

**THE SANCTION: Some Thoughts**

A Report on the Status of the Honor Sanction  
at the University of Virginia

March 27, 1988

prepared for the Honor Committee  
by the Sub-committee to Study the Sanction

1987-88

**MEMBERS OF  
THE COMMITTEE TO STUDY THE HONOR SANCTION**

**Matthew P. Mc Cormick, Chairman** 977-6139  
Honor Committee  
1411 Virginia Avenue

**George W. Hindman** 977-0538  
Honor Committee  
473-2 Lambeth

**Melissa M. Marquez** 979-3656  
Student from the Community  
2100 Jefferson Park Avenue

**Michael C. Cloud** 296-6800  
Student from the Community  
814-N Cambridge Square

## THE SANCTION: Some Thoughts

### Clarification of the Problem:

Generally, when asked what is the purpose of the Honor System, most members of the University community would respond that it is in place to promote and maintain a community of trust. For the most part that answer is the accepted one. It is also a rather nebulous one. When asked what is the purpose of an Honor sanction, no one individual nor any one source can, in our experience, give a succinct answer and still retain all the nuances of what would be judged a correct answer. .

The singular impression this report hopes to provide is that if the purpose of the Honor system is to promote and maintain a community of trust, we must recognize that we are not one community but a myriad of communities. Each of these communities has varying value systems, goals, ideals, objectives, cultural conditioning, and opinions. And if a sanction is the tool which the Honor system uses to preserve a "community of trust" then there is certain to be frequent and heated debate as to which sanction is best and will best achieve the goals these communities have. In fact, not all the goals that each community does have will be congruous with any other community's goals. Hence, this we believe is the reason

the sanction dilemma persists.

Clearly defined system goals and effective response to each community's needs and desires will far better resolve the sanction debate than massive educational campaigns two weeks prior to election day. We do not believe the current system has clearly defined goals nor is it responsive to individual community needs. We also do not feel it is unreasonable to ask of an institution that has so much impact on the daily life of this University and on our own personal lives to have clearly defined goals and to be responsive. We fully anticipate and encourage these goals to change from time to time in order to be responsive. Phrasing this system's goals solely as "maintaining a community of trust" is neither sufficient nor helpful. Once this system's goals have been clearly defined, we may see what our sanction is supposed to do and therefore what sanction is needed.

A question that must be asked is what is the sanction we currently have? The single sanction was spoken earlier of as a tool. We agree that it is such a thing, but only in its most mechanical form. It is also a philosophy, perhaps an intuitive one, but still a philosophy. It is a philosophy ( and we hesitate to use this word and intend no negative connotation) of elitism. It is our perception that in a societal view that which is belongs (i.e. every living American citizen has a right to freedom of speech, freedom of opinion, freedom of religion simply because he/she exists and for no other reason). While in a University view that which is belongs only until

such time as that person commits a dishonorable act. Then that person no longer belongs and is removed permanently. In society it is our perception that if a citizen commits a crime against society they are penalized or removed for a certain amount of time and then can hopefully be reintegrated back into society. It would be unthinkable to permanently remove someone from society unless their crime were of a horrific nature as to warrant it. Yet, for the University Honor System, permanent removal is the avenue traveled every time. This is why we employ the word elitism since it infers that those who lie, cheat, or steal could never be one of us again.

#### Determination of Objectives:

In our discussions we have distilled four objectives any sanction adopted should address. We do not in any way imply that these four are comprehensive or primary, but may serve as a catalyst for further goal clarification.

1) The sanction must embody the symbolism currently found in the single sanction. It is our view that any new sanction adopted or any attempt to institute a new sanction must allay the fears of students that a great tradition and symbolism will be lost due to this change. University culture and thought are dripping with symbolism and sanction movements must not omit consideration of this important attribute nor underestimate its significance to voters. Otherwise, efforts made run a high risk of failure.

2) The sanction must strive to internalize the principles

of honorable conduct in students more effectively than is currently observed. This could be viewed as the goal of the whole system, but if the sanction is the tool the system uses to achieve its objectives, then the sanction must prompt students to live more honorably than we have seen in the recent past (i.e. it's O.K. to use fake ID's, it's O.K. to steal outside of Albemarle County, it's O.K. to lie socially).

3) The sanction must not allow levels of lying, cheating, and stealing currently experienced in the University to increase. The reasons for this objective are fairly evident. Whatever we do let's not backslide from where we are now. If we do change something we don't want to be surprised that it doesn't work when it's too late.

4) The sanction should be both educational and correctional. The current sanction only allows for punitive actions and when employed does not educationally benefit students who remain in the community (i.e. we cannot learn from our own mistakes or from those of others).

#### Establishment of Criteria:

If these are our objectives, how will we know whether or not the sanction is achieving those objectives? We suggest a few criteria which if met might suggest that the sanction employed is being effective. We point out that effectiveness is not purely an issue of having the right sanction but also of administering it correctly (i.e. not only doing the right thing but doing the thing right). Unless both an effective

sanction and an effective administration of that sanction simultaneously occur, we cannot hope forecast any improvement in the state of the Honor System. Therefore, we recommend the following symptoms which might signal an effective system/sanction junction:

- 1) Few restrictions if any on the taking of tests (i.e. where or when).
- 2) Removal of the lock-up mentality from around grounds.
- 3) Freedom to leave valuables in public view around grounds.
- 4) Ability for the student to have his word taken as truth anywhere and at anytime in the University or in the Charlottesville community (i.e. vouching).
- 5) Ability to cash checks with only student ID as standard practice.
- 6) An increasing level of student support and confidence in the system.

Lastly, we wish to point out that the typical attitude of those administering the Honor system has been that if these objectives are not being met then there must be something wrong with the system. We suggest but do not necessarily endorse another viewpoint. Perhaps there is something wrong with the students; perhaps they are different and have changed from past years. Perhaps it is a responsibility of the system to educate them in the ways of honor especially if they have had no previous experience with the concept.

### Alternatives:

We have determined the following four possible sanction alternatives:

- 1) No sanction.
- 2) Single sanction (expulsion).
- 3) Dual sanction (suspension for a year/expulsion).
- 4) Multi-sanction (modeled after the Judiciary sanctions).

### Cost vs. Effectiveness of Alternatives:

#### **No sanction.**

The cost of this alternative is in terms of the symbolism that would be lost if the single sanction were to be struck down. The symbolism we speak of lies in having the system be just the way it is now in terms of what it says to the world and what it says we as students believe in. There would also be a cost in terms of University history and culture and community identity.

The benefits of this alternative might be more student participation and involvement in accusations since there would be nothing to inhibit a would be student from initiating an investigation. As well, one might argue that without a sanction there would be nothing to compel students to initiate investigations. This option would work in an ideal, utopian society where the assumption that all students are honorable could be validated. We, of course, recognize the probable infeasibility of this alternative but include it for argument



sake and for completeness.

### **Single sanction.**

The cost of this alternative comes in terms of its rigidity and perhaps it diminishes the percentage of student participation. This alternative also produces conflict in that it does not reflect the values of many of the various sub-communities within the student population. Also, this option uses fear as an effective means of behavioral influence with students and we feel there is a cost associated with this practice. There is the exclusion of individuals from the community and hence a loss of their talents, input, and company among friends and classmates. We see this as a cost to the community. The penalty with this option very often does not meet the crime and so there is occasionally a feeling of injustice and this is a cost. Lastly, there is the cost of moral judgment of another human being which is never nor should ever be an easy task.

The benefits of this alternative is that it does tend to be an effective deterrent for students from dishonorable conduct. Also, this option tends to convey to those who look at it a sense of how seriously students at the University are about honor. It is symbolic of our commitment.

### **Dual sanction.**

First, we must specify what we mean by this option. What is intended here is that should the verdict at a trial be

guilty, the trial panel will have the discretion of selecting either permanent dismissal or suspension for one academic year as the sanction. There is no stipulation on how many times an offender could be suspended or that eventually at some point he must be dismissed.

The cost of this alternative again is in terms of its symbolic cost and a lack of student participation. Also, for the same type of offense there might be varying sanctions applied in different trials and hence no consistency in justice. There also would be a cost of record keeping we currently don't incur as far as who can come back and when if ever. And again, there is the moral judgment cost.

The benefits of this alternative would be that it might still be a fairly effective deterrent to honor violations and this dual sanction would not be viewed as being so harsh or rigid as a single sanction would be. Here we could at least begin approximating the punishment fitting the crime although far from perfectly. This sanction would be correctional, allowing the student to return to the community. Also, some increase in student participation with initiating investigations might be realized.

#### **Multi-sanction.**

This alternative would include a range of sanctions which would be assigned to the offender at the discretion of the trial panel. This range of sanctions would be modeled after the judiciary system now currently in place.

There would be a great cost associated with this alternative in terms of symbolism. Also, there would be the cost of adequate record keeping. A substantial cost might possibly be realized in terms of time and effort associated with a greater number of trials and investigations. And multiple honor offenses could be committed by one person and he/she never be required to leave the University.

The benefits of this alternative would be a realization of much greater student participation and a reduction in the fear of the system. Seriousness would play a significant role in the determination of which of the range of sanctions would be applied. The punishment could finally be tailored to the crime and the System and the Committee would not be seen as grim reapers.

### Conclusions

It is difficult to draw any valid conclusions concerning which sanction should be employed and it is not the place of this committee to do so. The purpose of our labors and of this report has been an attempt to clearly analyze some of the cogent issues and alternatives centered around the sanction controversy; to provide clear logical thinking so as to encourage further clear, logical thought and debate. We hope we have accomplished this. The unending cycle of referenda and sanction debate wearies the students, the faculty, the administration, the alumni, and the larger University community. We believe it is only by clear and logical analysis

that the sanction issue will ever be resolved to at least the satisfaction of a majority of students. Passionate debate and campaigning two weeks in February every year is not the solution and is tiresome.

We would point out to the Honor Committee though that maintaining the current single sanction may place smaller communities within the larger under compulsion to accept values and goals currently employed by the system which these communities do not share. We therefore recommend the frequent and continuous exposure of Honor Committee members and their support officers to all value systems within the larger University community. Only in this way can the Committee continue its research into the sanction dilemma and remain optimistic at the prospect of finding an effective solution.