

Bennington College  
June 5, 1968

TO: Members of the Bennington College Community

FROM: The Constitutional Council

SUBJECT: Student Constituency proposal regarding pets

In September of 1967, the Student Constituency voted to allow students once again to keep pets on campus. The Faculty and Administration were informed of the student action and subsequently voted against the student proposal. In accordance with the constitution the issue was then submitted to the Constitutional Council to be resolved. The unanimous opinion of the Council follows:

The Constitutional Council unanimously finds against the student legislation affecting pets. The Council accepts the Student Constituency's contention that students should have the privilege of keeping pets if they could show that pets' presence on campus would work no hardship on the Community, but it finds that sanitation, good health, and the proper maintenance of student houses are incompatible with their presence. In addition, it finds that pets as well as their owners are likely to suffer from the regulations that would be necessary to make the animals' presence tolerable. In its considered opinion, therefore, pets could be accommodated on campus only if they were truly necessary to maintaining the quality of life in the student houses, and then only if cruelty to the pets could be prevented.

In so holding, the Council is aware of the conscientious efforts made by the Student Constituency to enact legislation that would overcome all objections to the presence of pets. Nevertheless, both past experience and present circumstances indicate that the proposed legislation cannot meet these objections. Previous legislation on the subject was much more extensive than the present enactment, yet it clearly failed and was ultimately invalidated by administrative action. While the Council acknowledges that the College's past experience with students' pets cannot be conclusive as to what that experience might be now, it also insists that recent experience of this sort is at least as conclusive as the speculative proposition, offered during the Council's hearings, that students who want pets will naturally enforce necessary regulations concerning them. Furthermore, the legislation recently adopted does not address itself even to all of the problems that have arisen during the current academic year. For example, no provision has been made for keeping pets out of Commons, where they jeopardize the health and comfort of the whole community, and no evidence has been adduced to show that the owners of pets residing in the houses would take any greater interest in this problem in the future than they do at the present time. In short, the burden of proof lies on those who wish to change existing regulations, not on those who have found it necessary in the recent past to confirm them, and the Student Constituency has not shown that its legislation would overcome the difficulties involved.

In addition, evidence presented to the Council made clear that the proposed legislation is inadequate to safeguard the well-being of the pets themselves. Any effective regulation of pets in the houses would require that most of them be kept locked up except when accompanied by their masters, and the very pressure to keep them out of public places

would lead to confining them for long hours. (The fact that cats may be able to come and go through first-floor windows, and so avoid passing through public rooms, hardly speaks to the question of what dogs, or second-floor pets of any kind, would be able to do in their masters' absence.) More important still, the proposed legislation calls for turning over the pets of uncooperative owners to the local Humane Society as a way of enforcing the regulations. In the first place, it ignores the fact that the Society will not accept animals for whom the owners can be found. Secondly, it makes the pet pay the penalty for his owner's indifference. A considerate owner would never permit her pet to come to such an end; it is the inconsiderate owner that legislation must reach, and has not.

The Council acknowledges that faculty and administration pets are as likely as student pets to be hazards to health and good order if they are permitted to run loose on campus. Therefore, it holds that the faculty and/or administration must take appropriate steps to ensure that their members do not ignore the need for controls on their pets while they are on campus. In the opinion of the Council, present legislation regarding faculty and administration pets is either inadequate or unenforced, and its defects should be remedied forthwith.

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