Solons Change Liquor Laws

A Campus Senate resolution designed to bring the College's regulations governing alcoholic consumption more in phase with the state law has been passed public before a student assembly on Monday of this week.

In his statement, President Lund noted with some encouragement the overwhelming attendance at the meeting. He then retailed about denning all rumors to the effect that the College was considering prohibition or amending its plans to erect a women's college in the vicinity. The resolution at hand, said Lund, "in the words of the proposition, is no big thing." The President went into a broad discussion of the collegiate condition, stating at one point that "we maintain here a mini-

mum basic respect for law and morality," and "we are addressing ourselves here to a purely manner.

Mr. Lund revealed that the issue in question was that widely discussed legal point of institutional responsibility. The Senate, he said, had considered two alternatives. The first, inviting State officials to patrole the campus for violations of the alcoholic code, would militate against individual liberty. The second, which the Campus Senate considered, involved removing the responsibility to such matters result-

ing from the misuse of alcohol from the institution, now acting in loco parentis, and placing it on the faculty and the fraternity divisions.

President Lund concluded his remarks by saying that he had posed as, "How do you preserve personal freedom while insisting on the principles?

Mr. Lund yielded to Mr. Frank-

BEER BELOW 2%: 75%
WINE AND LIQUOR: 94%

This question contradicts the assertion that the majority of Kenyon's students did not drink before coming to the college, and that college's drinking policies might have been detrimental to them.

Analysis on page 3, col. 2

Senator Members Discuss Revisions

In order to clarify some of the vaguer aspects of this issue, the College posed a set of questions to the Campus Senate. Following are the answers of President Lund, Dean Haywood and Edwards, Professors Pettigrew, Miller, and McCullough, and student members Miller, and Zophay. The interviews were conducted separately.

Comments by Dean Haywood, Dean Edwards, and Rev. McCallum in answer to questions posed by the College:

"Are you satisfied with the Campus Senate proposal?"

"Yes, and under the circumstances I think that they are the minimum.

"It seems to me that the question is not whether I am satisfied but that the College is satisfied by the change in regulations to conform with the State Code. It seems highly probable that the Senate needs to restudy those parts in its proposal that appear to be impractical and unenforceable. Despite the existing faults, however, I do believe that what is being offered is a unique and unusual opportunity for students to accept individual and corporate responsibility for their own decisions and actions. Many students want to reject this precarious position in favor of one that gives them protection from abetting law, and yet holds other liable for their actions and behavior.

"Mr. McCALLUM: It is difficult for a person who has been here for only a year to make a proper judgement on this ques-

DEAN EDWARDS:

"Certainly here is one of the areas where further study would I also would like to know what is really meant by the phrase before we can become the responsible enforcement of the new regulations.

So as not to avoid the question, however, I do see an analogy between the management of a tavern and a fraternity party. Should a tavern gain the reputation of

"A Letter from the Editor

The Campus Senate's proposals concerning alcohol on this campus represent no tyrannical act. It is merely a proposal, not a law. The Senate has solicited comment, and this newspaper has endeavored to fulfill its function by discussing the issues involved at length. The Campus Senate is not intentionally trying to impose the will of eleven men on us all. The willingness of its individual members, faculty, students, and administration — to cooperate with the staff of this newspaper is evidence of that. They seem most willing to consider alternate proposals. But these proposals must be specific and practical. Categorical opposition to "shadow boxing." It is not proposed to approach this problem nationally with a view to determining the best possible solution.

Barry M. Bergh
Fraternities Snub Measure; Psi U., Delta Phi Unanimous
Six out of ten fraternities opposed the proposal at meetings with the House; a proposal that carried at the last meeting and is expected to pass this year was defeated by the Psi U. and Delta Phi fraternities. Psi U., Delta Phi and Delta Tau Delta instructed their IFC and Council representatives to vote against the measure, which will result in a revision of the proposed legislative changes. Of the five fraternities, four are represented on the Council and the other on the Fraternity Council. The Psi U. and Delta Phi fraternities are expected to join the Delta Tau Delta fraternity in voting against the measure.

To the Editor:

The proposed changes that were passed in the last meeting by Psi U. and Delta Phi are the only ones that have the support of the House of Representatives. The Psi U. and Delta Phi fraternities are expected to join the Delta Tau Delta fraternity in voting against the measure. Psi U. and Delta Phi Fraternity is expected to join the Delta Tau Delta fraternity in voting against the measure.

John A. Gale

The Language of Law

If you have questions on the minds of all students this week:

1. Do the student representatives on the Campus Senate adequately represent opinion on this campus?
2. Are the recent proposals on drinking really the product of democratic process, or are they administration fat cat?
3. Are these proposals the minimal steps that must be taken by the college to alleviate some of this responsibility?
4. Is there any time or place that the college cannot enforce them?

Professor Franklin Miller, Chairman of the Campus Senate, declared last Monday: "The Campus Senate is a democratic organization that represents all students on campus." We doubt this. Remember that two of the five members of the Senate were originally elected by a three man executive committee of the Student Council. It is the overwhelming opinion of the student body that the Senate represents the students to the Senate but not clearly expressed their opinions of their constituents." Accordingly, we make the following proposal: That four of the five student members of the Campus Senate be elected from the student body by school-wide election; that the fifth be the President of the Council, but that he also be mandatory and not optional, as is now that he be elected to his office by school-wide election. This is a proposed constitutional amendment and shall be petitioned to under the regulations governing such petitions as specified in the constitution.

The fact that these proposals concerning campus drinking were voted upon does not imply that they were the product of democratic process. These proposals were initiated by the administration to protect itself legally and this is certainly justifiable. It should be noted in order to not elevate the college of responsibility. They are not administration fat cat in disguise. They are the product of the administration's efforts to work within the constitutional framework of government at this college. It is possible that the proposals are not the best at least by the procedure by which they were arrived.

Judge Harter and William Szabado, both of Columbus, have given the college its legal advice on this matter. Certainly, we are ill-equipped to discuss legal issues with Judge Harter and Attorney Szabado. But this campus is not convinced that the proposals represent the minimum step the college must take to alleviate some responsibility. Indeed, such vague wording is suspicious. Students favor the college's self-protection, but we want also as much student freedom as possible. The students' strong request that these proposals be clearly expressed as they are, that the college not only protect itself, but also to use the law as a guise for merely curtailing the consumption of alcohol on this campus. We urge that the college consult with the Judge, rather than proceeding with its current counsel. Therefore, the Senate should postpone a vote of these proposals until the situation has been more clearly explained to the students.

THE KENyon COLLEGIAN

The Kenyon Collegian, is published every other week, except during vacation periods, by the students of Kenyon College during the regular academic year. The first number of each issue is mailed to the home of each student. The periodicals are published at the Daily Record Office, Gambier, Ohio. Telephone: Gambier 4093, 417, 418, 419, 420. Subscriptions are available at $1.00 per year, to Gambier and M. Woodruff, $1.50, Advertising Rates upon request.

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The Collegian utilizes the resources of the College News Bureau.

were left to us to decide whether we should have a government without newspapers or newspapers without government. I should have announced a resolution to perform the latter." — Thomas Jefferson.

Student Comment

Gable Underscores Way of Life

When I was a freshman, I tried to a number of speeches during Orientation Week. I have always been interested in freedom of speech and I did not want to be put off by the College administration. I told of a college with a heritage of respect for the individual's right to free speech. I made the mistake of reading a little of his life intellectually, socially, and spiritually in their words. I was not prepared to do the same, even though I admit that I did not appeal to me at the time. Today, I have been in the general of a strict New England church school. I had very definite ideas about what was right and what was wrong. I still do, and I cherish and defend my experience in preparatory school, but I came to believe that it would be right and fitting to choose whatever path he walked. Kenyon's atmosphere has changed and I have been in the minority of a party of few. It seems to me that there has been a gradual retreat from this idea.

The "pajama parade" seems a good example of this. I was never a proponent of this Victorian out, but for the boyish fun that it could bring. I thought that sophomores could easily avoid participation, why should it not have been continued? Troubles could have been avoided from this valuable custom, it could have been "out of hand", some body could have gotten hurt, so

To the Editor:

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Six out of ten fraternities opposed the proposal at meetings with the House; a proposal that carried at the last meeting and is expected to pass this year was defeated by the Psi U. and Delta Phi fraternities. Psi U., Delta Phi and Delta Tau Delta instructed their IFC and Council representatives to vote against the measure, which will result in a revision of the proposed legislative changes. Of the five fraternities, four are represented on the Council and the other on the Fraternity Council. The Psi U. and Delta Phi fraternities are expected to join the Delta Tau Delta fraternity in voting against the measure.

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John A. Gale
These proposals were handed out at the Assembly last Monday.

Introduction

In accordance with the Constitution of the Campus Government of Kenyon College, the Campus Senate is charged with the obligation to provide the student body with regulations of student life and extracurricular affairs. In 1964, the Senate promulgated a statement on "The Proposed Rules of Behavior" in which "imposed penalties for violations of rules" was rejected in favor of "a substantial area of personal freedom for the student." Responsible behavior is set forth as "a personal responsibility to the community and one's fellow students." On May 13, 1964, and appears on pp. 15-16 of the Student Handbook.

Throughout the first semester, 1964-65, the Senate has considered the revised versions of the regulations on the campus, believing this to be the topic which most urgently requires study at this time. Three considerations weighed heavily in the Senate's thinking:

1. Public opinion. A steady increase in drunkenness among minors, and driving and other accidents arising therefrom has raised the question with a new urgency.

2. There is evidence of a definite trend towards stricter enforcement of the existing laws on the part of State authorities. If not anticipated by internal action, result in vigorous enforcement on college campuses.

3. No institution of higher learning which allows widespread disregard of laws of the land on its campus and among its students can hope to maintain its place of leadership in society, not can it hereby inaugurate a responsible attitude toward the law.

The problem is thus both a legal one and a moral one, the Senate recognizes that in the same degree of magnitude is the legal one, although perhaps less susceptible of ready solution.

I. Revised Rule on Alcoholic Beverages Relative to Individuals

The following new legislation is hereby formally proposed to replace Rule II D (p. 17 of the Student Handbook):

**ALCOHOLIC BEVERAGES**

The College regulations of the time of all students to Section 4301.62 of the Revised Code of the State of Ohio which prohibit the acquirement or consumption of beer (of less than 3.2% alcoholic content) or of intoxicating liquor (including beer above 3.2% alcoholic content) by those under 21, except under the supervision of a parent, personal, or legal guardian, Section 4301.68, with the same exceptions, which provide that any person selling or furnishing beer (of less than 3.2% alcoholic content) or of intoxicating liquor (including beer above 3.2% alcoholic content) to a person under 21, is subject to prosecution by State authorities.

In order to meet the provisions of the law and in no way condone violations, Student funds administered through College accounts will not be used for the purchase of intoxicating liquor (including beer above 3.2% alcoholic content).

Immoderate use of alcohol which renders any student incapable of looking after himself, or which results in offensive behavior or disorderly conduct, is unacceptable and will be punished.

Drinking will be confined to the immediate vicinity of student residences and lodges. No drinking is permitted at intramural or intercollegiate athletic events.

The local police and other schools are subject to the regulations of these institutions.

**PRESENT RULE:**

**A. ALCOHOLIC BEVERAGES**

The College does not prohibit the moderate use of alcoholic beverages in dormitories and dining halls, but does require ordered and socially responsible conduct at all times and under all conditions. Drinking will be confined to the immediate area of the dining halls. Bars are not permitted in dormitories or other college buildings.

No drinking is permitted at intramural or intercollegiate athletic events.

Kenyon students residing off campus are subject to the regulations concerning drinking at their institutions.

**Interpretation of Revised Rule**

The Senate has rejected three distinctly different approaches to the present total prohibition on the campus—which would substantially reduce the personal freedom of the student. The College as an enforcement agency of the State in regard to individual and group actions—which, according to legal advice, is not the obligation of the College; or (c) to consider enforcement of State liquor laws a matter entirely between student and State—which would leave the campus subject to the severe penalties of a law. Careful study of the new rule will reveal that the College has not been able to consider enforcement in the interest of law. Careful study of the new rule will reveal that the College has not been able to consider enforcement in the interest of law. Careful study of the new rule will reveal that the College has not been able to consider enforcement in the interest of law.
Liquor. From page 1 were occasionally my student bills and books from several quarters of the auditorium. Mr. Miller appeared to draw the most violent reaction with the following statement: "Unfortunately, we cannot legislate morals." The students responded to this statement with boiling catcalls.

Professor Miller then introduced Mr. William Hamilton, President of the Student Council. Hamilton spoke with quiet self-assurance on the role of the fresh- man in the selection of the new proposal. His remarks drew the same unfavorable reaction as Professor Miller's. Professor Miller then called for questions.

The first question concerned with the possibility of a student referendum on the issue. Miller replied with a smiling, "No." He qualified by saying that such a referendum would be unconstitutional. Mr. Hamilton stepped up to announce that all discussion of the problem will take place in the representative channels of student government. He assured anyone with complaints or questions to refer them to his student council representative. The next question was "What possible effect could a discussion in Council have on this legislation?" A wave of applause followed this question, which was posed by a member of the Student Council. Mr. Hamilton answered by explaining that discussion in Student Council leads to final resolution in the Campus Senate.

Many questions followed demanding clarification of certain passages of the resolution. In answer to these, President Land admitted that the whole statement was "deliberately vague." The sentence that caused the considerable fire was the revision of item 7, page 56 of the Student Handbook which, if enacted, will state, "Any persistent or frequent violation of the law by a fraternity will result in action by the College, even if state authorities are not involved." Professor Miller attempted to answer all questions by saying that the final definition of this, as well as all questionables of the resolution, is in the hands of the Judicial Board.

The last to speak was Dean Edwards, who straightforwardly declared that the changes in regulations lift the responsibility for these matters from his shoulders. Said he, "I just want to make it clear that it's not my ass that they're going to get."
Further Comments, Alibis, By Campus Senate Members

Democratic government does not necessarily mean that all issues will be resolved by popular vote. If the people who voted to put popular vote there is little doubt that most students would not support an all-student council with no stakeholder drinking rules.

The courts have said, and they will say again in this paper, that the college must accept student responsibility. Nor can we avoid making that responsibility, and could be legally binding. We could base our policy as total prohibition on a dry campus. But we have not the student support and responsibility in students.

REV. MCCULLUM: The Campus Senate is as representative of the students as any body of its kind could be. It can be an effective way in which the student representatives have participated in the discussion.

Edwards and Rev. McCullum represent the administration on the Campus Senate.

Comments by William Hamilton.

REV. MCCULLUM. Are you satisfied with the Campus Senate's proposals?

HAMILTON: Yes, because I've been working on it since its inception. I think it's a sensible, non-appraisal approach.

REV. MCCULLUM: I prefer it to a dry campus.

HAMILTON: How would you define "persistent or flagrant"? Do you consider moderate or not, means more than once. Flagrant? Well, if a fraternity gets drunk, every time in town, wait until it was. I would consider that flagrant. That is, if a fraternity does not move to in accordance with the code.

REV. MCCULLUM: Persistent if a violation has occurred more than once. A flagrant violation is one that might be visibly obvious to permit the violation of the college community. One flagrant violation, I think, should result in disciplinary action. That should be something the judicial council will handle.

HAMILTON: What precipitated these changes?

REV. MCCULLUM: The first work has done in March of last year when Dean Edwards proposed his seventeenth annual report to the student council. These were the basis for the proposed revisions in the rules contained in section two, Alice A through E. The student council was advised, and A, B, C, D, E, and F were the rule to be revised. These are on the agenda now, but drinking was only one of the items. It was, especially after all the articles in the Chronicle that lapsed this year. The Cleveland Plain Dealer, and it is true that the local publics have played up the nation-wide drinking controversy of the undergraduates. Although there has been any direct state action the students. The evidence of the rule change came in this fall. There were these changes that are not going to affect immediately we plan to take immediate action. The letter that Dean Edwards received from the "New State Line" Liquor Board request quotes on the liquor problem at Kenyon. That's one indication that the state is showing increased interest.

HAMILTON: I believe that the immediate cause for the Campus Senate proposal came about the administration of Trinity College. These incidents affected the public view as to how serious is the undergraduate drinking and made it clear that changes in Kenyon are called for. When the Kenyon administration adjourned last spring, they appeared to consider in the Polity the question of drinking at parties. What made it quite clear that what we're doing was important was the case involving an instance of students buying beer for several of Vermont miners.

HAMILTON: What new regulations are for enforcement?

HAMILTON: I don't know. In my personal opinion Dean Edwards laid it open at Monday's meeting. Certainly enforcement will be on a middle ground between striking down completely and doing the thing altogether. But Edwards will be immediate enforcement. I think Professor Miller was mistaken when she referred to her experience on the Judicial Board. The board doesn't have the power to refer cases, which would be handled by the Campus Senate.

REV. MCCULLUM: By the word of Student's officers and the faculty, the faculty and the campus will have in the enforcement of these regulations.

HAMILTON: Was this done in the "most reasonable way possible?"

HAMILTON: Yes, it was done in an excellent manner. Most student regulation has been favored with some reservations. I'm more convinced freshly weighted decision that was reservation, and, I would say, gained only some hundred or so names that the plan is not merely favorable.

REV. MCCULLUM: Insist that the question be planned more carefully. We complied with the following (and you before and after the action) one, have been led by the approval of the majority of the students.

REV. MCCULLUM: In my opinion, a flagrant violation is the definite process of serving of a party, a process for violations, repeated instances of serving of minor, and in the process of the way that the plan is not merely favorable.

REV. MCCULLUM: I ask that the question be answered simply. We complied with the following (and you before and after the action) one, have been led by the approval of the majority of the students.

HAMILTON: No. I don't think the president is really morally obligated to heed the opinion of the students in every instance. In this case, it seems that I am as avary with the majority opinion.

Will the new rules encourage surreptitious violations?

HAMILTON: Not really. It will in the sense that any individual can get by with a violation. But in my opinion it isn't the intent or the spirit of the document. There's a real vengeance and openness about it that leaves a real determination of individual responsibility. If any individual doesn't accept it he's making himself liable to the State and the College.

REV. MCCULLUM: I can't say. But I hope not.

It should be noted that Mr. Hamilton and Mr. Iwasa represent two-thirds of the team that actually drafted the document. The third member is Mr. Hettlinger. Furthermore, Mr. Hamilton acted for long as President. He has been on the Campus Senate since the spring. Mr. Iwasa was appointed to the Campus Senate by Mr. Hamilton with the consent of the faculty.

Comment by Mr. McCullum, Mr. Miller, and Mr. Hettlinger in answer to questions posed by The Campus Senate.

Are you satisfied with the Campus Senate's proposal?

MCCULLUM: Not completely satisfied. It is only a couple of sentences that would like to see added or altered.

MILLER: The present proposal represents our best thinking up to now, but it is possible to subject to some clarification. There are a few minor changes desirable.

HETTLINGER: The changes were not precipitated by any action on the part of the student body, but grew from the purpose of the Campus Senate, which is to clarify and revise existing regulations. The question was given special emphasis as a result of the problem of where responsibility actually lay.

Will these rules encourage surreptitious drinking?

MCCULLUM: Yes.

MILLER: It probably will if you mean that a student will sneak off campus with his hip flask or bottle to drink in some field. However, I fail to see why students should take this chance. It is obvious that we are in effect condoning drinking in the villages that is private in the absence of the college, as they don't impose on the rights of others.

HETTLINGER: No. I don't think that the amendments will encourage surreptitious drinking, but I think that drinking will be done in small groups as compared to fraternity parties.

How will these new regulations be enforced?

MCCULLUM: I propose that the main behind the bar go to in order to make sure that the person he serves is of legal age.

MILLER: We will probably be enforced by The Dean of Students, somehow, through the action of the Student Senate, which is appointed by the Dean of Students, a white paper with specific punishment for specific offenses. We will have to set up a code as a guideline for student behavior and official enforcement.

HETTLINGER: As for enforcement, the college will make an attempt to put a constant check on the student body. The college has a considerable campus security system or extended College supervision. Occurrences by the present force who will file reports on what in their estimates constitute flagrant and obvious violation of the regulations, will form the basis for punishment, while consultation between the Dean and fraternity officers will allow a provision of a basis of agreement. I would compare the situation to that of a family. Whereas there is a set limit which the State has found to be safe, to allow for a national policy to be set. If the campus, I think this limit so do with full knowledge that it may become raping, the college of a thief, even though he may very well get away with it. The college police may be the best compared to a road that is under the newly developed electronic check. Kenyon chose to take the first solution so to preserve the freedom of students to determine the clear College's recognition of existing State regulations.

Are you satisfied with the Campus Senate's proposals?

MCCULLUM: No, and it shouldn't have been. I favor opportunity for free discussion, but free discussion alone is not democracy. If every student was willing to vote for the same rules, then we were equally responsible under the law for the acts of the College, but as it is real democracy would be possible.

MILLER: I think so. The Senate fairly represents the students' thoughts through the action of the Student Council. Student opinion will certainly be sought before the final revision of the proposal will be enacted.

HETTLINGER: Yes, I feel that the proposal was handled as democratically as on any acceptable, satisfactory dissatisfaction with the system to a lack of communication between the Senate and the student body.

Are you satisfied with The Campus Senate's proposals?

MCCULLUM: I think that the Senate is the best we've come up with. We are open to other suggestions, but we have put much deal of time and we couldn't find anything more practical than what we have.

KUYDOEK: By definition of fraternity regulations, it is clear that we have a group of offices, 1. I am very confident that the fraternity system will go on. I think most people will cooperate.

Turn to page 4, 5, 6
In the Senate, the administration has been accused of failing to take action against incidents of drinking and other violations of the Code of Student Conduct. The Senate has approved a referendum which, if passed, would allow students to propose changes to the Code.

The administration has argued that existing regulations are already sufficient to address the issue of drinking. However, the Senate has disagreed and is now considering the possibility of passing a new ordinance that would be more comprehensive.

The administration has also been criticized for its handling of the situation. While some members of the administration have been praised for their efforts, others have been accused of being too lenient or too aggressive.

The Senate will be voting on the referendum in the coming weeks, and the outcome will have a significant impact on the future of student life at Kenyon College.