide. They had one final meeting, characterized by polarized and hostile opinions. Leia threatened to block any decision other than delaying the abstract until Obi-Wan and Yoda had left the galaxy forever. Han Solo could not consent to any decision that would delay it at all. Luke, Leia, Han, and Chewie all felt that the issues went to the level of conscience. Leia herself acknowledged the moral courage and integrity of Han and Chewie, and in no way felt that she or they were being obstructionist. Council stood divided on fundamental interpretations of the Code, and under the circumstances of the time no reconciliation was possible. There was no decision that would not have been blocked by at least one member of Council. Council members also threatened to walk out of the room or even to resign. However, if no decision were made, the abstract would have been delayed not by consensus, but by default. Consensus had completely broken down; members were no longer able to look each other in the eyes.

Council had now been sitting in a room for over four hours facing an intensely personal, difficult, and hostile issue. By this point, people were in tears. In the final hour of the meeting, Council decided (not by consensus) to abandon consensus and experimented with several different procedures. Eventually, one member laid down an ultimatum: she was leaving in twenty minutes and would never discuss the issue again, no matter what the consequence. The only remaining option was a straight vote. They explicitly violated the clause saying that “All decisions made by Honor Council, including those approving Council publication, are made by consensus” (Code, II.A). However, some members felt that in not providing Obi-Wan and Yoda with an answer or with letting the abstract be delayed even further by default, Council would be committing a violation of equal magnitude. Throughout the voting procedure, certain members were adamant that voting was a violation of the Code and refused to vote. Most of Council was on its feet and yelling at each other. Almost half of Council refused to vote; of those who did, the clear majority chose the option of delaying the abstract until Obi-Wan and Yoda had left the galaxy.

Council then officially relayed this decision to Obi-Wan and Yoda. Soon, the semester was over, leaving Council members feeling ashamed of the process and disheartened because consensus had failed.

**Part II (Fall Year B):**

Two members of Council, who served after these incidents, decided to “confront” Council concerning the release of the abstract. They had been approached by a community member who, although he had never served on Council, was familiar with the case and wondered why the abstract had not yet been released. After much discussion, some facts of the earlier decision and the second delay of the abstract came out into the open.
Much more discussion followed, and members of Council had very different opinions about the situation. Although these discussions have not yet been resolved, Council was able to reach consensus that the community should be informed about the breakdown of consensus and the consequences of that breakdown. This abstract hopefully provides the community with as complete a version of the story as can be accomplished while maintaining Obi-Wan’s and Yoda’s confidentiality.

In writing this abstract, Honor Council hopes to educate the community and hold Council accountable for its actions. We hope to focus discussion on Honor Council’s decision-making process and not on the actual decision. We do not believe that whether or not this specific abstract comes out is not as important as discussing these issues in general. Hopefully this abstract will begin a productive dialogue concerning several issues:

- What can Council do when any possible alternative involves breaking the Honor Code?

  In this case, Council was required to release the abstract, but doing so would have violated the confidentiality and individual rights of community members. Either way, Honor Council would have violated the Code.

- What can be done when consensus breaks down?

  The Honor Code does not directly address this issue; it demands that all decisions must be made by consensus. In this case, however, consensus was not possible. What can Honor Council do within the bounds of the Code? Does Council have the authority to leave the Code?

- What is the relative importance of consensus in the Code? What can be done if Council cannot consent to one particular decision and the alternative thus becomes a “default decision”?

  Honor Council recognized that the Code states that consensus is the only viable process for making decisions. However, Council also realized that the failure to consent to one decision would lead the abstract to be delayed indefinitely. It also felt that it owed Obi-Wan and Yoda an answer of when the abstract would be released. What is Council’s responsibility to preserve the letter of the Code as compared to its responsibility to render a timely decision?

- How should Honor Council balance concerns for an individual with concerns for the community?

  Honor Council decided that Obi-Wan’s and Yoda’s confidentiality was more important than the need to release the abstract to the community.

- How should Honor Council be held more accountable to the community?
Council made a decision by a vote without informing the community of the fact that voting occurred. The community only now knows about this process because Council decided to publish this abstract.

- What should Honor Council do when so many of its members have a very strong personal connection, either positive or negative, to the individuals being discussed?

  Here, most of Council had personal relationships, both positive and negative, with either Yoda or Obi-Wan. In such situations, can Council still be impartial and still make the best decision?

- How should the breach of confidentiality within Honor Council be seen?

  A member of Honor Council spoke directly with Obi-Wan and Yoda before Council had consented to approach them, violating the Honor Code (see VII.B.1). This communication continued throughout the discussions to such an extent that many members felt Obi-Wan and Yoda were in the room in spirit. Can the community continue to trust Honor Council? How should Honor Council address this breach of trust?

- What can be done about “pockets of power” or “privilege” at Haverford?

  Obi-Wan and Yoda knew about the procedure because of their relationship with a member or members of Honor Council. All sorts of people at Haverford receive privileges as a result of who their friends are. In this case, Obi-Wan and Yoda received privileges that few other community members would have received.

- What powers does Honor Council have?

  Can Honor Council reexamine a decision made by previous Councils? This question came to the fore in Part II of the discussion; the current Council has been discussing whether or not we can even address the decision made by a past Council. In turn, that past Council took the power to reexamine an earlier Council’s decision. The first Council delayed the abstract for one year, assuming that it would be released at that time. By delaying it further, Council changed a decision made by an earlier Council.

- Can Honor Council let a decision made by voting remain binding?

  By releasing this abstract, Council does not necessarily endorse the binding nature of a decision made by voting.

Furthermore, Council has by no means put an end to this discussion itself. If community members would like to raise issues, concerns, or questions with Council, speak with or email any Council member. We would like to explicitly state that all correspondence will be kept confidential so as to encourage further discussion.
Although previous Councils were involved in the proceedings and committed the violations discussed, the current Council seeks to take responsibility for them. We hope that the ensuing dialogue will not focus on either the specific actions of past Council members or on details concerning Obi-Wan or Yoda; instead, we hope the community will address concerns to the current Council and emphasize what can be done now and in the future.

Sincerely,

Lauren Hersh ‘Year C, John Papay ‘Year C, Matt Stremlau ‘Year C, Rob Tambyraja ‘Year C, Bill Dawe ‘00 (Co-Chair), Jenn Eng ‘00, Laura McTighe ‘00, Mike Ranen ‘00, Daphne Heidkamp ‘01, Ben Huebner ‘01, Anthony Minko ‘01, Matt Osypowski ‘01, Scott Burau ‘02, Matt Lesneski ‘02, Elise Pinero ‘02, Jared Tankel ‘02

“Obi-Wan and Yoda” was the abstract name used for “Ben” in the Star Wars abstracts. “Ben” was split into two characters in an attempt to preserve confidentiality in a very public case.

Appendix B: The Empire Strikes Back

Dear Community,

In the Star Wars abstract and the ensuing discussions, community and Council members raised concerns about communication between former Council members and Obi-Wan Kenobe and Yoda. Since the abstract's release, various community members have also approached the Honor Council Chairs about this perceived breach of confidentiality. This letter serves to inform you of the decisions Honor Council has made surrounding this issue.

As Honor Council began discussing what our next steps should be in this matter, it became apparent that it was impossible to create a precise timeline of events in respect to these communications. Members of Council who had also served on the earlier Council had uncertain and sometimes contradictory recollections of what exactly had happened. Some felt that the conversations with Obi-Wan and Yoda had occurred before Council had decided to approach them officially while others thought that Council had sanctioned these dialogues. As a result, Council decided to speak with all of the members of that earlier Council left on campus.

In framing this discussion, Council felt that a confrontation of sorts was in order. According to the Honor Code (IVA), a confrontation “is a dialogue in which each party first tries to understand the values of the other in order to avoid self-righteousness or the appearance of moral superiority.” Council decided to hold a “confrontation” with the past Council; because some current members had served on this earlier Council, it was necessary to distinguish between the “confronting party” (those not on the earlier Council) and the “confronted
party” (the earlier Council). Because some members had since left the community, the earlier Council could not be represented in full.

Members of the current Council who were part of the past Council were considered to be part of the confronted party, and therefore removed themselves from the discussions of the confronting party. The confronting party met on its own to determine the course of the upcoming confrontation. At this meeting, different members voiced their various objectives. Some merely wanted a clearer sense of what had transpired. Others felt that a violation of the code may have occurred and sought to pinpoint who had breached Council’s confidentiality and why.

On the appointed day, the confronted and confronting parties gathered. The confronting party raised their concerns throughout the discussion. The main points of the discussion are listed below. Please note that no clear narrative could be distilled from the discussion because of the numerous contradictions and confusions that existed.

- The situation was extremely unusual because Obi-Wan and Yoda had personal ties to several members of the earlier Council (from here on referred to as the confronted party while in the context of the confrontation). As a result, several members spoke with them on a daily and non-Council-related basis.

- At least four members of the confronted party had spoken with either Obi-Wan or Yoda on an informal basis surrounding the on-going Council discussions.

- There was considerable confusion about when these conversations had occurred and to what extent they had been sanctioned. The earlier Council had discussed these conversations on several occasions before they officially consented to gather information from Obi-Wan and Yoda. Members of the confronted party who had approached Obi-Wan and Yoda asserted that they would not have talked with Obi-Wan and Yoda without Council’s support.

- Those who talked with Obi-Wan and Yoda felt that they had, to the best of their knowledge, brought the information gathered in those discussions back to the rest of Council. The previous Council had reached consensus that these reports must be brought back to the entire group.

- Members of the previous Council had had unequal levels of information surrounding the entire situation. Those who had personal ties with Obi-Wan and Yoda and those who
had served on earlier Councils in which the case had been discussed knew more than the rest of Council. It was difficult to determine where people had obtained their knowledge.

- As a result of these knowledge imbalances, the earlier Council eventually decided that it should solicit formal information from Obi-Wan and Yoda as a way to inform all members. This decision precipitated both the formal conversations between Council members and Obi-Wan and Yoda and the letter written by Obi-Wan and Yoda.

- Some members of the earlier Council, not present at the discussion, were reported to be opposed to all conversations with Obi-Wan and Yoda.

- Some members of the confronted party felt that a confrontation had already occurred among that earlier Council. They felt that the issue had already been addressed and resolved. This confrontation led to the formal conversations with Obi-Wan and Yoda.

- Most members of the confronted party agreed that any contact Obi-Wan and Yoda had with Council members (whether licit or illicit) worked both “for” and “against” them.

- Most Council members also agreed that, in general, contact with the subjects of Council discussions should not only be allowed but encouraged. The conversations were not seen to run counter to the spirit of the Honor Code. In trials and panels, conversations similar to these are formally initiated by a contact person.

After the confrontation, the confronting party met again to discuss any further actions. For the most part, the confronting party felt that the dialogue had helped to clarify the events surrounding conversations with Obi-Wan and Yoda in that the situation was not as clear cut as initially presented to the current Council and to the community in the Star Wars abstract. As a result, based on the information available, the confronting party was satisfied with what they had heard and was willing to let this matter stand. Two conclusions surfaced. First, no one possessed a coherent sense of what had happened. Confusion surrounding the exact timeline of events prevented any decisive action from being taken. Therefore, some members of the confronting party did not feel comfortable saying that a violation had occurred. Second, other members of the confronting party were comfortable with the confrontation and felt that no violation had occurred. Members of the confronted party who had approached Obi-Wan and Yoda said that they would not have done so without the earlier Council’s support.
Hopefully we have explained the events surrounding this situation and have enumerated Council’s actions in addressing it. Please contact members of Honor Council with comments/questions/concerns.

Sincerely,

Lauren Hersh ‘Year C, John Papay ‘Year C, Matt Stremlau ‘Year C, Rob Tambyraja ‘Year C, Bill Dawe ‘00 (Co-Chair), Jenn Eng ‘00, Laura McTighe ‘00, Mike Ranen ‘00, Daphne Heidkamp ‘01, Ben Huebner ‘01, Anthony Minko ‘01, Matt Osypowski ‘01, Scott Burau ‘02, Matt Lesneski ‘02, Jared Tankel ‘02

“Obi-Wan and Yoda” was the abstract name used for “Ben” in the Star Wars abstracts. “Ben” was split into two characters in an attempt to preserve confidentiality in a very public case.

Appendix C: Return of the Jedi

Dear Community:

In the Star Wars abstract, Honor Council asserted that our discussions surrounding Obi-Wan Kenobe and Yoda have not been resolved. This letter serves to inform you of the decision Honor Council has made surrounding the abstract release (one Council member removed him/herself before we began discussing this letter). In making this decision, our intention is not to redress the actions of past Councils. We came to this decision independently in hopes of maximizing community-wide education and moving forward productively. This situation is incredibly complicated and no simple answers exist.

One of these issues involves releasing the abstract of Obi-Wan’s and Yoda’s case. The Honor Code explicitly states, “If an individual(s) requests that the abstract will be delayed, Honor Council will weigh the importance of keeping the community informed with the effects of immediate release on the confidentiality of involved individual(s). Honor Council will then reach consensus on whether or not to withhold the abstract. Abstracts may be withheld for no longer than one year” (VII.A.1).

At the same time, Honor Council is charged with releasing appropriate abstracts. According to the Code, “Abstracts are detailed enough to outline the issues, but vague enough to protect the confidentiality of the people involved” (VII.A.1). Such abstracts allow for a discussion of issues rather than of specific people.

The case of Obi-Wan and Yoda presents an interesting contradiction because, as written in the Star Wars abstract, “the act committed by Obi-Wan and Yoda was so singular in nature that any mention of it would reveal their identity.” However, the details of this case are central issues that prove most relevant in terms of education in this abstract.

As a result, the current Honor Council has reached consensus that:
• This letter is to be released to inform the community of the latest developments from the Star Wars discussion.

• The abstract concerning Obi-Wan and Yoda will not be released until both have left the galaxy.

• A detailed document covering all of the relative stages of the case will be released within the first two months of the semester following Obi-Wan’s and Yoda’s graduation.

This case is unique in that no document “detailed enough to outline the issues, but vague enough to protect the confidentiality of the people involved” (VII.A.1) could be written. An abstract is more than the actual document released; in fact, it is an “abstract” look at what happened in a case. In this case, any attempt to present the issues in abstract form would severely limit educative value. Thus, we feel that no possible abstract can be written for this case.

Further information concerning Obi-Wan and Yoda’s case will not be released until after they have left the galaxy. Honor Council will then release an extensive account of the many issues surrounding this case. By releasing this abstract after they are gone, the abstract will divert conversation away from Obi-Wan and Yoda as individuals and onto the real issues raised. This abstract will include information concerning all of Honor Council’s discussions surrounding this case, including accounts of the discussions concerning: the suspicion of violation, the procedure, the first delay the abstract, how to release the abstract, voting and further delay of the abstract, releasing Star Wars, and releasing this letter.

Hopefully this approach will hold Honor Council most completely accountable for its actions, fully educate the community about what has happened, and provide an effective impetus for future change. Our goal is to maximize accountability, education, future benefit, and confidentiality.

This extensive abstract will be compiled by the current Honor Council. It will be released within the first two months of the semester following Obi-Wan’s and Yoda’s graduation.

Sincerely,

Lauren Hersh ‘Year C, John Papay ‘Year C, Matt Stremlau ‘Year C, Rob Tambyraja ‘Year C, Bill Dawe ‘00 (Co-Chair), Jenn Eng ‘00, Laura McTighe ‘00, Mike Ranen ‘00, Daphne Heidkamp
Questions for this super-abstract may be found before the Appendices.