

William and Mary NEWS

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and STAFF of the COLLEGE of WILLIAM and MARY.

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Fifth volume of the Marshall papers is published

By Wendy Sackett
Editorial Assistant

A volume containing selected law cases from John Marshall's practice during the years 1784 to 1800 is the latest addition to the series *The Papers of John Marshall*, co-sponsored by the College and the Institute of Early American History and Culture. Volume five of the series was edited by Charles F. Hobson, Fredrika J. Teute, George H. Hoemann and Ingrid M. Hillinger and has been published by the University of North Carolina Press.

This volume documents Marshall's law practice in Virginia before his appointment as chief justice of the U.S. Supreme Court in 1801. The volume makes a substantial contribution to the understanding of the legal world of late 18th-century Virginia and Marshall's place in it, while also providing an excellent introduction to the legal practice of the new nation in its emergence from colonial antecedents.

Marshall was a member of the elite group of lawyers at the Virginia bar who practiced

at the superior courts at the capital in Richmond. It was a remarkable group, including the likes of John Taylor of Caroline, Edmund Randolph, John Wickham and Bushrod Washington, who later served on the Supreme Court with Marshall.

Among these highly successful lawyers, Marshall was admired for the clarity and logic of his arguments. "He possesses one original, and almost, supernatural faculty," wrote a contemporary, "the faculty of developing a subject by a single glance of his mind, and detecting at once, the very point on which every controversy depends."

Despite the glowing accounts of Marshall's legal prowess, the editors of the volume had a difficult time trying to document the majority of his cases, most of which involved the collection of debts. The contents of Marshall's law office, a separate building on the grounds of his Richmond home, have vanished — whether they were destroyed or lost isn't clear. In addition,

most of the records of the higher courts of Virginia were destroyed by fire during the evacuation of Richmond in April 1865.

A variety of records, including accounts, private correspondence, court records, notes, opinions, petitions, pleadings, other litigation papers and reports of cases, provide evidence of his cases before the general court, the high court of chancery, the court of appeals, the federal circuit court at Richmond and the district court at Fredericksburg.

"What we have are the remains, and we have to work with what is available," says editor Charles Hobson. "We've had to approach Marshall the lawyer from the system and the culture of which he was a part. ... So in addition to illustrating the career of a particular individual, the volume has this larger purpose and scope."

In reconstructing 43 of Marshall's law cases, the editors chose to divide the cases into six categories, one for each of the five courts with an additional subdivision for the

federal circuit court cases involving pre-Revolutionary debts owed to British creditors.

Marshall probably received more attention for these cases than for any others and was the principal author of elaborate special pleas in defense of the Virginia debtors. Marshall's success at the circuit court level led to his traveling to Philadelphia to argue the case of *Ware v. Hylton*, his only appearance before the Supreme Court as a lawyer.

"Although Marshall lost the case, he performed very well," says Hobson. "Lawyers who take on difficult cases can gain prestige even in losing, and in this particular case, the odds against Marshall winning were great. It was here, however, that Marshall came to the attention of the Federalists outside of Virginia, who helped him to national prominence."

Marshall's ambition and talent took him far beyond his brief formal education in law. He attended the first lectures given by

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Herbarium holdings reach 50,000

The herbarium at the College of William and Mary is closing in on a milestone, its 50,000th specimen.

A valuable resource housed in utilitarian metal cabinets in Millington Hall, the herbarium doesn't attract a great deal of attention outside the world of botanists and biology students and is often confused by the general public with the greenhouse, also in Millington.

The 50,000 samples of most Virginia plants serves as part of the network of 11,000 herbariums across the country that house some 50 million specimens.

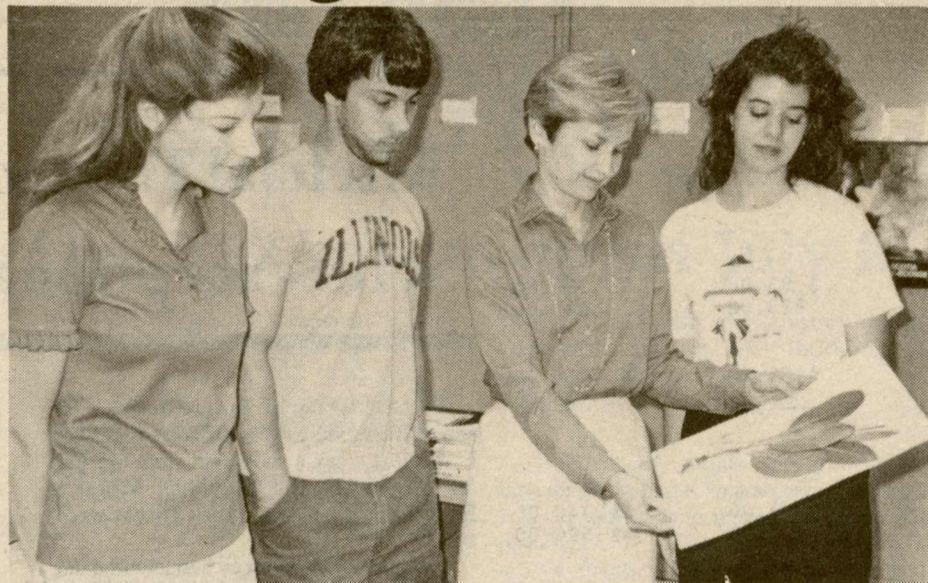
This year students who help catalog specimens in the herbarium staged "WAD" or Willi Appreciation Day. *Willi* is the acronym for the William and Mary herbarium in the catalog of herbariums. It was a modest response by most standards, but Donna Ware, curator, is planning another WAD for next year.

Ware has already designated a sample of *Melanthium parviflorum* (Michix) Wats as the 50,000th specimen to be cataloged. It came to the herbarium from Tom Wieboldt, an alumnus, now curator at the Virginia Tech herbarium. The plant is commonly known as the birch flower of the lily family, which is found mainly in the mountainous western part of the state. The herbarium is directed by Gustav Hall, professor of biology.

Unlike the greenhouse, there are no brilliant colors or lush foliage to catch the eye. In the herbarium, plants and flowers are pressed, dried and stored horizontally in manila folders inside stark metal cupboards.

The tradition of a herbarium, Ware explains, goes back to medieval times when herbalists would mount medicinal plants in books. The Swedish botanist Linnaeus, who lived in the 1700s, is looked upon as the father of modern-day herbariums.

There are about 11,000 herbariums in the United States holding approximately 50 million specimens. Apart from the larger ones, including the National Herbarium at the Smithsonian, which has some 4 million holdings, and large herbariums in New York and Missouri, most are on college and uni-



Student assistants Debbie Stout, Bernice Sullivan and Chuck Bailey help Donna Ware prepare the 50,000th entry in the herbarium.

versity campuses. There are very few private herbariums, says Ware.

The herbarium at William and Mary was started in 1969 and has been growing at the rate of about 3,000 specimens a year. The University of North Carolina has the largest herbarium in the southeast with close to half a million specimens. In Virginia, Virginia Tech has the largest with 75,000.

Specimens come to the herbarium from three major routes. A large percentage are generated in house by master's students and undergraduates doing honors projects, through faculty research and through gifts. A recent gift to the herbarium includes specimens from the collections of the late Professors Baldwin and Speech of the biology department.

The three main functions of the herbarium are to record, act as reference and provide raw data.

Like a museum, the herbarium carefully labels specimens for researchers. Specimens are loaned to other herbariums but usually not to individuals. New specimens are usually given in triplicate, enabling the herbarium to send off one specimen in hopes of a

trade for another.

The specimens retain their color for an amazing length of time. Some have been known to date back to the 1500s. A solution of Elmer's Glue and water is used to mount the specimens on 100 percent rag paper, which is also acid free.

The main predator of stored samples is the cigarette beetle, which is named because of its appetite for tobacco leaves. Constant surveillance and an active program of pest control keeps the beetle at bay. Ware says that the herbarium did have a scare several years ago when the building was closed down for asbestos removal. Beetles did take advantage of inactivity in the herbarium to attack, but they were contained without too much damage, says Ware. Uncontrolled, the beetle can decimate an entire collection in a short time.

The collection in the herbarium includes ferns, cone-bearing plants and two major groups of flowering plants that grow in Virginia, mainly on the coastal plain. Ware says that the collection includes the whole state but does not go much beyond the southeastern United States.

College choir leaves Monday for Europe

Frank Lendrim and his choir are off to Europe on a five-week tour which will take them to Paris, Geneva, Munster, Leipzig and London, as well as many stops along the way.

This is, for the most part, an encore tour for the choir, which has been invited back to sing at Notre Dame and Chartres cathedrals, Westminster Abbey and Canterbury. The choir is also happily anticipating another visit to the Drapers' Company in London.

The Drapers' have maintained an association with the College through student exchanges for several decades. The choir will sing again at Leeds Castle and Stourhead Gardens, hoping for more settled weather in the latter location; last tour sunshine, rain and hail, all within the space of a few minutes, plagued the singers during their outdoor concert.

The Dean of Windsor Castle has invited the choir back for tea and to attend Evensong in St. George's Chapel where many kings and queens of England are buried.

This tour the choir will sing for the first time in the Thomaskirche in Leipzig, East Germany, the church where Bach was organist.

The Museum of Garden History at St. Mary-at-Lambeth in London has invited the choir for an afternoon concert June 2. A tour of Worcester Cathedral on June 13 will be followed by a visit to the museum and showroom of the Royal Worcester Porcelain Company.

The first day of the tour in Paris includes an evening cruise on the Seine, the first of a series of sightseeing and educational excursions that are woven into the schedule of concerts.

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To the College community

1987-88 Tuition and Fee Structure for Full- and Part-Time Students

On April 24, 1987, the Board of Visitors approved the operating budgets for the university for fiscal year 1987-88. At the same time, the Board also approved the tuition and fee structure necessary to finance these operating budgets. I attach for your information the tuition and fee schedules as approved by the Board of Visitors.

As you would expect, the charges necessary to support the educational, general and auxiliary enterprise programs have increased. The increase is due primarily to the need to support the university's share of faculty and classified salary increases, and other operating enhancements, approved in recent General Assembly sessions. Limited university initiatives are also supported. With the approved charges, the total annual cost to an in-state student will increase by 4.7 percent, while the total annual cost to an out-of-state student will increase by 5.2 percent. These percentages compare favorably to actions taken by other Virginia institutions, especially since we are required to support 40 percent of the costs associated with the well-deserved average full-time faculty salary increase of 9 percent.

Detailed departmental budgets will be finalized over the next weeks. Thank you for your continued cooperation as we go through this exercise.

Melvyn D. Schiavelli
Provost

Actual and Proposed Full-time Tuition and Fee Rates FY 1986-87 and 1987-88

| | FY 1986-87 Actual | FY 1987-88 Proposed | Percentage Change |
|----------------------------------|----------------------|------------------------|----------------------|
| In-State | | | |
| Tuition | \$1,331 | \$1,410 | +5.9% |
| General Fee | 1,209 | 1,340 | +10.8% |
| Total Tuition and General Fee | \$2,540 | \$2,750 | +8.3% |
| Room (Average) | \$1,626 | \$1,674 | +3.0% |
| Board (19 Meal Plan) | 1,588 | 1,600 | +0.8% |
| Total Room and Board | \$3,214 | \$3,274 | +1.9% |
| TOTAL IN-STATE COST | \$5,754 | \$6,024 | +4.7% |
| Out-of-State | | | |
| Additional Tuition | \$3,992 | \$4,228 | +5.9% |
| Additional Academic Support | 240 | 256 | +6.7% |
| TOTAL OUT-OF-STATE COST | \$9,986 | \$10,508 | +5.2% |

Actual and Proposed Part-time Tuition Rates FY 1986-87 and FY 1987-88

| | FY 1986-87 Actual | FY 1987-88 Proposed |
|---------------------------------|----------------------|------------------------|
| Aux. Services Allocation | | |
| Student Health/Counseling | \$171.00 | \$184.00 |
| Bus Service | 58.50 | 58.00 |
| Campus Center | 82.00 | 85.00 |
| William and Mary Hall | 31.00 | 94.00 |
| Auxiliary Enterprises Admin. | 23.00 | 23.00 |
| General Auxiliary Services | 140.50 | 133.00 |
| Telecommunications | 0.00 | 16.00 |
| Intercollegiate Athletics | 480.00 | 518.00 |
| TOTAL | \$986.00 | \$1,111.00 |
| Academic Support | | |
| In-State | \$ 85.00 | \$ 85.00 |
| Out-of-State | 325.00 | 341.00 |
| Debt Service | | |
| Student Activities | \$ 68.00 | \$ 68.00 |
| | 70.00 | 76.00 |
| Total General Fees | | |
| In-State | \$1,209.00 | \$1,340.00 |
| Out-of-State | \$1,449.00 | \$1,596.00 |

Actual and Proposed Allocation of In-state and Out-of-state General Fees FY 1986-87 and FY 1987-88

| | FY 1986-87 Actual | FY 1987-88 Proposed | Percentage Change |
|---------------------|----------------------|------------------------|----------------------|
| In-State | | | |
| Undergraduate | \$ 85 | \$ 90 | +5.9% |
| Graduate | 85 | 90 | +5.9% |
| Law | 98 | 105 | +7.1% |
| MBA/BBA | 100 | 106 | +6.0% |
| Out-of-State | | | |
| Undergraduate | \$226 | \$240 | +6.2% |
| Graduate | \$226 | \$240 | +6.2% |
| Law | \$239 | \$253 | +5.9% |
| MBA/BBA | \$241 | \$255 | +5.8% |

Note: These rates are applicable to part-time students in the Regular session and Summer School on a per semester hour basis, effective August 16, 1987.

- Notes:**
1. Tuition charges are increased an additional \$404 (+10.4%) for Law students and \$280 (+0.0%) for MBA and BBA students. In addition, the fee schedule does not include the Law School printing and activity fees of \$20 and \$12, respectively.
 2. Miscellaneous fees, such as application fees, are not included above.
 3. Subject to approval by the Board of Visitors.

Michael Torrey graduates with exceptional skills

Michael Torrey of Fairfax Station, Va., son of Raymond and Judith Torrey will take home next week a sheepskin from the College of William and Mary, high honors in English and a working knowledge of carpentry.

The manual skill Torrey has acquired during his college years has developed out of a desire to help others and his initiation into an ongoing program sponsored by the Catholic Student Association on campus.

As a freshman, Torrey went to Appalachia with a CSA group to help fix up houses in the Grundy area.

When he returned to campus he helped start and direct a similar program to help needy families in James City County, adjacent to Williamsburg. Under the title of "Some Young Carpenters" students worked Saturdays to improve substandard housing in the county, raising funds for materials and tools.

In Dec. 1985 a group of concerned citizens in Williamsburg started "Housing Partnerships," and "Some Young Carpenters" became part of the larger community effort. Two retired contractors help supervise the work and instruct students in how to tear off and replace a roof, put up a dry wall or paint a room. Torrey has also helped build a new drainage system for one householder.

"I'm not a carpenter but I've learned a lot," says Torrey. He says he started as a freshman because he liked the idea of the church's outreach program, and it was a good alternative to loafing during vacation. Working in the Williamsburg area, he adds, gives him the satisfaction of being able to "put something

back into a community from which I have gained a great deal."

Torrey is headed for the University of Virginia in the fall to continue his studies in English. As well as receiving high honors in English, Torrey has been elected to Alpha of Virginia Chapter of Phi Beta Kappa, which was established by students at William and Mary in 1776, and Mortar Board scholastic honor society.

VIMS seeks information on fishing reefs

The Institute's Sea Grant Marine Advisory Services Program is conducting a reef fishing study to provide the Virginia Marine Resources Commission with an analysis of catch and fishing effort data. The study will assist in evaluating the maintenance and expansion of existing as well as new reef sites. Jon Lucy, professor of marine science, is coordinator for the study and is being assisted by Charles Barr, a graduate student on the project. The work is primarily funded from Sport Fish Restoration (Wallop-Breaux) Funds administered by VMRC.

The Virginia Institute of Marine Science has begun collecting catch information from recreational fishermen using Virginia's artificial fishing reefs.

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Calendar

WEDNESDAY, MAY 13

*Forum of Williamsburg: "Changing the System Means Changing Ourselves" by Miriam Cardi, Psychological Associates; Ronnie Nowak, communications administrator, James City County; and Anne Pratt, assistant to the vice president, university advancement; Cascades Restaurant, noon. \$8.

THURSDAY, MAY 14

HACE meeting, Campus Center Little Theatre, noon.

FRIDAY, MAY 15

Muscarelle Museum closed because of construction.

SATURDAY, MAY 16

Baccalaureate Service, W&M Hall, 9:30 a.m.
 ROTC Commissioning, PBK, 11:15 a.m.
 Wren Chapel organ recital, 11 a.m.

SUNDAY, MAY 17

Commencement
 50th Reunion Weekend

MONDAY, MAY 18

TUESDAY, MAY 19

WEDNESDAY, MAY 20

THURSDAY, MAY 21

Williamsburg Music Festival (Through May 22)

FRIDAY, MAY 22

SATURDAY, MAY 23

Wren Chapel organ recital, 11 a.m.

SUNDAY, MAY 24

MONDAY, MAY 25

TUESDAY, MAY 26

CEBAF Seminar: "Relativistic Few-Body Models" by Wayne Polyzou, CEBAF 47, 11 a.m.

WEDNESDAY, MAY 27

THURSDAY, MAY 28

CEBAF Seminar: "Nucleon Electromagnetic Form Factors from Scattering of Polarized Muons or Electrons" by Rudolph Tegen, University of Cape Town, CEBAF 47, 11 a.m.

FRIDAY, MAY 29

SATURDAY, MAY 30

Wren Chapel organ recital, 11 a.m.

SUNDAY, MAY 31

Concert: Williamsburg Women's Chorus, Bruton Parish House, 7 p.m.

EXHIBITS

MUSCARELLE MUSEUM: "Italian Renaissance Art: Selections from the Piero Corsini Gallery" (Through June 7)

ANDREWS GALLERIES: "Senior Show" (Through May 17)

Forum programs

The Forum of Williamsburg luncheons, sponsored by the Women in Business Program will maintain a monthly schedule throughout the summer.

Luncheons are held at noon at the Cascades Restaurant; the fee is \$8. The public is invited. Reservations are required and may be made by calling Margaret Ward at ext. 4700.

The luncheon on Wednesday, June 10 will have as its theme "Hospice Alternatives." The speaker will be Polly Longworth, chairman of the board of Hospice of Williamsburg, and Linda Taylor, executive director of the Hospice.

COMMENCEMENT 1987

Friday, May 15

6:00 p.m. Phi Beta Kappa Initiation
 Great Hall - Wren Building

9:00 p.m.-1:00 a.m. Senior Class Dance
 The Sunken Garden
 In case of rain - Trinkle Hall

Saturday, May 16

9:30 a.m. Baccalaureate Service
 William and Mary Hall

11:15 a.m. ROTC Commissioning
 Phi Beta Kappa Hall

12 Noon 50th Reunion Class Luncheon
 Trinkle Hall

12:15 p.m.-2:00 p.m. Picnic Lunch for degree candidates and families - Crim Dell Meadow
 \$5.50 per person - Advance sales only

Tickets required
 In case of rain - College Commons

3:00 p.m.-5:00 p.m. President's Reception
 President's House and Campus Yard
 In case of rain - Wren Building

3:30 and 4:30 p.m. William and Mary Choir Concerts
 Wren Chapel

6:30 p.m. 50th Reunion Class Social Hour
 Courtyard, Hospitality House

7:30 p.m. 50th Reunion Class Banquet
 Empire Ballroom
 Williamsburg Hospitality House

8:00 p.m.-1 a.m.

Marshall-Wythe School of Law
 Cocktail Reception/Dance
 Trinkle Hall
 Tickets required

9:30 p.m.

Senior Class Candlelight Ceremony
 Front of the Wren Building
 In case of rain, admission restricted to seniors - Wren Building

10:00 p.m.

Senior Class Reception
 Wren Courtyard
 In case of rain - Wren Building

Sunday, May 17

9:00 a.m.

50th Reunion Class Memorial Service
 Wren Chapel

9:00 a.m.-1:00 p.m.

Marshall-Wythe School of Law Brunch
 Law School lobby and patio
 Tickets required

10:15 a.m.

50th Reunion Class Brunch
 Kingsmill On The James

1:15 p.m.

Seniors gather at Wren Building for
 "Walk Across Campus"

1:40 p.m.

Candidates for degrees assemble
 William and Mary Hall

2:00 p.m.

Commencement - William and Mary Hall

4:45 p.m.

Diploma Presentation and Receptions



The 1987 season opens July 2

The 1987 Virginia Shakespeare Festival July 2-Aug. 15 will bring back three of its most praised guest directors to stage productions of "Antony and Cleopatra," "The Life of King Henry V" and John O'Keefe's "Wild Oats."

Jack Clay, who directed the festival's 1982 critically acclaimed production of "All's Well That Ends Well," will direct "Antony and Cleopatra." Rod Ceballos, who directed last season's "Beggar's Opera," will direct "Wild Oats"; and Jim Christy, who directed the powerful 1984 production of "Equus," will undertake "Henry V."

Festival artistic director G. Leslie Muchmore will direct "Much Ado About Nothing." Scenic designer will be Jerry H. Bledsoe, associate professor of theatre and speech at the College and one of the festival's founders.

Katy Orrick will return for the second straight year as lighting designer. Costume designers will be Patricia M. Wesp, returning for a fourth straight year, and Lisa A. Vollrath, who designed costumes for 1984's "Equus" and 1985's "Cymbeline."

Last season, Clay's production of "Hamlet" at the Shakespeare Festival of Dallas gained national recognition. Formerly head of the professional acting program and artistic director of Meadows School of the Arts at Southern Methodist University, Clay is now directing the professional acting program at the University of Washington in Seattle.

In the past 30 years, Clay has also taught in theatre programs at Northwestern University, Oberlin University, the University of Miami and the University of South Florida. He has been artistic director of Stage #1, a professional theatre company in Dallas, and has directed at the Colorado Shakespeare

Festival, the Pacific Conservatory of the Performing Arts and the University of Washington Summer Theatre.

Ceballos was recently appointed artistic director of the Idaho Shakespeare Festival, a post he will assume immediately after the opening of "Wild Oats" July 9. He has been artistic director of the Shakespeare Festival of Chicago, the Drake Theatre Repertory and the Shakespeare Festival of Cincinnati. He has also directed at the Williamstown Theatre Festival and served as acting instructor there and at Bradley University, Barat College, Oak Park Theatre Festival and Ohio University.

Christy, a member of the theatre faculty at Villanova University, is founder and artistic director of Summer Shakespeare at Villanova, a semi-professional theatre devoted to

contemporary approaches to Shakespeare and the classics. Christy was also instrumental in the planning and implementation of an undergraduate theatre major at the university in 1980.

Muchmore, artistic director of the Virginia Shakespeare Festival since 1983, has directed productions of "Othello," "A Midsummer Night's Dream" (1984), "The Taming of the Shrew" (1985) and last season's "Love's Labor's Lost." A member of the theatre faculty, Muchmore was formerly on the theatre faculty at Villanova. He has acted, directed and designed in New York and Philadelphia and has served as artistic director of Summer Shakespeare at Villanova and as production manager of Theatre in the Court, a series of free outdoor classical theatre productions in Philadelphia's City Hall Courtyard.

Super strikes bowling project aids children

ASK SHAGG by Peter Guren

Dear Shagg,
 Who can be a "Big Brother" or "Big Sister"?

SOMEBODY WITH A "BIG HEART"! SHARE YOURS WITH A CHILD WHO COULD USE AN ARMFUL.



VOLUNTEER NOW! CALL YOUR LOCAL BIG BROTHERS BIG SISTERS AGENCY

BIG BROTHERS BIG SISTERS OF AMERICA

Big Brothers/Big Sisters is sponsoring a "Bowl For Kids' Sake Super Strikes" program, Saturday, May 30 from 8:30 a.m. to 2:30 p.m. at the Williamsburg Bowl, 5544 Old Towne Road (off Richmond Road).

The program is not restricted to experienced bowlers; anyone who would like to help the cause is invited to participate. Registration forms are available from Big Brothers/Big Sisters of Williamsburg, 109 Cary Street, Williamsburg.

Everyone who bowls receives a free T-shirt. All bowlers are eligible for door prizes and gifts donated by local merchants.

Visitors laud 1987 retirees for service to college

Eight retiring members of the administration and faculty of the College of William and Mary, Richard Bland College and the Virginia Institute of Marine Science, were honored recently at a reception and dinner in the ballroom of the Campus Center, hosted by the Board of Visitors.

The following citations were read to honor the contributions of the retirees. The Board conferred emeritus status on each.

Carol Ballingall

Carol Ballingall for two decades has taught the students of the College of William and Mary and expanded their understanding of themselves and the world in which they live. She has taken them back to the progenitors of our species and has awakened in them an excitement for our closest living relatives. The interest of some has impelled them into the forests of Central and South America to live and observe non-human primates *in situ*. She has interpreted and re-interpreted the continuously changing field of paleoanthropology, as we have discovered more about the early hominids who preceded us.

Professor Ballingall has extended the geographic knowledge of students, first to Southeast Asia and then to Oceania, contributing to a much-needed understanding of little-known people of our world. She has helped build the Department of Anthropology, and her colleagues and innumerable students are indebted to her.

Marion M. Brown

Marion Brown was appointed to the faculty of the Department of Theatre and Speech in 1966. Her unique background combined A.B. and M.A. degrees in psychology from the University of California, Los Angeles, and significant post-graduate study in speech at Western Reserve University. In 1976 Marion was promoted to her current rank of associate professor.

Marion's teaching assignment and the focus of her own research during her 21 years of service to the College has centered on voice development instruction through classes in voice and diction, voice for the actor and oral interpretation. Her dedication to teaching has not been restricted to the classroom, however. She has given freely of her time to counsel students and community members alike.

Marion has rendered constant service to the department, the College and the community through her work with the Cinema Classics Society, her performance and direction in dramatic and oral interpretation programs, her participation on departmental and collegewide committees and her service with community programs.

Duane Dittman

Duane A. Dittman, senior adviser in development and former vice president of university advancement, has served the College of William and Mary with distinction since 1980.

In his 31 years of development experience in higher education, Duane has left his indelible mark on each of the distinguished institutions he served: Colgate University, St. Lawrence University, Davidson College and the College of William and Mary.

During his six-year tenure as vice president for university advancement at the College of William and Mary, Duane successfully rebuilt the development staff following the Campaign for the College and led the fund-raising efforts that garnered more than \$37 million in total gift support of the College during the six-year period.

The current state of readiness of the

university to launch a major campaign effort in commemoration of its 300th anniversary is due in large measure to Duane's untiring efforts on behalf of the College of William and Mary.

As an honor student and varsity football player at Colgate University, as a World War II fighter pilot, as a father of four and a husband for 35 years, as a church layman and as a higher educational administrator for more than three decades, Duane has always provided leadership and demonstrated commitment. He has earned the unqualified respect and admiration of all those whose lives he has touched.

R. Wayne Kernodle

R. Wayne Kernodle, professor of sociology, has completed 42 years of continuous and distinguished service with the Faculty of Arts and Sciences of the College of William and Mary. For nearly half of this time, he served as head of the Department of Sociology, and for the past 10 years, he has been the Chief Marshal of the College. During his long stewardship, he led the Department of Sociology from a small, three-person department into a much larger program with a wide diversity of scholarly interests.

The lodestar of Professor Kernodle's career has been his intense but professional concern for the joys and cares of human beings as we progress through life's several stages. His teaching and research have ranged from courtship and marriage to gerontology, from family forms and activities to health delivery systems, and throughout he has been able to combine the lay view with professional analysis. Nowhere is this better exemplified than in the growth of his students equally in their personal and academic maturity.

Herbert Bolling Miller

A member of the physical education department faculty since 1963, Herbert Bolling Miller came to Richard Bland College from the business world, although he spent five years as physical education instructor and assistant coach in football and track at the College of William and Mary during the mid-1950s.

Perhaps his most significant contribution to Richard Bland College is found in the modern physical education facility that was opened in the fall of 1973. The teaching of physical education classes in a converted barn with limited space, personnel and equipment was a remarkable example of his ability to provide educational opportunities to students under the most adverse circumstances. He was always available to counsel and advise as well as to instruct the young men and women who enrolled in his classes.

Herbert Miller responded to community needs by offering a variety of programs designed to provide recreational activities for the young people of the area. His football clinics, which have included the staffs of many major Virginia colleges and universities, have drawn over 600 participants annually. His philosophy of always extending a helping hand to others is a trademark for which he will long be remembered.

Marvin M. Stanley

Marvin M. Stanley came to the William and Mary business school in 1968, after a distinguished career in the United States Air Force where he reached the rank of colonel and, among other positions, served as a World War II command pilot. He is a native of Lexington, Miss., and an alumnus of Mississippi State University. His later degrees include an A.B. from George Washington University, an M.B.A. from the Harvard Business School (where he was a Baker



Eight members of the faculty and administration of William and Mary, Richard Bland College and VIMS were honored by the Board of Visitors at a retirement dinner in April. Standing (l-r) are Marvin M. Stanley, Duane A. Dittman, R. Wayne Kernodle and Frank J. Wojcik; and seated (l-r), Carol Ballingall and Marion M. Brown. Not Pictured are Paul Ungar and Herbert Bolling Miller.

Scholar) and a Ph.D. from American University.

Professor Stanley's contributions to the development of the William and Mary business school are many. Perhaps the most noteworthy was his role as the architect of the two application reports to the American Assembly of Collegiate Schools of Business which, in 1972 and 1974, were the basis, respectively, for the successful accreditations at the undergraduate degree (B.B.A.) level and the graduate (M.B.A.) level. During the late 1970s and early 1980s, Professor Stanley was also a key figure in helping to gather the necessary votes from the Virginia State Council of Higher Education for the appropriation of \$2.3 million from the state legislature for the renovation of old Rogers Hall (now Chancellors Hall) to be the new home of the business school.

For some years senior officers of the Coca Cola Company and the CSX Corporation have sought the advice and counsel of Professor Stanley. He uniquely bridges the gap between academician and business practitioner, much to the benefit of the students in his business policy and transportation classes.

Paul Unger

Paul Unger has been a life-long teacher and historian of American education. Having earned a baccalaureate degree in history at Western Michigan University, and both an M.A. and Ph.D. in history of education at the University of Michigan, he taught for more than 20 years in secondary schools and in half-a-dozen institutions of higher education before joining the College and the faculty of the School of Education as a full professor in 1968.

During the past 19 years, Professor Unger has distinguished himself as a teacher of the historical and social foundations of education. In the early years of the School of Education, he contributed significantly to the design of new curriculum and the development of new academic programs at both undergraduate and graduate levels, and he

participated in the selection of many new faculty as the School's instructional staff more than doubled. Throughout these developmental years, Professor Unger's abiding concern was the inclusion of appropriate study of the history of American education in each of the school's programs.

For nearly two decades at the College, Professor Unger has been a caring and conscientious teacher, respected by students for his knowledge and appreciated by them for his personal attention and continuing interest in their welfare. These qualities have been especially appreciated by the many doctoral students who have worked with Professor Unger during the advanced stages of their doctoral coursework or in the preparation of a doctoral dissertation.

Frank J. Wojcik

Frank J. Wojcik, first employed with the College's Virginia Fisheries Laboratory in the mid-1950s, has completed nearly 32 years of service encompassing crustacean biology, biometry and statistical fisheries biology and computer science.

Professor Wojcik's early contributions to the biometry and fisheries statistics programs at VIMS are recognized as being instrumental in shaping the Institute's present studies on fish populations. His continuing attention to the long-term fisheries data bases has helped determine the fluctuations in fisheries stocks throughout his 32 years with the Commonwealth.

Oral exam

Yi-Cheng Wang will undergo the final oral examination for the Ph.D. degree in physics at 10 a.m. Friday, May 15 in the conference room of William Small Physical Laboratory. This examination is open to the public. His dissertation topic is "Slow Collisions of H⁺ and D⁺ with Alkali-metal Atoms."

Hillinger one of 13 to receive teaching award

Ingrid Hillinger, professor of law, was one of 13 faculty members representing eight state-supported colleges and universities and one private university who have received \$5,000 cash awards under a new program established by the Virginia General Assembly to recognize outstanding faculty members. Each winner also received an original piece of crystal artwork created by Kent F. Ipsen, professor of crafts at Virginia Commonwealth University.

Hillinger, cited for her "ability to make sense of difficult legal concepts" and her publications in leading law journals, which have established her as "an excellent scholar as well as an outstanding teacher," was presented her award at a May 6 banquet at the Richmond Marriott Hotel. Presentations were made by Gov. Gerald L. Baliles, who said the dinner "exemplifies the special relationship among education, business and government in the Commonwealth."

The banquet and awards ceremony were paid for by corporate and individual contributors. The program is financed through a \$65,000 appropriation from the Virginia General Assembly.

Stanley E. Harrison of McLean, chairman of the State Council of Higher Education,

their individual and collective success. Recipients were chosen from a pool of 108 nominations submitted by higher education institutions. Awards were made for teaching, research and public service. suggested that the awards be made. At the banquet, he said, "These awards recognize the people who make education come alive in classrooms across the commonwealth. We



Ingrid Hillinger

are indebted to them and want to encourage The *Richmond Times Dispatch* reported Wednesday that the Assembly expects to have enough money left from contributions to provide 13 fellowships to graduate students preparing to teach at the college level.

Hillinger responds

This evening represents a special moment in our professional lives as teachers — for *once*, we face a crowd that can't ask questions.

Mr. Dorsey, who organized tonight's festivities, called me about a week ago. He told me the Council of Higher Education had decided *not* to follow the Academy Awards format; each award recipient would *not* get up and say, "Thanks, Mom, Dad, spouse, Gramps, Dean, President, Virginia Legislature, State Council and citizens of the Commonwealth." Rather, in the interests of time and efficiency, the Council had decided one recipient would speak on behalf of all and presumably would make one gigantic, collective thank you for *all* moms, dads, spouses, deans, presidents, the Virginia Legislature, State Council and Commonwealth citizens.

In what can only be described as a moment of pure madness, I agreed to be the one. I regretted the decision the minute I hung up the phone.

Now I faced not only the formidable task of figuring out what I would buy to wear (a black-tie affair is *not* a professor's natural habitat, and my standard fashion accessory is chalk — sometimes on my front, but always on my back because I always lean on the blackboard). Now, in addition to what I would wear, I had to figure out what I would say.

I knew I wouldn't be able to say anything profound. The real issue was whether I could say something which wouldn't *embarrass* my parents, husband, dean, president, institution and/or fellow recipients.

My father had a suggestion. "Why don't you compare and contrast the 13 different disciplines of the award recipients?" ... "Great plan, Dad. Knowing what I know about the other disciplines, five minutes should be more than enough time."

In fact, I didn't know the other disciplines represented. I didn't know the other recipients nor did they know me. Until tonight, I only knew we all teach in Virginia's colleges and universities.

But I didn't think I needed to know the recipients or their disciplines to know how they feel. I'm fairly certain they feel as I do — *overwhelmed* — the "Who ... me!?" feeling — or for the English profs, "Who, ... I? We feel *honored*, we feel *richer*, and at a fundamental level, we are *bemused*."

Bemused because we are still in the process of becoming the teachers we want to be, both inside and outside the classroom. Bemused because what we are doing is so far away from what we want to do. Bemused because we know colleagues who work just as hard at teaching, who are just as committed to good teaching, who deserve equal recognition for their efforts.

When my dean told me I was going to receive an award for excellence in teaching, my initial reaction was that I didn't want to accept it. Twenty years from now, or 30 — maybe *then*, I would deserve it, but not now, Lord knows, *not* now.

I don't feel any differently tonight than when I first heard about the award. I am *not* an excellent teacher, but I *want* to be, and I care very deeply about teaching.

The awards, the honor, this black-tie dinner — all this fanfare — suggest you, too, care deeply about teaching. For *that* — for valuing what we do, for caring with us — we accept and thank, *all* of you, *profoundly*. We do so on behalf of all teachers in Virginia's institutions of higher learning. Knowing you care makes a difference — a *big* difference.

The fellowships, which are expected to range from \$3,000 to \$5,000, will be named in honor of James C. Wheat Jr., chairman of the board of WFS Financial Corporation and head of fund-raising for the awards ceremony.

In thinking about those to include in my "collective" thank you in addition to you, the citizens of this Commonwealth, the Council and the Legislature, I came up with some other obvious people. For instance, our parents, who, defying logic, always believe in us. Our spouses and children who *don't* move out on those days when everything we do and say in class is a capital "D" disaster, who smile in response to our snarls. Our deans, presidents and institutions, who encourage, support and bear with us.

I also came up with a less obvious, but no less deserving group to thank — a group, like families and friends, to whom we all owe a debt of gratitude — *our* teachers. All of us, no matter what our profession, had at least one teacher who profoundly affected how we saw ourselves and/or the direction our life took.

Perhaps it was the teacher who had confidence in you when you had none; or the teacher who demanded excellence and precision when you were completely comfortable with mediocrity and slop; or the teacher who just wouldn't quit with the questions so that one day, you found yourself really thinking and questioning and you could never go back to complacency.

Our pasts share a teacher who made us believe in ourselves, a teacher who forced us to acquire discipline of mind and habit, which we use daily in our adult lives.

My own past involved several such special teachers. I think that's why I chose teaching as a profession. I wanted to do for others what my special teachers had done for me.

The most important such teacher was my contracts professor in law school. "Challenge" doesn't begin to describe what he did to me. On several occasions I walked out of his class brain-dead. He taught me an important lesson — to attempt the absurd, because that is the only way to achieve the impossible (which, at that particular moment in my life, was undertaking contracts law). A few years later, I found myself attempting a further absurdity — *teaching* contracts law. And tonight, I find myself up here talking to you.

It is, with great humility, that I accept these awards on behalf of all of us, not for our accomplishments, but for the value they place on teaching. That makes this evening, these awards, this Commonwealth special. We thank you and hope someday to truly deserve this honor.

William Dean wins Haak Award for technical theatre achievements

William Dean of Virginia Beach, a 1987, has been named winner of the 1986-87 Albert E. Haak Memorial Award for outstanding work in technical theatre.

Son of Lt. Commander Robert (USNR) and Patricia Anne Dean of Virginia Beach,



William Dean

also has ambitions to teach theatre at the college level. He hopes to attend graduate school in the fall.

Dean has always enjoyed artistic endeavors but he really got turned on to theatre when he looked for ways to relieve the boredom of an assembly-line job while he was in California. He says he tried all kinds of things to put some variety in his work week; he took night courses, catered the company picnic and started a company newsletter.

Dean has appeared on stage in several productions including "Fade Out, Fade In," "Major Barbara," "As You Like It" and "Goin' Home to Freedom." He has been a director for student productions in the Second Season on campus which showcases student scripts. He was also a technical crew carpenter for the Virginia Shakespeare Festival in 1985, had a walk-on part in *Richard II*. He will probably volunteer to work with the Festival again this summer and expects to continue a waiter's job he has.

The Theatre program at the College, he says is hard work but because it is relatively small, students get good training a lot of attention from the faculty.

The Albert E. Haak Memorial Award is named for a faculty member who was technical director for the William and Mary Theatre for 30 years and was also technical director for Paul Green's outdoor drama "The Common Glory" for 28 years.

Al, as he was known to generations of students, always maintained that working backstage was more fun than appearing on stage. Over the years he served as stage carpenter, electrician, painter, special effects man for dramas, comedies, new plays and musicals. While he designed some settings, his creativity, ingenuity, sense of humor and love for the theatre was truly manifested in his work behind the scenes for the William and Mary Theatre.

The award "is made possible through contributions made by friends of Al Haak. It is given to the undergraduate student who has willingly and cooperatively worked backstage on productions of the William and Mary Theatre; who has developed an interest" in the theatre.

Dean completed most of his early education in Virginia Beach. When his family was transferred to California his senior year of high school, he got his diploma from Pleasanton, Calif., but graduated early so he could fly back to Virginia and attend graduation with his classmates at Kempsville High School.

A transfer student from Diablo Valley College in Pleasant Hill, Calif., after his freshman year, Dean is delighted that he got to go to the college of his choice (he picked out William and Mary in the fifth grade and didn't apply to any other schools) and relishes the accomplishment of graduation. "It was a wonderful experience, he says, "a lot of fun and a lot of work."

A theatre major, Dean was a finalist this year at the University and Resident Theatre Association auditoriums in New York for his scene design portfolio. He would like to pursue a career as a scene designer and have the opportunity to do some directing, but he

Surplus auction set May 28

The College and Eastern State Hospital will jointly conduct an auction of surplus equipment on Thursday, May 28. The auction will begin promptly at 9 a.m. in Building 22 at Eastern State Hospital.

Items may be viewed and inspected May 27, 1-3 p.m., and May 28, 8-9 a.m.

The surplus equipment to be auctioned includes sofas, carpets, desks, file cabinets, typewriters, calculators, tables, scientific equipment, Xerox copiers, chairs, organs, refrigerators, computer equipment, a tractor, recorders, etc.

For more information call Annette Ashcraft, ext. 4179.

Many help choir prepare for tour

Continued from p. 1.

Malcolm Miller, who has lectured in Williamsburg, will give the choir members a tour of Chartres Cathedral before their concert there. A visit to the Palace of Versailles is included in the tour before the group leaves for Geneva, Switzerland.

While in Switzerland the choir will also visit Lucerne and experience a ride on the cog railway, a descent on cable cars and a steamer ride across Lake Lucerne.

Stops in Heidelberg, Frankfurt and Munster are included before the group crosses into East Germany to sing in Leipzig.

The second half of the tour will be in England. Students will visit the Victoria and Albert Museum in London for a lecture on "The Decorative Arts of the William and Mary Period," a walking tour of "Pepys' and Wren's London," a visit to the American Cemetery in Cambridge, a guided tour of the Roman ruins at Bath and a brief stop at Runnymede before heading home on June 24. While in Westminster Abbey, members will hold a brief ceremony at the tombs of William and Mary.

There are about 29 formal singing engagements for the choir, but the number of informal, impromptu songs sung along the way will swell the number of performances considerably.

If they follow the lead of past choirs, this one will sing to the captain and passengers of the airliners both going to Europe and flying home. The captain of the cruise boat that will take them down the Rhine will undoubtedly be serenaded as will the staff of the ferry from Hook of Holland to Harwich in England. The two buses as they roll through the countryside are often filled with impromptu music. Choir members do literally sing their way through the tour.

Each host who provides a meal or a night's lodging will get a musical thank you from his visitors. Each choir member also packs house gifts; the trick is to find something that is small, light, unbreakable and easy to pack. Many take packets of notecards of the campus, which are sold in the Bookstore and are part of the cache the choir has been selling all year to earn funds for the tour.

To make sure that choir members are well-prepared travelers, Frank Lendrim arranges for several special programs throughout the year. Jack Willis, chairman of the English department, gave a talk on the Bloomsbury group of writers of London; Elsa Diduk, professor of German, came to give a lesson in pronunciation in preparation for concerts in Germany; Wolfgang Martin of BASF came to give an illustrated lecture on his hometown of Leipzig.

The Olde Guard of the College, BASF and other friends of the College have made gifts to the choir to help defray costs.

Each student is responsible for having a current passport. In an attempt to better monitor visitors to Europe in light of terrorist attacks, France requires a visa for all visitors except those from the Common Market countries. Lendrim has shepherded students through the application process and sent passports via Federal Express to Washington to complete the process, very mindful of the precious cargo being shipped. For East Germany, the names and passport details of each student were required by the East German Embassy.

While all this paperwork and attention to detail would probably qualify Lendrim for a travel agent's license, his wife, Betty Jean, who accompanies him, is also preparing for the trip. She carries the "medicine chest," which includes aspirins for headaches, cough drops for sore throats, band-aids, indigestion medicine, something for allergies, hay fever, constipation, diarrhea, aching muscles and all the other ailments that plague travelers. Her willingness to be nurse, adviser and friend — and all with a cheerful spirit — have endeared her to choir members. She also makes the best English trifle in Williamsburg, which disappears in a matter of seconds at choir parties.

Students have been anticipating the trip and the expenses by taking a variety of jobs to earn money. The list of jobs is interesting. Choir members have waited tables and have worked in a bank, at a concession stand and in the library. Others have taken jobs as a laboratory assistant, a Kelly Girl, a chambermaid and cashier at a resort hotel, a French-lab drill instructor, a cafeteria worker, a student operator at the computer center and a member of a musical group.

For some the trip will be a gift, for graduation or a 21st birthday. One student is obtaining a loan from a family member.

Many students have boned up on German and French in preparation for the trip. One student, however, found an easier way — "make lots of friends with people in the choir who speak French and German."

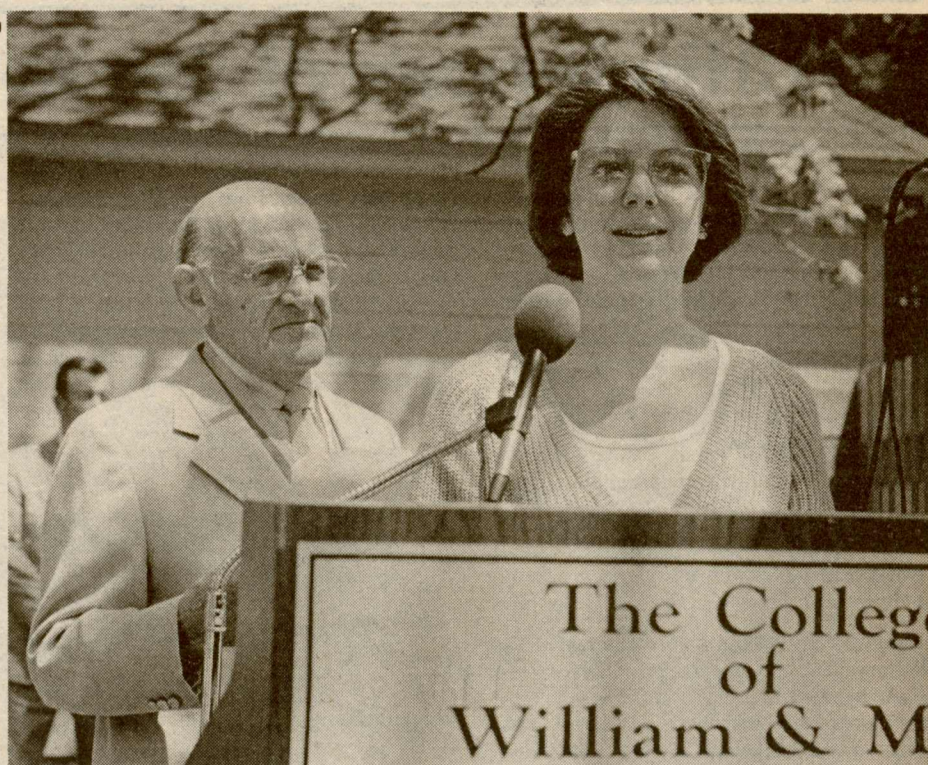
For some, this is their first visit overseas, others have traveled with service families and visited many countries, and there are a few who were born abroad.

When asked what particular part of the tour they were anticipating the most, choir members chose sights and events throughout the five weeks. An added treat may be the opportunity to go to a concert by Williamsburg's own Bruce Hornsby who will be playing in London while the choir is there.

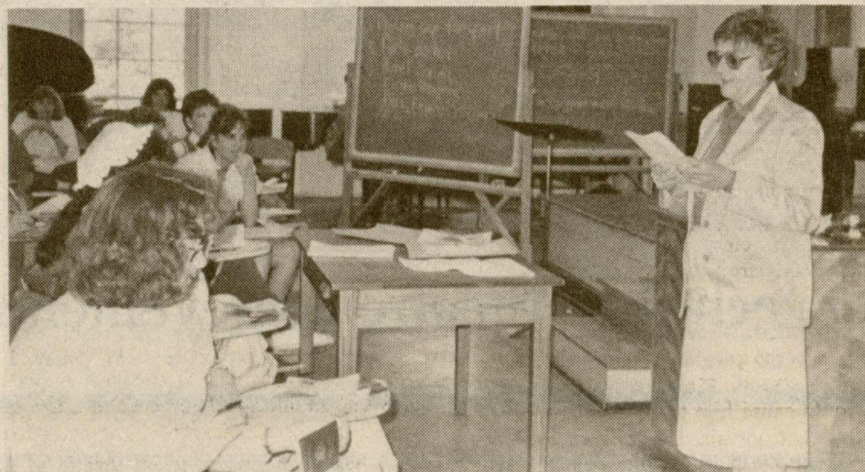
It may not be surprising that one student said that after four years in Williamsburg, which hosts thousands of tourists, he was looking forward to being a tourist himself.



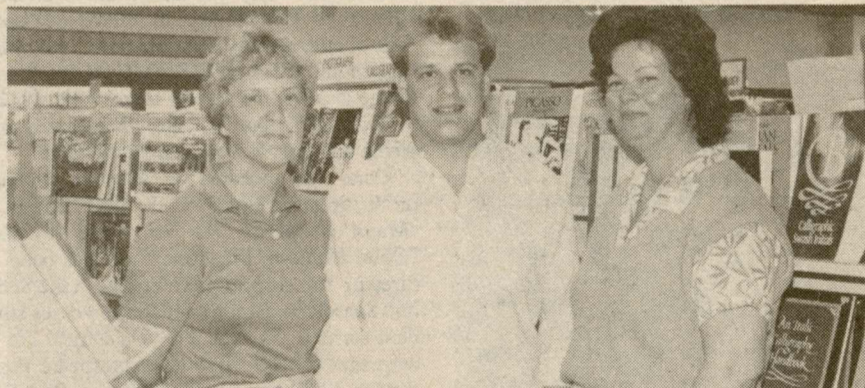
Wolfgang Martin, BASF vice president, received a choir tour shirt when he came to talk to choir members about the delights of Leipzig. Martin, a native of Leipzig, arranged for the choir to sing in the Thomaskirche where Bach was organist.



Dr. Milton Salasky '31, chairman of the Olde Guard Council, presents a check on behalf of the Olde Guard, to Ann Harrison, president of the William and Mary Choir, to help underwrite the choir's trip to Europe this summer.



Elsa Diduk, professor of German, helps singers with difficult pronunciations in preparation for concerts in Frankfurt and Leipzig.



Richard Stevens poses with Frances Carlton and Carol Linville of the College Bookstore staff. Recently choir members gathered at the bookstore to deliver a musical "thank you" to the staff members who helped sort, package and sell Christmas cards for the choir.



Members of the Botetourt Chamber Singers, who will give a special concert in London as part of the tour schedule, recently visited former Rector Anne Dobie Peebles at her home in Carson, Va., to wish her well in retirement.

Wilson wins ODK, Mortar Board essay contest

By Jonathan B. Wilson

Louis Brandeis wrote in a now-famous article in the *Harvard Law Review* that privacy is one of our most basic rights: the one "most valued by civilized men." While we are not all as eloquent as Justice Brandeis, privacy is certainly something which we all value.

Recently, however, that value has been called into question. Fearing the growth of liability claims, the rising cost of employee health care programs and the danger of drug abuse in general, employers in both the private and public sectors have begun requiring that their employees submit to drug tests as a prerequisite for employment and even as a condition of continuing employment.

While the reasons for the implementation of employee drug testing are, on the whole, laudable, the policy threatens to begin a trend which would endanger not only our right to privacy, but many of our other values as well.

The most commonly encountered argument favoring testing is that the program will "weed out" drug abusing employees, thus increasing worker productivity and decreasing accidents in the workplace. This approach is flawed, however, because of the scientific shortcomings of the methods available.

Nearly all of the testing done today involves urinalysis. The employee's urine sample is taken to a lab where one of several different tests will be administered to determine the presence of drugs in the sample. Since the tests used only determine the presence of drugs and not their effect upon the worker in question, they are irrelevant to the issue at hand.

The issue is whether the individual is abusing drugs to a degree which would impair his ability to produce at an expected level or that would cause him to be accident-prone. These tests do not measure impairment, however, due to the fact that they only register the presence of drugs in the urine sample (Joanne Gampel and Kevin Zeese, "Are Employers Overdosing on Drug Testing?" *Business and Society Review* [Fall 1985]: 34). For this reason, urinalysis does not accomplish the end for which it was purposed.

Urinalysis testing methods also suffer from a second technical limit, which is the high degree of inaccuracy present in the technologies now available. While it is not widely known, and often denied by the laboratories administering the tests, the procedures used are actually quite inaccurate.

One widely reported study revealed that many of the laboratories monitored failed to achieve an accuracy rate of 80 percent (*New York Times* [Sept. 16, 1987]: A17). A second study done by the Center for Disease Control of 13 laboratories utilized blind samples to determine the laboratories' ability to correctly identify the presence of drugs in urine. In some of the labs no drugs at all were correctly identified, in spite of the fact that many of the samples had been "spiked" by the testers with drugs. One report concluded, "The labs failed miserably" (David J. Hanson, "Drug Abuse Testing Programs Gaining Acceptance in Workplace," *Chemical and Engineering News* [June 2, 1986]: 10).

The importance of this inaccuracy rests on the fact that innocent persons may be denied employment or fired from their jobs because they are incorrectly identified as drug users. In one case, the Pentagon had already fired over 9,000 employees for abusing drugs before it realized that the tests had been faulty ("The Yellow Peril," *New Republic* [March 31, 1986]: 7). The potential for firing or refusing to hire innocent persons because of the unreliability of testing methods is a serious problem with the policy of employee drug testing.

Beyond these technical considerations, however, there is a very real question of values. Ignoring the scientific adequacy of the policy, the question is: "Is the public's right to expect a safe and productive workplace more important than the modicum of privacy

which would be lost by the employees being tested?"

Advocates of testing programs, such as Paula Hawkins, point to industries where safety is extremely critical to show the potential impact of drug-abusing employees on the public. Ms. Hawkins mentions "airline pilots, air traffic controllers, railroad engineers, bus drivers, ships' officers, policemen, firemen, doctors, nurses, ambulance teams, paramedics and nuclear plant crews," concluding that "the public has a right to expect drug-free personnel" in these industries (Hawkins, *The Congressional Record* [Sept. 25, 1986]: S13640-S13641).

From this perspective, the case for testing looks strong except for three important facts.

First, even if testing was necessary in these critical industries, where a single error could cost lives, it would not follow that testing was justified throughout the entire U.S. workforce. Generally speaking, most jobs do not carry with them the high potential for damage that these do. Ms. Hawkins' isolated examples, therefore, would not prove the importance of drug testing for all employees.

Second, the need for drug-free personnel in these important areas allows for the possibility that other methods exist which would ensure that end and which would not have the detrimental effects of urinalysis. This is significant since recent court cases have ruled that testing is an unconstitutional invasion of privacy and that testing on the basis of a reasonable suspicion of drug use would sufficiently solve the problem.

"Reasonable suspicion" testing occurs when an employer sees an employee using drugs or acting in an impaired fashion and requires that the employee submit to urinalysis solely to verify the observations that the employer has already made. In *Capua v. Plainfield*, Judge H. Lee Sarokin noted, "Certainly one so under the influence of drugs as to impair the performance of his or her duties must manifest some outward symptoms which, in turn, would give rise to a reasonable suspicion" (*Capua v. City of Plainfield* 643 F.Supp. 1507 [DNJ 1986]).

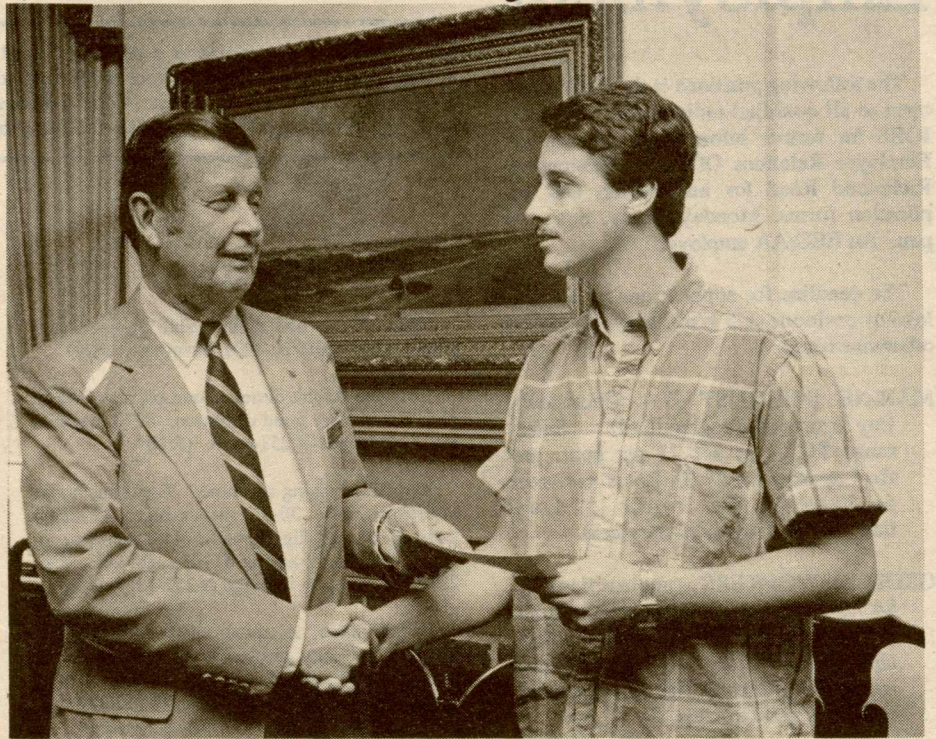
Testing upon the basis of suspicion would provide for a drug-free workplace without forcing innocent employees to submit to degrading and embarrassing tests. Clearly, then, mandatory testing of employees is unnecessary, but yet another important point exists.

Beyond these first two points, requiring employees to be tested for drugs creates a trend which is potentially injurious to our civil liberties and to the very nature of our society. This claim springs from two realizations.

The first of these is that one's sense of privacy is critical to many other values and to one's ability to relate with others. Professor Ruth Gavison claims, "By restricting physical access to an individual, privacy insulates that individual from distraction and from the inhibitive effects that arise from close physical proximity with another individual. Freedom from distraction is essential for all human activities that require concentration, such as learning, writing, and all forms of creativity" (Gavison, "Privacy and the Limits of the Law," *Yale Law Journal* [1980]: 446-447).

In realizing this close relationship between privacy and many other human functions, Professor Alan F. Westin has concluded, "The numerous instances of suicides and nervous breakdowns resulting from such exposures ... constantly remind a free society that only grave social need can ever justify destruction of the privacy which guards the individual's ultimate autonomy" (Westin, *Privacy and Freedom*, [1980], 33-34).

The preeminence of privacy grows in size when one realizes what current testing conditions require. Since drug-abusing employees would have cause to tamper with their urine samples, employers cannot know that an employee's sample is valid unless an observer watches that employee urinate into a container (Diane Gerahty, *Congressional Record* [Oct. 2, 1986]: S14821).



H. Westcott Cunningham, executive vice president, Society of the Alumni, hands the essay prize to Wilson, a junior from Quakertown, Pa.

While this point is indelicate, it emphasizes the degradation inherent in mandatory urinalysis. Although it would be far-fetched to claim that mandatory urinalysis will affect employees so dramatically as to impair their ability to learn and be creative, their humiliation at being required to be tested is significant.

This significant step away from the value of privacy, finally, also sets a dangerous precedent that could further damage that value along with many others in the future.

If the federal government can require its employees to submit to urinalysis testing as a requirement for continued employment, what is to prevent the state from requiring a battery of emotional and psychological tests to determine an employee's fitness? If private companies can force their workers to urinate under observation, certainly it is no great step for them to require those employees to cooperate with extensive family history investigations in order to estimate the worker's genetic traits and to look for characteristics that might make him undesirable to the company.

Manipulation and control of the individual in this manner is so frightening as to be

reminiscent of Huxley's *Brave New World*. As Congressman Don Edwards has stated, "If liberties can be lost by increments, then surely this latest challenge must be resisted" (Edwards, *American Bar Association Journal* [Aug. 1986]: 34).

If it is true that we all value our privacy, then it is paradoxical that the rush to urine testing in the workplace has met with so little resistance. Not only are the tests unreliable and they fail to measure the impairment of employees, but they are unnecessary and constitute a threat to civil liberties in general. Drug abuse in the workplace is a problem, but mandatory employee urinalysis is a solution that is worse than the problem.

In other times in this nation's history, when social problems have arisen, some have advocated policies which appeared to eliminate the problem quickly at the expense of the individual. We endured those crises by resisting the temptation to take the easy way out and by upholding our liberties. If the United States is to endure the crisis which drug testing presents, Americans must resist the temptation of the quick solution and hold on to those rights which they have maintained for so long.

Students produce TV program

In the fall of 1985, a handful of students in the College's master of business administration program decided to put together a 30-minute television show covering business and financial issues in Virginia. The initial effort was so successful they began producing "Virginia Business Perspective" on a regular basis for cable television.

"The show is aimed at a general audience interested in statewide or regional business," says Mary Bacon, a second-year M.B.A. student who has been executive producer and host for the program since it began. "We used a magazine format to cover a wide variety of information."

"Virginia Business Perspective" airs Monday nights at 8 p.m. on Continental Cablevision channel 38 in James City County and on the public-access channel for Continental in Richmond on a varying schedule. The show also appears occasionally on cable in Virginia Beach.

According to Bacon, the show usually features two interviews 10 to 12 minutes long and an editorial by a member of the business faculty. Often, the editorialist is John S. Strong, assistant professor of business administration and faculty adviser to the group.

"Guests are all different types of business people from Richmond to Virginia Beach," says Bacon. "The interviews focus on current issues, interesting or important companies,

or how the Virginia economy compares to the national scene."

The entire program is written and produced by seven students including Bacon. The group likes to put together a show with a single theme, although that's not always possible with limited production time and last-minute guest cancellations. Some shows have focused on growth in the Hampton Roads area, the transportation industry or investment strategies.

"The idea to establish a student-produced business program started when an M.B.A. student working at Continental began looking into the company's public-access channel facilities, says Bacon. "We knew there was no local business show and thought the business students could fill the gap."

Public access rules allow trained laymen to use production and editing equipment at the station; the M.B.A. students decided to get William and Mary's Office of Television Services to produce the show on campus so they could maintain their own shooting schedule and concentrate on writing and producing the show rather than actually shooting and editing it.

No one could be more pleased with his students' success than Strong. "While most business schools have student publications," he says, "the Virginia Business Perspective" is one of only a few such efforts in the country."

Employment

The following positions at the College are open to all qualified individuals. Call 229-JOBS for further information, or visit the Employee Relations Office in Thiemes on Richmond Road for information and application forms, Monday-Friday, 8 a.m.-4 p.m. An EEO/AA employer.

The deadline for applications for the following positions is 5 p.m., May 15, unless otherwise noted.

MARINE SCIENTIST B — Chesapeake Bay Instructor (unclassified) — Salary range \$11.51 to \$15.71 per hour, part time approximately 35 hours per week for 40 weeks, Aug. 16-June 15. Location: VIMS (Advisory Services).

GROUNDWORKERS (unclassified) — \$4.72 per hour, approximately 40 hours per week. Eight seasonal positions available. *These are temporary appointments, which will expire in the fall.* Location: Buildings and Grounds.

DISPATCHER — Police Communications Operator (unclassified) — \$6.17 per hour; will work on an on-call basis as needed. Location: Campus Police Department.

SECRETARY (unclassified) — \$5.64 per hour, part time, approximately 25 hours per week. *This is a temporary position, which will begin on June 1 and end on July 3.* Location: Psychological Services.

PROGRAMMER (unclassified) — \$9.63 per hour, part time, flexible hours; will work on an on-call basis. Location: Development Services.

MARINE SCIENTIST C — Commercial Fisheries Specialist (Grade 14) — Entry salary \$28,602. No. 340. *This is a restricted appointment, which will expire Dec. 31.* Location: VIMS (Advisory Services).

MARINE SCIENTIST C — Marine Business Management Specialist (Grade 14) — Entry salary \$28,602. No. 519. *This is a restricted appointment, which will expire Dec. 31.* Location: VIMS (Advisory Services).

OFFICE SERVICES ASSISTANT (Grade 4) — Entry salary \$11,735. *Applications for this position are limited to current W&M and VIMS employees.* Location: Development Services.

Temporary Clerical Employees

We are seeking an applicant pool of individuals available for temporary clerical employment. Individuals hired on a temporary basis will work in a variety of departments on campus and will be paid an hourly rate based on the grade level of the temporary employment. The length of temporary appointment will vary from one week or less to a maximum of 90 calendar days.

Applicants should have demonstrated clerical ability and strong communication and organizational skills. Some temporary appointments will require word-processing skills, knowledge of bookkeeping or familiarity with personal computers. Most positions will require strong typing ability.

Applications for temporary employment will be accepted on an on-going basis. Several positions are currently available, and other positions are expected to be available throughout the year. Work hours are generally flexible.

Classified Advertisements

Classifieds are carried as a service to members of the College community only. There is a charge of \$3 for an advertisement of 40 words or less in three consecutive issues. Copy changes constitute a new advertisement. Copy and payment should reach the News Office (James Blair 310A) no later than 5 p.m. the Friday preceding the first insertion.

FOR SALE

Solid cherrywood dining table in good condition. \$55. Call 220-4804, evenings. (5/20)

'78 beige Rabbit diesel. Sunroof, new brakes, good tires. Very good condition. \$970, negotiable. Call Sabina at 253-4534. (5/20)

Portable washing machine. Kenmore, hooks to kitchen sink. 32-1/2 inches high, 24 inches wide, on casters. Eight months old, excellent condition. \$380 new; asking \$190, negotiable. Call 229-1706, or leave message at 253-4385. (5/20)

Grand piano — six-foot-two-inch Grotrian Steinweg. Ebony finish, lovely tone; matching stool has ball and claw feet. Moving — must sell. Asking \$5,500. Call 229-6970. (5/20)

Multi-level home in St. George's Hundred on half-acre, wooded lot. Four bedrooms, two baths, family room, large kitchen with fireplace, living room with cathedral ceiling and dining room, both opening onto deck and enclosed yard. Nearly VEPCO-free with solar heat and hot water, wood stove in living room, and Andersen windows throughout. House, 2,600 square feet; plus 400 square-foot deck. \$138,500. Call 229-8532. (5/13)

Sleeper sofa in excellent condition; oak desk; twin mattress and box spring; dresser. Must sell. Call 229-0053 after 5 p.m. (5/13)

By owner — two-story frame house, three bedrooms, two baths, two studies, wood floors, garage. Close to College. Call 229-8901. (5/13)

Radio Shack Duo-phone answering machine with remote, \$75; 4-drawer wooden dresser, \$55; 11'X7' beige carpet remnant, \$30; 16-piece set dishes, \$10; All items are in excellent condition. Call Rhonda at 220-1317. (5/13)

Airplane ticket: Norfolk to Chicago, one-way. Depart 8 a.m., May 18. \$60. Call Bob at 220-9416. (5/13)

FOR RENT

Summer Sublet — One, maybe two, bedrooms available in beautiful, 2-BR, freshly carpeted apartment. May 15-end of August. Pool, private baths, laundry facilities in building. Parkway Apartments. \$230 per person. Call Benita, 220-9504 or 1-270-5223. (5/20)

Sublet or take over lease for unfurnished 2-BR, first-floor apartment in quiet complex, near pool. Rent \$389 per month plus electricity. Can move in by middle or end of June; lease expires end of August. Call Mary Ann, 229-8934; leave message. (5/20)

Female roommate wanted to share 3-BR Jamestown 1607 townhouse. 2 1/2 baths, washer/dryer included, fenced-in backyard, fully furnished kitchen. Rent negotiable. Call Teresa at ext. 4648 or 220-1827. (5/20)

Furnished, single room in quiet residence, 1-1/2 miles from campus. All utilities and limited kitchen privileges included. Prefer quiet female, non-smoker. Call 229-4761. (5/20)

Jamestown 1607 townhouse, 2 BR, 1-1/2 baths, washer/dryer, \$500 per month, available May 20 or later. Call 229-5946. (5/20)

For female graduate student. Attractively decorated private room in apartment; share bath; kitchen and laundry privileges. \$190 per month plus 1/3 utility bill during air conditioning season. Pool privileges during summer. Available immediately or June 1. Please call 229-8946.

Jamestown 1607. 3 BR, 1-1/2 baths, wall-to-wall carpet, refrigerator, washer, dishwasher, end unit near swimming pool and recreation area. \$495 per month plus homeowner's fee. Call 229-9350. (5/20)

Season's Trace — 2-BR, 1-1/2-bath townhome. Carpeted, central air, dishwasher, refriger-

ator, range and disposal. Patio. Freshly painted. Available now. One-year lease. No pets. \$500 per month includes pool membership. Call 229-2712. (5/20)

Village Green townhouse, two bedrooms, 2 1/2 baths, terrace and porch. Adult community. One-year lease at \$650 per month; for sale at \$89,000. Call owner at 229-5557. (5/13)

WANTED

Responsible family seeks 3-BR unfurnished house to rent in nice neighborhood beginning Aug. 1. Please call Judi at ext. 4386 or 253-2235, evenings. (5/20)

W&M grad, writing UVA dissertation, seeks small, quiet place to live for 1987-88 year, 1-BR or efficiency apt. Non-smoker, studious. Dwight Shurko, P.O. Box 1151, Charlottesville, VA; 971-5706. (5/20)

Wanted immediately — live-in companion. Room, board and salary. If interested, call 229-3532. (5/20)

Looking for used refrigerator and lawn mower in good condition. Needed by late May or early June. Call Mary Ann and leave message, 229-8934. (5/20)

INSTRUCTION

Piano lessons: Experienced teacher with master's degree from Peabody Conservatory offers piano and music theory lessons for all ages and levels. Reasonable rates — Lafayette Manor location. Gayle Pougher, 565-0563, evenings. (5/20)

VIMS

Continued from p. 2.

Lucy is requesting that fishermen who fish the reef sites contact him at VIMS. Fishermen who call will be randomly contacted at various times during the fishing season. All information on catches will be kept confidential and only summarized in the study report.

Lucy and Barr recently mailed flyers to marinas and Virginia Saltwater Fishing Tournament weight stations in another attempt to reach fishermen.

Fishermen may also contact Lucy at the following address: Reef Fishing Study, Virginia Institute of Marine Science, Gloucester Point, 23062. He can be reached by phone during working hours at 642-7166. After hours, callers may leave a message with the Institute's answering service at 642-7000.

Marshall papers

Continued from p. 1.

George Wythe as professor of law and police at William and Mary. According to Hobson, "you might say Marshall was in the first graduating class." The term lasted 12 weeks, and after that Marshall got his license to practice law. "This was not unusual; you didn't have formal legal training for three years," adds Hobson. "Marshall was a quick study, and his real training came on the job."

Unlike lawyers today who operate on the assumption that the cases create and constitute the law, Marshall and his generation believed that the principles of the common law had existed since time immemorial and the cases simply illustrated these principles. Instead of citing every case precedent, lawyers had to fit the facts of a particular case into one of several established common law actions.

"This is not to say that these lawyers didn't cite a great deal," says Hobson. "But they began with the principle and then the argument would be in terms of whether a case followed this principle or another. This was something at which Marshall excelled. He was fairly knowledgeable in law but he wasn't learned. A little too much learning could get in the way of simple and direct reasoning."

With judicial role models in men like George Wythe and especially Edmund Pendleton, Marshall's career in the Virginia courts was an invaluable preparation for his appointment as chief justice. Pendleton, in particular, was a great influence on Marshall.

"Pendleton was the presiding judge of the court of appeals and was a dominant figure. The court of appeals spoke through him," says Hobson. "When Marshall came onto the Supreme Court, he immediately halted the practice of each judge delivering his own opinion and thereafter it was the chief justice who delivered the majority opinion."

Hobson adds that for Marshall's career as chief justice, "it was important that he was more than just a lawyer. He held several public offices — state representative, diplomat, secretary of state — so he had this broad knowledge of public issues that contributed to his judicial statesmanship."

Hobson's work on the volume was both challenging and rewarding. "It is probably the most difficult volume we've produced, but I think it's important that we've published it at this point in the series because it does serve as a guide to Marshall's legal career," he says. "The volume's subject forced me to come to grips with working with legal documents and materials. When I began, I felt totally at sea, but it doesn't intimidate me now."

WILLIAM AND MARY

NEWS

The William and Mary News is issued weekly during the school year for faculty, staff and students of the College and distributed on campus Wednesday afternoons.

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