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A Question of Law

Three strikes is not out in Supreme Court Preview

California's "Three Strikes and You're Out" law headlined the moot-court presentations at this year's Supreme Court Preview, the 15th sponsored by the law school's Institute of Bill of Rights Law. The arguments made concerning the case *Lockyer v. Andrade*, California's repeat offender three-strikes statute, were dress rehearsal for those expected to be presented during this year's Supreme Court term.

Erwin Chemerinsky, Sydney M. Irmas professor of public interest law, legal ethics and political science at the University of Southern California, who will represent the criminal defendant before the Supreme Court in the upcoming term, used the preview to fine-tune his defense. "I saw this as a practice for my Supreme Court argument on Nov. 5," Chemerinsky said. "I feel very lucky to get this 'moot' in front of such terrific 'justices.' This was the fourth time I argued a case as part of the Supreme Court Preview, but it is the first time that I have done so when I wrote the brief and will argue the case in the court."

The purpose of California's three-strikes law is to impose longer prison terms on defendants with prior qualifying felony convictions or 'strikes.' In *Andrade's* case, the prosecutor elected to charge the defendant's two petty thefts as prior felonies, thus triggering the three-strikes law. William Lockyer, California's attorney general, brought the case to the Ninth Circuit Court on behalf of the state and lost. Chemerinsky is arguing that *Andrade's* punishment of 25 years to life for the theft of \$153 worth of videotapes (two separate thefts of \$85 and \$68 on the same day) is a violation of the Eighth Amendment pertaining to "cruel and unusual punishment."

"An indeterminate life sentence for \$153 of videotapes is a grossly disproportionate sentence," Chemerinsky argued. "*Andrade* couldn't have known what his punishment would be nor did he know that



Members of the audience for the Supreme Court Preview listened intently to oral arguments.

his sentences would not be concurrent but consecutive. Forty-nine of 50 states would not allow this sentence, and he will be 87 years old before he is even considered for parole." Chemerinsky asked that the Court compare the gravity of the offense to the harshness of the punishment and the fact that *Andrade* never had committed a violent crime.

Beth Brinkmann, a former assistant to the solicitor general and counsel in the Washington, D.C., firm of Morrison & Foerster LLP, argued to uphold the three-strikes law in *Lockyer v. Andrade* and in all cases involving repeat offenders and recidivist criminals. She urged that deference be given to the state's arguments for punishment.

The moot court justices voted six-to-three to overturn the Ninth Circuit Court ruling and to uphold the original lengthy sentences.

"I think the case is quite important," Chemerinsky said. "There are 328 people in California serving 25 to life (or more) for shoplifting and many more who are serving life sentences for other trivial offenses. This case

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Bond issue spurs PAC

Students Create Voice for Education

Passing the \$900-million bond issue for higher education in Virginia will certainly require some significant statewide leadership. At William and Mary, significant leadership emerged from what was, to the outside world anyway, an unexpected source—the College's students.

In April, a group of undergraduates making regular coffee stops at the on-campus Daily Grind took up the challenge. It occurred to them that of all people who should be active in supporting the measure, students were missing. They discussed getting involved. They made big plans. They talked themselves out of their plans. But ultimately they acted. On May 24, they formed the first student-run political action committee in the history of the Commonwealth.

"In the end, we kept being reminded of President [Timothy] Sullivan's words," explained Brian Canon ('04). "He kept saying how his struggles to represent the needs of higher education in Richmond sometimes seemed to fall on deaf ears; that the legislators were tired of hearing from him, that a new voice was needed. We decided we could be that voice."

The group drew upon its own experience. Several of its members had been involved in the legislative process, including William Blake ('04), who served as a deputy legislative assistant in the state's General Assembly, and Mark Bergman ('04), who was deputy press secretary for the Warner for Governor campaign. Jesse Ferguson ('03) had the skills to keep the group legally straight as it faced the maze of requirements for setting up a PAC.

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Family Day draws 1,100

Students take advantage of opportunity to re-stock on food.

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A Message from President Sullivan on the Budget

I understand that the recent press reports about the possibility of furloughs and salary cuts have raised real concerns in the minds of many in our campus community. I am writing to offer as much guidance as I can, given the uncertainty that presently exists.

Governor Mark Warner will announce on Oct. 15 his decision about the level of cuts we will be required to make. So we do not at present have all the information we need to make informed decisions. Moreover, some of our options will require consideration by the Board of Visitors at its meeting on Nov. 21-22.

Despite these uncertainties, I want to be clear about some critical issues. Should such actions be necessary, under no circumstances would any employee take a double hit. No one would be both furloughed (placed on leave without pay) and take an additional salary cut. In accor-

dance with state personnel policies, classified staff would be furloughed. Faculty and professional and administrative staff would experience salary reductions as permitted under the appropriations act. All of us would lose a portion of our pay.

Such actions would be hard for many of us to manage. For that reason, we will be seeking ways to mitigate as much of the negative impact as possible. Health benefits will not be affected. Also, any pay loss during a fiscal year could be spread over a number of pay periods (perhaps many months) and no one will be without a paycheck. As additional information on benefits is received, we will let you know.

I know that anxiety is widespread and the wait for more information is hard to bear. I urge you to ignore rumors—and promise each of you that I will do everything I can to share with you critical information as soon as possible.

'We will be seeking ways to mitigate as much of the negative impact as possible.'

—Timothy J. Sullivan

Humanities Wins On-Campus Battle of Disciplines

RAFT debaters argue which field of knowledge best serves civilization

"It was a dark and stormy night," Hans von Baeyer told the crowd filling the University Center hall. A ship has wrecked. Three people—one representing the physical sciences, one the social sciences and one the humanities—sit near a raft that can save only one. The survivor would be the professor who could convince the audience that his or her discipline was the most worthy.

With that background, von Baeyer, William and Mary professor of physics and director of the Graduate Center, introduced the College's revived RAFT Debate and opened the way for the good-natured razzing, teasing and inuendo-tossing that would follow. Meanwhile, the devil's advocate (English professor Tom Heacox) kept slinking about with an assortment of props—a chainsaw, a baby doll impaled on a pitchfork, a doll severed by a scythe—to communicate his take on the scene.

Opening the presentations, physicist Robert Welsh, representing the physical sciences, argued that yes, he liked to read the books the humanities had crafted, and yes, he considered himself a functioning social being. "But if you find yourself stranded on an island, you won't be concerned about what magazines or literature you have available. You'll be concerned about having a roof over your head," he said.

Representing the social sciences, Robert Nezelek, professor of psychology, jocularly assigned each discipline a corresponding identity. Physical sciences would relate to drugs, the humanities to rock 'n' roll and the social sciences to sex.

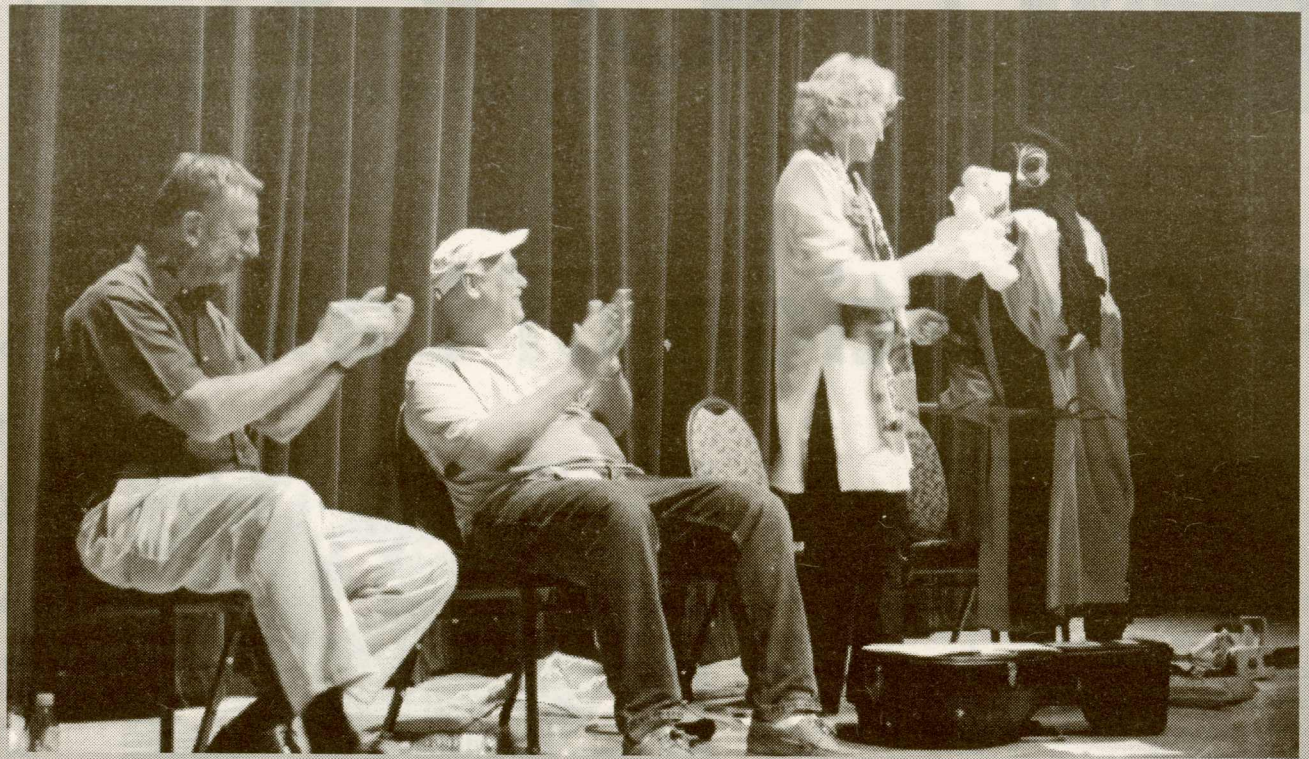
What it all comes down to, he argued, is that science has not given us better drugs (recreationally speaking), that anybody on an island could shake two coconuts together to make music (making the humanities superfluous), and that only the social sciences, by introducing freedom and understanding relative to sexual activity, had done the greatest service to mankind. His argument seemed to find much support until an audience member pointed out that Nezelek would be alone on the island.

Arguing for the humanities, Anne Rasmussen, associate professor of ethnomusicology, challenged the physical sciences for building things like televisions and bombs that separate people from one another. She further suggested that social sciences, instead of celebrating the diversity of humanity, tried to create carbon copies of individuals.

Taking a dim view of the entire proceedings, the devil's advocate argued the debaters had made his case for him. "The fact that they are each arguing to save themselves, as opposed to offering the raft to the other, in itself condemns them all," he said.

After a brief exchange involving the audience, von Baeyer, who served as judge, measured the length of applause each presenter had earned. If he had a scientifically calibrated applause meter, the physical sciences may have won. If he executed a credible opinion poll, the social sciences may have come out on top. As it was, the judge relied on a watch and the sound of voices. His final decision was that the humanities had won.

by David Williard



RAFT debaters (from left) Robert Welsh, Robert Nezelek and Anne Rasmussen share the stage at the College's University Center, while the devil's advocate (Tom Heacox) makes his presence felt.

Interview with the survivor

In a Q and A session following her triumph in the RAFT Debate, Anne Rasmussen made the case for the humanities.

How did it feel to watch your foes drown?

I had no preconceived notion in my mind about what should be accomplished. I understood that it was in good fun, but Hans van Baeyer encouraged me to passionately defend my discipline and all of the humanities. In a nutshell, my statement on this—and I think my drowned colleagues would agree—is that a liberal-arts education is interdisciplinary. All of our studies are related; in the pursuit of knowledge and education, we all overlap.

We do have artificial and practical divisions. Some of that is because scientists need labs and musicians need practice rooms and artists need studios—and we're all in a fight over money, so we get divided up into these political fiefdoms. Sometimes the humanities and the social sciences are pursuing the same kinds of research but are writing it up for different professions. I may be working with a group of newly arrived immigrants, and I'm interested in the musical traditions that they brought with them, and colleagues in sociology may be interested in employment patterns, or something about family and child-rearing. We may be interviewing the same set of people but asking different questions—just as we are publishing in different journals, attending different conferences and teaching in different classrooms. But we all would argue for interdisciplinarity. The most exciting moment for our students is when they are building bridges from one course to another.

Nevertheless, in the spirit of competition, I am ready to argue that it is superior to have an orientation in the humanities if you are going to have only one.

What were the strengths of your arguments?

I'm married to a science and technology guy, an engineer guy, who reads *Investors Daily* and *The Economist*, things I was spoofing on. My idea at the heart—and this is tongue-in-cheek—was that the business/science/technology model has relegated the arts and humanities to being something to do when you have a little free time in a kind of dilettante way. You know, you go to New York and go to a museum and you're cultured.

But really, people don't engage in the arts. They don't practice them. They don't sit around and make music any more; they've left this to a class of professionals—pretty low-paid professionals. The parents of my students don't really want them to be music majors; their parents want them to be accountants, to write numbers in columns. In some ways, I feel this is what our society has disintegrated into. I feel that science does create isolationist technology, like e-mail and v-mail. Now we can see each other on a computer screen, so we don't even have to go and knock on a door of our colleague. We don't even have to talk to

them. We don't even have to see them, or to smell their cologne anymore. Think of computer game toys. Think of smart bombs. You can extend the argument. That was my dig at science and technology—yes, it advances knowledge, but what has it done for humanity? For community? For family? For the creative spirit?

That was my offensive argument. My defensive argument was that from my discipline, music, you can get to all of these other disciplines. I took the example of the musical instrument the 'ud. We have models for it from the 7th and 8th centuries, and there's a rich tradition of philosophical treatises and intellectual writings that incorporate music along with mathematics and astronomy and the way the body works. When this instrument was created and played—I used the example of 8th century Bagdad—there was all of this intellectual activity. People were translating the treatises of the Greeks, coming up with their own philosophies, and music was a comprehensive part of science and technologies and the way the world goes around. If you trace the historical path of this instrument, it is the predecessor of all of our stringed instruments, so we'd never have had Led Zeppelin if we had not had that 'ud. I argued for engineering and construction in terms of the way the instrument is built. I talked about when you play a stringed instrument, it invites singing, and from song texts we discover all kinds of things.

Did the 'sex, drugs and rock' argument surprise you?

No. You need something to organize your spiel. I thought that was as good as any; he was entertaining, and he made sense—his idea that someone mixing chemicals in the backroom was science, and that rock 'n' roll—a no-brainer—was the music. The sex? I guess sociologists are interested in human relations. It worked. He had that "sexy" thing on his side; I think I had feminism on my side. Women, as you know, play a major part in the continuation of the species.

Why will the world be better because you survived?

Hans told me to argue passionately, and I can argue passionately. I really do think that it is unfortunate that aspects of the humanities are sort of devalued—you know, they really don't make that much money, so therefore they can't be that important; you know, what we really want are investment bankers and lawyers and whatever—bomb builders. I think if that is all you have in a society, it's pretty vapid, pretty empty, a sad situation. It is much preferred to have a culture that is rich in ideas and arts and human relations and creativity and exchange.

They certainly are important issues for our time—especially when we have this macho-political sword-brandishing. Sometimes I just get on the defensive. I'm not sure other colleagues in my department would argue the way I do. Sometimes I feel like we're taking a step backward in the past couple of years.

Economist Feldman Pops Half-Truths With His Clarifying Op-Ed Pen

Three years ago, Professor of Economics David Feldman sat in Williamsburg reading *Newsweek* when he found himself annoyed. A fuzzy mix, it seemed, of "economic half-information and political intent" was plaguing general writing on economic issues.

"After 20 years of teaching economics, I just thought that I could do a better job—being a little more 'teachy' and a little less 'preachy,'" Feldman said.

He gave it a shot. If the reception of editors at newspapers—including the *Wall Street Journal*, the *Washington Post* and the *Baltimore Sun*—is a valid indicator, he has done better: Through their pages, his brand of clarifying op-ed analyses have been published around the world.

Today his Web site (<http://faculty.wm.edu/dhfeld/>) lists 27 published op-eds, beginning with "Get Ready for Debate on Dollarization" published in *The Richmond Times-Dispatch* in June 1999 and including a recent *Washington Post* piece on "A Tax Repeal's Inequities." Recurring topics include global financial markets, trade protectionism and commercial whaling.

Topics of concern

"My main purpose in beginning to write was to try to demystify some of the problems," he said. In 1999, potential dollarization of the Argentine economy forced itself onto the pages of newspapers. In Feldman's view, passions for or against the prospect tainted the discussion. He wrote his first piece not to portray dollarization as good or bad but to help people understand it was an option for some countries.

"A lot of stuff I was reading was either praising it or damning it without honestly evaluating it," he said. "If you read any of the stuff I've written on dollarization, you will not hear my voice saying that it is a one-dimensional issue. No, it is not great for everybody; neither is it poison for everybody."

In terms of international trade, his op-ed pieces take issue with the notion that domestic protectionism for the U.S. steel industry is needed to save American jobs. Protecting steel turns out to be "very good for a very small number of people," Feldman said, "but it harms every consumer who uses products that embody a fair amount of steel—and that's everybody. Yes, we're protecting American jobs; we're anti-protecting other American jobs."

About commercial whaling, Feldman said, "I'm not a biologist or an oceanographer, but I know an interesting economic issue when I see it." Whales, like migratory fish, are a global resource subject to over-exploitation. When Japan announced during the Clinton administration that it would send out a whaling fleet to engage in scientific research, "everyone knew ... the end result would be that the sushi bars would be well-stocked for several months," Feldman said. Reacting, the United States threatened trade sanctions—a counter-productive tack, Feldman believed. He proposed an international system of tradable permits for whale harvesting as a way to bring balance to the competing objectives—of the Japanese, who wish to harvest whales, and of the United States, which wants to save them. As things turned out, the Clinton administration could only "bluster and bluster, talk and talk, and do nothing," Feldman said.

The 'Susan' test

Despite his success, op-ed writing remains a hobby: Feldman does not envision a second career. He does continue to refine his approach. Colleagues have helped. At first, he distributed rough drafts to "three or four friendly editors"

in the economics department. The drafts would be returned, often with many red marks. The questioning was appreciated. "When you write an argument and have labored over it, the person you can convince most easily that the writing is flawless is you," Feldman said. Lately the number of red marks has diminished.

The final hurdle is "the Susan test." His wife, Susan Lontkowski, is an obstetrician. Before he submits an article for publication, she reads it. "If I get a funny look from her about a paragraph, then I know I have more writing to do," he said. "She's not an economist; she's not going to dictate my logic; she's just going to tell me whether or not it makes sense."

Feldman encourages students to adopt similar practices. He assigns short papers that force them to get to the gists of arguments. In some classes, producing a 750-word op-ed piece is required.

"I don't have a scientific survey, but my impressionistic evaluation is that students of mine who have done really well after graduation have ... coupled motivation with the ability and willingness to work through complicated, deductive logic and [are] the students who express themselves."

Pop, pop: The next piece

There is no predicting where Feldman will strike next. But as he prepares to strike, colleagues and his wife will be the first to notice. He will become annoyed. He will pace down corridors.

His piece on Virginia's car tax ("A Tax Repeal's Inequities") is an example. Although the rebate, itself, was proposed in 1997, Feldman took it up after he heard that the Virginia budget deficit was approaching \$1.5 billion and that the rebates to localities from the car tax were \$823 million. "I thought, of the new \$1.5 billion that has to be cut, the car tax is fully half of that percentage; I got interested," he said.

He assumed the rebates would disproportionately benefit wealthier cities, towns and counties, where the average car would likely be more valuable. He discovered a correlating relationship between the tax rates counties assess and their standing in the income-distribution of the state. He got in touch with the state comptroller's office. In days he had a spreadsheet showing the total value of rebates to every city, county and town.

"There are eureka moments," Feldman said. "The car tax was a bunch of eureka moments. When I got back the information from Richmond, when I calculated the per-capita rates and correlated it with the per-capita income and then plotted it on the map, that was all just neat. I was walking up and down the halls with that; I was sending e-mails to my colleagues saying, 'You have got to look at this.'"

Three years ago, e-mails may have been sufficient. Now he has a voice; it prods—"Write. Teach."

"I am a teacher of economics. My purpose in writing op-eds is to help general audiences make sense out of complicated economic issues," he said. "In the press, nobody ever is going to say they will benefit personally from an economic policy. They're not going to stand up and say this policy is good for me; they're going to say it's good for us. That's where the economist can serve the role as the great debunker. Self-serving arguments, or half arguments or quarter arguments that are tossed out for people to swallow are just red meat for somebody who has a grounding in economic theory. That person can pop these half truths one after the other."

As general writing on economic issues goes, half-truths, no doubt, will continue to appear. Annoyed—pop, pop—Feldman will write; annoyed—pop, pop—he will teach.

by David Williard



David Feldman

out of context

Death ends all

"You can hardly put it into words," said **Karl Ludvigsen**, whose son Mark, a William and Mary graduate, was killed in New York's World Trade Center during the Sept. 11, 2001 terrorist attacks. Quoted in Toronto's *The Globe and Mail*, Ludvigsen said, "It is instantaneously final. Everything is gone. Everything that you saw and loved in that boy is gone."

Avoiding complacency

"I think this has been a year of reflection," **Harvey Langholtz**, William and Mary associate professor of psychology, told Williamsburg's *Virginia Gazette* in an article about the after effects of Sept. 11, 2001. Langholtz said, "A lot of people took a step back and looked at health, family, life, faith, and maybe even the meaning of life. The attacks were a catalyst for reflecting on those things."

Hoping Arabic interest survives

"Maybe something more permanent may come from this," **John Eisele**, William and Mary associate professor of modern languages, said in an article printed in the San Antonio *Express-News*. Eisele, who teaches Arabic at the College, was referring to heightened interest in the language in relation to the war in Afghanistan. "Hopefully, people will be more interested in the region, not as enemies, but as trying to understand," he said.

Way of communicating with Richmond

"Our president is always coming back from trips to Richmond telling us that legislators want to hear from the students," William and Mary junior **Brian Cannon** told *The Washington Times* in a story related to formation of the first student-led political action committee in Virginia. "Well, this is a way we can tell Richmond and the state that we want this bond package passed." (See story on page 1.)

Legally speaking, that is

"People can actually understand his opinions," said William and Mary Professor of Law **Neal Devins** about the writing of Supreme Court Justice Antonin Scalia. In a front-page article in *USA Today*, Devins explained that, "Students remember Scalia opinions more than anyone else's." Analyzing the writing of sometimes controversial justice, the article was written by long-time legal reporter Joan Biskupic, who has attended numerous sessions of the Supreme Court Preview held annually by the Institute of Bill of Rights Law at the William and Mary School of Law.

Benefits of walking on sports teams

William and Mary's men's soccer coach **Al Albert** recently was quoted in *The New York Times* concerning the diminishing opportunities for athletes to "walk-on" college sports teams. "How many freshmen, myself included, from years ago would have never learned and benefited from a college sports experience if not given the chance to walk on? You never know what kind of important life lessons—goal-setting, handling adversity, learning teamwork or testing yourself and your limits—might be acquired as part of a college sport. It's a shame when we can't cultivate that for everybody."

If only he could recruit mothers

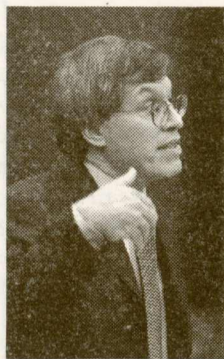
Speaking of the challenges in recruiting student athletes, William and Mary basketball coach **Rich Boyages** told the Williamsburg Kiwanis Club that he believes he would be more successful "if only I could recruit the mothers." The mothers, he explained in an article appearing in the *Virginia Gazette*, love Williamsburg and the campus, but he added that they are wise to leave the decision up to their children.

Question of Law

'Three-strikes' measure passes test in W&M moot court

Continued from page 1.

will determine whether they have the chance for judicial relief. For almost a century, the Supreme Court has said that grossly disproportionate sentences violate the Eighth Amendment. I think that if any sentence is grossly disproportionate, it is Andrade's."



Erwin Chemerinsky

Although the moot-court vote went against him, Chemerinsky believes the experience has prepared him to be a better advocate for Andrade. The questioning of the preview justices helped him see where some of his arguments were not working as well as needed. The program featured some of the nation's leading journalists, lawyers, judges and legal scholars. Six of the participating panelists have argued numerous cases before the Supreme Court; three of them will likely argue cases this term. The preview panels were also extremely successful, encompassing numerous cases and hot-button issues like the war on terrorism and its effects on civil liberties, the First Amendment, Federalism and states' rights, criminal law and procedure, Supreme Court advocacy and upcoming issues in the Court.

by Ann Gaudreaux

Defending the Klan: Preserving the Constitution

Virginia cross-burning case on U.S. Supreme Court docket

David P. Baugh, a Richmond lawyer and board member of the Virginia chapter of the American Civil Liberties Union, defended Ku Klux Klan Grand Dragon Barry Elton Black, who was convicted of violating Virginia's cross-burning statute. Baugh spoke at the William and Mary Law School about defending the klansman's First Amendment right to free speech.

Commonwealth v. Black presented the question of whether a Virginia law prohibiting the burning of a cross with the intent of intimidating any person or group of persons impermissibly infringes upon constitutionally protected speech. Baugh, an African-American, represented Black, who was arrested for burning a 25-to 30-foot cross at a Klan rally in southwestern Virginia. "Mr. Black was arrested during a Klan rally held on rented property," Baugh said, "and, as the Klan says, 'he illuminated a cross'; he did not 'set it on fire.'"

Although Black was convicted at the 1999 trial, the verdict was subsequently overturned by the Virginia Supreme Court. The Commonwealth appealed the decision to the United States Supreme Court, which will hear the case during its current term, which begins Oct. 7. Baugh will be on the team that defends him because he believes in Black's right to free speech.

"I am amazed at the number of lawyers and law

students who have questioned my choice," Baugh said. "To me, the U.S. Constitution has been violated. If Black doesn't have First Amendment rights, I don't have First Amendment rights. The measure of a person is one's ability to adhere to one's principles and maintain them. I think that maintaining the Bill of Rights is an honorable pursuit."

Baugh admitted that he completely disagreed with Black and the ideas held by the KKK. He knew that he and the Klansman would never be friends, but he said, "To be an American is to tolerate those who disagree. Every idea can be discussed in a free society, and we need to hear all ideas so we can assess whether they are worth believing in." He

believes that as more people hear the message of hate and intolerance promoted by the Ku Klux Klan, more people will reject their ideas.

"I don't protect the Klan," Baugh said, "I protect the First Amendment."

Note: Baugh, the lawyer, is the son of Howard L. Baugh, one of the original Tuskegee airmen. The younger Baugh relates: "When interviewed once about how his many missions during World War II helped protect this country and its ideals, he said, 'My son, David, does more to protect America in one day than I did all during World War II.'" The son is very proud of that fact.

'I don't protect the Klan. I protect the First Amendment.'

—David Baugh

Bond Issue for Higher Education

'Shrinking' Library Jeopardizes Law Accreditation

The walls of the Marshall-Wythe law library seem to be shrinking, and the situation is endangering the ability of the William and Mary School of Law to attract the best faculty and students in the nation.

Accreditation boards have noticed the library's deficiencies. William and Mary officials are hoping residents of Virginia—who can do something about it—will notice as well.

"Over the years, the library has become dysfunctionally small," said Taylor Reveley, law school dean.

The perceived shrinkage has been brought about by the need to convert floor space designed for housing the library's collection into areas where patrons can access digital research networks. For library administrators, there have been no win-win solutions, only compromises—each new wired port displaces books and journals; wired ports and printed volumes are equally needed.

"Since 1990, we've withdrawn nearly 50,000 print volumes and cancelled over 1,100 subscriptions," Reveley explained. "We're still almost out of shelf space." Even though the missing 50,000 volumes represent nearly one-fifth of the library's book collection, their removal has not freed adequate space for study rooms and reading space. Meanwhile, the need to connect electronically intensifies.

"At this point, we believe that the building simply cannot house all the technology associated with a modern law library," Reveley said.

Accrediting bodies wary

It is a negative assessment with which the American Bar Association (ABA) and the Association of American Law Schools (AALS)—the two accrediting

'At this point, we believe that the building simply cannot house all the technology associated with a modern law library.'

—Taylor Reveley

bodies—seem inclined to agree. Following a 1995 visit to Marshall-Wythe, a combined team of ABA/AALS inspectors expressed "serious concern" about the facility. In April 2000, after a subsequent visit, ABA evaluators wrote that they had "reason to believe" the "inadequacy" of the school's physical plant was having a "negative and material effect on the education" of students. In June 2000, the Executive Committee of the AALS, concerned that plans for the expansion and renovation of the law library remain unclear, asked law school officials to "report again on this issue" in light of pertinent accrediting standards, including:

■ A law school shall have physical facilities and technological capabilities that are adequate both for its current program of legal education and for growth anticipated in the immediate future (ABA Standard 701);

■ The physical facilities for the law library shall be sufficient in size, location, and design in relation to the law school's program and enrollment to accommodate the law school's students and faculty and the law library's services, collections, staff, operations and equipment (ABA Standard 702);

■ A law school shall provide, on site, sufficient quiet study and research seating for its students and faculty. ... (ABA Standard 703).

Citizen support critical

William and Mary officials are pre-

pared to answer these concerns with a \$12-million renovation/expansion of law library premises, a proposal contingent upon approval of a \$900 million bond issue slated to go before Virginia voters in November. (In addition to the library expansion, seven projects involving facility upgrades valued at \$61 million would be funded at William and Mary and the affiliated Virginia Institute for Marine Sciences and Richard Bland College if the bond is approved.)

Due to critical facility needs, including the Marshall-Wythe law library, William and Mary officials are heartily endorsing the bond issue. Their support, although grounded in the practical "brick-and-mortar" realities, encompasses the broader issue—the ability to educate at the highest level.

Timothy J. Sullivan, president of the College, stated, "It is our challenge to help [Virginia] citizens ... envision the vitality our graduates and professors can contribute to the state and nation. The buildings are important, but what we are actually investing in is human potential ..."

Struggling with shrinkage

Meanwhile, the Marshall-Wythe law library continues to shrink. The numbers are unsettling. In 1981, the building ranked 52nd in size among the approximately 170 ABA-accredited law schools. By 1991, the library was dropped to 83rd in size; by 2001, it had fallen to 127. Of the top 50 law schools identified in a 2002 *U.S. News & World Report* survey, the Marshall-Wythe law library, in terms of size, was virtually at the bottom of the list.

It is a situation with which library administrators continue to struggle. For them, each volume cut represents the

Law Library Facts

- Built: 1980
- Size: 36,500 square feet
- Currently 48th in size among top 51 U.S. law schools (*U.S. News & World Report*).
- Measures to address space issues have included:
 - Converting all basement shelving to high-density compact shelving in 1998;
 - Removing seating on top two floors to add standard shelving;
 - Withdrawing nearly 50,000 volumes since 1990;
 - Canceling more than 1,100 serial subscriptions since 1988.
- Since 1988, the median number of serial titles subscribed to by ABA-accredited law schools rose 16 percent; during this period, the number of William and Mary subscription titles decreased by 4 percent.

loss not merely of a book but of potential breakthroughs in legal scholarship; each technological network not appropriated represents a gamble on the ability of law school graduates to lead in developing arenas that will reshape the legal profession in the coming decades.

Within the library, there is little additional room for compromise. Indeed, educational pressures are encroaching; the walls are closing in.

by David Williard

In the footsteps of family

Descendants of Marshall and Clay Come to Campus to Study Law

When Troy Hammon was completing his application for the William and Mary School of Law last year, he encountered a question that asked if he had any friends or relatives who attended the law school. He answered in the affirmative. Who? Well, great-times-four grandfather, the great Chief Justice John Marshall. That's who.

After Ian Ralby was accepted into the law school last fall, he began receiving "lots of literature and great follow-up" from the law school—alumni, students and faculty all contacted him.

"I was very excited that I had applied to and been accepted by William and Mary law school," he said. One of the brochures he received said that Henry Clay, his great-times-three grandfather had read law at William and Mary under George Wythe. "We are the only two people in my family to study the law and we both chose William and Mary. I had a legacy and didn't even know it."

Now, the great-grandsons of the founders of this country and its judicial system are part of the first-year class at law school. The two men are touching upon a legacy that their forefathers began centuries ago. They had never met so neither knew the other would be here. Faye Shealy, associate dean of admission, was the one who told each about the other's famous ancestor.

Hammon, a native of the Florida Keys, did his undergraduate work at Embry-Riddle Aeronautical University in Daytona, where he received a degree in aerospace engineering. He has served as an intelligence officer in the United States Air Force for the past four years and currently is assigned to the law

school, where he studies under the Funded Legal Education Program. Each year several students are accepted into the law school from all branches of the armed services. Hammon plans to be a military lawyer.

"I began to read the William and Mary brochures and saw many references to John Marshall," Hammon said. "The school is in a great location and the brochures piqued my interest." Although he was raised knowing he was related to Marshall on his mother's side, he didn't know the school was named for the former chief justice.

"When I was a young teen, our family visited the U.S. Supreme Court building in Washington, D.C., where we saw a statue of John Marshall," Hammon said, "and my mother began explaining how we were related to him." A staff member overheard the conversation and inquired, "Are you actually related to Marshall?" My mother answered "yes," and he asked us to wait. The supreme court justices invited the Hammon family to join them for lunch. "My parents thanked him but said we couldn't," he said. "We didn't have enough time in our schedule! I hope I'll get another invitation like that some day."

Ralby, born in India but raised in Baltimore, received a bachelor's degree from the University of Maryland Baltimore County (UMBC) in modern languages and linguistics, concentrating in both Spanish and German. He is completing work on his master's degree in intercultural communication this semester from UMBC and is interested in international law.

"I wanted to stay in the region



Troy Hammon (l) and Ian Ralby are two law students who are stepping into a sense of history at the College.

around Baltimore, but I wanted to go to a top law school," Ralby said. After he was accepted and realized the William and Mary-Clay connection, he was increasingly amused and interested by the coincidence. Clay was known as a great statesman and orator as a member of both the House of Representatives and the Senate, and he is credited with authoring the Missouri Compromise of 1820 and the Compromise of 1850. "He was also a professor of law at Transylvania

University in Kentucky and Secretary of State under John Quincy Adams," Ralby said.

Ralby attended UMBC on a full scholarship but anticipated going through law school funded by loans. He applied for a Jack Kent Cooke Graduate Scholarship and, after he committed to attending William and Mary, he was notified that he was one of 50 students to receive the award. He is eligible for \$50,000 per year for up to six years for any post-graduate study. "Cooke always regretted that he never had the opportunity to get a formal education," Ralby said, "so he left most of his money to the foundation to fund scholarships for high school, undergraduate and graduate programs. In addition to being the most generous fellowship in the United States, the foundation is guided by Cooke's maxim, 'The goal is clear; and you can reach it. Destiny demands that you do better than your supposed best.'"

While sharing the lineage with fellow students is not a priority for either man, Ralby said that the reminders of Clay boost his spirits. He sees the name Henry Clay on the list of students George Wythe taught back in the founding days of the law school as a reminder of his auspicious ancestry.

"It is hard for me to miss the references to John Marshall with his statue in front of the school and the painting in the lobby," Hammon said, "otherwise my heritage really has not been a topic of conversation." Hammon and his wife are expecting the next generation of descendants in mid-November.

by Ann Gaudreaux

Eleventh Volume of Marshall Papers Shows 'Transparently Good Man'

"An unassuming man; a man who was transparently good." That's how Charles Hobson describes the John Marshall—50 years removed from his short stint at William and Mary—who emerges in the recently published eleventh volume of the John Marshall Papers.

Hobson, editor of the past seven volumes of the Marshall papers project, says the current volume represents perhaps the busiest period (April 1827 through December 1830) in Marshall's long and active life. As chief justice of the United States, Marshall presided over the Supreme Court in Washington, D.C., from January to late March. Twice each year, in May and November, he attended sessions of the U.S. Circuit Court in Raleigh and in Richmond. Off the bench, he continued to serve in a variety of public-service roles as well as to exercise responsibilities as head of his family, including dealing with delinquent tenants on his landholdings and, at one point, having trouble attempting to sell hogs for his son in Richmond.

Concerning hogs, Marshall offered the following business advice to his son, James, "The Parkinson breed is not preferred, and if you think of raising hogs as a business, you will do well to change it. The opinion is that the bacon is not so sweet as the common wood hog."

Volume 11 contains 172 documents published in full and another 91 that are listed. Among these are six constitutional opinions written by the Chief Justice. The majority (144) of the documents are letters, 121 written by Marshall to various recipients, including Timothy Pickering, John Randolph and Henry Clay. Twenty-three letters are addressed to family members; nine to Mary W. Marshall (Polly) and eleven to his sons.

Some of Marshall's letters reflect his growing anxiety about the future of a United States in the throes of a Jacksonian democracy that seemed prepared to subvert the power of the supreme court in favor of state's rights to jurisdiction. Such an idea was "so extravagant

'What's so endearing is that he was the same person in private and in public life. When the project is finished, I shall miss him.'

—Charles Hobson

► Hobson and Joan Lovelace check information online.



in itself," Marshall wrote, that he could scarcely "believe it was seriously entertained by any person." Other letters reveal a deep disgust with the first publication of the letters of Thomas Jefferson, whom Marshall never considered "a particularly wise and practical statesman."

For the most part, however, Marshall's correspondence reveals the usual cheerful, down-to-earth demeanor that allowed him to become a cordial companion as well as an articulate jurist. His letters to family members and personal friends are full of sound advice mixed with encouragement, even those expressing disappointment (a son's debts) or disagreement with another's inclinations (Henry Clay's attempt to absolve himself of a "corrupt bargain" charge). Particularly noticeable is the tenderness with which he wrote

to his wife, Polly, who was physically incapacitated during the time period. In an 1830 letter written from Washington, he told her: "I take my walk in the morning, work hard all day, eat a hearty dinner, sleep sound at night and sometimes comb my head before I go to bed. While this operation is performing I always think with tenderness of my sweet barber in Richmond. It is the most delightful sentiment I have."

Polly, whom Marshall had met after his service in the Revolutionary War, was the 14-year-old daughter of his father's neighbor in Yorktown when Marshall met her 50 years earlier. It was during this time that the soldier-turned-civilian was attending lectures under George Wythe at William and Mary (May to July of 1780). At the College, he also joined Phi Beta Kappa and took a course in natural philosophy, but it was Polly's name that was scribbled all over his class notes. The two later married and produced 10 children, six of whom survived to adulthood. Polly died in 1831.

"As we get toward the latter stages, more letters survive from Marshall, especially those to his wife and sons," Hobson says. "My admiration and fondness for this fellow have deepened. It becomes obvious that he's a transparently good man, somewhat self-deprecating with no concern for his own importance."

Hobson, who began his work editing the project in 1979, has one more volume to go before it is complete—hopefully in time for the 250th anniversary of Marshall's birth in 1755. "It has been a privilege to work with this man," Hobson said. "What's so endearing is that he was the same person in private and in public life. When the project is finished, I shall miss him."

Volume 11 is published by the University of North Carolina Press. Its editors are Hobson, Susan Holbrook Perdue and Joan S. Lovelace. The volume is a publication of the Omohundro Institute of Early American History and Culture, which, along with the College, co-sponsors the Marshall Papers project.

notes

CVC campaign under way

The College's Commonwealth of Virginia Campaign began on Oct. 1 and will run through Nov. 15. The campaign, often thought of as the United Way Campaign for the College, enables employees to support local charities, has established two goals for the current year: Raise \$125,000 (same as last year) and register 500 donors (494 participated last year). A thermometer to chart progress has been erected outside of the Campus Center. Those eligible to participate should be notified by mail. If information is needed, contact Mark Gettys, associate director of auxiliary services, by e-mail at mmgett@wm.edu.

VIMS, Biology team on B-cell research

When invaded, human bodies respond by unleashing a diverse host of cells and molecules—B cells, T cells, macrophages, cytokines among others, to wage the battle against infection. So do the bodies of fish. In humans, however, immune cells are created in the bone marrow; fish, which do not have bone marrow, apparently generate the same cells in their kidneys.

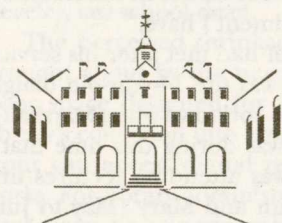
The intrigue has caused VIMS (Virginia Institute of Marine Science) immunologist Steve Kaattari to team up with Patty Zwollo, assistant professor of biology, in order to conduct research into the genesis and activation of B cells in rainbow trout. The pair hope, by studying basic immunological processes in trout, to shed light on how B cells (the frontline scouts of the immune system responsible for recognizing bacteria, viruses, parasites, etc. and then to produce antibodies) differentiate in bone marrow and are activated to fight diseases in humans.

Potassium iodide available at Health Center

The Virginia Department of Health has announced plans for the distribution of potassium iodide for citizens who live or work within 10 miles of Virginia's nuclear power plants. On campus, potassium iodide tablets can be picked up at the Student Health Center. A College ID or some proof of employment is necessary. The chemical is considered effective in blocking exposure to radioactive iodine, one of the contaminants released sometimes in a nuclear accident. The distribution is considered preventative. For information, call the health center at 221-4386.

Society of Alumni changes name

The Society of the Alumni of the College of William and Mary has changed its name to The William and Mary Alumni Association. The name change is the result of the alumni board of directors' desire to better state the organization's purpose and commitment; that of bringing alumni together in support.



THE WILLIAM & MARY
ALUMNI ASSOCIATION

An informal study of perceptions noted that "society" was often viewed as "exclusive for particular groups," explained Barry Adams, executive vice president for the association.

Government grads rate department high

The vast majority of respondents to a survey on behalf of William and Mary's government department gave the department high marks for its curriculum, classroom instruction and advising, according to a report in *Government Update*. "The vast majority also recalled being satisfied with the substantive knowledge and analytical skills conveyed in their courses here," the article noted.

The 500 former students surveyed were graduates of the classes of 1981, 1986, 1996 or 2001. Overall, 89 percent of those responding said "Yes" to the question asking if they would "recommend that a current student concentrate in government."

Family Weekend Draws More Than 1,100

Free food seemed more appealing than personal independence for many students as William and Mary welcomed parents and siblings for Family Weekend 2002.

More than 1,100 families registered for this year's events. From Colorado to Florida they came to Williamsburg, all bearing gifts for their respective college students. Food ranked high among those things received. Emily Jasper asked for "lots of those noodle cups," which her parents delivered fresh from Virginia Beach. Lauren Lucarini convinced her folks to bring chocolate covered pretzels from Boonton Township, N.J. For sophomore Ben Carafiol, the highlight of his parents' visit from St. Louis, Mo. was "the chance to get a good dinner out!"

Other students asked for more practical things.

"I asked my mom to bring a bunch of clothes, a suitcase, and of course, money!" said sophomore Alexis Serna from Coco Beach, Fla.

Sadly, some students didn't



Tim Jones

Junior Darren Lucas enjoys refreshments with his family at the President's Reception. The Lucas's traveled from Steamboat Springs, Co., for Family Weekend, toting Darren's guitar.

get everything they asked for. Sophomore Vivek Ramakrishnan's mother drove from Big Stone Gap, Va., without the Dirt Devil vacuum cleaner he requested. But she came, which was plenty.

Still, spending time with parents and siblings was more important than food and stuff. Many families had big plans for the weekend, most of which included William and Mary's home football game against Delaware. For Jasper, the gridiron match offered a unique

opportunity to spend time with her family.

"This game will be great because my brother is coming here for it, and he and I actually get along OK now," she said.

Regardless of what topped the agenda for visitors, the weekend offered a wide range of activities to facilitate family fun from lectures, receptions, trivia night, and sports exhibitions to concerts and historic campus tours.

View from the East: Onshore as the Mayflower Arrives

"Why do you call us Indians?" That question, posed by a North American Algonquian centuries ago, was offered as passing context in Daniel Richter's lecture "Facing East: North America and the Emerging Atlantic World." Richter would not use the term "Indian" again.

Richter, professor of history at the University of Pennsylvania, opened this year's Lyon Gardiner Tyler lecture series for William and Mary's history department by pointing toward four ongoing North American "structures" existent when the European influx began. These structures, Richter said, enabled North American populations to engage arriving Europeans on many different levels. He presented the structures as groundwork for current attempts to "try to reverse the default mode of historical narration" and include these new voices—not of Indians but representing various communities of native North Americans—in the history of the Atlantic world.

The four structures are:

(1) **Fluid localism:** North American communities were not unified. They were largely autonomous villages but were not insular, Richter explained. Communities relied on a mix of hunting, fishing and agricultural pursuits, and they tended to expand and contract both seasonally and over time. This expansion and contraction resulted in villages being populated by people of different skills, values and languages. This fluidity enabled villages to absorb outsiders.

(2) **Conquests and migration:** Wars and migrations further contributed to shifts in the makeup of local villages, which sometimes resulted in one population displacing another. Richter explained that this added flux—often entailing disparate power relationships—meant local populations had experiences that prepared them for the onrush of Europeans, whether they came as conquerors or as fellow land occupants.

(3) **Socioeconomic flexibility:** The wide range of skills and pursuits evident in North American communities meant local populations could engage Europeans on a variety of socioeconomic levels. In many places, between 50 percent and 75 percent of the community food stock was supplied through farming, Richter said. Tools had been developed. The North American peoples had seen many broad transformations before con-

tact with Europeans—transformations that partially prepared them for the challenges wrought by the European arrival.

(4) **Communities linked by traditional trade patterns:** Trade utilizing river routes provided linkages among villages separated by great distances. Richter said it was astonishing to find Atlantic coastal shells in places far inland. Likewise, copper from the mountains of the interior appeared on the coasts.

In summary, Richter emphasized that he did not mean to suggest that the arrival of Europeans into North American communities was not catastrophic. "All we need to do is look at the numbers of deaths from diseases that were introduced," he said. However, if on the one hand, the European influx resulted in a rupture, on the other hand it was not a rupture.

The flexibility and fluidity of North American communities meant they already had the tools to reinvent themselves, and the broad experiences of their populations provided background to make contact with the Atlantic world less intimidating.

Richter's lecture set the tone for subsequent speakers in the three-part Tyler series by applauding the efforts of fellow historians to "tell the story of North America that starts here and stays here." Historians don't own the story, he admitted. "But what we can do is try to tell the story as if we were looking over the shoulder of North American people as the Mayflower arrived."

The Tyler lectures continue on Oct. 11, when Nancy Shoemaker of the University of Connecticut discusses "About Face: Indians in Europe" at 3:30 p.m. in Washington Hall (201). The series concludes on Nov. 1 when Professor David J. Weber of Southern Methodist University and Harvard addresses "Facing North: A View from Spanish America" at 3:30 p.m. in the University Center (Chesapeake C).

The Lyon Gardiner Tyler Lectures in History have been made possible through the support of Mr. and Mrs. Harrison Ruffin Tyler. Harrison Tyler recently established a \$5-million endowment for the history department in memory of his father, Lyon Gardiner Tyler, who was an historian, prolific author, founder of the William and Mary Quarterly and the 17th president of William and Mary.

Student PAC Is Voice for Education

Continued from page 1.

"We certainly had a lot of talent," Canon said. "There was a sense that we were not out of our league." When the group elected Canon chairperson, however, he personally felt a bit intimidated. "They had the experience," Canon said. "I was the jack of all trades, the master of none. I guess the best thing I had going for me was that although the others knew a few people who were getting involved, I seemed to know them all."

In an effort to get up to speed, Canon enrolled in "summer boot-camp" at the Virginia Citizenship Institute, an organization founded and directed by alumnus Greg Werkheiser. Werkheiser took keen interest in both Canon and the initiative born at his alma mater. In some ways, it seemed the logical successor to the Virginia Student Coalition he helped create while serving as William and Mary student government president in 1995. He sensed a legacy extending itself. (See sidebar: Werkheiser's sense of legacy.)

Canon received essential insights and knowledge from both the boot-camp and from Werkheiser personally. On campus, additional help came from Michael Fox, formerly the College's director of governmental relations and public affairs and now assistant to the president. "He forced us to keep our vision realistic," Canon said. "At first we wanted to operate statewide, but he encouraged us to limit ourselves to Hampton Roads. He helped us to focus."

The group decided to pursue two primary efforts. One involved informing citizens in Tidewater Virginia about the critical need to affirm the bond. An advertising plan, geared toward radio but inclusive of regional newspapers, direct mail and a Web site, is being executed. Fundraising—an estimated \$20,000 is needed for placements beginning this month—is ongoing. As of late September, \$7,000 was in hand.

A second objective has been the registration of voters. Efforts on the William and Mary campus have included the dissemination of leaflets and registration packets. Tables have been set up throughout the campus from which students have been encouraged to register to vote or to use absentee voter ballots. On campus alone, those efforts produced 300 registrations through late September, a number that PAC members found encouraging. They were hoping to get 1,000 by the cutoff date of Oct. 5.

As they have enlisted students, PAC members have been encouraged. Van



David Williard

The Daily Grind continues to be a meeting place for William and Mary students active in the Political Action Committee.

Smith ('03), the group's fundraising director, said the response has been atypical for his age group, which generally is known for its political disinterest. He said students' interest may be heightened by the immediacy of the problem. "In many cases, they can see where their votes will be going," Smith suggested. "They can look around at the different buildings and say, 'Here is where my vote will help.'"

Students were aware of other stakes. Amy Elliott ('05) who was accepting registration information at the University Center, said she was motivated because "the bond is a big thing for William and Mary. It will help us out long-term. As great a school as this is, we have to be concerned about what a degree from here says to prospective employers."

Another student, Michelle Tait ('03), was enlisting others to register even though she, herself, lives in Florida. "If I can't vote, maybe I can get someone else to vote," she said. "Students already have been affected. Because of financial limitations here, one of my favorite professors left for Princeton. We have some of the best professors in the nation. If we lose them, the College suffers for history."

PAC members plan on being successful. So far, they have received much encouragement. State officials have been supportive. Lt. Gov. Timothy Kaine and Virginia state senator Thomas K. Norment agreed to be honorary co-chairs of the organization. The group has received unsolicited media coverage, including an article in *The Washington Post*.

David Solimini ('04), the PAC's communications director, in part, credits the

finesse of Canon. "He is a natural leader," Solimini said, "and a pretty good organizer. He is good at keeping us focused on our goals and pushing us toward success."

Like other members of the PAC's board of directors, Solimini is surprised and pleased at some of the responses. "We've been lucky in that people have recognized the value of our message and the legitimacy we bring. It can be easy to write off a bunch of kids, but we have been recognized."

From his vantage point, Werkheiser has not been surprised. "They have done a great job of organizing," he said. "They have been very politically savvy with a controversial issue, savvy to the extent that they set measurable goals and have generated bipartisan balance. They've met with the right people and have not been afraid to ask high-ranking officials for support and even money, which is tough to do."

For his part, Canon deflects any special credit—to William who raised over \$4,000 in a little over a week, to Jessie who did all the research and to others who have participated. His leadership does seem natural; others have followed.

"Ultimately we all have the same goals," Canon explained. "As students, we love the College. We work with the administration; they love the College."

As for becoming the new voice that has been needed, Canon remains extremely focused. "We're not going to let the bond not pass," he said. "We're trying to make this a bond issue on higher education. We believe that the General Assembly is going to take it as such. It is about the future."

by David Williard

Werkheiser's Sense of W&M Legacy

William and Mary alumnus Greg Werkheiser ('96) takes a long view of the student's PAC. He said:

I came to William and Mary through an act of extreme generosity by someone who did not know me that well. He knew that I was poor and could not afford to go to the College, and he was upset because my grandmother was upset by that situation.

It turned out that every year he would provide me a check. His only requirement was that I eventually put myself in a position to do that for someone else, and to leave William and Mary a better place for having been there. I have tried to do that through a variety of means, and having the chance to know and hopefully help these students with the PAC was very special. It seemed like a continuation of my own efforts to promote the need for funding for education.

William and Mary was the intellectual birthplace of so many of the founding fathers of this country, and I think the best is yet to come. Folks like Brian Canon and others are going to remind people that after 300 years we're still turning out minds that can lead not only Virginia but the country.

The fuel that runs our institutions is money, and in Virginia, we are extremely proud that we have one of the best, if not the best, system of public higher education in the nation. We didn't get there by cutting resources. We got there because many years ago, several different generations invested heavily and wisely in that structure. It's been too long since the appropriate investments have been made, and now, with the current fiscal situation, it's like we are just heading backward. That's not only going to damage the value of the degrees of people who already have graduated from the College but the value of the degrees yet to be conferred.

My heart is in Williamsburg and always will be. Going to William and Mary fundamentally changed my life in ways that I'm not going to soon forget.

sports briefs

Volleyball falls to VCU

The College's women's volleyball squad fell to 3-11 after it dropped a match with VCU 3-0. The team now goes on the road for five successive matches, beginning with one at UNC-Wilmington on Oct. 4.

Women's Cross Country ranked 21st

The College's women's cross country team received 131 votes to rank 21st in the nation. The ranking followed the team's ninth-place finish at the Great American Cross Country Invitational in Charlotte, N.C. The team next competes at the Penn State invitation on Oct. 12 in State College, Pa.

Football team outscores Delaware

Behind 326 yards of passing from senior quarterback Dave Corley, Jr., William and Mary held on to defeat Delaware 45-42 before a crowd of 11,682 at Zable Stadium on Sept. 28. It was the second straight victory for the team, which improved to 2-2. In passing for the yardage, Corley set the College's career passing mark by surpassing Stan Yagiello. The team next plays at Hofstra on Oct. 12.

Field Hockey falls at No. 7 North Carolina

William and Mary's field hockey team scored first but failed to upset No. 7 North Carolina on Sept. 28. UNC won 2 goals to 1. William and Mary fell to 3-6 with the loss. The team plays again on Oct. 6 when it travels to take on No. 13 Duke.

Men's Cross Country finishes first

The men's cross country squad finished first in the Paul Short Invitational, held in Bethlehem, Pa., on Sept. 28. The Tribe finished all seven runners in the top 50, topping 23 other division I and division II teams in the 8,000 meter race. The squad next competes on Oct. 19, when part of it travels to Terre Haute, Ind., for the NCAA Preview Invitational. Other members of the team will host the Tribe Open at William and Mary's Eastern State Course.

calendar

PLEASE NOTE ... Members of the College community may submit items to the calendar and classified ad sections of the *William & Mary News*. College events and classifieds must be submitted in writing through campus mail, by fax or by e-mail. Submissions must be signed with a contact name and telephone number for verification purposes. Items may be edited for clarity or length. Direct submissions to the *William & Mary News*, Holmes House, 308 Jamestown Rd. Fax to 221-3243. E-mail to wmnews@wm.edu. Call 221-2644 for more information. The deadline for the Oct. 17 issue is Oct. 10 at 5 p.m.

Today

St. George Tucker Lecture: "The Languid Rise and Precipitous Fall of Corporate Insider Loans," Jayne Barnard, Cutler Professor of Law. 3 p.m., Law School 127. 221-1840.

Sixth Annual Minnie G. Braithwaite Lecture in Women's Studies: "'Wouldn't It Be Lovely?': Broadway Musicals, Feminism and Queer Spectatorship," Stacy Wolf, University of Texas, Austin. 7 p.m., McGlothlin-Street 20. 221-2457.

Multicultural Affairs Presents: "Yo Soy Latina." 7 p.m., Commonwealth Auditorium, University Center. 221-2300.

Today, Oct. 10, 17

CWA/Town & Gown Luncheon and Lecture Series: "Bad or Good: The Legacy of Michelangelo in 17th-Century Florentine Art," Miles Chappell, Chancellor Professor of Art and Art History (Oct. 3). "Accuracy and Accommodation: Presenting the 18th Century to a 21st-Century Audience," Mark Howell, director of program development, Colonial Williamsburg (Oct. 10). "Music in Film: The Music We Forget to Notice," Katherine Preston, associate professor of music (Oct. 17). 11:30 a.m.-1:30 p.m., Chesapeake Rooms A and B, University Center. 221-1079.

Oct. 4

William and Mary Day at Busch Gardens: 10 a.m.-10 p.m. Tickets on sale at the University and Campus centers. Tickets are \$15 for the first 2,000, \$22 for the remainder.

Oct. 4-5

UCAB Film Committee Presents: "Traffic" (Oct. 4) and "Insomnia" (Oct. 5). 7 and 9 p.m., Commonwealth Auditorium, University Center. 221-2132.

Oct. 6

Occasion for the Arts: The Gallery Players will perform at 3 p.m., Williamsburg Regional Library. The William and Mary Band will perform at 4:30 p.m., Trinkle Hall. 221-1071.

Oct. 8

HACE General Meeting: "Highlights of William and Mary Sports," Terry Driscoll, director, athletic department. The Employee of the Month Award will be presented. Yearly membership is \$7. Nonmembers are asked to contribute \$3 toward ongoing special projects. Noon-1 p.m., Tidewater Rooms A and B, University Center. 221-1791.

Oct. 9

Concert: William and Mary Jazz Band. 7:30 p.m., Lodge One, University Center. 221-1071.

Oct. 9, 22

Student Lunches with President Sullivan. President Timothy Sullivan will host a series of lunches to give students an opportunity to meet with him informally in groups of 10. Lunch begins at noon (Oct. 9) and 12:30 p.m. (Oct. 22) in the President's House and lasts approximately one hour. Students may sign up to attend a luncheon by contacting Carla Jordan at 221-1693 or cajord@wm.edu.

Oct. 10

Illustrated Talk and Book Signing: Merritt Lerley '58, author of *Wondrous Contrivances: Technology at the Threshold*. Sponsored by

Friends of the Library. 3:30 p.m., Botetourt Theatre, Swem Library. Reception will follow. Signed copies of the book will be available. 221-3060.

Reading: Novelist and poet David Huddle, whose most recent novel, *La Tour Dreams of the Wolf Girl*, was published earlier this year. 8 p.m., McGlothlin-Street Auditorium. 221-3922.

Oct. 10-12, 17-20

William & Mary Theatre: "A Little Night Music." 8 p.m. (Oct. 10-12, 17-19) and 2 p.m. (Oct. 20), Phi Beta Kappa Memorial Hall. Tickets \$10. For reservations, call the box office at 221-2674 from 1-6 p.m., Mon.-Fri., and 1-4 p.m., Saturdays.

Oct. 10-15

Fall Break

Oct. 11

Lyon Gardiner Tyler Annual Lecture Series— "Views From Indian Country: New Perspectives in Early American History": "About Face: Indians in Europe," Nancy Shoemaker, University of Connecticut. 3:30 p.m., Washington 201. 221-3720.

Oct. 15

Orientation Session for Weight Watchers at Work Program, noon, James Blair 201. For more information, call Debbie Wilson, 221-2716, or Jackie Smith, 221-3157.

Oct. 17

Appointments with TIAA-CREF Representative, 9 a.m.-5 p.m., Thiemes House. To schedule an appointment, visit the Web site at www.tiaa-cref.org/moc or call Juanita Hill at (800) 842-2008.

Oct. 22, Dec. 5

Student Open Houses with President Sullivan. President Timothy Sullivan has reserved office hours especially for students to discuss issues that concern them (or just to chat). Individuals or small groups may reserve 10-minute appointments from 4-5 p.m. Contact Carla Jordan at 221-1693 or e-mail cajord@wm.edu.

Tuesdays

William & Mary Christian Faculty Fellowship Meeting, 12:15 p.m., Colony Room, University Center. 221-3523.

Wednesdays

Informal Meeting of Faculty Group: A group organized to read the Hebrew Bible in a non-religious context. No preparation required. Bring an English-translation Bible of your choice. 10-11 a.m., Morton 340. For information, e-mail Naama Zahvi-Ely at nzaha@wm.edu or call 229-2102 (home).

exhibitions

Sept. 30-Oct. 25

Plein-Aire Revisited, landscape paintings by 16 experienced artists whose work is united by a fresh and direct response to their diverse sites, from urban rooftop to rural sunset.

The exhibition will be on display 9 a.m.-5 p.m. weekdays in Andrews Gallery, Andrews Hall. 221-2519 or 221-1450.

Through Oct. 6

Ken Aptekar: Painting Between the Lines, Works from 1990-2000

with 10" woofers. Rack for components and all wiring included. Very good condition, all components work well. \$150 OBO. Call 258-8609 (evenings) or e-mail gwgilc@wm.edu.

Estey spinet piano in good condition. \$200. Contact Ellen Strong at erstro@wm.edu.

Living room set: couch, love seat and chair. Light tan, floral pattern. Comfortable, in good condition. Call 564-6996.

FOR RENT

Semi-furnished 4-BR, 2-1/2-bath house, about 3.5 miles from campus. Dishwasher, washer-dryer. Central heat/air, deck. Access to Powhatan Creek, James River. Biker access to Colonial Parkway. Nonsmokers only, no pets. \$1,200/mo. + utilities and deposit. References required. Call 220-1086.

Fully furnished 4-BR, 2-1/2-bath house in Seasons Trace, about 10 minutes from campus. Central heat/air, deck. Kitchenware, linen included. Nonsmokers, no pets. \$1,250/mo. plus utilities and deposit. References required. Call 565-1495.

Student Health Center Can't Help With These Bugs



Katie Stuart '05 (foreground) and Kathleen Simons '04 search the campus for the 50 different insects they each need for an entomology class led by Professor of Biology Norman Fashing. When this photo was taken, Katie had 15 insects after four hours of beating the bushes; Kathleen had 20. As to the fate of the bugs, we did not ask.

Through Oct. 15

From Ribera to Sanchez: Hispanic Artists in the Old World and New

These exhibitions will be on display in the Muscarelle Museum on Wednesdays, Saturdays and Sundays from 12 noon until 4 p.m., and on Thursdays and Fridays from 10 a.m. until 4:45 p.m. The museum will be closed Mondays and Tuesdays. Admission to traveling exhibitions will be free for museum members and William and Mary students. All other visitors will be charged an admission fee of \$5. Admission to galleries that display objects from the permanent collection is free. 221-2703.

Note: The exhibition From Ribera to Sanchez: Hispanic Artists in the Old World and New is part of the Hispanic Heritage Month celebration. Admission is free.

sports

Oct. 5

Swimming and diving, Colonial Scrimmage Women's soccer vs. George Mason, 7 p.m.

Oct. 11

Men's soccer vs. JMU, 7 p.m.

Oct. 12

Field hockey vs. Davidson, 1 p.m.
Men's soccer vs. George Mason, 7 p.m.

Oct. 15

Field hockey vs. Richmond, 2 p.m.

Oct. 18

Volleyball vs. George Mason, 7 p.m.
Women's soccer vs. Drexel, 7:30 p.m.

Oct. 19

Men's cross country, Tribe Open
Swimming and diving vs. JMU
Volleyball vs. JMU, 5 p.m.
For information, call 221-3369.

looking ahead

Oct. 21

Distinguished Faculty Lecture: "The Psychology of Peacekeeping: Realities of the New World Disorder," Harvey Langholtz, associate professor of psychology. 7 p.m., Andrews 101. 221-7737.

Oct. 24-27

Homecoming: "Come Together." For a complete schedule of events, visit the Alumni Association Web site at <http://www.wm.edu/alumni/>.

community

Oct. 5

The Susan G. Komen Breast Cancer Foundation Tidewater Race for the Cure: The College community and their families are invited to join in this event to raise money for breast cancer education, low-cost mammograms and related health service through community-based organizations. To participate, visit www.hamptonroads.com/racefortheure on the Web or e-mail Andy Le at atlexx@wm.edu.

The next issue of the *William & Mary News* will be published on Thursday, Oct. 17. The deadline for submission of items is 5 p.m. on Thursday, Oct. 10, although submissions before the deadline are encouraged. Call 221-2639 with any questions or concerns. For information about classified advertising, call 221-2644. Ads are only accepted from faculty, staff, students and alumni.

The *William & Mary News* is issued throughout the year for faculty, staff and students of the College and distributed on campus. It is also available on the World Wide Web at www.wm.edu/wmnews/wm_news.html.

News items and advertisements should be delivered to the *News* office in Holmes House, 308 Jamestown Rd. (221-2639), faxed to 221-3243 or e-mailed to wmnews@wm.edu no later than 5 p.m. the Thursday before publication.

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classified advertisements

FOR SALE

1995 Mazda Protege LX. Automatic transmission, AC, power locks and windows. Runs great, one-family owned. \$2,900 OBO. Call 221-1164, M-F, 9 a.m.-5 p.m.

1991 Toyota Camry, standard, burgundy. 180K miles, completely reconditioned engine has 56K miles. Runs smoothly, fair condition. Blue book is \$1,500, will sell for \$1,000 or best offer. Call Tom at 220-7205 or 259-0030.

1988.5 Ford Escort LX hatchback, white with blue interior. AM/FM radio, power steering, 5-speed manual transmission, AC, New battery and clutch. A little over 100,000 miles. Excellent gas mileage, good condition. Asking \$1,000, negotiable. E-mail jjrane@wm.edu.

Woman's Peugeot 10-speed bicycle, \$30. Bookcase and other miscellaneous household items also available. Call 258-5015.

Technics stereo system, includes integrated amplifier, tuner, cassette deck, turntable (needs new cartridge) and 5-CD changer. Large 3-way speakers