CATHY WILSON, Nez Perce
December 26, 1975
Tempe, Arizona

This transcript is one of a series of interviews with American Indian people throughout much of the United States by S. I. Myers of the History Department of St. Louis Community College at Florissant Valley, St. Louis, Missouri, 63135.

The purpose of these interviews is to bring the Indian peoples' own comments to students in classrooms, and to foster greater understanding among the peoples of the United States by providing Indians the opportunity to express their ideas and opinions to a wider audience.

This transcript has been edited for clarity and ease of reading, but every effort has been made to preserve the original feeling. Conversations and opinions were encouraged on any subject of interest to interviewees; questions and responses do not necessarily reflect the viewpoint of the interviewer, the National Endowment for the Humanities, or St. Louis Community College.

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LISTENING TO INDIANS

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Sam Myers:
I'm talking with a young, old friend. Last year about this time we talked to Cathy Hilson, and she was a senior at Dartmouth College back East, and since then quite a few changes have come about. In fact, Cathy, didn't you work down with the Choctaw people since then?

Cathy Hilson:
Yes, I worked there this past summer also.

SM: All summer? I missed you there. I was there in March, but you weren't there yet?

CW: That's right. Some of the people down there I worked with mentioned that you had been down there.

SM: What did you do?

CW: Well, I was an intern again for the Choctaw Legal Defense Association, which is run by the attorney who used to be head of the Choctaw Legal Services. The tribe wrote proposals for funding for that, and that terminated because they couldn't find funding at all, so the attorney started his own defense association with his own money at first. Now he's finally been able to get funding for his program.

SM: Was your office out in Pearl River?

CW: No, it was in town, at his house in Philadelphia.

SM: Well, then, what did you do after that?

CW: Well, after working there I came here to go to law school.
SM: You came back home and were accepted at the law school at Arizona State University?

CW: Right.

SM: Did that kind of scare you a little bit?

CW: At first it did. The first part of the semester I was pretty tense and anxious about it, but then I finally got into the swing of things and felt a lot better.

SM: So you've got one semester out of the way and you're on your second one?

CW: Right.

SM: This law school here has a pretty good reputation, doesn't it?

CW: That's what I hear, yeah.

SM: And don't they have just about the best offerings in law slanted toward working with Indian people?

CW: They have one of the best programs. They don't have the very good Indian program as far as admitting Indians and all, because there's only about five, maybe four Indians at the entire law school. They're heavier with Chicanos. They have maybe 25 Chicanos at the school.

SM: Out of a total population of how much?

CW: Let's see. About 400.
SM: Four hundred in the law school, and of these 25 are Chicanos and five or six are Indians?

CW: Right. But they do have a really good Indian law course class that they teach there, and that's what makes it pretty good. But I would say the University of New Mexico probably has the best Indian law program.

SM: Robert Bennett, the ex-commissioner of Indian affairs, an Oneida Indian, who teaches now at the University of New Mexico Law School, told me about an interesting incident. He was out here in Arizona working on the Navajo Reservation when World War II came along, and so they drafted him thinking he was a Navajo, and they put him in one of those communication divisions, but he couldn't speak a word of Navajo. They finally put him back in another job some place. But he's a most gracious gentleman, and if you ever needed any help or advice, I'm sure he'd be more than willing and happy to give it to you, and I guess in the legal profession these things do matter sometimes.

CW: That's true.

SM: You have to ask somebody about how you do this or what do you do there, and so on.

CW: Right. Usually. I don't know, did you talk to Sam Deloria over there?

SM: No.

CW: I know him, I'm acquainted with him, and so I usually write to him when I have problems.

SM: Do you know his brother, Vine, and his father?
CW: No. I know Dad does, but I never met them.

SM: They would be an interesting trio to meet, because all three of them would have a different point of view, judging from what I've read.

CW: Um hm. That could be. Yeah.

SM: And since they're quite famous it would be particularly interesting to see what they have to say. Well, back to you in law school. So you got signed up, and everything's going along?

CW: Right.

SM: Do you take a series of courses like you do in any other graduate work?

CW: Right. Well, all the first-year students have one set course schedule that they go through. We all have classes together too. All the classes are big--except for one. We each have one small course, and it's just the regular first-year classes--property contracts, torts.

SM: Are all the classes taught by lawyers?

CW: Right. They're all taught by lawyers. Some of them pretty prominent in the country at ASU.

SM: Do they like to bring in famous names for frequent lectures?

CW: Yeah, they do.

SM: The legal profession, is that as close-knit from where you see it now, as the medical profession?
CW: Um, I don't think so. I mean, I can't tell really. I haven't noticed it.

SM: You're going to apply for admission to the Bar?

CW: Right.

SM: Would you plan on joining the lawyers' association or professional group?

CW: You mean like the American Bar Association?

SM: Yes.

CW: I don't know. I don't know if it's required or if it's beneficial or anything like that.

SM: You don't have an opinion yet?

CW: No.

SM: You'll gradually get one, I suppose.

CW: I'm sure I will, but I haven't really, you know, had that much contact with them, or I don't really know that much about it.

SM: Do you take a regular liberal arts course in preparation for law school?

CW: Um um.

SM: So that anyone who's taken a liberal arts course curriculum can suddenly decide to go to law if they can get in?
CW: Right. You can have any kind of major—you can have a science major or anything to get in.

SM: Have you got any advice for young people in school who are aspiring?

CW: There's nothing that you really have to do to prepare for law school, other than get good grades and do well on the LSAT test.

SM: What is the LSAT test?

CW: It's the law school admission test, and it's kinda like the SAT, where you have a whole set of questions, kinda general.

SM: There's nothing especially frightening about it, if you're a competent student?

CW: Right. They test you in all areas—grammar, graphs, math, and then it does some kind of law-type questions. They give you a hypothetical legal situation and then you have to answer questions about it.

SM: Back in the ASU law school, then, you're taking some basic courses in various kinds of fundamentals of law. How long is it going to take you?

CW: Three years.

SM: Three more years?

CW: Well, no, it's a three-year program.

SM: And if you can speed it up, O.K.?

CW: Yeah, I think you can even finish in two years, two and a half years, going in the summer.
SM: Do you think you might try?

CW: No.

SM: That gets a little bit of a grind when you push that fast and that hard, doesn't it?

CW: Right. Besides, I'd rather work during the summers at some kind of job that's helping me, rather than just going straight through, because practicing, like being an intern, helps you almost as much or more than just going to school.

SM: Like your work over at Philadelphia, Mississippi?

CW: Right.

SM: Have you a chance to go back there again?

CW: Not since the summer, but my job's always there.

SM: You might go back next summer?

CW: I might, but I think I'd like to try something else now. Summers aren't that pleasant in Mississippi anyway. That's one drawback right there--it's really hard to get yourself motivated to work every day when it's so muggy out. But the work is great down there. I wanted to try something different now anyway.

SM: Choctaws are very pleasant, friendly people, aren't they?

CW: They are.

SM: I find many Indian people are like that. Give me a kind of run down
on what law school's like, for the benefit of all the people who aspire to do what you're doing.

CW: Oh, after this semester, we have a lot of follow-up courses on property still, contracts, torts, constitutional law, some more basics, and then procedure, criminal procedure or civil procedure. That's all this year, and next year you get into more specialized areas.

SM: Do you have any idea what you might specialize in?

CW: Well, I'd really like to work with civil rights or Indian law or mainly Indian law.

SM: Do you have in mind, for example, working on these cases that involve the Indian people where they are trying to protect their rights, like some of the suits going on right now up in the Navajo-Hopi country?

CW: Yes.

SM: And up in the fishing areas of the Northwest?

CW: Right.

SM: You'd like to get into those kind of cases?

CW: Um hm.

SM: Well, they need people desperately, I guess.

CW: Right. It's the most interesting, and it needs the most work right at this point now.
SM: Then, after next year, what would be the nature of some of the courses that you foresee coming up?

CW: Oh, let's see. They have trust and estates, commercial law, the Indian law of course would come in, international law. They have various seminars more specialized even on that. I can't remember some of the names. I can't remember too many of them yet.

SM: Because you haven't been too concerned with those, you've been concentrating on the ones you've had to take. Then your last year, what would be the kind of work you'll be doing?

CW: Oh, the last year, if you want you can take small seminars throughout the whole year, or else you can work at the law school clinic--they have a legal aid clinic there, or you can be an intern through the clinic.

SM: Like on-the-job training?

CW: Right. That's what it would be, on-the-job training, and then take a few classes, and by that time, a lot of students have gotten jobs with various firms around the city, and do legal research and clerking for them.

SM: Well, most of what most of us know about the legal profession is what we see in movies again, just like, you know, the misinformation that we've learned about Indians in the movies. And maybe it isn't misinformation. But you come out of law school, you're a bright, young student, you're anxious to go out and straighten out some of the ills of the world and so on, you can join a big, old law firm and then you become sort of a helper?

CW: Yeah, at first. Just a little guy.
SM: For the older partners? You do all the chores and the research and the leg work and so on?

CW: Um hm.

SM: Or you can strike out on your own?

CW: Which is hard.

SM: Yeah, it takes a little money, not as much as a doctor's office, but you have to have an office.

CW: Yeah.

SM: And then wait for business to happen. And you can't advertise too extensively, because it's not supposed to be done, is it?

CW: No. You can also be a clerk, if you can get a good clerking job, like for a judge or the Supreme Court in the state, there are those possibilities. Those are the better ones, those are the best kind to get.

SM: Because that's for a temporary period, and then you have all that experience, and then you could go out with the backing of sort of an illustrious recommendation, especially if you got a chance to be a clerk for a Supreme Court justice.

CW: Um hm.

SM: So those are kind of the alternatives that will be open, and then there's one more. You can go to work for these innumerable government agencies.

CW: Right. Or, what I would like to do is go to work for one of the
tribal legal organizations or the Native American Rights Fund, or California Indian Legal Services, or organizations like that that would be interesting to work for.

SM: Well, now we've got probably one of the best, simplest insights into what law school is going to like for young people. So, what's your main problem right now?

CW: My main problem? I can't think of one. I'm happy.

SM: The world is going around O.K. You don't want to get off?

CW: No, not yet. The first part of the semester was really tough, though, like I had weeks of being depressed and weeks of being really happy when I was learning a lot. Then finally, toward the middle of the semester, everything started to fall in place and click, and then I was not depressed at all, really, until after my second exam.

SM: Would you say that law school is any harder than undergraduate school?

CW: Oh, it's much harder. I mean, you really have to want to go to school, because I found that in law school I enjoy studying for my classes a lot. Like I'd study all day, have classes all day, I'd go to the library at night and study, and it wouldn't bother me at all. Most of the time I'd really want to read the work and do my assignments and all, whereas in undergraduate, I didn't have to go to the library as frequently as I do now, and I didn't even want to, like I wasn't that interested in what I was learning in undergraduate. Only in a few classes I enjoyed, but most of the classes in undergraduate I found not that interesting.

SM: Now you feel like this is the real stuff that you're working on?
Haven't you got a job over in the library too?

CW: Oh yeah. I just work behind the desk.

SM: In the law library?

CW: Where you check out books.

SM: Most of the big schools have their own law library. Is this pretty much standard across the country wherever there is a law school?

CW: Right. They always have their own library.

SM: You've probably thought of several law schools, but what would be the outstanding law schools in the country?

CW: Well, it depends on what you're looking for. For me the outstanding law schools would be the ones I applied to, that deal the most with Indian law or with Indians. So that would be the University of New Mexico, Santa Clara or here.

SM: Santa Clara is in California?

CW: Right. Those three and the University of Denver is getting to be kind of a good one.

SM: Those are the ones you applied to because of your interest in Indians?

CW: Um hm. But the top ones around the country are like in Chicago, and the University of Michigan, and Yale and Harvard and Columbia, most of those same old Ivy-league schools that are supposed to have a lot of prestige.

SM: So then, when does school start again?
CW: Oh, the middle of January, so I've got a nice vacation.

SM: A whole month. And you think you'll work this summer?

CW: Yeah.

SM: You don't know where yet?

CW: No. I was going to apply with the California Indian Legal Services, and also the University of New Mexico has an internship program in the summer for law students, where you have a training program there, and they send you to work with various Indian leaders in the country, and get a feel for. . . .

SM: Are there any in New Mexico?

CW: Yeah, well, they send you to New Mexico first for a training program, and they send you out to various tribal leaders throughout the country.

SM: Not necessarily confined to New Mexico, because they would all be Pueblos, wouldn't they?

CW: Yeah, or Navajos.

SM: Which are pretty well organized right now.

CW: Pretty well, I guess. I don't know too much about Pueblos.

SM: Have you an opinion you might like to express about the method of getting progress accomplished?

CW: I think that a little protesting is good. Sometimes it's good. I
just don't think continual protesting, continual screaming and shouting about problems without actually trying to do something constructive is good.

SM: It's sort of like hitting the mule on the head with the fence post to get his attention, and then you can talk to him, but you don't beat him to death with the stick?

CW: Right. I just don't think that you can get that much accomplished just by continually screaming or whatever about your problems, or destroying things like some of these Indian groups do, but for me anyway it's always been go through the legal route or the system pretty much first, and then try something else later if that doesn't work.

SM: There's one faction that deplores at least the violence. Not so many deplore the protests, because they might even engage in them and still deplore the violence of others. But usually the bulk of the people seem to feel that they're getting more accomplished in the area of Indian rights through the courts right now.

CW: I think that's where the most progress can be made.

SM: And then it's nailed down, it's the law of the land until it's changed again, isn't it?

CW: Right. And besides, I mean federal courts, most, on the whole, aren't that bad. They're the equitable courts of this country. They're there to balance out the state courts--to protect the rights which aren't protected in state courts a lot of times.

SM: Is that the way it's set up? Can you give me a kind of a quick description of that?
CW: Yeah. The state courts systems, which include the local up to the State Supreme Court, are generally courts of law, and the federal courts, the District Courts of Appeals and the Supreme Court and all that are the courts of equity, and they're supposed to balance out each other like that.

SM: In other words, if two other courts or a single other court comes up with a decision that someone contests as unfair, then they're supposed to consider what really is equity?

CW: Well, you have an appeal system. If you bring an action in the state court it goes clear up through the state court system on appeal until the State Supreme Court, and then a person has the right to appeal, has the right to ask the U.S. Supreme Court for a hearing, and then the federal court, the U.S. Supreme Court, decides a decision from there. But you have to go all the way through up to the state court, or you can bring an action in the Federal District Court to begin with.

SM: Some cases you cannot bring into federal court to begin with?

CW: Right. There are certain stipulations you have to have. Your case has to have certain characteristics in order to bring it in the federal courts.

SM: The famous old Marbury vs. Madison that we learned about in the freshman year of college?

CW: Yeah.

SM: Do you have the feeling ever that the Supreme Court tends to legislate too much?

CW: No, on the whole I think, I mean, just looking at past Supreme Court decisions, it's probably just the type of justices that were on it,
I thought were really good decisions, and I've always been glad that the U.S. Supreme Court was there to, you know, protect certain rights or to define the rights more clearly. But I think there's starting to be a change around now with all the new justices being appointed. I mean, Nixon had three or so appointed, and Ford's got another one who might be good, but, you know, some of the old Douglas and Warren people are dying out, I mean are gone now, and so it's gonna start swinging in another direction.

SM: It may change its complexion a little.

CW: Right. Or completely.

SM: And sometimes we're surprised too at what happens?

CW: Yeah.

SM: Like in the '30's the Supreme Court was knocking down New Deal legislation left and right, until all of a sudden they tended to respond to the people's attitudes and they changed.

CW: Well, it's interesting. We've just been learning in my classes how some decisions--well, like Douglas's opinions--were a lot of minority opinions when he first got on there, and by the 1960's they were the majority opinions. It does change completely, depending on who's on the Supreme Court and who isn't.

SM: They do listen to the people, and they do change, as they have demonstrated many times. Now you get all graduated and admitted to the Bar, you could even take courses in aiding you to pass the bar exams, can't you?

CW: I don't know. I haven't heard of any.
SM: Well then, let's say I got myself into some serious trouble, could I come to you and ask you to be my lawyer, or are you going to confine and specialize in that one other area?

CW: It depends on how busy I am, you know. I mean, if I'm too busy I just wouldn't accept other cases. Or for friends you probably would. I don't know.

SM: Do you look forward to ever getting into a court room trial scene?

CW: That's what scares me the most. I don't know, it just seems like that would be the hardest thing to do, and it will probably be the hardest thing for me to learn—getting up there and always having to have something prepared. But I suppose if you're a good attorney you're prepared way ahead of time. I mean, good attorneys are supposed, when they research a case, to find the best arguments for their side as well as the best arguments for the other side, so that they'll have an idea of what the other side is going to argue. You just think up everything that the other side would argue so that you can make a defense for it, you know, on your side, and hope you're not surprised.

SM: Well, actually, you don't necessarily have as your greatest goal the trial lawyer type of thing?

CW: Right.

SM: You think of yourself more in terms of doing legal work to help solve problems, correct inequities, etc., but if somebody else can handle the courtroom scene you'd be happy to let them do it?

CW: Um hm. That's the way I feel now.
SM: You may change. I imagine there are more lawyers who do not become outstanding courtroom lawyers than who do.

CW: Right. That's what you see on T.V. That's very rare. Most cases rarely ever come to trial. I mean, the majority of cases.

SM: What do you think of these rather famous lawyers like F. Lee Bailey, who seem to have some magic touch that can get anyone off?

CW: I find that he bothers me. It seems like he's just being the sensationalist kind of . . . he goes for the biggest and the best, regardless of whether, you know, he believes in that person's case or not—he just takes it and will argue it, defend them regardless.

SM: With his skill, and so on, he often wins.

CW: Right. Maybe that's good if he can argue any side and win at the same time, but I don't see how a person can argue a case that he really doesn't believe in.

SM: You're supposed to take them, though?

CW: That's true. That's a good attorney. Like in legal aid cases too, even though a person's guilty or not, you're supposed to defend him as best you can.

SM: That's something that kind of bothers me. I do believe everyone should have an attorney, and the help and aid and defense of one so his rights are protected, but when one of those attorneys then who is doing this even though he knows or believes the guy is guilty, then when he exploits some technicality, it seems to be perverting justice, doesn't it?
CW: Yeah, it does.

SM: Well, so, you're pretty much set. It's nice to have a definite goal.

CW: Right.

SM: When did you decide?

CW: I decided after the first time I worked down in Choctaw.

SM: You were a freshman?

CW: No, I was a junior by then. Up till then I had no idea what I wanted to do. But starting my junior year I realized more what I wanted to do.

SM: Any other comment about the whole national or world situation from the viewpoint of a young law student?

CW: Not that I can think of right now.

SM: Do you think the whole thing is going to pot, or do you have some hope left?

CW: I worry about it at times. I have some hope left, that's some days, and other days I wonder, you know, what's gonna happen.

SM: Do you think the Indian people themselves are making any progress?

CW: I think they're making progress. It's slow and I wonder sometimes if it's not just gonna stop when people decide that it isn't "in" to like Indians anymore. I mean "Indian" is kind of a fad, or it has been in the past.
SM: Well, we hope it isn't.

CW: I hope that too. I know at school last year anyway, it was as if being Indian was going out of style, and that's bad to realize.

SM: But we can remember we have you, and a lot of other young people in there. That will help.

CW: We hope.

SM: Thank you, Cathy, for your comments today.