Smallville:
An Honor Council Social Trial
Released Fall 2013

Key
Clark Kent: self-confronting party
Metropolis: Clark’s current residence
Kent Farm: community house where Clark lived during his senior year
The Torch newspaper: club which gave Clark access to the DC basement

Pre-Trial
Clark Kent, a recent Haverford graduate, contacted Honor Council and admitted to stealing meals from the DC and the Coop for much of his senior year. He viewed his actions as a breach of community trust and wanted to make things right with the community. After reviewing his statement, Council consented to a suspicion of violation and decided to send the case to a social trial. Returning to Haverford for trial meetings posed logistical difficulties since Clark had relocated to Metropolis, so he and the Trial Chair agreed that the best way for the trial to proceed would be through Skype.

Fact Finding
After the jury met to read Clark’s statement and review trial goals, the Trial Chair contacted Clark through Skype for the Fact-Finding portion.

Clark began by explaining that between October and April of his senior year, he had stolen meals about twice a week from both the DC and the Coop, amounting to an estimated total of fifty to sixty meals, most of which were breakfast and lunch. At the DC he would either walk by the checker when he or she was distracted or use a basement entrance which he had access to as a member of the Torch newspaper staff. At the coop he would order a meal from the grill and eat it without paying. During this time, Clark was on the partial meal plan because he lived at Kent Farm, a community house, in which he contributed to and ate from the communal kitchen.

Clark stated that during this time in his life, he was “an active alcoholic” and also regularly smoked pot. He had been under the influence for some of the instances in which he stole meals.

A juror asked Clark if his stealing had been motivated by a difficult financial situation. Clark responded that he was often in a tight spot, but he would have had enough money if he had not been spending his money on alcohol and drugs. Another juror asked if Clark had considered stealing from an off-campus source. Clark said that he had not; while he didn’t see differences in the law on and off campus, he felt that he would have been more likely to get caught and face a more serious punishment off campus.

When asked why he had brought himself to Council, Clark described the situation in terms of
“how” and “why.” During his senior year, Clark had thought it was honorable to set and adhere to his own moral code, and he personally had no qualms regarding theft. The “why” was that eventually, he could not continue to live under that code. Additionally, Clark has been in a program for alcohol addiction recovery for about a year that stresses making amends to those you have harmed as a step toward recovery. The “how” was about Clark’s desire to stay sober and lead a sober life.

When asked to explain why he called his behavior an obvious violation of the Code in his statement, Clark cited a betrayal of trust between him and the DC and Coop workers who trusted that he had paid and had a right to take the food he did.

A juror asked if Clark thought there were others at Haverford who could fall into a similar situation. While he did not want to make excuses for his behavior, Clark still felt that his actions were inextricably linked to drug and alcohol addiction. He had met others like him at Haverford and hoped to share his story with people in similar circumstances.

After the questions from the jury, Clark thanked the jury for their time.

Jury Deliberation & Statement of Violation

The jury then entered deliberations. Jurors agreed with Clark that his actions had breached the trust of the community. However, the concern of jurisdiction was presented since Clark was an alumnus. Ultimately, most jurors agreed that the trial could proceed because alumni are not entirely separate from the community and community standards. The jury then consented to the following statement of violation, with one juror standing outside consensus due to jurisdiction:

Clark violated the Honor Code by repeatedly stealing meals from the Dining Center and Coop, thereby violating the trust of staff and students within the community. (9 jurors consented, 1 juror stood outside)

Circumstantial

Although Clark expressed concern that his answers during this portion would come across as excuses for his behavior, he informed the jury that his overall psychological condition at the time of his violation was poor. His father had been diagnosed with terminal brain cancer just before Clark entered college and passed away during his time at Haverford. He felt irritable, discontented, and restless, and sought release in drugs and alcohol. Clark felt entitled to food and cited senses of self-pity, self-righteousness, and superiority in justifying his actions.

When asked if he felt a sense of injustice, Clark said that he felt alone and blamed others for not understanding what he was going through. He therefore needed and felt entitled to comfort. A juror asked if Clark felt entitled to anything else, to which he replied that his sense of entitlement extended to downloading music illegally and relating to his peers with a sense of superiority. A juror asked if he saw his stealing as compensation for the hardships in his personal life, Clark said that it was more about avoidance.

Clark was asked to describe his first time stealing food, but did not remember when he started
stealing, only that it was not his original idea and only became a habit during his senior year. When asked to elaborate on stealing among his peers, Clark told the jury that he had noticed others stealing food (in varying frequencies) before he started doing it himself and that he did not see at as serious, in part due to extreme cynicism he felt towards the honor code. A juror asked Clark if he thought others were still stealing food on campus and if that was breaking the Honor Code. He did not think that anyone else was stealing in the same way, but knowing that others did steal still helped him justify his actions. Clark never confronted anyone for stealing, but felt that the Code was routinely violated and that not all violations were reported.

Clark mentioned that the College had been accommodating in allowing him to take extra time to finish his thesis without paying tuition. When asked why he had brought himself to Honor Council, Clark explained that while he had felt guilty before, his rehabilitation program gave him the courage and means to come forward. Clark added that if he knew someone who violated the Code now, he would feel required to do something; he feels that the process of confrontation can be positive.

Clark suggested that resolutions include that he repay the DC and the Coop for the value of the food he stole and write a letter to the community to describe the circumstances of the situation. He believes that his trial would be worthwhile if he can impact even one person who, like him, appears to being doing well but is actually struggling.

**Jury Deliberations and Tentative Resolutions**

The jury agreed with Clark’s suggestion that he repay the DC and the Coop, and felt that it was appropriate to let Clark work out the details with the DC and Coop directly. The jury then discussed requiring Clark to write a letter of apology to the DC and Coop workers directly, but the concern was raised that such a letter would not address those who were working at the time of Clark’s violation. Instead, a letter to the community released with the abstract could address a larger audience. The jury decided to leave the content of the letter largely up to Clark and planned to share suggestions with him during the Finalizing Resolutions portion of the trial.

The jury then consented to the following resolutions:

1. **The jury recommends that Clark Kent work to adequately reimburse the DC and the Coop for stolen meals.** (All jurors consented, no jurors stood outside)

2. **Clark Kent will write a letter to the community to be released with the abstract. The jury encourages him to discuss his experience with the Honor Code.** (All jurors consented, no jurors stood outside)

*Resolutions as a whole: All jurors consented, no jurors stood outside.*

**Finalizing Resolutions**

During the Finalizing portion, Clark and the jury discussed the content of his letter to the community. One juror suggested using the circumstances under which he brought himself to Honor Council as a way of framing his letter. Another juror said that explaining how his actions were a breach of trust with the DC workers could be a helpful component to the letter. Overall, the jury and Clark
agreed that the letter should attempt to address and help community members facing problems similar to the ones that led Clark to violate the Honor Code. The Trial Chair explained that he would work with the Deans to help Clark contact Dining Services. Clark again thanked the jury for their time and effort.

The jury then consented to the following resolutions:

1. **The jury recommends that Clark Kent work to adequately reimburse the DC and the Coop for stolen meals.** *(All jurors consented, no jurors stood outside)*

2. **Clark Kent will write a letter to the community to be released with the abstract. The jury encourages him to discuss his experience with the Honor Code.** *(All jurors consented, no jurors stood outside)*

*Resolutions as a whole: All jurors consented, no jurors stood outside.*

**Post-Trial**

Clark promptly emailed the DC and Coop to discuss reimbursement from the meals he stole. Dining Services thanked him for coming forward, but said that it was not necessary to pay back the money owed. Clark is considering making a donation to the college as restitution. He submitted his letter to the community in a timely fashion.

**Clark’s Letter to the Community**

To my friends & fellows at Haverford College –

For much of my senior year, I stole meals from the Dining Center and the COOP. At the DC, I would often walk purposefully past the attendant at the entrance, usually when he or she was busy with another student or group of students. Otherwise I came through a back door to the serving area, having entered the kitchen from the basement. At the COOP, I would order a sandwich from the cook on duty at the grill, return to my seat until it was ready, and then pick it up without paying. I stole probably sixty meals in total.

I recall having a sense that helping myself to these meals was in violation of the Honor Code. It was relatively clear that I was abusing the trust of the Dining Center workers who assumed my intentions and credentials were good when I flew past them at the entrance or in the kitchen. I knew that my peers, seated around me, were paying for the food and for the labor that brought it to our table, but I had a strong sense of entitlement and the capacity to ignore unpleasant or unwelcome intuitions. At least for a time. By April, these routines left me queasy and I couldn't swing them anymore. The stealing stopped.

Other students did these things. I knew of at least one student who "visited" the DC probably about as often as I did, at least for a time. The ability to implicate others, and to use their own judgment to reinforce mine, surely helped me to smooth over the agitation I felt about doing what I did. I believe, too, that I derived a sense of power from stealing. I was able to get away with it, which was exhilarating, and it fueled a sort of generalized resentment that I cultivated for a time while at Haverford.
I saw myself as fundamentally "apart" from the vast majority of my peers.

This corrosive and false belief had some comprehensible context. My father was very sick for most of my life, and finally died while I was on a leave of absence in the middle of my sophomore year. It was impossible for me to see this at the time, but I now believe that pain I was unwilling to feel hardened over time into anger to which I was happy to give vent. I felt that the story of his life and death was senseless at best and hopelessly cruel at worst. I came to see myself – a character in that story – as an impotent and pitiful victim. Accordingly, I became determined to undermine the sense that others sought and found in the world. My whole project at college was to destroy, destroy, destroy – meanwhile taking for myself whatever it seemed I needed. It occasionally occurred to me that I could take a perverse kind of pride in having "the moral strength" to steal meals.

By senior year, I was stewing full-time in these juices. I also was drinking and smoking pot every day. I started drinking in high school and became a heavy drinker by my freshman year of college. By my junior year I was a pothead, smoking daily. By senior year I was rarely sober. I was able to keep a relatively low profile throughout the course of my drinking and drug use. I graduated with college & departmental honors, a high GPA, no criminal record. I was fortunate to avoid substantial trouble. Drugs were my medicine; I believed myself to be ill. But this sickness, I have since learned, was not "mine to bear," it was internal to me – my attitudes, beliefs, resentments and fears.

Ten months after leaving school, in a tailspin, utterly dependent on substances to succor me, truly isolated from others, I gave up. I admitted that I had no clue how to live the life that I wanted for myself – indeed, the life that I had misled myself to believe I was living. I went to an AA meeting willing to listen, and there I found fellowship, direction, purpose and hope. AA suggests a path to recovery that includes making direct amends to the people and institutions that one has harmed. It was that suggestion which gave me the push I needed to bring this matter to Honor Council.

In reflection it is possible for me to see the many and varied ways that I was wrong: wrong to betray the trust and demean the labor of the Dining Service employees; to steal, parasitically, from those of my peers whose financial support enables Dining Services to do its fine work; wrong to belittle and cheapen the Honor Code. The Honor Code is such a beautiful thing: it makes explicit a set of expectations for how people should treat other people, and then it lies in wait, inviting one to measure oneself against it; inviting one to grow. It is so rare, I see now, for people to allow other people to be and do whatever it is they need to do, without withdrawing permissively (on one hand) or reacting punitively (on the other). It is thoroughly lovely. Ultimately, it does work: it has worked on and for me. It – and its representatives in Honor Council – have tested my mettle, deepened my courage, softened my edges, shown me forgiveness, and changed my mind. I am truly sorry for what I did, and I am positively grateful for the opportunity to make restitution through the Honor Code.

It is my hope, too, that my experience might serve as both a caution and an invitation to my fellows at Haverford. Addiction is a wily, baffling, pervasive and often invisible malady. I surely did not
understand that what I believed to be the solution to my problems was, in fact, fuel for the fire. To me, the behavior for which I must atone is inextricable from my substance use and abuse – even though I was often stone sober sneaking into the DC. Addiction is a state of mind, a set of habits, a spiritual situation; it persists throughout the cycle of highs and lows, drunks and hangovers. If you believe that you might be addicted – whether to substances or to relationships, exercise, food, thinking, money, success; the list goes on – please know that there is hope. As far as I can see, all that is required is the capacity to be honest and the desire for change.

Sincerely,

Clark Kent

Discussion Questions:
1. To what extent are alumni within the jurisdiction of Honor Council? Should this case have gone to trial?
2. How can the community be supportive of the recovery of addicts?