UNCAS McTHENIA

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Mame Warren,
interviewer

Warren: This is Mame Warren. Today is the thirtieth of April 1996. I'm in Lexington, Virginia, at the law school at Washington and Lee University, with Uncas McThenia.

You're a seven-year man, right?

McThenia: Yes, but over a ten-year period, a nine-year period, I guess.

Warren: Obviously the thing I want to talk to you most about today is the law school, but I'd like to go back to your undergrad days, if you can think back that far, because one of the things I found out in doing my little bit of research is that you were on the football team right after the big changeover.

McThenia: Indeed I was, yes.

Warren: Can you talk about that?

McThenia: Well, it's not a very famous chapter. Yeah, I can talk about that, because that really was one of the sort of highlights of my otherwise undistinguished career as a student. One of the reasons I came to Washington and Lee is because I thought that I would be able to play freshman football. I was never any good in high school, sort of a second string or just barely—you know, just not very good. But I thought, well, I could at least play freshman football later and that would be fun.

It turned out that spring and summer after I graduated from high school is when they dropped the whole schedule and all the stuff appeared in the papers

about cheating scandals and one thing and another. So football was off. Being young, I didn't think any more about it one way or the other, I guess. The last thing I thought about was college much.

But when we came here, they had what they called in those days a Freshman Camp down at Natural Bridge. All the incoming freshmen went for three days to be oriented toward the school. In that meeting, the school was sort of bending over backwards, the officials and the administrators were bending over backwards, apologetic, and saying, "This is no smirch on Washington and Lee's character," and this and that, and, "We'll get on with life here, and we promise you will have a football team and we'll have one this fall."

So I salted that away. Two or three other guys who were there with me were scholarship students, and Washington and Lee had honored those scholarships. Those guys had come here to play football, the team had been dropped, Washington and Lee said, "We gave you a scholarship. You can come." I was not one of those, but some of my friends were. So nothing happened the first two or three weeks, and nothing seemed to be happening in September, so we started our own form of student protest, said, "Where's the football team you promised us we were going to have?"

My recollection is we did things which were utterly brazen for the 1950s. We asked questions and told people, "You made these promises to us," and things students didn't normally do in those days. But the long and short of it is, I think that we were responsible for one of the greatest hires that Washington and Lee ever had. Maybe I just inflate our position, but we kept making a little bit of noise about it, but they went out and the school hired Boyd Williams. Do you know Boyd?

Warren: No.

McThenia: He is the single best teacher I ever had in college. He was an insurance man here in Lexington who had played for Syracuse University and then had played

for the old New York Giants or maybe the Philadelphia Eagles, I don't remember which, and Boyd was prevailed upon to come up and put together a football team of the rattiest-looking talent you ever saw, and he did it, and it was truly incredible, the kinds of things that Boyd Williams put up with. Here's a guy who was a real professional, putting up with a bunch of young men who the only ones who were any good didn't go out for football, and the only people who went out were a bunch of jerks like me, but he stuck with that the whole fall.

We went off, I remember the first game, I think Frank Parsons was a sportswriter or something, he was just out of college, he was the publicist for Washington and Lee. They didn't have many publicists in those days. But we went down to a place called Hargrave Military School, which is somewhere down in the south side, and got beat. Then the next week I think we played Staunton Military School or something, and got beat again. Finally, I think, the Hampden-Sydney JVs beat us. So we were god-awful.

As I say, the good guys, the people who were on real football scholarships, not many of them came out. Some of them switched to basketball, like Dom Flora, Frank Hoss. Those two I know came as football players, but they didn't play football, they played basketball. But some of the football players like Fred Heina, who came on scholarship, did play and some other ones didn't. Most of the sophomores, the people who were freshmen the year before, and juniors who were still left, most of them did not play that season. A few of them did, but most of them said we were rinky-dink, and we were pretty rinky-dink. But they were mad at the university, I expect. But they didn't play much. So it was a chance for a bunch of people who didn't know what they were doing to be able to play football. So we did that for the whole year.

I really do think that of all the teachers I had in my career at Washington and Lee and other places, that Boyd Williams was probably the best teacher I ever had.

Warren: And what did he teach?

McThenia: He was just a football coach. I don't mean "just" a football coach pejoratively, but that's what he did. But he took people who weren't worth a damn, Mame, and made us better than we were. You know, if you'd do something that was halfway acceptable, he made you feel like a king. If you missed something that was hard, he made you think you couldn't have gotten it anyway. He was so important in my life and he was so important in a lot of folks' lives. He had such integrity. He still lives here and he's not well. He's retired and he lives over on Barger Drive, I think. He has Crohn's disease, and Boyd's pretty elderly now. But I talked to him last year, was the last time I talked to him much.

Burr Datz runs a Catholic Student Ministries or something here, they asked me to do something last year called Last Lecture. If you had a chance to give a last lecture, what would you say, and I said, "Well, you shouldn't give one." Then I began to talk about Boyd Williams, and so it's not far from my memory that he was so good with a bunch of—I won't talk about the rest of the guys, but third-rate football players. We didn't win any games, but we had a sense that we were somehow important. We had a sense that we somehow were doing the best we could.

He was gruff, mean, ugly, never cursed, but you wished he would curse because sometimes his silence was worse than his yelling. But he had such incredible integrity, because he obviously had a successful business. I can't believe they paid him very much to do this.

The next year Washington and Lee hired a "real coach," Bill Chiply, to put the football program on the road again. Well, Bill was good, but I think it was because Boyd had been there when nobody else was there, we all had our confidence in him. And this is what I mean about integrity. He saw that we were going to look to him more than we should if he was assistant coach, and he took to leaving and never

coming to our games. He would go scouting, that's what he said. I'm sure he was scouting, but I think one reason he was doing that was to not interfere with Bill Chiply's authority as chief coach, because unconsciously or consciously, we weren't trying to subvert Chiply, but I think we tended to look to Boyd for leadership. Boyd would just absent himself because he wasn't the guy in charge. So whatever ego he had, he burned it away. That was the kind of teacher he was. He just got out of the way. He'd stir up something inside of you that you didn't have, and you didn't think you had, and he'd help you find it.

I really think that people have this thing about empathy all wrong. I don't think empathy is something you get from walking in somebody else's shoes. I think empathy is when somebody finds an opening in you that's restless and stirs it around, and whatever stirs up gives you something that you didn't know was there. And that was what Boyd did for me and a lot of other folks. I can think of other people who were on that team who still feel the same way about Boyd. Fred Heina is one of them.

Warren: He sounds like an impressive person.

McThenia: He is. He really is an impressive guy.

Warren: You mentioned that you were stirring things up to get a coach and to get the team going. Who were you stirring up? Who were you talking to?

McThenia: We were talking to other students. I recall going to the Dean of Students' Office, and I have a recollection, but I don't know this for sure, that we may have had what was an early student protest. We never had the temerity to walk into Dr. Gaines' office, but I have some memory of standing out in the hall out there and thinking we were hotshots and speaking in a loud voice so people would hear us. Not that we were taking over Washington Hall, but I have a recollection of asking for promises to be fulfilled. I can't know whether we were asking that of

ourselves or just yelling or what we were doing. We did have to do a little scurrying around, is my recollection.

Warren: You mentioned the Freshmen Camp. I wonder if that wasn't an extraordinary Freshmen Camp you went to, being the first Freshmen Camp after such a big scandal.

McThenia: Probably was, but the whole experience was so overwhelming for me that I wouldn't have any way to have any focus on that.

Warren: Tell me what you mean about being overwhelmed.

McThenia: Well, I was a kid coming to college for the first time, first time being sort of on my own where I could go to movies and do things I wanted to. All I have is my reactions of me walking into a big world, not how that world was reacting to me. There was a certain amount of apologetics going on at Freshmen Camp that year, and there was a certain sensitivity, I think, to making sure, probably no more than usual, but that we were kind of aware that Washington and Lee functioned with an honor system, and there was some conversation about those events.

The guy who was president of the student government turned out to be a friend of mine, and he was a very sensitive guy and he probably went out of his way to sort of talk about the university and about the part of student government in the university and the part of the football program. His name was Watty Bowes. He's a doctor now and teaches at the University of North Carolina Medical School, I think. He is very active in the pro-life movement. The last time I saw his name, he had filed an *amicus* brief in the *Casey* [decision in Pennsylvania recently.

Watty was from Denver, Colorado, and he was a member of the same fraternity I belonged to, and that was a jock fraternity. He was not an athlete himself, but we lived with all those guys. None of our fraternity brothers had been kicked out that spring in the football scandal, but many of them were football players. Many of them were scholarship football players. So I'm sure that they were

grieving and they were smarting and he probably was, too, at Freshman Camp. But that's after the fact. That wasn't my assessment at the time. My assessment at the time was, gee, I'm a young guy and all this world is here and what do you do with it. So I don't know what was going on from the University's perspective.

I do know that they quickly closed down the Beanery, over behind Washington Hall. There used to be a road that went through there that went behind Reid Hall, and that slope where the library is now, there used to be a couple of old buildings hanging off the side of that slope. They were cinderblock buildings, and one of them was some secret facility for telephone communications, and I don't know what that was all about. They apparently had some documents stored in there during the Second World War out of Washington.

But the other one was what they called the Beanery, which was kind of a dining hall facility basically for athletes. Everybody else ate in the fraternity houses or else ate in restaurants. The Beanery was open for a very few days that fall, and my recollection is it just didn't open anymore after that. I think they probably had the Beanery there for athletes, and particularly football players, to have training tables. It might have been also for guys who didn't have the money to be in the fraternities, those kinds of things. The only sort of perceptible thing that we saw was they tried to open the Beanery and it didn't stay open very long.

But I don't know what was going on at the University. No gala homecomings, obviously, which had been apparently pretty notorious in the early fifties.

Warren: So there was no homecoming your freshman year?

McThenia: No, there was no homecoming game. I think Boyd spared us that shame. We didn't have anybody we could have played anyway, unless it was Sweet Briar. [Laughter] No, there was none that fall.

Warren: That's interesting. I hadn't heard that before.

McThenia: I'm pretty sure there was not.

Warren: I suspect you're right. I suspect you're right. That's an era I'm just beginning to explore, so I was real excited when I realized that you arrived at that time.

So you were a geology major?

McThenia: Uh-huh.

Warren: What inspired that?

McThenia: I wanted to be a forester, and that was the only thing I could do that would allow me to sort of spend a lot of time outside. Actually, I came to Washington and Lee, and I don't know quite know what all the combination was, but at the end of the year I decided I wasn't going to come back, and I didn't. So I transferred and I wanted to get on about being a forester. I had this kind of self-important notion of who I was. And much to the regret of some people who became very good friends of mine and some teachers who meant a lot to me, I transferred to N.C. State in Raleigh and scandalized my folks.

Ended up, it was a pretty stupid thing to do. I'd been there about a week and I realized I'd made a pretty bad mistake, and so I wrote Dean Gilliam, because he tried seriously to talk me out of going, and a guy named Marshall Fishwick, who taught here, had been a friend of mine and had been in some ways a mentor in my freshmen year, and he had tried to keep me in school and keep me from transferring. I was too young to pay attention to anybody's advice, and so I transferred and then came back. Both of those folks just welcomed me, let me back in school, first of all, and welcomed me with pretty open arms in February.

I was just looking for something. I realized that there was something I was learning at Washington and Lee that I was not learning at N.C. State, and part of that was to learn how to read and to write. The school was too big at N.C. State, so

you just sort of had—I wasn't smart enough to learn on my own the way you have to do in a big school like that.

Warren: So why did Washington and Lee work so well for you? What was the method of teaching and learning that made it work for you?

McThenia: There were a lot of people who welcomed questioning, and I was probably pretty arrogant in those days, but they would tolerate it. Some people, I suspect they went out of their way to bait me, because they figured that I did have a little bit sense and they'd not bait me, but they would pay attention to me, give me a chance to argue with them.

I had a real interest in politics and I had a real interest in kind of really milking this experience, but I also wasn't brave enough to it. So there were people out there who were just smart enough to push it a little bit and they would do it in a way that I'd push back, and allowed me to kind of get over my provincialism and some of my insecurity. I guess Dean Gilliam was particularly helpful about that. Marshall Fishwick got a bad rap from a lot of people around here, but he was always there with a question to hook my mind for me.

Warren: Tell me more about that. What would he do? How was he in the classroom? Why did it work?

McThenia: He was a showoff, but he also would engage. He wouldn't just shut you down if you asked a question. He encouraged that kind of questioning and he was fairly political, trotting out his kind of Yale half left-wing politics, and I was kind of a right-winger. But he sort of welcomed argument and welcomed discussion.

Then the guy who taught geology, Marcellus Stowe, was in many ways like Boyd Williams, he was too easy. He was never sufficiently demanding of his students, but he really did make learning an adventure. He would just tell a bunch of stories.

Over there where John Elrod's office is now—I think it's John Elrod's office, the presidential suite—that used to be a two-story affair and it was called Washington Chapel. Down on the level, the real 200 Level, he stood there and lectured and basically lectured and told stories. Then you had the room full below him and then there was a balcony. Geology was probably the easiest major or easiest course in the school or something, so you had all kinds of people in there. That's one of the reasons I got there because a lot of football players were there, I think. But in spite of being too easy, he really did know how to tell a story that made sense and excited your imagination about what happened to the Earth that you live on and kind of made it come alive.

Then some of the other courses that worked for me were just sheer hard work. I mean, they worked the hell out of you in the chemistry courses I took. We had Saturday classes, and on one Saturday we'd have a chemistry test, on the other Saturday we would have an English test. Then on the Saturday that we didn't have an English test, we always had a theme to turn in. So, you know, I spent most every Friday night in school in the library. Now, other people might have been clever and could get their courses arranged so they didn't have to put up with that, but I never could. And it's probably the best thing that ever happened to me, because you would spend a lot of time in the library and you would get bored with studying and you would go read something interesting.

But the chemistry department was good. Why I think I learned there is that they'd give you just about that much, a pint's worth to learn, and it took you a long time to learn that pint's worth, but once you did it, you knew it. And you couldn't not learn it because you had to know it to get the next pint. So it was the incremental way in which the course was taught, the necessity to do things yourself in a lab, the kind of accountability principle that you had to be accountable every week, that was good.

Warren: How were you accountable?

McThenia: You were accountable in terms of the lab work you did and also in terms of the test you had to take on Saturday. I think I was probably one of Bill Watt—do you know him? Have you met Bill Watt?

Warren: Not yet. He's on my list.

McThenia: I think I was one of his early students. He may have been a first-year teacher. I doubt it. He was very young. I was an early student of his, I remember that. They had that whole chemistry department limbered up so that one guy would beat on you for a while, and he'd disappear, and another guy would come beat on you for a while, and he'd disappear. So if you had a fifteen-week semester, you had about six people whacking on you, and they all had little pieces of a workbook that they put together on these old mimeograph machines. Whoever taught that part of the course had written that part of the workbook, because he knew where every John Tittle was in there, and you damn well had to work. I mean, they were tough and very good. They sort of ran the course in segments, I think. Everybody who taught, obviously there weren't six of them, there were probably three or four of them, all those people who taught those segments were all rigorous and they all, unfortunately, seemed to know you. You'd think you'd be getting a new teacher you could sneak by, but that didn't work. [Laughter]

Warren: They chatted as they shifted, from one to the next.

McThenia: Yeah, yeah. Then there was a guy who taught English, Ross Bordon, and I used to make As on his tests and Cs on his paper requirements. He said, "You'll never make a B." So he gave me a C at mid-semester or something.

I said, "Why doesn't that average out to a B?"

He said, "You'll never get a B from me unless you can write a better paper than you're writing, unless you can write a B paper." I don't think I ever wrote a B paper. I think he gave me a B; I'm not sure. But he was rigorous, but he cared. The

way in which he marked your papers, you could tell. He, with a perfectly symmetrical circle, would circle an error, and never said anything about it, but it was always in red ink. It takes a lot of caring to make a symmetrical circle. I can't do it. So he kind of taught that way. He was a very tough teacher, but a good teacher.

Warren: Ross Bordon. Was he here very long? I don't know that name.

McThenia: I don't think so. I think he was here fewer than ten years, and he went to a school down in Florida called New College. It was a new college. I think he went down there because it was sort of new and experimental, and taught there for the rest of his career, I believe, because I've had law students who were students of his in his more mature years, older years. But I don't think he stayed around here very long, and he didn't ever appear to be part of the Washington and Lee establishment.

Warren: Who was the Washington and Lee establishment then? Who were the big names?

McThenia: I'm not sure. Fitz Flournoy. I don't know who the establishment was. Students had some perceptions which were usually wrong. I assume that the intellectual establishment was probably Dean Leyburn; Myers, who taught philosophy; Behrman, I guess, taught economics; Wheeler taught political science. And then there was a kind of shaggy-dog establishment, like Fitz Flournoy, who taught English.

Warren: Why shaggy-dog?

McThenia: Well, they'd been here for a long time. These guys like Leyburn, Behrman, Wheeler, all sort of came in from somewhere else, and Flournoy had been here forever, lived in Lexington, and probably drank too much. He would drink with his students; I don't know whether he drank too much or not. But shaggy-dog because he sort of looked like a sheepdog, kind of—well, like a sheepdog, looked sort of tacky, hair was here and there, and he had all these old half-sewn-on

patches on his coat. Those guys were really good teachers, and there was a guy named Moffett. But my guess is that they were not among the intellectual elite. I don't know that. They were rigorous teachers, but they probably were not the image that some of the hotshots would liked to have had for Washington and Lee. Somebody like Tom Wolfe would know that better.

There's a guy over here at Hampden-Sidney, he's a writer, he's got a really good fix. I've heard him read here a couple of times, and I can't think of his name now. He lives in Farmville. He was in that writing group with Tom Wolfe.

Warren: Yes, he talked about him.

McThenia: Tom Wolfe said he was the best writer he ever read.

Warren: Bill Hoffman?

McThenia: Yes, Bill Hoffman. But Hoffman, I think, would have a fix on that old English department crowd that I don't know, because I wasn't in it. I sort of took the courses occasionally. He wasn't around here. He may have been here while I was, but I don't think so. So I don't know who the intellectual elite was.

Warren: How about Dean Leyburn? Did you have any interaction with him?

McThenia: Yes, I did, and it was a very positive interaction. Not much when I was in college, just a "How are you" kind of thing. He used to come occasionally to our fraternity, and we would sort of have after-dinner sessions occasionally and we talked, but I never took any of his courses in college. I got to know him later when I was in law school and involved in student politics.

Warren: Shall we make that shift? Shall we shift over to law school?

McThenia: Let me think. My impression was that Dean Leyburn always, unfortunately, knew who I was. [Laughter] And I never was a student of his. I always got the impression that any encounter with him, I always felt like maybe I wasn't doing what I should be doing sometimes. He had that kind of stern eye. So when you're a young person, some people do.

Warren: He had a stern eye?

McThenia: Yeah, and he was always very formal. I didn't think he knew me, but he always did. [Laughter]

Warren: So what were these politics in law school?

McThenia: He wasn't in law school.

Warren: No, I know, but you're saying you knew him because you got involved in politics in law school. Were you involved in politics as an undergrad?

McThenia: Yeah, but just sort of a back-room guy.

Warren: Let's get into law school. Let's get you into the front room.

McThenia: I was in law school, came here in mid-year, February, January, whenever it was. I was finishing a big piece of work when I started law school. I wasn't going to stay here, I was just going to law school because it was one of the places I could get in mid-year. I was finishing up a master's thesis from Columbia. I finished it and then I had a job that took me to Germany for the summer. The long and short of it is, the longer I stayed here, the more I liked it and the more friends I made. See, I was worried about coming here to law school and falling back into the trap of juvenile behavior that I'd sometimes been into when I was in college, sort of bored being back in Lexington. Well, I didn't. I just developed a new set of friends and it became the kind of place that was interesting to me. And it was a good place to study law.

In the process of that, in 1961 or something—I'm trying to back up from when I got out of here—spring, I guess, of 1961. The university politics used to be controlled by fraternities in very definite kind of political machines. It was good old "Dick Daley take care of your brother" politics, so whoever controlled the political slate got to make all the appointments to various other things, and we thought that had some payoff. I think it might have been blue smoke and mirrors.

By the time I'd been involved in back-room politics, they had what they called University party and Independent party. There was a bunch of fraternities around Red Square and maybe a couple of others that were University party, and the rest of us were the Independent. So there was always that fight to see who you could hijack to what fraternity you could make promises to to get them to join your party so that you'd win all the student elections that year.

The first two or three years I was in school, our crowd was in the ascendancy, as I recall, because the president of the student body when I was a freshman in college, was in my fraternity, he was an Independent. The next year, I don't know who that was, somebody else, I think; I think the other guys won. And then my senior year, another fraternity brother of mine was student body president. So we apparently had controlled the clique for a couple of years, anyhow.

When I was in law school, the system was still extant, but there was a larger block of Independent students, and the Independent party had not nominated anybody for student body president, because there was a guy who had been a real student leader, kind of a powerful politician, who was nominated by the University party, which was basically the Red Square SAE crowd, the sort of Southern guys. So nobody was going to run against him.

I was sitting around the law school one night, just sort of half bored, and said, "I'll just run against him," and so I remember you had to be nominated through some process, the student body constitution, and I went down, because the parties weren't going to run anybody against him, because I think that was the deal. They figured if they didn't run anybody against him, they couldn't get hammered too badly the rest of the ticket. But anyway, I ran and I got the non-fraternity students supporting me and kind of people who were more on the margin of the school, and got elected, much to my surprise. It really was to my surprise.

But after that thing, the next year things started to bubble around here. It was '62. '61. It was '61, and the Freedom Rides had started and the Walgreen sit-ins had started. Martin Luther King [Jr.]—they'd had the bus boycott in Montgomery. I think he had been stabbed in '59, hadn't he?

Warren: Somewhere in there.

McThenia: Well, he was recovering, and SCLC [Southern Christian Leadership Conference] was forming, and this was before the real southern strategy started, but there was some thought that something was going to go on in Danville—in fact, did, later. Virginia was in the midst of massive resistance. Prince Edward had closed the schools, I think.

Anyway, the University Christian Federation, which was then called the Christian Council, had invited Martin Luther King to speak at Washington and Lee in the fall, and the trustees had rescinded the invitation. We got hold of it on the Student Council, the Executive Committee, and wrote all the board trustees, telling them what an awful thing it was and they shouldn't do that and interfere with academic freedom and this and that and the other thing, and provoked sort of a fifteen-minute crisis.

I worked with Dr. Leyburn during that time. He was sort of an advisor of mine.

Warren: Where was he on the issue?

McThenia: He thought it was a travesty. I think he had already been fired by the board as dean. He was no longer dean. I think he was too threatening to the old-time establishment of Washington and Lee. The student wisdom was that he had notions to turn this place into a real university, and it was just too hot for the board of trustees. Whether that's reality or not, I don't know. But he was teaching. He was no longer dean. His office was in the office of the old Leyburn [sic: McCormick]

Library, which is now the Commerce School. I remember spending a lot of time sitting and talking to him in his office.

We were trying to garner support, and I think the way we did what we did, the way we got our sense about ourselves is we wrote the trustees a letter telling them that was a dumb thing to do, and probably used all the useful imagery you can think of. But actually it was a pretty polite letter, and I was president of the study body and wrote that letter, and I got letters, which John Jacob has some of them downstairs, I think. I think I have some at home, but I can't find them.

I remember Lewis Powell was on the board of trustees; Rocky Holt, who was former governor of West Virginia; a guy named Lanier from Texas; and a lot of people who were very close to the Byrd organization. If they were in the organization, I don't know, but most of them were polite letters, some of them were like, "Little boy, this is none of your affair," stuff like that. Some of them were, "Thank you very much for your letter," kind of thing, and some were saying, "You shouldn't be a student at Washington and Lee if you can write a letter like that." It was a thing you'd expect from pretty conservative men who didn't appreciate what was happening in the country. And I'm not sure I did either, but it was part of being a student.

At that time, there was a guy, Lou Hodges, you probably know. Lou Hodges would have been here a year, I think, teaching, and he was intimately involved in that whole affair as an advisor to the Christian Council or whoever. I don't know who all was on the group that invited, but a lot of people who'd been supporters of mine politically were on the group. A guy named Bill Lowry, who's a priest in the Episcopal Church, I think, in Baltimore now; a guy who used to be here as an Episcopal rector, John Fletcher, who now teaches at the University of Virginia, ethics, graduate school, teaches with Jim Childress.

Warren: I need to turn the tape over.

[Begin Tape 1, Side 2]

McThenia: John Fletcher, Lowry, a guy named Ted Gray, who, I think, teaches at the University of Tennessee Law School, maybe. I can't remember if that's Grayfred Gray. That was his name. But those folks were independent in a lot of ways. They were independent thinkers, they were interested in issues of civil rights more than I was, but I was just in a position to write the letter and kind of provoke the issue with the board of trustees.

Warren: So you were the president of the Executive Committee. Was that unusual for a law student to be president?

McThenia: It was in those days, yeah. After that, lots of times that happened, but apparently it was fairly unusual in those days.

Warren: What happened, ultimately? There's no happy ending here. He didn't suddenly get an invitation and come.

McThenia: No.

Warren: No Hollywood endings here.

McThenia: No. What happened was, I think that it was agreed that the University would set up some sort of speakers committee, and if the board didn't like—there was no happy ending. My guess is that President Cole probably got crunched on that some by us and by the board of trustees. I think he probably felt in the middle.

Warren: Do you know where he came down on it?

McThenia: Yeah, I think he came down opposed to the board's recision of the invitation. I'm pretty sure he did. There are probably records around to indicate that. But clearly the impression I had, he was opposed to the board's action, but I don't think he ever said anything to me one way or the other. We were fairly close, but he was very circumspect, also. He wasn't going to kow-tow to some jerk student. He was always very friendly and always very forthright, but my recollection is he did not disclose his position to me, but I think it was generally

assumed in the community that he thought it was a bad decision to overrule that group [Christian Council] and rescind the invitation. I don't know whether the invitation was ever extended.

Warren: Who extended the invitation?

McThenia: The Christian Council extended it, if it was extended, and I think it was. Hodges would know for sure. Hodges is a good guy and I love him, but I would rely on John Jacob's letters more than I'd rely on me or Hodges, and John's got them downstairs. Do you know John?

Warren: Yes, I did, from Marshall Library days. So how would they be filed, do you think?

McThenia: He has them.

Warren: John would know where they are?

McThenia: Yes. They were personally under the Powell Papers, but there are also some trustees things that he had down there. If he can't find them, I may have copies of some of them somewhere.

Warren: I sure would like to see those. That's something I had heard about and it was actually on my list to ask you if you knew anything about it. Little did I know that you were right in the middle of that.

McThenia: I was, and I was sort of the precipitator of it.

Warren: As president of the EC, you had a tight relationship with Fred Cole as president. What were your perceptions of him?

McThenia: He was a really good person, a man who had a vision for Washington and Lee. My guess is—and again I don't know, but my sense is that he really improved the morale of the faculty and improved the quality of the faculty, and did that with the board of trustees, which was probably not as interested in education as he was. I think he probably took the University several giant steps. Again, my hunch is that the university was not functioning very effectively in terms of its

presidential leadership before that, so I think President Gaines was not functioning very effectively.

That's the stories I've heard. But Dr. Cole was careful, thoughtful, and, without question, so far as I'm aware, really did bring the faculty along in terms of its salary and hiring people. I never heard anything really bad about him. Smoked too much. He was a hell of a handball player. I used to play handball with him a lot. He was very good. He had a way of not being "hail fellow well met," but also seemed to know people and know something about them, and was generally interested in them. I think one of the great things he did was hire Bob Murray. You know Bob Murray? That's a name you ought to have, to find out what really happened at Washington and Lee for twenty-five years.

Bob Murray was the first head of security here. He was security here. When I was a senior in college, we were such jerks—this is before I went to law school—that in 1958, if you looked in the old newspaper files, you will see that this town was outraged by our behavior, as it should have been, because we were drinking too much, partying too much.

Those Red Square fraternities down there had the arrogance to rope off Henry Street on Sunday afternoon to sell beer and have bands playing out there. The Henry Street Baptist Church, the black Baptist Church right across the street, would be having church or funerals or something, and here you've got a bunch of hotshot fraternity guys out there roping the streets off, slobbering beer all over the place. So the town really was pissed off. Excuse me.

During the next year or so, said, "You folks have got to be more responsible," and one of the pieces of responsibility was that Fred Cole—I'm sure it was Fred Cole—hired Bob Murray off the Lexington Police Department. Bob Murray was a guy who grew up as a blue-collar kid in Lynchburg, who'd played ball for E.C. Glass High School, and had been a policeman in Lexington for years, and had not been

particularly friendly when I was here. He'd been sort of friendly to me. I didn't know him well, but he was sort of friendly to me because I played football.

But he came up here and he tamed more rampant drunk lions, and there would be a lot of people who would be in jail today and would have serious criminal records had it not been for Bob Murray. He just looked out for students, he always knew when somebody was in trouble. He knew when they were getting ready to do something stupid, he knew when they were too drunk to drive a car. He traveled the whole town all the time. Every party we had, all night he'd just drive around, look for people and make sure they weren't doing something stupid or breaking up something. He was a wonderful guy.

Warren: What was his style? How would he do this?

McThenia: He would hang out. Just hang out. He'd hang out around the gym or he'd hang out in his old sort of yellow car, or he'd walk around the campus.

Warren: One person all by himself?

McThenia: For years, Bob Murray was it, 'til Burr Datz came to work for him. Ask Burr about him. You know Burr? Burr's now a Catholic Student worker for the St. Patrick's Catholic Church, and Burr was in many ways—Burr is still in many ways like Murray.

I've always thought that Burr was God's way of playing tricks on Washington and Lee. They went through all this brouhaha about hiring a chaplain a few years ago and decided not to do it, and it's because—that's another story I'll talk to you about. We pride ourselves on being a secular university in whatever we do, but I always thought it was interesting that Burr, who knew where everybody was buried, because he learned where the graveyard was from Bob Murray; he knew every student who was in trouble, who was strung out on drugs around here in the seventies and early eighties, Burr was touched, and he quit that job and became a Catholic Student Worker.

It's like if you read Luke's Gospel, all these fancy things are happening in Jerusalem and there's the king of this and the king of that, and John the Baptist was born in the wilderness, well, Burr Datz came out of the wilderness. He came up from the lowliest part of the University, the security staff, and I think Burr saved more souls and more lives at Washington and Lee than anybody except Bob Murray in the last fifteen or twenty or thirty years.

Warren: Who is this person?

McThenia: Burr Datz. He would not be on Farris' list, but he really is—he plays music. He just knew where kids were when he was in security. He knew who was in trouble, and he always knew who was in trouble, and he still knows those folks the same way. But Bob Murray started that whole enterprise. Bob Murray just would hang out, and by hanging out, he kept a lot of guys out of trouble, helped the guys who were in trouble. When people needed to be held responsible, he held them responsible. He worked under the Dean of Students' Office from '59 onward, 'til he retired. He still lives here in Lexington.

My judgment is that—not judgment. My guess is that a lot of people would not have made it into adulthood if it hadn't been for those two guys, particularly Murray. A lot of the stuff that I'm proudest of in my life in Washington and Lee has come from what I learned from those guys.

I remember fifteen, ten years ago, fifteen years ago, used to be a guy here I knew, a freshman in college, because I knew his dad, he used to meet the Federal Express truck at eight o'clock in the morning. Isn't any reason for him to be meeting a Federal Express truck in the morning. He was buying drugs. So I did what Murray used to do. I said, "I know what you're doing. You know I know what you're doing. If you don't quit it, the community's going to know what you're doing. You're going to be in serious trouble." And never say word about any of it.

That's what Bob Murray used to always do, just go to folks who were getting themselves in trouble, and say, "Get out of trouble. Quit doing that."

I think what makes this place run is Fred Cole hired good people. But I think it's the Bob Murrays, it's the Boyd Williamses, and it's the Burr Datzes who have been the stuff that students come in contact with and has been as important as a lot of the intellectual life in this community. I'm sure there are other people. Those are the ones I know very well, though.

Warren: They sound like real unsung heroes.

McThenia: Oh, they really are. I bet you if you take anybody on any football team from 1959 to 1975 or maybe even '80, and ask them, "Who's the most important guy in your memory?" that either the first, second, or third on that list will be Bob Murray. I don't know if Gene Perry had him on his list or not. But he was an incredible man. Still is. He doesn't spend any time over here now. Maybe at the gym. But there are a lot of those unsung heroes.

A guy who ended up destroying himself, worked too hard, was Moe Mays, was another one. He was a black guy here, was on buildings and grounds. He was a janitor in duPont Hall and then did another job. He just worked too hard. But he was important for a lot of students, particularly in the early days when there weren't many black students around here. His wife, Lucille, is still alive. She doesn't work anymore. She used to work in the Alumni House.

Warren: Gene Perry did mention, he said there weren't role models and they had to look for role models anywhere they could, and that the janitors were wonderful people.

McThenia: And the guy in this law school who was that way was Napoleon Borgus. Do you know him?

Warren: Napoleon Boris?

McThenia: No, Borgus. Is that his name? Yeah. Napoleon is still around here. He's a bartender here.

Warren: B-O-R-U-S?

McThenia: B-O-R-G-U-S. Let's see if I've got the right name. Yeah, and his wife's Dolly. Napoleon, on Randolph Street. He was the janitor in this law school in the basement 'til he retired, by the time he moved over here 'til he retired. He was *the* incredible confessor to most of the Afro-American students who went on through here.

Another couple of people in town who were that role were Jerry and Pooh Roane, for Johnny Morrison, Bill Hill, Gene's brother, Tony Perry. They're good people you ought to talk with.

Warren: You were obviously witness and aware of that whole era of the first black students arriving. What was your sense? Was the University ready for them? What was your sense of what was going on?

McThenia: I don't think it was, but I'm not sure you can ever get ready for a change in your culture like that.

Warren: They got ready for women on the undergraduate level.

McThenia: Yes, but. Yes, but. Let me leave it there for a minute. [Tape recorder turned off.]

I think those role models that are most important are the folks outside the main structure. I think Napoleon was one of those. Moe Mays was, before he got so broke down, and he finally, I think, fell apart. Napoleon was really an important role model for a lot of black students. And Murray, Burr Datz. It's a combination of—role model is not so much, it's more confessor.

Roger Groot has been one of those guys, here in the law school. He's a real confessor to a lot of people. I used to be before I got so old, but you know when you get old, nobody pays attention to you anymore.

Warren: What was your impression of those first couple of years when the black students arrived? Did they arrive in the law school simultaneously?

McThenia: The first black student that came to Washington was a law student, Steve Smith [sic]. He graduated from St. Lawrence. Not St. Lawrence, but St. whatever it is in Lawrenceville. I've forgotten the name of that students. St. Augustine's. That's not even it. But it's a black Episcopal college, part of the United Negro College Fund colleges, and it's in Lawrenceville, Virginia, and I can't remember the name of it. But he graduated there, came to law school, I think in '66, because when I came in '67, he was a second-year student or maybe graduated in '68.

I think he had come here because there was a relationship between Washington and Lee—St. Paul's was the name of the college—between Washington and Lee and St. Paul's, that it was a really poor school, destitute, no money, and the old president was a friend of Fred Cole's, and Fred Cole, I think, had been part of trying to get the public schools reopened in Prince Edward County. This is just on the other side of Prince Edward County. Claiborne Griffith, I think, used to teach economics down there sort of on loan from here, and Washington and Lee may have paid his salary. I don't know that. I was practicing law in Washington at the time.

But the first black student was a law student who came from St. Paul's and graduated here, went to work for the Department of Justice, and was murdered a couple of years after he got out. I don't think they ever found the murderer.

But then the college began to integrate in the next year or two, and my recollection of that first class, there was a big guy whose name I can't remember. After he graduated, he became some sort of Dean of Students' Office person. Then he went to law school and left.

Then there were two other guys. One was John Morrison, who left here and went to the Commonwealth Attorney's Office in Portsmouth. He was raised in the

projects in Portsmouth, came here, went to college, then went to law school, and became an incredibly good lawyer, Commonwealth attorney, later was named to the circuit court bench. He's a judge, I think, on the circuit court in Portsmouth.

Then another guy named Bill Hill. I think his daughter may be here now. Bill Hill was from Atlanta. He was an upper middle-class black guy. I think Johnny's background was probably very different. Bill went back to Atlanta and was in the attorney general's office for a number of years, then became a judge, and now is a practicing lawyer.

Warren: Let's talk about the dynamics of what went on then, rather than the personalities, the dynamics of what happened.

McThenia: I don't know. I'm not sure I can answer that question. I know in the law school—Les Smith was his name. Les Smith was already a student here. To my recollection, things proceeded, he took courses like everybody else, did well, I think he was on the Law Review, and I saw him hanging out with a lot of students. It was not as if he were isolated. I don't know about the college.

I know that Bob Huntley was president when that happened, and the dynamics that he tried to work for were dynamics of inclusion. I remember him telling me—he'd just been named president, I think—that he made rounds of all these fraternities and got word to all these fraternities, "You'd better pay attention to this part of our community that's coming in here." It was obviously a small part, a very small community. So he tried to make it a welcome place. But I don't have a good sense one way or the other, because I was in the law school and involved in those kinds of things. I just don't remember what was going on.

Warren: Let's shift our focus to the law school. Let's take a couple of steps back to you being a student in Tucker Hall. Tell me about Tucker Hall.

McThenia: A wonderful building. It was a great building. It was a very different, small, personal but sometimes insecure place. I think the Law School was better

than it thought it was. It always was in the shadow of the University of Virginia in those days. If you were a Virginia resident, you'd go to the University of Virginia (a) because it was cheaper, and (b) because it was a better law school. At least it was thought to be better. That's a blue smoke and mirrors thing. It probably was; it was a bigger law school.

The Law School was very small, and that was just before the threshold time when law schools had that kind of big growth period in the seventies, so it was a small place, had been small for a long time, very collegial, some would say ingrown. The faculty was older and small.

Warren: Who was the faculty? Who were the people who taught you and influenced you and made an impression on you?

McThenia: Bob Huntley was an incredible teacher. He had been in law school when I was in college, and I'd known him, kind of a leap-frog thing. He'd been in the same fraternity I was before he went into the Navy. I came to school, he came back to law school, he was involved in student politics while I was in the undergraduate school and fraternity. Then I left, he graduated from law school, went to practice law in Alexandria, came back and started teaching about the time I left college. He was teaching by the time I left college. Then he hired me to come here and teach after I finished law school. He was my teacher in law school.

Warren: Tell me about him as a teacher.

McThenia: He was a really incredible teacher, demanding, never insulting, but always, when you thought you had an answer, he took it away from you. He'd make you squirm about it. He just had ways of building a class that made you reach further than you thought you could, but you usually didn't get it. He had the ability to do that.

He didn't have time to get prepared. When I was in law school, he would spend a lot of time in Washington Hall, because Fred Cole depended on him. He

was president then, and Bob was doing a lot of stuff over there. My second year in law school, he was away. I think he was at Harvard getting some kind of degree. My last year in law school, he was back and in full force and full form, but he was also spending a lot of time working for Fred Cole, for the president, and I think he was probably secretary to the university or something by that time.

The story is—I don't know whether it's true or not, but I believe it to be true—that the board of trustees was sort of a self-perpetuating, probably ingrown group at the time, and Huntley would go to the board of trustees' meeting and go to the minutes from the last meeting and have nothing written on a piece of paper. [Laughter] He'd just tell them this is what they did. I've heard that story enough to believe it to be true. So he was, even then, an eloquent spokesman for the University with the board.

Then he was Dean for a Day and was named president. He was dean for one semester, I think, in law school, and he was named president. He had all kinds of things going on in his life other than teaching law, but he was an incredible teacher. I knew he couldn't have been prepared, because he had been entertaining alumni and drinking whiskey with them and stuff at night, coming in the next morning for class, and you'd have your mind run loose. He was a very good teacher.

Charles Laughlin was a very good teacher.

Warren: Tell me about him.

McThenia: He was, by that time, an older guy. His widow still lives here, Hope.

Warren: Her paintings—

McThenia: Her paintings are in the hall. She's a very talented artist.

He was a wonderful man. You'll find somewhere all I know about him if you look over in those records, because I delivered his funeral eulogy.

Warren: I have that, but tell me about him as a teacher.

McThenia: He was a very pedantic kind of guy in some ways, always fussing with his notes to make sure they were in the right place or in the right order, but he did love his students and he loved to teach. He had no pretensions to be anything other than what he was in the classroom, as a kind of befuddled teacher, but not befuddled in a bad—he was just a dedicated teacher. He always expected things of you, and he'd be disappointed if you didn't do it, but he'd somehow think it was his fault. [Laughter] When you weren't prepared or something. He was a really good teacher and never imaginative in the sense that somebody like Huntley was, but he never thought it was his job being imaginative.

Warren: What courses did he teach?

McThenia: Taught evidence and civil procedure, and later—he was imaginative. The courses he always wanted to teach, he never got to teach when he was younger and sort of an outsider, but he started the jurisprudence course here, did a wonderful job with it. He taught procedure and evidence, jurisprudence. I don't know what else. Conflicts of law, I think he probably taught for a time. But the school was so small in those days, people taught nearly everything.

Warren: Would the same people teach the same thing?

McThenia: Most of the time, 'til somebody finally died or got tired of teaching that course, and somebody else would teach it. But Charles, when I was in school, always taught evidence and procedure.

Bill Ritz was an incredible scholar and probably such a good teacher that we didn't appreciate him. Very soft-spoken, hard to follow, partly because of his soft-spokenness and partly because of his shyness. Had an incredible mind and did some work which I think was extraordinary work, and people who know that work say it really was. A lot of it remained unpublished at the time of his illness. He had a stroke and couldn't write, couldn't talk for the last nine or ten years of his life, nine years. But part of his work was on the Judiciary Act of 1789 that two folks published,

put together later, and apparently it's seminal work in the field. People have to change their opinions when they read this work. But Lash LaRue and another guy put that work together. The other guy's Wyth Holt. They published that book five, six, seven years ago.

Warren: Wyth Holt?

McThenia: Wyth Holt is the other person who worked on the book with Lash.

Warren: So that was Charles Laughlin. Were you a student of Charles Light's?

McThenia: Yes.

Warren: Tell me about him.

McThenia: He was the dean most of the time I was here, and didn't teach a lot. Taught me constitutional law and maybe administrative law. He was a really good man. I'm not sure he and I ever got on the same wavelength as a student and teacher. Always very friendly, very nice guy, but he's not one of those recollections—sometimes you can hit a pitcher and sometimes he strikes you out. I think generally I struck out.

Warren: I heard a name that I'm terribly curious about, and I don't know anything about this person, "Red Eye" Johnson.

McThenia: Didn't know him. I know of him. Never knew him. He was dead probably before I ever came to college. I heard of him from Charley McDowell.

Warren: Me, too, and I was hoping maybe you'd crossed paths with him. And "Skinny" Williams, was he before your time?

McThenia: Skinny may have been dean for a semester while I was here. He taught me property. He was an incredible old lawyer, very bright, very good, very demanding teacher. He was the only teacher in law school in those days who made you stand up to recite. I guess everybody did that one time or another, but when I was in school, nobody did it except Skinny.

Warren: What do you mean? Describe the situation.

McThenia: "Ms. Warren, tell me about this case, *Estep against Jones*. Yes, you can stand up, Ms. Warren." "You said that. Why did you say this and what would you think if, Ms. Warren?" "Do you find it interesting that, Ms. Warren?" And he'd go on that way. He used to keep me on my feet for a whole hour.

Warren: He'd keep one student?

McThenia: Usually didn't do it to one student, but he did it to me.

Warren: [Laughter] But you he liked.

McThenia: Sometimes I'd have to come back the next day and do it again. [Laughter]

Warren: Do you know why he was called Skinny?

McThenia: Because he was just skinny as a beanpole. He was a great hunter and always had a bunch of dogs. Wonderful-looking shotguns. He had been, in his earlier life, a Commonwealth attorney up around Woodstock, up in Page County, but he'd been here I don't know how long, but he was a legend and was a wonderful teacher and a great bird hunter, and I suspect he probably died hunting. He was still teaching the first year I came back here to teach. He died that year.

Warren: Was he called Skinny by everybody?

McThenia: Never to his face. The students always called him that.

Warren: But never to his face.

McThenia: No.

Warren: What was his real name?

McThenia: Clayton.

Warren: I've never heard that. I've only heard "Skinny."

McThenia: Clayton Epes, E-P-E-S, Williams.

Warren: That's funny, because I've never heard anybody say anything else.

How about Charles McDowell, Sr.? Did you have him?

McThenia: Oh, yeah.

Warren: How was he?

McThenia: He was a great guy. He was a very good teacher. He didn't demand enough of us, but I think in those days he probably wouldn't have demanded much of himself. He was tired. He was old. Drunk too much. He had drunk too much. You really did learn a lot from him, but he never did demand much 'til the exams. He'd tell you the same thing, tell you today what he was going to tell you, and he'd tell it to you, and tell you this afternoon what he told you. Tomorrow you might get sort of a new chapter, but not quiet.

My best friend in life was in law school with me and was a semester ahead of me, I guess, in some courses, and in some we were together. He was a really careful—still is—a very careful note-taker, and he'd take notes in class. But then at the bottom of each page of his notebook he would put "Charley McDowell's jokes for the day," and so we knew them all. He had them all in his notebook. [Laughter]

Warren: Oh, where are those notebooks now?

McThenia: I think he's got them. Call this fellow. Joe Spivey. Joe lives here in Lexington. He doesn't live here. He's a partner at Hunt & Williams, but he's cashed out and he's here most of the time. Not most of the time, but he keeps a home here. Joseph M. Spivey.

Charley McDowell carried a Pepsi-Cola and a Camel cigarette, and he'd carry that thing down in the lounge. Back over in Tucker Hall there was an old bunch of pipes and they put a Coke machine down there, and he'd sit there and smoke that Camel cigarette and drink on that Pepsi, the ashes would go down his shirt. He'd just kind of hang out. In the afternoon, he'd go downtown to J. Ed Deaver's Clothing Store and just talk all afternoon with those old boys. You'd go in there, and Charley would maybe grab you, but he'd be in there talking, and he'd talk about you, then he'd go on talking, and they'd just be in there sitting all afternoon.

And Catherine [McDowell] ran the Law School.

Warren: Tell me about that.

McThenia: She really did run the law school. She came out of Kentucky and Charley came from Kentucky also. He had been at Centre College and had played football out there in the days of Bo McMillin who was a big-time old-timey thousand-years-ago football player of the Knute Rockne era.

They were both radical for this community. They didn't believe in God, (b) did believe in Franklin Roosevelt, and (c) hated the Byrd machine. So you don't come to Lexington if you're from Kentucky and not be a Presbyterian, let alone don't believe in God. So they were in many ways marginalized, my guess is, in this community, by the good burghers, but they were both very smart.

Charley had taught here for a short time before he went in the Navy Air Corps, I think, and they were in Florida during those years, then they came back here. I don't know when she started working in the dean's office, probably when they were young, but they used to work in old Tucker Hall, and they accused her of burning it down because it was so damn ugly.

When I came here, she really did run the law school, I mean the deans were there but if you wanted something, you went in Catherine's office. She was very thoughtful of people and of students. She used to be a buffer between students and faculty. If we got unhappy with the faculty, she'd sort of cool that down. She'd help you find jobs. She was a placement director, sort of, and everything else.

She was really an amazing woman, very bright, and all of us who know say an incredible bridge-player. I never played bridge with her. She had that kind of mind. Even after Charley died, she must have worked ten more years. She finally retired. No, more than that, I guess. She worked until we came to this building, and she wouldn't come over here, never came in. I think she did come in this building, but only after work to drink with Edgar Graves. She'd never come here when we were in school.

Warren: Is that true, she refused to come?

McThenia: Uh-huh.

Warren: I'd heard that.

McThenia: I think she did come over here on Friday nights when Eddie Graves was over here. You probably heard Eddie. He's from Lynchburg, an adjunct professor here. He'd come over and fix martinis, and she'd come drink with him, I think.

Warren: So you say she was helpful to you both as a student and when you came and joined the faculty?

McThenia: Yes. I preached her funeral.

Warren: I didn't know that.

McThenia: There's a story over there about her in the archives.

Warren: Well, preach to me about her. Tell me about her.

McThenia: Well, see, when she was retiring, I think she retired in 1976, because we were living in Toronto. I taught at Osgood Hall Law School in the winter in Toronto. There was a retirement party for her, and I wrote her a letter saying what a scoundrel she'd been or something like that, and said, "God knows that if she had typed this letter, she would have changed it to make it look like I thought she was a nice person." I sent that to her and I think I sent a copy to Charley and John, because I'd known both them. Because our youngest son was born and went into labor, we left Charley's house one night up in Alexandria, and she started having labor pains, and we went by the hospital. That's how I remember that. So I'd known those two, Charley and Catherine's boys. They were a little older than I.

So anyway, I sent that letter to Charley or something when she retired, and then when she died, he called me and said, "Would you deliver the eulogy at the funeral?" because (a) she liked to drink, and (b) she was not a believer, and (c) she was from Kentucky, or something. So I did, and it was not very often in my life that I think I do something that's right, but I knew I did something right that day. Most

people were friends, but there were a few good solid church-goers, and they didn't quite know what to make of this whole thing.

It was out at the—

[Begin Tape 2, Side 1]

Warren: Uncas McThenia, part two.

McThenia: I remember that it was a wonderful thing. I sat around the house for—I went over and met with Charley and John and Ann, and all the family, and the grandchildren, and just sort of sat in the house just to find her spirit and to listen to them for two days before the funeral, and so I just sort of sat around like I was a fly on the wall, and they were all talking and doing one thing and another, and grieving the way people do, moving furniture around and that kind of stuff.

So I just kind of listened and began to hear sort of her talking amongst all those grandchildren, and so at the funeral, there wasn't anything to do but tell stories, and so I said, "We'd better get on about what we're supposed to do. We're here to celebrate the life of a double-dog Camel-smoking Democrat who used to lie about the Washington Redskins," or something like that. It was a really important way for me and for them, I think, to deal with the kind of grief and stuff. I thought it was—I mean, I got all kind of letters from grandchildren and people in the family and friends who were there, saying that it was just the right thing to say about Catherine. I'm sure I have a copy of it somewhere, but I know there's a copy over in the archives. It was probably the best thing I've ever written, as a matter of fact.

[Laughter]

Warren: I'm going to have to track that down. I hope somebody remembers me in a eulogy like that.

McThenia: Well, she really was a wonderful woman.

Warren: I'm kind of intrigued at this notion that in this supposedly all-male school where women's opinions weren't very much valued in those days, and yet here she was running the place.

McThenia: I think it was a way—if I were a sociologist, I would say there were two things operating. One is I think that's the way women have always subverted the world. You've got to subvert it if you're going to control it and make it a more humane place. And second, she had a real sort of "tea and sympathy" function for students who were dissolute, strung out. She always knew how to make them care about themselves even when they didn't, in ways that men couldn't have in an all-male environment. But both those points, I think, one is the tea and sympathy, but the other is she had to subvert the place to make it be more human. You'd get somebody who didn't have high LSAT scores or something like that, she'd go in and sweet-talk the dean and say, "This is a wonderful young man. You need him." She'd do things that way. My guess is there are other women doing the same thing to humanize this place.

Warren: Do you know of any others?

McThenia: I've heard, but I didn't know, I know she ran the place, but I don't know how humanizing she was, was Mrs. Varner. She was Lou Adams' secretary in the commerce school, called him "Curly Lou" Adams, and her husband was in the treasurer's office. I know, in fact, she ran the school, but I don't know with an iron hand or a velvet glove or how, but she was one of those people of power.

Warren: I'll track stories about her. So let's get back to old Uncas McThenia, or young Uncas McThenia.

McThenia: Right.

Warren: He's a student and he goes off and practices. How did he get back here as a member of the faculty?

McThenia: I was in Alexandria. Bob Huntley had left here when he went to practice law with Armistead Boothe, who was kind of a famous anti-Byrd machine Democrat in Virginia. It was a small law firm in Alexandria back when there were good small law firms. I had left here to practice law in Washington, a serious mistake in my professional life. I'd gone with a small antitrust firm, and I was just as useless as that television without the cord plugged in, because you don't know anything at that age, and I was very bored, not very fulfilled, and started looking around.

Bob Huntley got word of that and got word back to that law firm, because I had talked to them when I was in law school, but they hadn't decided to hire anybody. They offered me a job and it was in Alexandria, and we liked Alexandria, so I went to work there. He used to stop in from time to time to see the law firm, and I'd see him. He was teaching here at the time.

Somewhere along the line, I guess they decided they needed another law teacher and called me. They had the loyalty to the law firm. They called them and said they were going to call me, and they called me and said, "Would you be interested?" I thought about it a while. I think I was probably ready to come within a month after they asked me. Ann wasn't. All our kids had been born in Alexandria, or two of them had been born. She had been developing a life there and she was interested in that. It wasn't until some months later that she decided if I wanted to make a move, she was ready to make it. So I did decide and she said, "Well, I'll go with you." That's how we came down here, that was in '67.

Warren: So how was that, coming back to a place where you'd been a student? How did your now former teachers, now colleagues, receive you?

McThenia: Much more graciously and warmly than they should have. [Laughter] They all thought I knew something. It wasn't my first experience teaching here. So my old mentor when I had been a student here was the guy who first hired me to

teach. When I was in college, my friend and advisor, Marcellus Stowe, had a heart attack. I think that's what he had. A stroke. Anyway, he was disabled and could not teach. The other guy, it was a two-person department, Department of Geology, the other guy had left to go off to Texas, and Ed Spencer—do you know Ed?

Warren: Yes.

McThenia: Ed had just been hired to teach geology, and he came down here thinking he was going to be the new guy in a two-person department, and he was one guy in a one-person department because the chairman was dying. So he hired me to teach while I was a senior in college, teach a course in mineralogy, one I'd had just a year before or something. They were really desperate. So I taught in the fall of 1957, I taught at Washington and Lee. Yeah, the fall of 1957 and the spring of 1958, when I was a student. I taught a mineralogy course and I taught freshman lab second semester. So I had had some experience.

Warren: Was that extraordinary?

McThenia: Yeah.

Warren: I've never heard of such a thing.

McThenia: It shouldn't have happened. I mean, they were absolutely desperate. They ought to have been fired for malpractice. [Laughter] But they couldn't get anybody else. In those days, geologists were making money, the oil industry was cranked up, and they just couldn't find anybody to do it, I expect. They didn't have any time. I think Ed Spencer got here and Dr. Stowe had a heart attack the next day or something. So anyway, he, Ed, or somebody hired me to teach the fall of '57 and the spring of '58 when I was a student. That's why I didn't play football my senior year. I was doing that.

So when I came to teach in the law school, I had been in that world once before, but in a much different way. My former teachers were really helpful. Bill

Rich was very helpful, Charles Laughlin, everybody was helpful, trying to show me what to do. And Lash LaRue came at the same time. Do you know Lash?

Warren: I know Sue.

McThenia: He and I came at the same time. He had some idea of what he was doing. I didn't have any idea what I was doing. [Laughter] Because my experience had been so limited in terms of I'd gone to law school here, I'd practiced law, and I'd come back here. He'd gone to Harvard Law School, had a much broader kind of base of experience. But I found everybody very helpful to me. We used to make plenty of mistakes.

Warren: What kind of mistakes?

McThenia: Well, part of them was being young, making brash political moves, you know. I won't say anybody else, but I used to make those kind of mistakes, thinking if we didn't do it, it had never been done before. You know how you are when you're young. But everybody always forgave us on the faculty. Made a lot of mistakes as a teacher, felt like a failure more days than I felt like success. [Laughter] Had no idea what I was doing. So it was basically those kind of mistakes, like thinking you're a hot shot and you could run the place better than those people who had been here were doing. Everybody was always very forgiving about that.

Then mistakes as a teacher, thinking you know something when you don't, You learn what a good teacher is when you have to do it, and there's somebody who just kind of stays about six inches ahead of you, 'cause if you stay a foot ahead of somebody, they don't run the race anymore. If you stay even with them, they're smarter than you are, so you've just got to work just—throw the hay out there where people won't quite get it, but they *can* get it if they work hard enough at it. You learn through mistakes. I don't understand how law schools and universities have survived hiring people who are so absolutely and abysmally ignorant of the

whole process of how people learn, but they do and I guess they've been doing it for hundreds of years.

So it was a difficult couple of years for me. It wasn't 'til I had been doing this for about three years that I decided that's what I was going to do.

Warren: And this was back in Tucker Hall.

McThenia: Uh-huh.

Warren: So as a faculty member, did you begin to realize what I guess was being realized in general, the limitations of Tucker Hall?

McThenia: Yeah. Yes. I began to realize that there were other visions that could be—it was not only the limitations of Tucker Hall spatially, but the limitations of Tucker Hall in terms of a vision of what a law school could be.

Warren: Tell me about that.

McThenia: I think the law school had gotten probably fairly complacent, hadn't thought of challenging itself or its students significantly. You had a lot of older guys who were tired and ready to retire. There were no role models much for young people, young faculty to say, "You ought to be doing this," or, "Here's some other way to look at life." And I think Bob Huntley saw that, but he didn't have time, sort of being the acting president—he wasn't the president, he wasn't even acting president, but, in effect, he was doing an awful lot of that, I don't think he had the time to develop young people the way he thought they ought to be mentored, and he was probably the only one.

Charles tried, and Charles was helpful, always helpful, but he was never really a mentor. He was a mentor, but he wasn't a mentor in intellectual ways much for me as he was a few years later, I think, for Mark Grunewald, because they taught in the same subject area. Mark taught labor law.

The school, I think, had about outgrown the space and also the space had been confining on letting new thoughts in and new kind of concepts of what law school

might be. I think it may have been—I don't mean this in the sense that somehow we changed it when we came in young, but it may have been at a fairly low point in the law school's history.

Warren: I found myself thinking that as we were talking about these older teachers, that it was pretty much older guys.

McThenia: Oh, yeah.

Warren: So this was a changing of the guard. So let's talk about that.

McThenia: Well, all of a sudden it developed that way because Charley McDowell died, "Skinny" Williams died, Charles did not teach—no, Charles taught in this building, Charles Laughlin. So in some ways it was that. Lash and I came at the same time, then the next year Joe Ulrich came, and the next year Roger Groot came, so suddenly—well, within ten years, I was the second oldest guy on the faculty, and then Bill Stewart died and I was the oldest, and that's been ten or fifteen years. So it was a complete turnover.

Women came in '73. I think it was '73.

Warren: As students or as faculty or what?

McThenia: As students. Sally was on the staff and as a student as well. [The] first women teachers, I don't think came 'til '76 or '77, even '78, but it was a changing of the guard.

In '68, probably '69, Roy Steinheimer came as the dean, and he did something nobody else has ever done: he did everything well. Most deans have to carve out something they're going to do, like raise the flag or get students or build a building. Roy did all those things well. One of the things he did very well is he recruited students. He'd get in his airplane and he'd fly to all these little old colleges like Washington and Lee, small schools, and he went to a lot of places, but he knew how to mine for students, so he'd go to schools that were not unlike Washington and

Lee, a lot of them in the Midwest—Hope College, Calvin College. [Tape recorder turned off.]

But he'd go to a place like Albion, Davidson in the South. He'd go to a lot of small schools and recruit. We got Colgate. We'd pick off the number one, two, or three students from a lot of those small schools, and so we increased rapidly the intellectual capability of the top end of the class. There was always a small segment of very bright people, but he increased that, took out some of the elasticity of the class. Prior to that time, you had some very smart people, and some people who probably ought to have been doing some other things than going to law school, and it shortened that, took the elasticity out so you had more people at the top and the middle, and some of the people who had been applying to you before didn't apply or you didn't accept them. Roy did that really quickly, in a hurry, and did it well.

He also began almost immediately to start trying to plan for an increased size facility. He started unlocking money to get additional faculty.

Warren: What do you mean, unlocking money?

McThenia: Getting the University to allocate money to the law school. My guess is that for a good number of years, the Law School had been a stepchild of the college or to the whole administration, the whole university. My guess is it hadn't gotten—I know the salaries weren't competitive with what they were at other law schools. It hadn't been active in recruiting students. It had sort of assumed that it would take people who applied from the college. Roy got more money, began to get a bigger pool of students, and we didn't take everybody from the college. That made a lot of people mad. Recruited faculty. Began to think about additional geographic space, began to help us as young faculty act as a mentor in a lot of ways. He'd get money together to send you off somewhere to a conference or support you in research, those kind of things. And largely because he was such an incredibly easy administrator, that is, he could do it so well and he had had experience of having

been at the University of Michigan, so he had his own set of credentials he came here with, and he bargained, when he came here, not just with the president for the job, but he went back out and bargained with Ross Malone, who was by then general counsel to General Motors. So before he took the job, he bargained with Bob Huntley, and they may struck a deal, I don't know, but I know he went out and talked to Ross Malone at GM and probably got some promises out of Ross Malone, who was on the board of trustees of Washington and Lee at the time. In fact, he may have been director of the board, I don't know.

Warren: Promises? What kind of promises?

McThenia: I don't know, but my guess is—I don't know that he got any promises, but the fact is that what was significant was that he was negotiating with a member of the board, and Huntley felt free enough himself to let him do that, so it was not just, "I'm the president. I'm going to hire a law dean and I'll report to the board of trustees." It was, "I'm president. I'm going to either hire a law dean or not hire him, but I'm going to get the advice and he can strike some conversation with our most important trustee." So I don't think he got any promises, but he got some freedom that way.

Warren: Who was this trustee?

McThenia: Ross Malone had been president of the American Bar Association and had been a lawyer in Roswell, New Mexico. When GM got in a lot of trouble in 1965 or '66 with antitrust violations, they needed an establishment lawyer to head up the legal department, and they went out and hired Ross Malone as general counsel, who was a graduate of the school.

Warren: Is he still alive?

McThenia: No, he's dead now, and there's a room downstairs called the Malone Room, which is the practicing lawyers' room in the library. He's dead, been dead fifteen, twenty years, I think.

Warren: So once Steinheimer came here, he worked in concert with Bob Huntley?

McThenia: Oh, yeah.

Warren: And I presume Bob Huntley's heart was still somewhat in the Law School. So tell me how that worked.

McThenia: It was known as the Bob and Roy Show, that every time Steinheimer wanted something, he'd usually get it, and Huntley spent a lot of time—they were good friends, spent a lot of time together, and for us in the law school, it was just a jewel, because if there was ever a legitimate request, Roy would see that it was made to the president, and if he thought it was a good request, he'd fight hard for it. He never told anybody anything but the truth. I think he was institutionally incapable of lying. He always shot straight with you. "No, that's a bad idea. Won't do it." If he'd get mad at you, have a fight, and he'd fight like hell, and it was over in five minutes and was done. I mean, it was history. Didn't know how to carry a grudge. My experience. And he got mad at me on more than one occasion.

He was an extraordinary man, still is, but he was an extraordinary dean. I don't know anybody, except maybe the most alienated, who didn't have full trust in him. He always, if you did something he didn't like, if you tried to push him, he'd give you a promise: "I'll do it, yes, what you want." And he'd do exactly what he promised, but he'd drag his feet so long. [Laughter]

One time we were a bunch of hot-shot young guys and we'd been off to the recruiting conference to hire some new faculty or something, and we'd met somebody we thought was just the home-run hitter of the year or something. "You ought to go hire this person. You ought to get in touch with these people right now." He'd say, "I'll do that. Thank you very much for coming to tell me about it." And so he did precisely what he said he'd do, he sat down and wrote them each a letter. We wanted him to make phone calls. [Laughter] But he didn't lie. It was

pretty clear he knew who was going to control things, and we weren't going to push him but so far.

He was a really wonderful teacher and a wonderful leader, and he made you feel good about what you were doing, always was interested in what you were doing, tried to be gruff and brusque, and you could see through him if you tried. The students never saw through him, but you could see through him in a hurry. He was a really warm-hearted guy.

Sue LaRue used to—we were young. All of us did stupid things. We got Roy in a car one day and— [Tape recorder turned off.]

Warren: I want to get that story, though.

McThenia: I don't remember where we were.

Warren: He was getting in the car.

McThenia: Oh, yeah. Roy had been here three or four years and had never registered to vote. Ann and Sue were in the League of Women Voters, and we were young jerk faculty, Lash and I, and they came up to the law school one day. We were still in Tucker Hall. They said, "Dean Steinheimer, we want to talk to you." He, after the fact, said he thought they wanted to talk about their husbands' salaries, so he decided he'd listen. They said, "We want you to go with us."

He said, "All right." Didn't ask any questions. They got him in the car, opened the door, put him in the back seat, and they drove him down to the registration desk and got him registered to vote. [Laughter] He never figured out what happened. He didn't know how to deal with a woman. He had a wonderful wife. He's got a wonderful wife now. His first wife died. But he had no children, so he had no notion of how you stand up to women or what you do with them or anything else. That's one reason Catherine ran the law school so effectively. But when the first women came to the law school, Roy was absolutely powerless. Anything they asked for, he'd give it to them. [Laughter]

There was a faculty bathroom on the second floor, and I don't know where the women's bathroom was. Maybe there was one on the second floor. I don't know how they cramped all those bathrooms together, but in any event, the women decided they wanted the faculty bathroom because it had more room in it, and women needed the couch for menstrual periods. Women students went down and confronted Roy with that, and he just didn't know what to do, said, "Take it. Take it right now." [Laughter] So in a quick hurry, he converted the faculty bathroom to the women's bathroom Women just—he just didn't know how to handle them. So the only people that ever beat him in negotiation were women students.

Warren: So what happened among the male faculty when these women came in, these women students, these women faculty eventually came in, and he's letting them have whatever they want? Was there any resentment?

McThenia: No.

Warren: It was funny?

McThenia: It was funny. I don't perceive there was any resentment, no. No. It was funny, what ought to be done, but he just didn't know how to—that's the only thing he didn't know how to do gracefully. He'd just cave in every time. But it was always usually a question of justice.

Warren: Of course, women were only asking for reasonable things, I'm sure.

McThenia: Oh, yeah, sure, but most people would find an excuse not to give it to them. Roy didn't know how to do that. [Laughter] Sally would know. She was a student and a staff person in those days. But my perception is that he made that transition work very well. He wouldn't fight the fight to get women admitted, but once it happened, he made it happen right.

Warren: And what's your impression of why it happened?

McThenia: American Bar Association said, "You're in trouble if you don't let it happen, if it doesn't happen."

Warren: That's a pretty definitive reason, isn't it?

McThenia: Uh-huh.

Warren: They've got a lot of clout. So all right. All that happened in Tucker Hall. Women started coming to Tucker Hall. Then there was this big event. How did this building come to be? Was it the Bob and Roy Show? How did Sydney and Frances get into this whole thing?

McThenia: Bob was in negotiations with him. The way I hear the story, and I think I've heard this accurately, and I think I've heard it from Frank and from Huntley himself, maybe even Roy, but my memory of the story that I heard—I know it's my memory, and I think it's been told to me by more than one person—is they went to see Sydney and Frances, and they were going to go ask them to endow a professorship Frances or Sydney said, "Well, what would you think of nine million dollars toward a building?" And Huntley said, "You sure do drive a hard bargain." [Laughter] Now, I don't know whether that's true or not, but I've heard that story. It's the kind of thing that would be said.

Warren: And they determined that it would be the Law School?

McThenia: Uh-huh.

Warren: It was the Lewises who said they wanted it?

McThenia: I think they expressed a lot of interest in a law school, because Sydney had been a student in the law school, and he had been one of Charles Laughlin's students. When the gift was announced to the faculty, Roy announced the gift, Charles immediately went back and found him on his old seating chart. [Laughter]

Warren: And there he was.

McThenia: There he was.

Warren: So speaking of Laughlin and Tucker Hall and Lewis Hall, one of the things that you made reference to in your eulogy for Charles Laughlin is his address on the

farewell to Tucker Hall. Will you describe that scene? I haven't gotten the address yet.

McThenia: I wasn't there.

Warren: Oh, that's right. You were gone.

McThenia: I was in Toronto.

Warren: I've got to get that address. I've got feelers out, to get a copy of that.

McThenia: It was in the alumni bulletin.

Warren: It was? Okay.

McThenia: Catherine's was not. They wanted to put it in there, but it was not ever—it didn't appear. It was in the alumni bulletin.

Warren: The farewell to Tucker Hall was?

McThenia: No, no, I'm sorry.

Warren: Your eulogy. Yes. I've got that, but I want to get the farewell to Tucker Hall.

McThenia: I've seen it, but I don't know where it is.

Warren: I've got feelers out. We'll find it.

McThenia: It might be in the old *Law News*.

Warren: So you weren't here for the actual move?

McThenia: Nuh-uh.

Warren: You missed the party?

McThenia: That's right. I was here when we got in, not for the move over.

Warren: Were you here for the whiskey party?

McThenia: Yes.

Warren: Tell me about the party.

McThenia: Oh, it was a hell of a party. You've heard how the story—

Warren: Tell me the story.

McThenia: The story was that Alex Harman, who was on the Supreme Court of Virginia, was an old bachelor, still is an old bachelor—and you might want to talk to him. He spends his winters in Florida, his summers in Hiwasi, which is down near New River County, Crater Lake somewhere.

But Alex Harman dealt in Scotch futures as one of his investments, so he had some Scotch in Scotland, in smoked kegs, whatever kind of—burnt kegs. So when the law school came about—he and I were in touch pretty much for a lot of those years because he was on the Constitution Revision Commission when I was a young teacher here, and I was the lawyer to the one branch of the commission, the executive and state government branch of the commission. So he was the member of the commission. He and another guy were members of the commission and I was their lawyer. So he talked about that a lot, about the dedication, and he decided that it ought to be like the Jockey John Robinson dedication of Robinson Hall, when they all got to drinking whiskey with all these Presbyterians around Rockbridge County fell out—fallen, apparently, on the front campus. That was the myth of the 1840s, anyway.

So he decided he was going to make sure that this law school was dedicated right, in Jockey John Robinson fashion, with tin cups. So he had this Scotch sent to Norfolk, and they had to unkeg it and put it in bottles to get it through Customs. As soon as it got through Customs, they put it back in the keg and brought it to Rockbridge County, and had it here for the dedication, with those tin cups, and the keg is still in the building. I found it in the basement about two years ago and got the staff of the library—I wanted to put it out here in this alcove out in the hall, but they have it downstairs in the Rare Book Room—because it was down there and needed to be swelled up again. If I had been more conniving, I would have stolen it and taken it home. But I wanted it on the show, so it is now on display.

But that's the story. So Alex gave the Scotch and gave the tin cups.

Warren: So how many people were here? Did alumni from far and wide come back?

McThenia: Yeah, seemed to be a really large crowd. I'm not sure they were here to see the law school so much as they were to see Elizabeth Taylor, who was married to John Warner in those days. She was here, very much on display. The speaking took place on there on the softball field, and there was a podium set up. We were sitting up this way and the podium was down about where third base is. But it was a beautiful spring day, and several good speeches. Huntley was eloquent, of course. It was the best speech Roy Steinheimer ever made, but it was the worst speech of the day, because he just wasn't a public speaker. He outdistanced himself that time, but there were some real eloquence there. I guess that was '77.

Warren: I believe it was, because it was right around when I moved here, which was '77, and those tin cups were absolutely everywhere. But I wasn't smart enough to get invited to the party. [Laughter]

McThenia: That was spring of '77.

Warren: So how did life change, coming over here?

McThenia: We had to work hard to make this place a community. That really was hard work. You had to think about that. In Tucker Hall, you were bumping up against people all the time. You heard things you didn't want to hear. You were too much a community. Here, we were on this floor, there were two hundred students scattered around the rest of the building, so it was very difficult. It would have been easy to retreat into some patterns that would have overtaken you and would have been very unhealthy. But we worked hard to kind of make it a community by making students come up here. Several of us began to put stuff outside our office doors.

Warren: What kind of stuff?

McThenia: Assignment stuff. Instead of putting stuff out on a library desk, you'd put stuff outside your door so you'd make students come by. We used to have—it didn't work. Well, it did work. We used to have coffee downstairs on some days. Then the flow of the building sort of began to take over and made it a community. Steinheimer saw to it that students got to claim the softball field out here. Started having kegs of beer here on Friday afternoons. I don't know.

Warren: Who participated in that? Faculty and students?

McThenia: Uh-huh.

Warren: That sounds like a community.

McThenia: It was. A very conscious effort at that for a while. It didn't have to happen forever.

Warren: So it would stop?

McThenia: No, it wouldn't stop. You don't be conscious about it. Now those people who are young enough to drink beer go there now. I don't much. It's too tiresome.

Warren: So there was a big effort to have community here. How about the facility itself? I presume it was a huge improvement.

McThenia: Huge improvement. There was a real danger of people getting lost for the first year or two, because we had the same number of students, same number of faculty, but three times as many square feet. But then nice things happened, like glitches, like the roof leaked. People would laugh about that, kind of keep you honest.

Then student body size began to increase. We got up to where we wanted. Faculty increased slowly. But things just kind of rocked along. I mean, we were just lucky, and we worked hard at it.

Warren: What about the shift over here to this side of Woods Creek? Was there a sense of isolation or was it welcome or was it a loss? How did people perceive that?

McThenia: I think both ways. There was a sense of isolation, but there was also a sense of mission that we were doing something interesting and neat. Probably we began to find our own voice independent of being a part of a larger faculty. That's when we became a separate faculty, really. There was some resentment because (a) we got more money, and (b) we had bigger facilities, and (c) we had air-conditioning and those kind of things. Students tended to be never as plugged into the whole system, because we were getting more and more students who'd had undergraduate careers at Lehigh or Colgate or Princeton or somewhere else, and they weren't as plugged into what went on across the ravine.

We made some efforts. I think we thought we lost more than we lost, because soon after that happened—I think it was after—the college went on a different calendar anyway, a radically different calendar. They went on a 12-12-6. I don't know how soon after; it tends to blend into years past for me. I don't remember. When I was younger, I thought we had lost more than we really did lose in terms of connections. At least that's my perception now.

Warren: Do younger faculty members coming in now, do they get involved with the rest of the university?

McThenia: I think so, yeah, I do think so. I know that many of them do. David Coudill, Shaun. Shaun's been here eleven years now.

Warren: What's Shaun?

McThenia: Joan Shaughnessy. I think they do tend to get involved with folks over there, particularly I know women have, women faculty, and I know that some younger faculty have. Some less so, but I think they have through Newcomers and stuff, and that's continued. Some folks do significant work with people on the undergraduate campus. But after a while when you get to be old and gray-headed, you don't go to many functions anyway, so you never know. All these strange faces, I don't know who they are.

Warren: Believe me, I know the feeling. I'm going to flip the tape over real quick.

[Begin Tape 2, Side 2]

Warren: All right.

McThenia: When you said these things were going into some archives, two things I want to say. One is I hope—this will tell you how to do your job, and I don't mean to tell you how to do your job, but I really do think it's incredibly important to think—Farris is a good friend, I love him. John Elrod's a good guy and, I think, a great president. But the kind of stories that Farris tells and that John probably has to tell had to do with the majoritarian culture here, and there are cultures here that are incredibly important to this community, like Napoleon Borgus, like Bob Murray, like Burr Datz, that don't ever even appear as footnotes in the history of the place. My guess is, over 250 years there's been a hell of a lot of those folks, but I think they are more important than—I don't have any objection to Tom Wolfe—than Tom Wolfe is to this place. I mean, I think Tom Wolfe is a gifted writer and a good politician, but I just think those people are much more important.

And if I'm talking to this machine and somebody's going to be dumb enough to listen to that machine in fifty or a hundred years, I hope that they'll remember that there were guys like Murray and Burr and Boyd Williams, who, in my judgment, have made the place home, and it's not the people that go out and raise all the money to get the money to turn the lights on. It's people who are dedicated to an institution and see its faults and still try to make it work. That's one thing.

Warren: I'm thrilled that you're giving me those names.

McThenia: The other thing I have to say is, I have been on a high horse about this for a year or more, is that I think history will finally judge places when they tell stories which don't deny the truth. There's something wrong in the soul of Washington and Lee that it can't tell the truth about who it was, and in its catalog, page nine, "Heritage," "Washington and Lee's rich historical heritage is embodied

in the very name it bears today. It is an institution that has been touched and shaped by major men (that's interesting) and moments in American history." This is the first place that there's kind of a dysfunctional statement.

"In 1749, Scotch-Irish pioneers who had migrated deep into the Valley of Virginia founded a small classical school called *Augusta Academy*, some 20 miles north of what is now Lexington." That's false. There are three premises in that sentence that are false. One is that they were not Scotch-Irish pioneers, they were goddamn Presbyterians. Secondly, it was not a classical school; it was formed in the pastor study of four Presbyterian churches in this valley, one of which was New Providence, the other one was Timber Ridge and maybe New Monmouth, and I've forgotten. But if you read that heritage, there is no recognition of the indebtedness to the Presbyterian Church—I'm not a Presbyterian—that appears anywhere in here, and I think that in its efforts to be secular, Washington and Lee has forgotten how to tell the truth about who it is.

Warren: It's certainly there in Crenshaw. Crenshaw makes it perfectly clear, the relationship to the Presbyterian Church.

McThenia: Yeah. And why are we now taking out of our catalog and talk about our heritage and whatever else? There's some other stuff in here which is equally as denying of reality as that. I can't find where that is right now. But if you read through that and the mission statement, you will never find any reference to the notion of a power greater than enlightenment rationalism, and I just think that's false.

Warren: What would you have the mission statement say?

McThenia: Well, I would tell the truth that the place was started by—what I understand to be the truth—Crenshaw and reading. There's a woman who's just finished—you know Katherine Brown? She used to work for—I don't know who she worked for here, but she's just done a history of New Providence Church.

Warren: I think I met her in Special Collections.

McThenia: Yes. Well, I would tell the truth about how the place was started, and I think there was always a fight with it going to be a Witherspoon classical place or was it going to be for training of young seminarians. And that fight didn't disappear, even when they named the place Liberty Hall. It went back. Well, you've seen the Crenshaw history. But the sectarian fight appeared again and again, and I think one of the places where it was manifested is whether you get the Washington Gift or not. Washington and Lee denied its own partial heritage when it was trying to get the Washington Gift by saying it never heard of Presbyterians, I think. I mean, I don't know.

Obviously there's some hyperbole in my remarks, but there's also an acute realization that in our efforts to be whatever, more enlightened than we are, that we've denied part of our heritage to students, and I think that reflects itself. I think that kind of ambivalence and—I won't say ambivalence, but being afraid to come to terms with that truth, I think is reflected in a lot of this continual fight that we have experienced over the last fifteen or twenty years about whether or not to have a chaplain. I come out on the opposite side of that than Mina [phonetic] Rogers and the people who want a chaplain, but the disregard of the spiritual side of this university, I think is damn near criminal.

When we have a death in the community, we don't know how to deal with it. We had a death here in the Law School a couple of years ago, a suicide, and I think we dealt with it in ways in which it was not healing at all. I don't think the recent death over here on the campus was dealt with in a way which was healing, and nobody had time, was able to grieve about it. So I hope that in this 250th year history, I wish somebody would write a chapter about the relationship between the Presbyterian Church, not because it's Presbyterian, but the relationship between the Christian community and Washington and Lee.

That's all I have to say. I just think it's in some ways tacky that we deny that history, and I think it's demeaning. So I'll be quiet.

Warren: Well, no, you oughtn't to be quiet. I guess I hadn't really realized how it's put forth there, because I've been reading Crenshaw and going back to the sources and haven't been looking at what's being put forth. I'm just real concerned about what I put forth and make sure it's accurate.

McThenia: One of the things I read on the 250th anniversary of Harvard, the university wouldn't say anything about, but the Harvard Chapel said some stuff about its connection with the church. So I hope we can say something more than Harvard was willing to say. Harvard did the same thing. There had been no relationship with organized religion in all those 200 years. Washington and Lee's trying to do the same thing, which seems to me reflective of some insecurity when you won't tell the story about yourself.

Warren: Well, it happened. It's kind of silly not to. And in a way it's interesting because part of the story is the cut that they made with the Presbyterians, and that could be, in a way, more telling to talk about that issue than to ignore the fact that any of it ever happened. So we'll work on that in the history chapter.

McThenia: Look at not only those pages, but the "Heritage" and the "Mission Statement." You can't find the word "God" anywhere in any of that 'til you get over to the courses. They talk about it once in a while in the religion courses. But I find that curious.

But I sure have enjoyed talking with you.

Warren: I have enjoyed listening to you. This has been a great pleasure. Is there anything else you want to direct us to? That's really useful, that last bit you gave me. That's the kind of direction I'm looking for.

McThenia: Don't let old Taylor give you his smoke screen—neither sectarian or secular. That's right. That's half right. It's both sectarian and secular. He's got a

wonderful paper he prepared for the Chaplains Committee about ten or fifteen years ago, which argues that it's neither sectarian or secular, but I think it was both, and I think Taylor knows it was both. I think the story—I think it's richer than what he's written, and I think he knows it is.

Warren: Maybe he'll get another chance this time.

McThenia: Good.

Warren: Thank you, Uncas.

McThenia: Thank you, Mame.

Warren: This has been a great pleasure.

[End of interview]