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Summary: Our resolution presents significant changes to and expansions of the Social Code, Confrontation, and Social Trial sections of the Honor Code and Students' Constitution. Through this amendment, we seek to reconstruct the Social Code such that it supports BIPOC students and to eliminate language that weaponizes the notion of trust, concern, and respect.

Our changes to the Social Code involve the creation of an antiracist framework that aims to support marginalized students. These new changes aspire to provide the Haverford community a clear, yet flexible definition of the values of trust, concern, and respect and to create a framework that details how the Social Code applies to our conduct.

Within the Confrontation section, we have made changes seeking to protect harmed parties such that the process of confrontation can truly benefit them and facilitate restoration. We have clarified the language offered surrounding active bystanders by both affirming our responsibility as community members to be active bystanders and introducing the role of a trusted advocate. We hope that these changes will enable confrontation to be something students feel comfortable engaging in and can expect to yield positive results.

Our changes to the guidelines for a social trial aim to better support confronting parties and to provide them with flexibility with how to proceed beyond confrontation. Our proposed changes present a conversation mediated by the COMLs as an alternative to a social trial should a confronting party feel it more appropriate. They also offer confronting parties within a social trial the option to meet individually with the jury should they prefer not to have confronted parties present. We have also made explicit that confronting parties do not need to share every detail of their harm and/or trauma in order for their words to hold weight while speaking to a jury.

The authors of this Resolution would like to acknowledge the labor of the strike organizers, the authors of the BSRFI open letter, Aretha Williams (the author of Sabrina Speaks), and the countless other BIPOC students and alumni who have inspired us to strive for a better, more inclusive Code. Without this cumulative, profoundly historic labor that demands for an improved Haverford, this Resolution would not have been possible.

“Recognizing that... the Honor Code was written under the auspices of a white supremacist culture,

Recognizing that... the Social Code has been weaponized against BIPOC students and other marginalized groups in the consortium,

Recognizing that... the exploitation of the values of trust, concern, and respect, notably through the perversion of the Code’s mandate of “respectful dialogue,” has been used to silence, tone-police, and invalidate students and harmed parties,

Recognizing that... the Social Code is often characterized as toothless, ineffective, inconsequential, or merely symbolic,

Recognizing that... the Social Code has failed BIPOC students who have come to Honor Council for restoration while simultaneously upholding white supremacy (see Sabrina Speaks and Charlie’s Angels),

Recognizing that... the Social Code as it stands does not have an antiracist agenda,

Recognizing that... the values of trust, concern, and respect are not adequately described in the Code,

Recognizing that... confrontation and social trials have left harmed parties further vulnerable to harm rather than having served as accessible tools for students seeking restoration and accountability,

Recognizing that... social trials have been emotionally laborious, inefficient, and harmful processes that have failed to meet the needs of BIPOC students and students of other marginalized identities,

Recognizing that... the Honor Code is a living document, and while the 2018 update to the Code represented considerable progress, more work is necessary to create a truly equitable and inclusive environment for all students of marginalized identities, especially Black, Indigenous, and Latinx students.

Be it here resolved that Sections 3.04(b), 3.06, and 7.01(b) of the Student’s Association will be amended as follows:

(Updated version with edits shown) Section 3.04 (b) Social Code

As a community, we understand that the Social Honor Code is a guide to respectful conduct between ourselves and the rest of the Haverford community, both in academic and social spaces. We must consider how our words and actions, regardless of the medium, whether they be online or in person, may affect the sense of acceptance essential to an individual's or group's participation in the community. We recognize this is exceptionally pertinent when it comes to protecting students from marginalized backgrounds including, but not limited to, students of color, students with disabilities, queer and trans students, first-generation students, low-income students, survivors of sexual assault, and international students. With this in mind, we strive for equity the equality of opportunity among all Haverford Students.

Our community's social relationships are based on mutual trust, concern and respect.

Trust must be earned. In signing the Honor Code, which entails committing oneself to the values within, one earns the trust of the community. It still must be actively maintained by abiding by the Code. If broken, trust must be actively restored. For trust to be restored, a mutual understanding must be reached between the party whose trust was broken and the party who broke the trust on what steps must be taken to facilitate restoration. In order to maintain a community based in mutual trust, it is important that we act with our own and believe in others' sincerity and good faith.

Concern as a lived community value centers compassion. Embodying concern in our interactions with one another involves taking others' well-being into account when we act, offering help or support and intervening in their time of need, and acknowledging and recognizing their personal boundaries. Concern requires recognizing and reflecting on one's own privileges as well as a practice of listening to others in order to understand them.

Respect entails a mutual regard for others, one that includes not only understanding but also welcoming our differences. It necessitates openly accepting others for who they are and affirming their place in the community. We should always engage in respect as befits common humanity and inherent human dignity. Words or actions devoid of respect or concern do not warrant the same degree of respect that we otherwise bring to our interactions with one another. As such, harmed students do not have to abide by racist and transphobic expectations of "respectable," "dignified," "civil," or otherwise "composed" behavior, which efface their own pain and instead privilege the comfort of the harming party.

We associate the above aspects with the values of trust, concern, and respect, but these values' applications to our roles as community members may go beyond these descriptions. In instances where a community member's conduct separates them from our community values, restoration should be sought through reflection and Code-related processes.

We recognize that trust, concern, and respect are **active practices** not passive, and require **mindful, consistent commitment** profound and daily thought **within individual and collective interaction** for the betterment of our community ~~within individual and collective interaction.~~

Furthermore, we recognize that the values in this Code apply not only to how we act towards other students, but also to our relationships with staff, faculty, and guests of the college.

We strive to foster an environment that genuinely encourages expression of differing values in honest and open discussion. ~~In our interactions with others, we must consider how the particular privileges each of us holds affect our words and actions towards others. Understanding this, we strive to foster an environment that genuinely encourages respectful expression of differing values in honest and open discussion.~~ **We must be cognizant and mindful of the particular privileges each of us holds when acting.** ~~we strive to foster an environment that genuinely encourages respectful expression of differing values in honest and open discussion.~~ **We must consider how external social dynamics influence our open dialogue and actions towards others while recognizing the greater importance of impact over intent.** Therefore, ~~However,~~ as a community, we recognize that this open dialogue is not always possible, and that the safety **and well-being** of **marginalized** all students should be paramount. Thus, the Code requires discussion that is active, inclusive, responsible, and safe for all students, **accounting for omnipresent variables of power and privilege and the imbalances they create.** Thus, the Code requires discussion that is active, inclusive, responsible, and safe for all students **given the omnipresent variables of power and privilege and the imbalances they create.** We understand conduct that is not in line with these values inherently damages the community and thus violates the Code.

In particular, we recognize that acts of discrimination, **microaggression**, and harassment, including, but not limited to, acts of racism, sexism, homophobia, transphobia, classism, ableism, tokenism, cultural insensitivity, discrimination based on citizenship status, discrimination based on religion, and discrimination based on national origin, accent, dialect, or usage of the English language are devoid of respect and therefore, by definition, violate this Code. ~~We understand that these discriminatory acts can take many forms, and smaller acts such as microaggressions are also devoid of respect and thus violate the Code.~~ **Further, we commit to being actively antiracist, not just passively "not racist."** As such, we commit to continually

educating ourselves, holding others accountable, and practicing antiracism in our daily lives. This includes, but is not limited to: rejecting anti-Blackness, recognizing white privilege, challenging white supremacy and the corresponding structures of whiteness and white comfort which enable it, and crediting the work of BIPOC and especially women of color. This commitment should not be treated passively, as passivity condones white supremacy and the multitude of systems it creates.

We also recognize that **a person's** ~~there are a range of~~ political opinions at Haverford College, **are necessarily intertwined with their values and outlook, and thus influence their practices. These practices may violate the Honor Code.** As such, ~~Thus, we expect that when expressing or encountering others' political beliefs, students will~~ **must** be respectful of community standards as befits adherence to this Code. **when expressing political opinions. As the Social Honor Code applies to all of our interactions at Haverford, engagement in political discourse falls within its jurisdiction, and political beliefs may not be used to excuse behavior that violates the Code. If we find that our political beliefs perpetuate discrimination, we are obligated to re-evaluate them as we would any of our beliefs that perpetuate discrimination.**

It is important, too, that we maintain respect for our shared spaces. It is our responsibility to clean up after ourselves in areas like the Dining Center and The Coop; to uphold respect by cleaning our own spaces and making the jobs of people working in Maintenance easier; and to respect others' property and, in the event of damage to it, be honest with them. Post-move out rooms should be held to the same standard. This includes the total removal of non-College issued items from dormitories when moving out. It is also expected that students will comply with College regulations and resources^{1a} surrounding move out. Acts of disrespect against staff members and student workers are in violation of the Honor Code. Failure to comply with any of these move-out procedures is a disrespect to staff and therefore a violation of the ~~H~~onor ~~C~~ode.

Upon encountering actions, ~~or~~ values, **or words** that we find **to be lacking trust, concern, and/or respect and that are thus** degrading to ourselves and to others, we may initiate dialogue with the goal of redressing the damage that ~~these~~ ~~our~~ actions, **values,** or words may have caused while also encouraging the restoration of **our community values.** ~~trust.~~

In these dialogues, confronted students weaponizing the Code's expectation of respect in order to silence and/or invalidate the experiences of harmed parties—including invalidating experiences of harm by claiming discrimination against a privileged identity (e.g., claims of reverse-racism) or refusing to reflect on their actions—is a violation of the Code. Using one's

political beliefs to justify disrespectful or discriminatory words or actions is also a violation of the Code. We recognize that parties harmed by acts of discrimination, microaggressions, and harassment, as outlined above, should not be silenced on the basis of the confronted party's discomfort. Reckoning with privilege is a difficult but necessary process. We should lean into discomfort rather than avoid it.

(Updated version with edits shown) Section 3.06 Confrontation

Confrontation, in the Haverford sense, refers to initiating a dialogue with a community member about a potential violation of the Honor Code with the goal of reaching a common understanding ~~by means of respectful communication~~. It should be understood that achieving a common understanding does not necessarily mean reaching agreement.

Though face-to-face confrontation is beneficial and preferable in most circumstances, there may be times when it is infeasible and/or unsafe for a harmed party to directly interact with a party in need of confrontation. In these cases, the harmed party—which can include anyone present for a potential violation—may initiate ~~respectful~~ dialogue through *private, direct* electronic media. Harmed parties are not required to confront their peers. If the best plan for their healing would not be to confront their peers, they should not do so. The systems below are exclusively intended for moments where harmed parties feel a need or desire for themselves or others to intervene. This only applies to social cases. In academic cases, parties *must* confront those in violation of the Code.

This process is a dialogue, in which ~~each party first tries~~ **the confronted party leans into discomfort and actively listens** to **acknowledge and** understand the ~~personal standards and values of the other~~ **harm experienced by the confronting party** in order to ~~create a~~ **facilitate the** restorative process. **This process aims to restore any part of the confronting party's trust in, respect for, and inclusion in the community that was lost due to the harm they experienced, as well as restore the confronted party to the community.** The Code and confrontation with the intent for a trial are not to be used as a threatening device. To do so would go against the spirit of the Code and the goal of achieving mutual understanding.

Should a student feel safe enough to confront their peers, they are encouraged to do so.

However, the Code recognizes that for various reasons, ~~including, but not limited to, power imbalances and mental health concerns~~—students may not feel safe approaching their peers and confronting them. **These include, but are not limited to: power imbalances, mental health concerns, privilege dynamics, and discomfort resulting from proximity. All such concerns are valid and should never be interpreted as being apathetic towards the situation. Additionally, they should not be grounds for confronted parties to refuse engaging in dialogue.** Insofar as confrontation should be understood as **a healing process that seeks to repair the breach in the harmed party's experience of our community and its values and to restore the confronted party to the**

community both a process of self-healing for the harmed party and a process of restoring the confronted party, active bystanders ought to intervene **in instances of breaches of the Code, barring cases where they feel unsafe doing so.**

Whether or not bystanders are present at the moment when the Code is breached, harmed parties also have the opportunity to solicit external assistance from their peers to serve as trusted advocates in the confrontation process.

Though a bystander may not be present at the moment when the Code is breached, harmed parties have the opportunity to solicit external assistance from their peers. That is to say, the harmed party may turn to any other student, **be they a trained student facilitator or not**, and request that they serve as the confronting party in their place. **If no active bystander is present and/or the harmed party does not choose to turn to a trusted advocate, a member of Honor Council, a Community Outreach Multicultural Liaison, or other trained student facilitator may also act on behalf of another student in an initial confrontation.**

Active bystanders should not speak for others without their consent, **but they may** By this we mean that active bystanders can act on their own accord **to** and initiate a confrontation on behalf of themselves **rather than on behalf of harmed parties.** However, **they** should not overpower the voices of harmed parties **or** and/or should not talk **speak** on behalf of the harmed party.

In contrast to active bystanders, trusted advocates are peers informed of a breach in order for them to initiate a confrontation on behalf of a harmed party. Any student can serve as a trusted advocate, and in doing so, are expected to convey the harmed party's intentions for the confrontation, but ultimately can likewise speak only for themselves. The harmed party and their trusted advocate should communicate to establish the trusted advocate's type and level of involvement in the confrontation and subsequent processes.

Should a harmed party who asked for active bystander intervention **turned to a trusted advocate** feel comfortable with re-approaching **(re)approaching** the confronted party, they are encouraged to do so. However, in recognizing that harmed parties may still feel uncomfortable and unsafe in situations with the confronted party, no further interaction between the two is required. Instead, active bystanders **trusted advocates** should first discuss with the harmed party what they feel would be an appropriate resolution. The active bystander **trusted advocate** should then initiate a dialogue with the confronted party in order to reach some form of mutual understanding and communal restoration. Dialogue need not end with a single exposure, nor should there be explicit time constraints on reaching mutual

understanding. Rather, confrontation should take place in a timely fashion and should encourage the sustained conversation between all parties in order to ensure that, when possible, each feels that the results are truly satisfactory. **The confronted party has an obligation to mindfully engage in confrontation.**

As members of the Haverford Community, we are obligated to act as active bystanders when we witness a breach of the Social Code. As active bystanders, we cannot always expect to feel at ease when confronting another student. However, it is our responsibility as Haverford students to confront those who have violated the Code. It is therefore crucial that active bystanders step in and assist their peers.

Should an active bystander themselves not feel safe confronting another student, however, they are by no means *required* to do so. Instead, they are encouraged to acknowledge and validate the feelings of the harmed party. They should also assist the harmed party in finding a party **trusted advocate** to confront on their behalf. Because violations of the Social Code often constitute a breach of trust with the community, it is crucial that students who feel safe and comfortable doing so **lean into discomfort and** become involved in the process of confrontation.

The goal of active bystanders is not to create a system of surveillance, but to create systems of support for students who have felt harmed by their peers. When we say that violations of the Honor Code are breaches of the *community's* trust, we translate individual experiences into communal harm. In turn, we should expect the community to play an active role in the process of education and restoration, for the confronted party has been disrespectful, **acted without concern, and broken trust**. By fostering spaces for balancing respectful **the emotional labor that goes into** confrontation with the **emotional** needs of harmed parties, the Code affirms its promotion of healing, education, and mutual reciprocity.

In the case of social concerns, conflicts can ideally be resolved through this initial stage of respectful communication and dialogue; Honor Council should convene a trial only in situations where the trust of the community as a whole may have been violated or where ~~the perceived breach defies the parties' abilities to resolve the situation on their own~~ **confrontation has failed the confronting party in reaching trial goals, and only if the confronting party agrees to participate in a trial.** However, we recognize that Honor Council, Customs team members, and the **Multicultural Liaisons COMLs** can serve instrumental roles as mediators in conversations surrounding the Honor Code. We therefore encourage students to seek outside help as they look to establish safe spaces and maintain respectful dialogue.

An initial confrontation should also occur in the case of academic concerns. Academic violations of the Code cannot be resolved between ~~the confronted and confronting~~

parties **two students** alone because such violations also constitute a breach of trust with the community. Therefore, unless it is indisputable that an academic violation did not occur, the confronted student must report the situation to Honor Council **or the appropriate faculty member.**

~~If a confronting party has asked a confronted student to report to Honor Council, and Honor Council has not acknowledged this report to the confronting party within one (1) week of the request, then the confronting party is obligated to report the matter to Honor Council.~~

Members of the faculty follow a similar procedure in cases of suspected academic violations. They first discuss the problem with the student; **If, as a result of this dialogue, a consensus regarding Honor Council's goals of education, restoration, and accountability can be met, reporting to Council is not necessary. However, if no consensus can be met** then, if not satisfied that a breach of the Code did not occur, urge the student to report **should report themselves** to Honor Council. If the student does not do so within one week, the faculty member reports the matter to ~~the~~ Honor Council.

As confrontation is often a matter between two individuals or parties, it is ~~advisable~~ **important** to exercise discretion and respect privacy accordingly when initiating a dialogue. In cases where ~~an active bystander~~ **a trusted advocate** or other confronting party is solicited, **or when an active bystander initiates a confrontation,** students should still remain conscious of and respect as much of the privacy of the confronted party as possible. ~~Should no active bystander be present and/or no confronting party be found,~~ **If** a member of Honor Council, a **COML**, or other **another trained** student facilitator ~~may also act~~ **is acting** on behalf of another student in an initial confrontation, **privacy of the confronted party should likewise be maintained.**

(Updated version with edits) Section 7.01 (b) Social Trial

If a resolution cannot be reached through confrontation, Honor Council will **the confronting individual may choose between a mediated conversation with the Community Outreach Multicultural Liaisons or an Honor Council trial.** ~~decide if the social situation needs to be resolved in a trial.~~ **Both options aim for restoration, though Honor Council trials may mandate resolutions for confronted parties while mediated conversations may not.** A trial is necessary if a student is suspected of having violated our community social standards and must, therefore, answer to the community for any suspected social violations. **If the confronting party elects to proceed with a trial and there is reason to believe that a student has acted in a way that violated our community social standards, Honor Council should convene a trial in order to hold the confronted party accountable to the community and facilitate restoration for both parties. Honor Council should inform the confronting party of their recommendation regarding moving to trial and provide their reasoning, but it is ultimately the confronting party's decision as to whether or not they proceed with a trial. If the confronting party opts for a trial,** Honor Council will designate a Council member to explain to the confronted ~~party individual~~ **party individual** the concerns of the confronting party, to explicitly inform the ~~confronted party of their rights~~ **confronted party of their rights** ~~person of the rights of a confronted party,~~ to familiarize the ~~party individual~~ **party individual** with the trial procedure, and to describe the implications and purpose of each step of the trial process.

If the confronting party chooses a mediated conversation with the COMLs, more information can be found in subsection (h) of Article VI. Judicial Powers (Section 6.02 Responsibilities to the Community).

A ~~s~~**S**ocial ~~t~~**T**rial will follow an altered version of the Universal Trial Procedures. The fact-finding and circumstantial portions **outlined in the description of the academic** ~~of the trial shall be combined~~ **into one meeting in a social trial**, with the jury deciding whether a violation has occurred following this combined meeting. **Confronting parties may have the option to request fact finding and circumstantial meetings separate from the confronted party.** During **any fact finding and circumstantial meeting** ~~this combined meeting,~~ the parties should **engage in whatever dialogue is helpful for them, including but not limited to** describing **ing** their experiences of the situation **and**; expressing **ing** their personal concerns, how they feel this issue has affected themselves and the community, and what circumstances they feel led up to this situation. **Throughout this process, confronting parties should not feel obligated to share more than they feel comfortable sharing or more than is necessary to share, nor should they be**

burdened with reliving their trauma or educating others. To this extent, juries must consider the fact that the confronting party's decision not to share the details of their harm and/or trauma does not invalidate their experience, and their experience should not be dismissed or taken any less seriously. The parties should also address how the initial and subsequent confrontations went and why they feel the issue defied their ability to solve through confrontation. Throughout this meeting, the parties should speak respectfully to each other and the jury, and the parties should make every effort to understand their differing perspectives. Both parties will be given an opportunity, at the end of the meeting, to share with the jury whether they feel a violation of the Honor Code has occurred, and if so, what that violation was. **If the confronting party has opted for separate meetings, the jury may request an additional meeting with both parties present, while also considering the confronting party's circumstances. It is ultimately the confronting party's decision whether or not to attend this joint meeting. The confronting party's decision should not be considered by the jury when deliberating statements of violation or resolutions.**

Following **such a meeting or meetings**, this meeting, the jury will consider the circumstances at hand, how this issue has **impacted the community, including potentially compromising the community's trust,** affected the community, and how this issue has caused a **potential** breach of trust between the parties, in order to determine whether a violation of the Honor Code has occurred, and if so, what violation that was. ~~The jury is able to come to a statement of violation for either party, both parties, or neither party.~~ If during deliberations, the jury feels that **either** the confronting party has violated the Honor Code, either in addition to or independently from the **original suspected violation** ~~confronted party,~~ they will convene a second meeting with both parties present to discuss their initial thoughts on the situation before coming to statement(s) of violation **regarding the original suspected violation. If new violations of the Code happen within the trial process, jurors may serve as active bystanders and initiate a confrontation, potentially beginning the process of a mediated conversation or a separate trial. In doing so, such active bystanders should aim to maintain the level of confidentiality expected from all parties from the original trial, recognizing that this might not be possible due to circumstances in the previous trial that any new jury or mediator should take into consideration to understand the facts and circumstances of the suspected violation.**

If the jury determines that a violation of the Honor Code has occurred, both parties will be invited back for a later meeting to discuss tentative resolutions as a group. During this meeting, both parties should express their thoughts on the statement of violation

and what they have considered while reflecting on it. **At any point, the confronting party may request that the confronted party leave the room so that they may be alone with the jury. In the spirit of mindful engagement with the restoration process, both parties will have the opportunity** also be asked to suggest resolutions they feel would be appropriate in this matter. **The jury may reject resolutions they feel are in opposition to the trial goals of restoration, education, and accountability or perpetuate harm to the confronting party.** The jury will then deliberate on tentative resolutions, with all parties still in the room serving as participating members in this deliberation, offering feedback on all ideas. **Recognizing that restoration will look different in each circumstance, the confronting party may understand this combined deliberation to be harmful. In this case, they may opt for this deliberation to include only the jury and themselves. Given this circumstance, the jury will deliberate with both parties individually.** Once the jury has discussed resolutions, ~~for either or both parties,~~ addressing the trial goals of education, restoration, and accountability, **any** the parties **present** will be asked to leave. The jury will then continue deliberations and come to consensus on tentative resolutions, ideally not implementing resolutions not already discussed with the parties. ~~The jury may only mandate resolutions for parties which they have come to a statement of violation for, but is encouraged to recommend resolutions to other involved parties for which they have not come to a statement of violation for if they feel it would be helpful.~~

Following this meeting, the jury will invite both parties back to discuss the tentative resolutions the jury has come to, and to hear feedback from the parties following their reflection on the resolutions. **The confronting party may opt for individual meetings, in which case this request will be fulfilled.** The jury **and present party/parties** will then have a discussion, ~~with the parties present and participating,~~ on their thoughts on the **structure of the** trial process as a whole and potential changes or additions to the resolutions. **These** discussions will ideally continue until all parties and the jury are both satisfied with the proceeding and the resolutions, although this may not occur in all cases. Following their meetings with the parties, the jury will consent to final resolutions for the trial before concluding the proceeding. All other aspects of the Universal Trial Procedures not addressed here shall be followed during a **sSocial tTrial**. **In any instance throughout the trial process where separate meetings are held for confronting and confronted parties, both parties will be informed by the trial chair of points made in their absence as laid out in Section 7.02(f)(vii).**

If at any point during the process of a **sSocial tTrial** both parties request the trial become a mediation, the jury can consent to turn the trial into a ~~social~~ **mediated conversation**. Should the jury and the parties elect to conduct a ~~social~~ **mediated** ~~edion~~

conversation, the COMLs will be contacted as stipulated in subsection (h) of Article VI. Judicial Powers (Section 6.02 Responsibilities to the Community). ~~the Chair of the trial and at least one (1) jury member, and at most the entire jury, will serve as mediators.~~