Abstract discussion will be held at TBA.

Name: Middlemarch
An Honor Council Joint
Student/Administration Case
Released Fall 2017

This abstract was not released in accordance to the timeline specified by the Students’ Association Constitution. The confronting party consented to the release of the abstract. The confronted party consented to the release of the abstract.

Key:
Confronted Party: Rosamond Vincy
Confronting Party: Dorothea Ladislaw

Summary:
Dorothea confronted Rosamond over her posting of a meme on the night of the 2016 Presidential Election. The case was brought to Honor Council, and after many hours of deliberation, the case was sent to a Joint Student-Administration Panel because Honor Council believed that the case addressed issues of identity and could have legal ramifications. The case was delayed several months due to scheduling conflicts. When the trial was ready to begin, Dorothea contacted Honor Council and requested that the case be dropped. She believed that she had come to terms with the violation, did not want to be involved in a further trial, and did not feel it necessary for a member of Honor Council to re-confront on behalf of the community.

Pre-trial/Council Deliberations:
On the night of the Presidential Election, Rosamond changed her facebook profile picture to a picture of a meme. Dorothea messaged Rosamond, who was not on campus, to tell her that the image was registered with the Anti-Defamation League (ADL) as being hateful towards particularly Jews, but also other minority groups. Rosamond took down the picture and responded to Dorothea's message. She did not apologize for posting the picture, and in fact said that "the meme [was] meant to trigger [Dorothea]." Rosamond continued that she believed Dorothea's concerns did not stem from a concern about anti-semitism, but in fact a dislike of Rosamond based on her support of Donald Trump for president.
Dorothea decided to bring the case to Honor Council, and provided both her impressions and copies of the conversation between her and Rosamond. Her concerns were about both the original meme itself, and about the way that Rosamond had responded to confrontation.

Rosamond's statement laid out a similar set of events, but she spent the majority of her statement citing portions of the Honor Code alongside detailed arguments explaining why she had not violated the Code. Her main argument was that the Honor Code does not and should not inhibit free speech, a right which Rosamond was exercising. She spoke about her experiences as a conservative and Trump-supporter, and how she felt unfairly accused of being a racist, sexist, bigot, etc. because of her choice in presidential candidate. She concluded her statement by saying that "If you can’t manage your own emotions, if you are this big giant raw wound to be poked by everyone with a different opinion, if you can’t handle your own feelings, you always end up wanting to control other people, to suppress their free speech, because free speech causes the emotionally weak to panic, to require hug rooms and toys and safe spaces." At the end of her statement was a link to a local newspaper article about free speech.

Honor Council was initially conflicted about how to deal with this case. Most members felt that some sort of violation of the Social Code had occurred, but many had concerns about whether or not a profile picture on a non-Haverford affiliated website was under the jurisdiction of the Code. One member of council felt that the Anti-Defamation League (ADL) got it wrong in declaring this particular image as anti-semitic. They felt that while there were modified versions of the meme which were definitely hate-speech, the original image was harmless. This led to a larger discussion about how the opinions of a non-Haverford body, such as the ADL should influence how Council interprets potential violations of the Social Code. Eventually, Council deemed this conversation irrelevant to determining whether or not a trial should be convened, but noted that a potential jury should be requested to consider this issue in more depth.

The conversation about jurisdiction continued to cover some members’ concern that because Rosamond was taking time off during the confrontation, her adherence to the Code was not required. Many members were concerned that if the case were sent to trial, that it could create an unfortunate news media frenzy for the college, though no one felt that this was a good enough reason to not send it to trial. Ultimately, Council decided to focus their thoughts on the confrontation, rather than the posting of the meme. Council generally agreed that Rosamond had responded to Dorothea’s confrontation in a manner that was not in accordance with the expectations laid out in the Social Code. Rosamond was antagonistic and defensive, and did not demonstrate a desire to come to mutual understanding with Dorothea. Council was suspicious that Rosamond demonstrated a lack of respect for Dorothea potentially based on her religion or political ideology, which is specifically noted in the Social Code as a violation. For this reason, council consented to send the case to a trial.

However, there was debate about what kind of trial the case should be sent to. Council was split evenly between those who wanted a Social Trial and those who wanted a Joint Student/Administration Panel. Some members raised the idea of a Student Facilitation Panel, but
this idea was discarded due to that procedure’s high rate of failure. The main concern of those who wanted a Joint Panel was the tension surrounding the Presidential Election, and the concern that this case may turn into a legal issue of anti-semitic hate speech. Ultimately, Council consented to send it to a Joint Panel for these concerns, hoping that the presence of administrators would direct the case toward the issues at hand, rather than larger political issues in the community.

After the case was sent to trial, there were unforeseen scheduling issues which prevented it from being run for several months. When it was time for a jury to be convened, Dorothea contacted Honor Council to say that she had decided she did not want to continue with the trial process, and that she did not feel it was necessary for a Council Member to continue the trial on her behalf.

**Discussion Questions:**

1. Does Honor Council's jurisdiction extend to social media?
2. Would a Joint Student/Administration Panel have been the best way to resolve the matter?
3. How do you think the 2016 Presidential Election affected students’ relationship to the Social Honor Code?
4. When should Honor Council decide to proceed with a trial without the confronting party?