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In Theory: Honor code violation -- making the punishment fit the crime

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Q. Brigham Young University recently suspended its star basketball center, Brandon Davies, for violating the college's strict Honor Code. Davies admitted to officials that he'd had pre-marital sex with his girlfriend, an Arizona State University freshman. Although he currently remains a student, there is still a chance the 19-year-old will be expelled from the school. He has publicly apologized to his teammates and fans.

The Honor Code, which students are obligated to abide by, requires them to be honest, live a chaste and virtuous life, obey the law and all campus policies, use clean language, respect others, abstain from alcoholic beverages, tobacco, tea, coffee and substance abuse, participate regularly in church services and observe a dress and grooming standard.

Davies' suspension means the third-ranked Cougars are now missing a vital player and could possibly lose out on being a No.1 seed in the NCAA Tournament. Reaction to his dismissal is split into several camps; comments on the Salt Lake Tribune's stories range from "[T]his young man did nothing wrong and should not be punished" to "[G]lad to see BYU standing up for its values and holding students accountable for their actions". The suspension has also stirred up a lot of anti-Mormon feeling on the Internet, with many commentators taking the opportunity to slam the Honor Code as outdated, draconian and laughable.

Was the university right to suspend Davies for an action that many would say was trivial, especially as he's not committed a criminal act? Or should they have swept it under the rug to prevent damage to the Cougars' championship chances, possibly putting off talented athletes from attending?

Answer:

As a non-Mormon, I am loath to make judgments about the way those of another religious group practice their faith. BYU certainly has the right, as a private, church-based institution, to establish an honor code and penalties for infractions. And Brandon Davies had full knowledge and acceptance of their rules. In addition, he has admitted his awareness and remorse that he violated the school's code by his actions.

However, Brandon was not the only one who was affected by his punishment. The other players on the BYU basketball team are also being penalized by not having opportunities for the success that Brandon's skill would have provided for their future careers as athletes. Likewise, Davies' girlfriend, someone who did not sign the BYU pledge, has had her private life brought into the spotlight of public opinion, causing her exposure to extremely negative reactions by others.

While I am not suggesting that pre-marital sex is an act of no consequence, I believe that Davies' high profile status as a talented athlete has caused him, and those previously cited, to have been punished far more severely than others at the school who may have committed the same breach of conduct. It is hard to imagine that other students at BYU have not secretly participated in similar activities without consequences.

It is my contention that mercy for Davies, not just because he is a sports star, and counseling him and others could have invited both learning and positive reinforcement of BYU's values far more than his extreme punishment. In fact, this penalty may well have the effect of encouraging fear and secrecy at BYU rather than healthy discussion.

That is the positive kind of approach that is encouraged in the Unitarian Universalist "Our Whole Lives" program, which recognizes that we are sexual beings and explores the importance of positive and loving relationships. Just because a religious institution has the right to impose severe penalties for infractions of its

code, that does not mean doing so is the most valuable solution for them or their students.

The Rev. Dr. Betty Stapleford
Unitarian Universalist Church Of the Verdugo Hills
La Crescenta

Students who don't agree with Brigham Young University's honor code shouldn't attend that school. Those who aren't tuition-paying students or parents, faculty or donors can have any opinion and make any comments they wish, but at the heart of it, it's none of their business.

The university was right to suspend Davies. It would have been unfair to the rest of the students not to. And sweeping the matter under the rug would have been unconscionable for a faith-based school.

What is acceptable in the eyes of men isn't always right in the eyes of God. And for people (and schools) of faith, God's ways must take precedence. The apostles Peter and John were criticized by Jerusalem's civil authorities for preaching the good news about Jesus Christ. Their response was a model for us all: "We must obey God rather than men" (Acts 5:29). Many people who reject God, or redefine Him on their own terms, think that biblical morality is "outdated, draconian and laughable."

Tragically, it is the very rejection of that morality that has caused an enormous amount of disease, heartache and broken relationships for many of them. Honoring God, in all of our ways, is the only way to blessing.

In rejecting God's ways, we deprive ourselves of his best for our lives and invite in a host of negative consequences. We do our young people no favor by allowing them to reject the life-affirming values of integrity, chastity and accountability.

Pastor Jon Barta

Valley Baptist Church

Burbank

First of all, the question at hand has nothing to do with any basketball championship. The question, as I see it, is one of ethics and morality. Does voluntary commitment to a particular lifestyle lose its validity if it comes up against a failure to live out the commitment?

Commitment is, of its essence, voluntary. Consider the commitment of husband and wife in the Sacrament of Marriage. They voluntarily give themselves to one another and pledge faithfulness for life. We are describing here a perfect act of marriage. That means that the couple not only acted voluntarily but fully understood what they were doing and wanted to make such a commitment.

In this example, a failure of faithfulness on the part of either person does not (or, at least, should not) destroy the marriage or the commitment. However, there may of course be some consequences that the person would have to accept along with forgiveness.

Let's take for granted that the young man voluntarily made the commitment and understood fully what he was

doing. He failed the commitment by his action. However, one failure did not destroy either the commitment or his relationship to it. There were consequences, obviously, but we also take for granted that there was also forgiveness.

As to the consequences — we also take for granted that these were explained and understood before the original commitment was made. Should there be some recourse? Of course. But whatever are the ultimate consequences — even after recourse — they do not invalidate the original commitment and his swearing to it.

The Rev. Richard Albarano

St. Francis Xavier Catholic Church

Burbank

If there were such a thing as an Episcopal university, (though I think there is actually one in Tennessee), the only violation of its honor code might be not being able to handle yourself at sherry hour. My tradition looks far more kindly on secular ethical norms; we even pride ourselves on being worldly folks and socially “normal” at the same time we’re devoted to walking spiritual paths. BYU’s code is far stricter than any we would ever discuss, much less enforce.

Yet I’m supportive of their decision to suspend Brandon Davies. For better or worse, he decided to attend a university with an honor code. He signed it; he knew what was expected and required of him. If the demands of an honor code aren’t followed and/or enforced, there’s no point in having one. “Do not swear, either by heaven or by earth or with any other oath, but let your yes be yes and your no be no, that you may not fall under condemnation” (James 5:12)

It’s refreshing that BYU didn’t wink and look the other way. It’s impressive that they’re willing to let one person’s actions affect the whole community — which is the reality of human interdependence and ethical behavior. I applaud the administration for modeling the same integrity they expect of their students and not compromising the values they’ve chosen to uphold for the sake of worldly success.

It could be that this incident will fuel a re-examination of BYU’s honor code to see how realistic its requirements are. That’s entirely up to them; no outsider can suggest such a thing. All we can do is nod in bemused approval — this wouldn’t be the code I’d suggest and definitely wouldn’t be a code I’d sign; but hey, if that’s their honor code, kudos to them for sticking to it.

The Rev. Amy Pringle

St. George’s Episcopal Church

La Cañada

It seems to me that this incident is one of respecting a religious university (Brigham Young University) and its honor code, the terms and conditions to which all students (not just star basketball players) are asked to agree.

Would it be any different if this were a private Mennonite, Southern Baptist or Catholic university?

Those who are criticizing the officials at Brigham Young University for asking Mr. Davies to step off the

basketball team are making a judgment against the school and its policies.

If Mr. Davies had been informed about the school's honor code when he applied for admission to the school, it was his choice to abide by the honor code and his faith as a practicing Mormon. He also knew what the consequences would be for violating any of the terms of the honor code.

I think he is a very honorable young man for admitting that he and his girlfriend had been intimate and for being prepared to face the consequences of his actions. He knew that if he wanted to be on the team, he was bound to conduct his life by the rules of the team.

Let's hope for the highest and best resolution of this private matter, for the young couple involved and for Brigham Young University. Has anyone asked the young couple if they wanted to be married? As a married couple, I imagine they could still attend their respective universities and could share intimacy as part of their marriage.

The Rev. Jeri Linn

Unity Church of the Valley

La Crescenta

Brigham Young University, also known as "BYU," has three campuses (Utah, Idaho and Hawaii) with almost 50,000 students. To be admitted, a student must not only meet certain academic requirements, but must also agree to live by the honor code and have an endorsement by his or her local ecclesiastical leader that he or she is living the standards of the Church of Jesus Christ of Latter-day Saints.

BYU confirmed some years ago that the honor code applies equally to athletes. This was done with full knowledge that this position would likely have a significant impact on its sports programs. For example, BYU's star running back withdrew last year from school because of a serious honor code violation, and BYU has turned down top recruits because they could not meet the honor code.

Several weeks ago, BYU's basketball team was 27-2 and was playing its best basketball since the early '80s when Danny Ainge was playing. There was talk that this team could be either a No. 1 or No. 2 seed in the NCAA basketball tournament.

At this high point, Brandon Davies, BYU's center and third leading scorer, came forward and informed BYU that he had violated the honor code. Based on the nature of the violation, BYU dismissed him from the basketball team for the remainder of the season.

Since then, BYU's record has been 3-2 with two big losses, and it has dropped to a third seed in the tournament. His dismissal was an additional blow to a team that lost one of its starting big men earlier in the year to a season-ending knee injury.

BYU has been both praised and criticized for Davies' dismissal. Either way, BYU takes the honor code seriously. It also tries to apply the honor code in a manner that is reflective of the circumstances.

For Davies, he is still a student at BYU and is expected to play basketball next year for BYU. Although he cannot suit up for the remainder of the season, he has been on the bench in street clothes with the team and crowd supporting him.

For BYU, standards do mean something, even when the game is on the line.

Rick Callister

Church of Jesus Christ of Latter-day Saints

La Cañada

No, I don't think that officials at BYU should sweep Brandon Davies' actions under the rug. After all, what kind of message would it send to the student body if the university ignored its own honor code whenever it became inconvenient to enforce? By suspending a star athlete, BYU is making the very strong point that moral values are more important than basketball wins. Whether a college team gains a championship trophy is far less important than imparting core ethical lessons to young people to help them navigate the often turbulent waters of adult life.

Every university has the right to determine what its social and moral standards are on campus. As long as these rules do not conflict with the civil liberties of its students, they are perfectly legitimate and must be honored. All students entering college — especially one as committed to social conservatism as Brigham Young — are fully aware of the various regulations they are subject to and are even required to sign an affidavit acknowledging this. If Mr. Davies did not feel he could uphold the school's code of honor, he should never have enrolled.

There are some elements of the BYU honor code which I myself find a bit stringent — for example, I must have my morning cup of coffee, and I am required by my religion to sanctify every Sabbath and holiday with a goblet of wine— so, therefore, I would not consider attending this university.

However, I believe the overall atmosphere of BYU is admirable and shines in stark contrast to the sometimes decadent lifestyles being practiced on many college campuses. Frankly, I don't see what is so “draconian or outdated” about asking our young men and women to be honest, respect others, not abuse drugs or alcohol, use clean language and dress and groom themselves appropriately. Come to think of it, is it really so bizarre to ask our young people to exhibit self-control and restraint when it comes to pre-marital sex? Certainly any responsible parent would strive to shield their teenaged child from the possible psychological and physical consequences of sexual activity before a true commitment was made.

By holding Mr. Davies accountable for his actions, BYU is sending a clear signal about its commitment to principles and values; I hope that our country's youth will take this lesson to heart and properly adjust their own lifestyles to reflect the ideals of honor and respect.

Rabbi Simcha Backman

Chabad Jewish Center

I do not see how this matter could be considered “trivial.” BYU is an academic institution, but also a religious one with standards that reflect its doctrine. While you or I may find rules against facial hair or consumption of coffee somewhat overbearing and unrelated to anything spiritual, they believe them to be part of the identity they wish to inculcate. Some of the honor code simply reflects biblical code, and with such I would be in similar agreement, as would the schools I attended as I worked through my own education. I, too, had to agree to uphold certain ethical standards to attend Biola and Fuller, and some of the rules there were also, to me, superfluous; but rules about fidelity, chastity, etc, are reasonable for any institution that champions biblical

morality and should be applauded and held in high esteem.

I don't know all the circumstances involved in the revelation of the violation, but it seems to me that the punishment should fit the crime, and consideration should be made for whether the confession was initiated by the student or as a result of an accusation.

The school is supposed to be building better Mormons, not basketball players, so assessing some penalty to the player is appropriate for the sake of all who value BYU's values. Those in charge will have to decide the extent of the punishment, but the repercussions will certainly send the message that sin is devastating and that personal integrity is a treasure to protect. "No discipline seems pleasant at the time, but painful. Later on, however, it produces a harvest of righteousness (Heb 12:11 NIV).

The Rev. Bryan Griem

Montrose Community Church

The internal workings of the LDS church remain a mystery to those of us outside of it. This is not a critique. I am dismayed by — and critical of — the Mormon church's public campaign against marriage equality and the disingenuous public campaign around freedom of religious expression (on which we were asked to comment last week). But when it comes to their internal workings around spiritual and moral formation, my comments are more cautious.

I know people who grew up in churches that rely on a shame-based approach to spiritual formation. People were exposed, during worship, over alleged violations of moral code so that fellow congregants could pray for them. In the cases I know of, the humiliation and gossip that followed were in no way redemptive and were often traumatic.

Gordon Monson, a Mormon sportswriter who commented on the Davies' case, emphasized that the LDS faith has in place a way to quietly and confidentially create opportunities for confession and forgiveness. Along with Monson, it isn't clear to me why BYU would choose a very public shaming over this private, pastoral approach.

I want to respect BYU's commitment to maintaining a strict moral code, but because of the publicity and seeming lack of mercy, mostly I am just compassionate toward a young athlete sorting through all of the mixed signals of our culture and the Cougars, who have worked so hard this year to win games for BYU.

The Rev. Paige Eaves

Crescenta Valley United Methodist Church

At any season my dad was known to look upon the youthful frolics of his kids and our friends and observe, "It's spring and the sap is rising." Having eight of us, he was speaking from experience, I guess.

No, of course there is nothing outdated about keeping your promises.

If I join the local bacchanalia group, I'll need to participate in any required activities.

The only laughable aspect here may be the notion of 19-year-olds resisting biology's siren call. The joys of human sex evolved with us to perpetuate the species. I imagine others this week will speak of sex as a delightful

gift from a creator. Either way, let's think late adolescence here: newly out on their own, in a fun college atmosphere (yes, even with an honor code — I went to a church school myself!), emotions running high, excited/worried about their team's chances, maybe even in a first love, all accompanied by liberal doses of hormones.

Doesn't BYU's honor code also include provisions for repentance and redemption, short of dismissal, to deal with the inevitable breaches of the code? Or is rule-breaking more typically ignored and this came to light only because Davies is in the spotlight?

Whether needing a star player moves BYU to re-examine its code will be interesting to watch, but I trust that the student, the church powers and LDS basketball fans can work out a just and human/humane resolution. Even if not, I see in the sports section today that BYU has another player who is the country's top per-game scorer. Go Cougars!

Roberta Medford

Atheist

Montrose

BYU was right to suspend one of its stars. The basketball player in question knew what he was getting into when he decided to go to “the Y,” as it is affectionately known. So there should be no crying over spilled milk.

True, if the suspended player had gone to some other university, he could probably have had sex as many times as he wanted with impunity. But he didn't choose to go to some other university; he chose to go to BYU, where he knew what the code was.

I'm sorry for the other players on the team, whose championship dreams have probably been dashed — but there is more at stake here than a championship. If BYU reneged on its obligation to hold accountable one of its star players then it would no longer be the highly respectable university that it is. Then it would be just like any other institution, where winning is everything and we have at least one or two of those right here in L.A., don't we?

I am not a Mormon, but I admire the high moral code to which members of the LDS community subscribe. It is particularly disturbing to me that non-Mormons have criticized the decision. It really is nobody else's business but the player involved and BYU. Everybody else should butt out.

In a permissive society such as ours, there is a penalty to be paid for being “morally straight,” to borrow a phrase from the Boy Scout oath — and BYU and the Mormons are painfully finding that out right now.

The Rev. Skip Lindeman

La Cañada Congregational Church