

June 9, 1967

The following is a letter I am submitting to the Constitutional Council.

To the Constitutional Council:

While recently preparing a paper evaluating this term's community meetings, and secondarily the relative power of four agencies of Bennington College, (student body, faculty, administration, and board of trustees), I came across the following passage from the Bennington College Handbook,

"The community normally meets in separate constituencies to deliberate and vote upon matters of interest to those constituencies, but it may also meet as a single body in order to discuss issues of general concern. In cases in which the separate constituencies disagree upon a policy affecting more than one of them, their differences are referred to a Constitutional Council composed of three members of the administration, three members of the faculty, and three students. A majority vote of the Council is binding on all members of the community."

(Bennington College Catalog, 1966-1967, p. 113-114)

In another section of the Handbook, the "community" is defined.

"The community constitution that has been adopted at the College emphasizes the fact that all members of the College community share the responsibilities of its government. Hence the entire community, including students, faculty, and administration, participates in the formulation and administration of the policies, standards, and regulations under which all live and work."

(College Handbook, p. 112)

Conspicuously absent in the list was the power group that wields considerable influence on "the formulation ... of the policies, standards, and regulations under which all live and work" -- the Board of Trustees.

The following dialogue between a member of the Board of Trustees, and a member of the student body, taken from the third Community Meeting at Bennington College in the Spring term, 1967, is relevant to the issue of the relative power of College constituencies.

Student 1. "The first question concerns the role of the trustees in this institution. . . . I'd like to address my question to the relationship between the students and the trustees.

(To a trustee) "You just mentioned as one of your functions the responsibility for the violation of moral and legal laws. I wondered what you feel is the extent of the student constituency's right to determine the standards and rules set up as in the constitution."

Trustee 1. "It's a very troubling and important question. . . . As a matter of practice, this is an issue that we (the trustees) have not been called upon to resolve. In terms of the principles, of the Bennington purpose, it has always been recognized that this is a community in which the students are the primary factor and must, therefore participate in a primary way in the rules that govern the institution. But the students are not the only factors in this community. There are the faculty, there is the administration, there is the institution; and the institution is larger than the trustees, and larger than the present student body, larger than the alumni, and larger than the sum of all of them. So that all of them participate but the students are really the vital force in this and by our system hopefully do participate, and we believe do participate actively in setting the rules of the community."

Student 1. "Well, perhaps I could cite a more specific example to direct this question. Say an overwhelming majority of the student constituency were to vote to abolish all campus hours for men in rooms and the constitutional council were to uphold this decision. What would be the trustees' plan of action? (group laughter)

Trustee 1. "I have to behave as a lawyer. It's an "iffy" question, as your former president used to say, and until a question would come up in its entire context, I'd now as the Supreme Court of the United States (have to say), it's a moot question.

But all I can say really that would be helpful is that any particular issue that would be raised, if it could not be resolved in the community, would eventually be resolved by the trustees.

Student 1. "In a sense, you're saying that you have supremacy over the Constitution as established."

Trustee 1. "But the Constitution is what in effect, the trustees can amend the constitution. (sic) The ultimate power . . . resides in the trustees but subject to the laws of the land which is the thing that governs us."

Student 1. "So, in effect ultimately, the Constitution is ineffectual."

(group laughter, applause)

Trustee 2. "(We) hold (our) Constitution under charter from the State of Vermont."

Student 2. "No, I think the question really was, if the community passes a law which is in fact, not against the law of the State but perhaps against the mores of the State and if the right of the student body to pass that law is upheld by our constitutional committees . . ., then, would the trustees consider it part of their responsibility or within their power to, as it were, veto that law."

Trustee 2. "Why are you asking us to overrule you?"

Student 2. "We're not."

Because of the gap between the institution's statement of who holds power (". . . the entire community, including students, faculty, and administration, participates in the formulation . . . of policy"), and the actual wielders of power in the formation of policy, ("The ultimate power resides in the trustees"), I am proposing that the trustees be considered a fourth constituency with the limitations that that title proffers.

If this action were taken, it is my contention that

there would be more communication between students, administration, faculty, and trustees regarding policy and policy changes; there would be less misunderstanding of reasons and results of policy actions, and as the College Handbook states, "all members of the College community (would) share the responsibilities of its government (in a meaningful way)."

Because the "separate constituencies disagree upon a policy affecting more than one of them" (Handbook, p. 113-114), that is many students feel they do not have real power in decision making and policy formation at Bennington College, I am referring this problem to the Constitutional Council for vote.

The wording of the proposal is:

1. That the trustees be considered a fourth constituency along with the student body, faculty, and administration at Bennington College, especially concerning the formation of policy decisions.
2. That the Constitutional Council be amended to include not only three members of the administration, three members of the faculty, and three members of the student body, but also three members of the trustees, each of whom has one vote.
3. That the trustees forfeit their "right" to veto or amend the Constitution.

Sincerely,

Natalie Orloff

An Invitation:

I would further like to suggest that the use of the galley-writing system be extended to use by the members of the Board of Trustees so that so-called communication is no longer a one-way affair from students (and galley-writing faculty and administration members) to trustees.

This system would work in the following way: Trustee members would respond to galleys (such as this one) by writing a galley and sending it to Galley, c/o Bennington College. One day later, we would hear your side of the story!