The David and Barbara Pryor Center
for
Arkansas Oral and Visual History

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Arkansas Memories Project

Morris Arnold

Interviewed by Scott Lunsford,

Joseph Patrick Key, and Robert L. Brown

June 5, 2009

Little Rock, Arkansas

Objective

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Transcript Methodology

The Pryor Center recognizes that we cannot reproduce the spoken word in a written document; however, we strive to produce a transcript that represents the characteristics and unique qualities of the interviewee's speech pattern, style of speech, regional dialect, and personality. For the first twenty minutes of the interview, we attempt to transcribe verbatim all words and utterances that are spoken, such as uhs and ahs, false starts, and repetitions. Some of these elements are omitted after the first twenty minutes to improve readability.

The Pryor Center transcripts are prepared utilizing the *University of Arkansas Style Manual* for proper names, titles, and terms specific to the university. For all other style elements, we refer to the *Pryor Center Style Manual*, which is based primarily on *The Chicago Manual of Style 16th Edition*. We employ the following guidelines for consistency and readability:

- Em dashes separate repeated/false starts and incomplete/redirected sentences.
- Ellipses indicate the interruption of one speaker by another.
- Italics identify foreign words or terms and words emphasized by the speaker.
- Question marks enclose proper nouns for which we cannot verify the spelling and words that we cannot understand with certainty.

- Brackets enclose
  - italicized annotations of nonverbal sounds, such as laughter, and audible sounds, such as a doorbell ringing;
  - annotations for clarification and identification; and
  - standard English spelling of informal words.
- Commas are used in a conventional manner where possible to aid in readability.
- All geographic locations mentioned in the transcript are in the state of Arkansas unless otherwise indicated.

Citation Information

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Morris Arnold was interviewed by Scott Lunsford, Joseph Patrick Key, and Robert L. Brown on June 5, 2009, in Little Rock, Arkansas.

[00:00:00]

Scott Lunsford: All right. The first thing's a little bit of business here. Um—I have to say that—um—I'm Scott Lunsford. You're—uh—Judge Morris—uh—Arnold. And we are at your residence in Little Rock, Arkansas . . .

Morris Arnold: Mh-hmm.

SL: . . . on this fifth day of June 2009. And, Judge, I have to ask you if it's all right with you that—uh—the [David and Barbara] Pryor Center for Arkansas Oral and Visual History is here—uh—videotaping and recording this interview and that it be housed in the Special Collections Department at the Mullins Library at the University of Arkansas, Fayetteville campus.

MA: You bet.

SL: All right. Thank you.

MA: Delighted.

SL: Thank you. Well, we are, too. Um—you and I have really just kind of met for the first time today. We've talked on the phone—uh—once or twice.

MA: Right.

SL: And—uh—we know we share common . . .

MA: I know a lotta [lot of] people in common.

SL: A lotta people in com . . .

MA: I know a lot about Fayetteville and a lot about Arkansas.

[00:00:57] SL: Yes. Um—uh—I will say that—uh—I like to start—uh—with your earliest memories, but before—before we get to that, I need to know when and where you were born.

MA: Okay. I was born on October the eighth . . .

SL: Mh-hmm.

MA: . . . 1941 in Texarkana, Texas. Ordinarily, I don't tell people I was born in Texas when I'm in Arkansas, and you can understand why. But I have an excuse, and that is that the only hospital in town was on the Texas side.

SL: [*Laughs*] There you go.

MA: Also, I'm a sentimental person, and I wanted to be with my mother on my birthday.

SL: [*Laughter*] That's good.

MA: And she was there, so I thought . . .

SL: She happened to show up.

MA: Yeah. So—but I grew—I—I was taken immediately to the Arkansas side, and I grew up on the Arkansas side, two blocks from Texas. So I think I can claim to be an Arkansan or an

Arkansawyer.

[00:01:48] SL: What—uh—what was your—uh—father's name?

MA: Richard Lewis Arnold.

SL: Mh-hmm. And—um—what did he do for a living?

MA: He was a lawyer.

SL: A lawyer . . .

MA: Mh-hmm.

SL: . . . there in Texarkana.

MA: Mh-hmm.

SL: Arkansas.

MA: Correct. [*SL laughs*] Yeah. Yeah.

SL: And your mother's—uh—maiden name?

MA: Her name was Janet Sheppard.

SL: And—um—uh—was she also from Texarkana?

MA: She—uh—yes—uh—she—she was born—uh—in Texarkana, Texas. My—uh—father was born in Texarkana, Arkansas. Actually, no, that's not right. My mother was born in Washington. Sorry. She was born in Washington, DC, but she grew up in partly in Washington and partly in Texarkana.

SL: And so her father's occupation was . . .

MA: Her father was named Morris Sheppard, and he was a United States Senator [*clears throat*] from Texarkana. And so, of

course, he had a—a—a house in Washington and also one in Texarkana.

SL: Now, was he a senator for Texas or Arkansas?

MA: Yes, Texas. Uh-huh.

SL: For Texas. Uh—and so she was born in Washington, DC.

MA: Yes. Uh-huh.

[00:02:51] SL: And—um—what was—uh—her mother's—uh—name and . . .

MA: Her mother's—uh—name was—uh—Lucille Sanderson.

SL: Mh-hmm.

MA: Her mother's—uh—maiden name was—uh—Lucille Sanderson, and then she married Morris Sheppard.

SL: Mh-hmm.

MA: So she became Lucille Sanderson Sheppard. After that—after my grandfather died—uh—my grandmother waited what was a decent interval—about a year—and married the other senator from Texas [*laughter*], whose name was Tom Connally.

SL: Is that right?

MA: So she became Lucille Connally. Yeah. Uh—she was used to—uh—being married to the senior senator from Texas, so she [*SL laughs*]—she just—uh—went—went—went—went with Senator Connally about a year after my grandfather died. They were

great friends—Senator Connally and my grandfather—so they'd known each other forever.

SL: Um—so—so did you know—uh—your grandparents very well?

MA: Yes. Well, I knew my grandmother Sheppard Connally. My grandfather Sheppard died—uh—before I was born.

SL: Okay.

MA: Um—he was—I was actually—my—my mother was pregnant with me at—at the time he died. He died in 1941. And when—by the way, when he died, twenty-five thousand people came to Texarkana for the funeral. [*Laughs*] Can you imagine?

SL: I cannot imagine that.

[00:04:16] MA: I mean the town was only—town barely had thirty thousand people in it. [*Clears throat*] So he was quite well-known because he—he's the one who—who got the ordnance plant and the Red—and—and the Red River Arsenal put near Texarkana, which eventually employed ten to fifteen thousand people. The town grew from about thirty thousand to about fifty-five thousand [*emergency vehicle siren in background*] as a direct result of all the war effort in the [19]40s and the [19]50s that was concentrated—that, of course—uh—uh—uh—was supported by—by these two—two institutions, so—um—he was quite instrumental in—in the history of Texarkana and in its

progress and [*emergency vehicle siren and horn in background*] its—and its—and its growth—although I guess there probably aren't fifty people in town now who would know his name. There's a little park there named after him.

SL: Uh-huh.

[00:05:07] MA: I was just down there the other day for a funeral and walked through the park. But—uh—there are no Sheppards left. He didn't have any—uh [*clears throat*]—he didn't have any—uh—sons, so the Sheppard line—um—the name disappeared in—in—in that area. But—uh—in my mother's family—uh—he was not the only—uh—politician. In fact, his father was a congressman. My grandfather succeeded my great-grandfather, 'cause [because] my great-grandfather died with about a month to go before the election. And so the Democratic Party got together and nominated my grandfather, who was twenty-six, in his place.

SL: Wow, that's pretty young.

MA: And—yeah. And he—he ran for—he—he ran a horse-and-buggy campaign, literally, for a couple of weeks and won. But in my grand—in my mother's family, in the last five generations—four gen—four generations have produced either a congressman or a senator or both. The only generation that skipped was my

mother's generation, which was all girls. And, of course, in those days the opportunities for women were pretty limited. She told me [*laughs*] a couple of times that if she'd been a man, she woulda been at least a congressman [*SL laughs*] by which she meant she woulda been a senator, I think. [*Laughs*]

SL: Right. Uh-huh.

[00:06:24] MA: So the—the—the—uh—I grew up with politics. I did—so I didn't know my Grandfather Sheppard, but I did know Senator Connally. He was a great character. I've—in fact, I've got one of his homburg hats upstairs, and he—he never wore—he—he—all the—he never had a shirt with buttons. He always wore studs and cufflinks and one of these—uh—string tie kinda [kind of] things, y'know . . .

SL: Uh-huh.

MA: . . . and a homburg. He was a—he—he—he was quite—uh—uh—influential in foreign affairs, and—and I think he was one of the signatories to the—maybe the United Nations charter. I'm not sure. He—he—he did a lot of [*clears throat*] work—uh—in international relations and may have been chairman of the Foreign Relations Committee. I'm not sure. My Grandfather Sheppard was chairman of the Military Affairs Committee [now the US Senate Committee on Armed Services]. But, anyway, I

knew Connally. He was great, and he was especially—one of the things that I—I liked about him the most was that whenever he came to town, he always brought a five-dollar bill for me. [*Laughter*] So—yeah—but I—he used—he smoked cigars, and he had a big Cadillac and a chauffeur, y'know, and used to ride in the back of the car with his—with—with his sort of signature gear on and was just a wonderful character.

[00:07:39] SL: Well, any relation to [Texas] Governor [John] Connally [Jr.]?

MA: They were distant cousins.

SL: Uh-huh.

MA: They were distant cousins. When I—when my grandmother died, I went to Washington and went through the house, and—uh—my aunt was showing—was asking me, "Do you want this? Do you want the—what things would you like?" And I got some of the portraits that you've seen . . .

SL: Mh-hmm.

MA: . . . around the house. But . . .

SL: Mh-hmm.

MA: . . . one of the things Connally died owning was this wonderful carved oak cigar box with the coat of arms of Cuba carved in the top, and it had been a gift from the—uh—Cuban ambassador.

And it had originally had held a thousand Cuban cigars.

SL: Wow!

MA: They were all gone.

SL: [*Laughs*] Well, of course.

MA: But I wanted the box.

SL: Uh-huh.

MA: But I didn't get it because his—uh—his son, of course, had first dibs on . . .

SL: Mh-hmm.

MA: . . . this stuff. I was just a, you know, an in-law, really, y'know . . .

SL: Mh-hmm.

[00:08:27] MA: . . . or step—part of the stepfamily, as it were. I didn't get the box. His son was named Benjamin Connally. He was a federal judge in Houston [Texas]—got it, I think. So I've often wondered what happened to that box. But the house was full of wonderful things. There was a letter from [British Prime Minister Winston] Churchill to my grandfather when—sometime after the [World] War [II] for some reason—or, no, it would've been before the war. Some Americans had—had some bad things to say about Churchill. I don't know what they were, but—no, you know what this—I'm sorry. This was a letter to

Connally, and so it was after the war, and—uh—but my Grandfather Connally had gotten up on the floor of the Senate and defended Churchill, so Churchill wrote him a letter saying, "Thanks for taking up for me. If I'd been anti-American, my American mother would've run me outta [out of] the house." [*SL laughs*] And it was a signed letter, but I don't know what happened to it. But, anyway, I—I—I guess the point is that I grew up around politics and interested in it—uh—just because of my mother's family. She was very political. She was—uh—uh—interested in politics and certainly would've run for office if she'd had a chance. [*Clears throat*]

[00:09:34] SL: So—um—did she—um—if she was very in—did—was she active in politics? Did she . . .

MA: She was active in—uh—yes, in supporting candidates and also in—uh—efforts to—to—uh—to register black voters. She was involved with the NAACP [National Association for the Advancement of Colored People] voter registration efforts in the [19]40s and—uh—early [19]50s—uh—and—uh—y'know, entertained the—the—the local black leaders in her house—uh—trying to give them advice on how to go about [*clears throat*]—uh—effectively organizing their registration campaign, which kinda scandalized some of our neighbors, of course, but she

didn't care. I mean that was—that was fine with her. And she—she wrote—I remember there was a kind of a recrudescence of the KKK [Ku Klux Klan] in the late [19]40s or early [19]50s, and she got pretty upset about that and wrote some poems to the newspaper, y'know—uh—saying, y'know, "You're a buncha [bunch of] hypocrites. You go to church on Sunday and sing Negro spirituals and then—and read—uh—scriptures written by—uh—uh—Jewish—uh—authors, and then you go out and put a hood on and parade around town like a buncha fools condemning these people." So she was—I think she probably did this at some risk to herself. I remember she was saying that she sorta [sort of] notified the FBI [Federal Bureau of Investigation] about it. But I—she told one of the Klansmen that she was gonna [going to] sic the FBI on 'em [them]. [*Laughs*] Now they probably believed her since her father had been a senator.

SL: Right.

MA: She had some credibility.

SL: Uh-huh.

[00:11:11] MA: So—uh—yeah, she was active in that way, and—uh—but she was a, you know, a reader and—uh—uh—we had a real library—by which I mean a—a room that was devoted to books [*laughs*] that she—uh—studied in. I remember—uh—she—one

of my early memories is—uh—my brother [Richard Sheppard Arnold] sitting in the library with her, teaching her Greek because she wanted to know—she knew—she had—she—she knew Latin and German and French and some Italian, but she didn't know Greek, and she wanted to read the New Testament in the original 'cause she didn't trust the translations. [*Laughs*] So . . .

SL: And—and for good reason.

MA: Yeah.

SL: Yeah.

MA: So he would—he would sit there and teach her Greek, and he—she complained that he was a very tough grader. He would take off a [*SL laughs*] whole point for a missed accent point. Accent mark, I mean, so she was pretty miffed about that. He was sixteen. [*Laughter*]

[00:12:05] SL: Well, y'know, we may as well go ahead and talk about this a little bit. I—I—uh—there seems to be—um—quite—uh—impressive academic achievements in your family line . . .

MA: Mh-hmm.

SL: . . . and—and—and is that something that—uh—I mean, was your mother just on you guys all the time, growin' up?

MA: Yeah, pretty much. Yeah, their—they—they—my—uh—

grandfather—uh—Sheppard had—uh—what—was a—was a real scholar. He—he—uh—went to the University of Texas [Austin, Texas] in the 1890s and got an undergraduate degree and a—where he was Phi Beta Kappa and then went to law school there. And then in 1897, he went to Yale [University, New Haven, Connecticut] and got a master's of law, which, I guess, must've been if not unique, almost so, for those days in that place in east Texas.

SL: Mh-hmm.

[00:12:59] MA: Uh—and then my mother was brilliant. My father said that he—she had the quickest mind that he'd ever met, and he should know. I mean, he was probably the best-educated person within a hundred miles 'cause he'd gone to [Phillips] Exeter [Academy, Exeter, New Hampshire] and Yale and Harvard Law School [Cambridge, Massachusetts], and he thought that—I mean he was essentially—uh—in awe of her, y'know. And she was a—a Phi Beta Kappa as well and—uh—uh—so—yeah, scholarship—uh—mattered. I mean, y'know, we were—we weren't allowed to pronounce words wrongly or, y'know, write things that weren't—uh—weren't right, y'know, exactly to the book. And it was very important to—education was important. She was—uh—uh—in fact, the—you know, the public schools

weren't all that great in Texarkana at the time, and I went to—my brother went to public schools through the ninth grade, but I—my—my mother got interested in a little—uh—church-related school—Episcopal school called St. James Day School in Texarkana [Texas] in the late [19]40s. So—um—from the fifth grade on, I went to this school called St. James Day School, which was quite small. My ninth-grade graduation class was only seven.

SL: Mh-hmm.

[00:14:14] MA: Uh—but it was a nice school, and—uh—my mother was one of the mainstays. She was on the board and—and was the bookkeeper and taught. She taught a—a bible class there and a class in anticommunism. She was a—uh—very—uh—liberal on race and—uh—uh—labor relations and that sort of thing—uh—but she was also a—a very stout anticommunist. I don't mean—I—I—I don't know why I'd say "but also." I mean those are all—those things are—uh—easily accommodated—uh—those two mindsets—because—uh—y'know, it's essentially classical liberalism. But she was not a McCarthy type at all. She was a—a sworn enemy of Joseph McCarthy because she thought that he would—and rightly so—uh—was—um—engaged in a witch hunt. So—but she—y'know, she regarded—um—

communism as a threat because of, first of all, she was a Christian and, of course, the communists were and are very anti-Christian. And, second of all, they were not big on liberties like—uh—y'know, the ones that are protected by our Bill of Rights. So she was a political person—a—a brilliant person—and—and—uh—someone who, y'know, was a kind of a role model for me, I think—as was my father.

[00:15:41] SL: So—um—what was the role of religion when you were growing up in y—in the household?

MA: Uh—we—uh—when I first—when [*laughs*]—actually, my early years there really wasn't much. I—I would—uh—my mother and father didn't go to church when I . . .

SL: Uh-huh.

MA: . . . and my—uh—before I was ten, I'd say. Um—uh—my brother—uh—my—my—my mother grew up a Baptist, but she did not like the Baptists in her—after she grew up because she thought—well, for one thing, she thought that their—uh—anti—antievolution stance was just nonsense.

SL: Mh-hmm.

MA: Uh—and I'll tell you a funny story about that in a minute. But she also didn't like—she thought they were much too—uh—strict. My mother liked to have a good time—uh—although her father

would—had—was the author of the Prohibition Amendment to the [United States] Constitution. She was—uh—not . . .

SL: Huh.

MA: . . . not a prohibitionist by any means. And—uh—she thought that the Baptists were—were—uh—Puritans, and she didn't like that. Uh—so she quit goin' [going] to church. That's—but about 1950, she got very interested in the Episcopal Church.

SL: Mh-hmm.

[00:16:56] MA: And so I started growing up in the Episcopal Church after that. I wasn't baptized till I was about ten. Uh—my brother [*laughs*] started off goin' to the Baptist Church, but he got mad at the Baptists 'cause he—they said that the world was created in 4000 BC.

SL: Uh-huh.

MA: And he raised his hand and said, "I got rocks at home that are older that are older than that." [*Laughter*] So then he went to our father and said, "I don't wanna [want to] go there anymore." He said, "Fine. Go to the Methodist." So he went to the Methodist for a while and—but he didn't like that either, because he said, "All they wanna do is talk about labor unions" . . .

SL: Uh-huh.

MA: . . . "and the social gospel." He said he didn't like that either.

He wanted to talk about Jesus and God. So he went to Daddy, and he said, "Well, you don't have to go there anymore either, if you don't like that." The Baptists were too conservative, and the Methodists were too liberal, so he—uh—when he got—when he was nineteen he—he got—uh—very interested in the Episcopal Church about the same time my mother did and became very devout then and was really a—a Roman Catholic in his heart. Uh—but, anyway, I grew up in a—a—a—this little day school that we went to in Texarkana was very important to me and to our family. Still going. They just had its sixtieth—uh—anniversary. It was a great little school. We learned Latin, and it was a old-fashioned—uh—y'know, curriculum and—and—uh—uh—very—uh—academically oriented.

[00:18:22] SL: Um—so the—um—Senator Sheppard . . .

MA: Mh-hmm.

SL: . . . authored the prohibition amendment.

MA: Yeah, he did. You know—uh—uh—David Pryor—I mean [US Senator] Mark Pryor just gave me a beautiful color copy of the original resolution that my grandfather wrote and introduced in the United States Senate from the United States archives [National Archives And Record Administration, Washington, DC]. Mark just brought this to me about a month ago. It's hanging

on a wall over there in the original blue type . . .

SL: Uh-huh.

MA: . . . on this yellow paper with his notes on it. He wrote every word of it. He actually wrote it. In those days, they didn't have a staff, but even if they had, he wouldn't have needed one because, y'know, I told you he had this great background. But any [*laughs*]—anyway, I was up at the Supreme Court of the United States about two months ago, and talking to [United States Supreme Court Associate Justice] Clarence Thomas, and we were talking about something in the Constitution. And I said, "Well"—oh, it was about the oath of office—about how [President Barack] Obama and [United States Supreme Court Chief Justice John G.] Roberts couldn't get it right.

SL: Right.

[00:19:15] MA: And so—so I said, "Well, let's look at it." So he called—he called his secretary, and he brought this little pocket Constitution in, and we looked at it. Uh—and I brought it home later because I had heard that the resolution that my grandfather had written differed in—in only two words from the words that actually appeared in the Constitution in the Eighteenth Amendment. So when Mark brought this thing into my office, I said, "Let's look and see." So I got my pocket

Constitution out that Clarence Thomas had just given to me and compared it to the resolution that Mark just brought in, and sure enough, only two words were different. I'd gotten that from a biography that my aunt wrote of my grandfather. So I tell people, y'know, "My grandfather's words were actually in the Constitution of the United States. Now they may not have been the very best words that were in there." [*Laughter*] "But, y'know, were your grandfather's words in there? No!" So . . .

[End of verbatim transcription]

[00:20:11] SL: Well—so was your mother's house, growing up, then—were they pretty strict Baptists or . . .

MA: Yes. Yeah, exactly. Yeah. Yeah, my grandfather and grandmother were Baptists, and her grandmother—my mother's grandmother, with whom she spent a lotta time during her childhood, was very much a rock-ribbed Baptist and a prohibitionist. And, in fact, she used to give my mother and father a lotta hell about it because they—she knew that they actually imbibed and . . .

SL: Mh-hmm.

MA: . . . she was not—she was [*laughs*] unalterably opposed.

[00:20:52] SL: Well, the—that was a big movement back then.

MA: Yeah.

SL: Yeah.

MA: Yeah. And the thing that people don't realize is that it was part of the Progressive movement. It was actually a lot of it had to—a lot of this pressure came from women's groups, who rightly associated liquor with abuse.

SL: Of course.

MA: And so, y'know, it's a complicated question. It's a—it's complicated. I'm certainly not—I'm no prohibitionist, but—I mean, my politics are basically libertarian. I don't think anybody's politics can be captured by a single word, but I don't think of myself as either a conservative or a liberal. I'm really more of a libertarian, which means I'm kind of a governmental minimalist, which makes me look like a conservative sometime and like a liberal others.

SL: Yeah.

MA: Y'know. So, anyway, yeah—she—her—my mother's family was a Baptist family and had been for generations. My father's family was Methodist.

[00:21:58] SL: So—and then the move toward the Episcopal Church. The Episcopal Church is—I've always thought of it as being pretty romantic.

MA: Uh-huh.

SL: There's something romantic about it.

MA: Yeah.

SL: It's not . . .

MA: It's Anglican.

SL: And so I could see an attraction there.

MA: She liked the ceremony and the ritual. She thought the mass—the service was a drama, and she used to talk about that. And she liked the ceremonial liturgy. She liked the music. I was in a boys' choir at the St. James' Church, and she was—one of the things that she taught me was to appreciate music, and she loved the [music of composers Giovanni Pierluigi da] Palestrina and the [Johann Sebastian] Bach and the [George Frideric] Handel and the stuff that we did like that. And one [*laughs*] interesting story about her is that she was a big opera lover. She'd actually gone to drama school in New York and—when she came back to Texarkana. She'd been married in New York to, I guess, probably a—an actor. I'm not sure. But when she came back to Texarkana, she tried to maintain that cultural connection, and one of the ways she did that was that our—we only had two radio stations in Texarkana at the time, but they'd—you'll understand this word—they simulcast.

SL: Sure.

[00:23:17] MA: In other words, they had the same program on [*laughs*] the AM and the FM. [*SL laughs*] It was KCMC-AM and KCMC-FM except on Saturday afternoon, when my mother and ten other ladies in Texarkana chipped in a buck apiece and rented a phone line from Little Rock, so they could have the Texaco Opera on the FM station. So one of my early memories of growing up with her is sitting there in her—in their big bedroom in Texarkana and listening to the radio on Saturday afternoon while she kinda, y'know, did her chores around the house, and there was a nice black man named Leon, who was a preacher, I remember—a wonderful, nice-looking guy—very well-spoken—who helped her in the house on Saturdays, and we would listen to the opera. [*Laughs*]

SL: That's amazing. Now—but didn't Texarkana in its heyday—I mean it had—didn't it have a—an opera house or . . .

MA: It had an opera house, but of course, it was just—it was vaudeville and theater. And—but they would—you know, occasionally, they would have opera singers. But, y'know, opera houses in those days were really vaudeville theaters. So occasionally, they would have something like that, but not—you know, there—I—there was not—I wouldn't think there were any—y'know, I mean, they'd have a—an Italian tenor come

through every now and then, but nobody ever did put on opera productions, I wouldn't think.

[00:24:41] SL: So I'm going to assume that you had a piano in your house and . . .

MA: Yeah. Good.

SL: . . . music.

MA: Excellent. My—I grew up with this baby grand Steinway. It's the smallest grand piano, you know, they make. Model S. I think it was a five-foot piano. And one of my early memories is sitting there with her on the piano bench while she play—played [the music of composer Frédéric François] Chopin. That was my favorite. She also played the violin, and I [*laughs*] remember watching [entertainer and pianist] Liberace with her. And I'd say, "Well, Momma, is he any good?" She'd say, "He's all right." [*Laughter*] And then [comedian and actor] Jack Benny had such—she'd say, "Y'know, Jack Benny's a good violinist." She'd say, "You have to be good to play that badly [*SL laughs*] on purpose." So, no, she knew a lot and she had an opinion on everything, y'know. And I remembered a lot of what she said.

[00:25:28] SL: Were there events around music in your house? I mean, did people gather around the piano and sing and . . .

MA: On—only—yes, occasionally. I remember—especially on New

Year's. We had a New Year's Eve party that was kinda the—that was about the only regular party we ever had, but that was a big event for me. About a hundred people would come. It was kind of a big social scene for Texarkana [*laughs*] in those days.

SL: Well, sure.

MA: And I've got pictures I'll show you of that party from about 1950 I think you'll be interested in. And I remember I loved it 'cause I got to stand by the door when I was about eight or ten or twelve years old and greet everybody. I liked that. And then . . .

SL: I bet they loved that, too.

[00:26:15] MA: Oh, it was fun. And then Hazel [Blaylock], who was our full-time maid and cook, would dress up in her uniform—a black uniform—and then we had a couple of waiters in their white coats. Her husband, Arlee, and then there was a fellow named Lon [Blaylock], who was a—I think I've got pictures of them—who would come and wait tables and stuff. And the—that was just—that was a great occasion. Lon worked down at the Grim Hotel as well. But I loved it because that was when Hazel always made biscuits, and we had biscuits and ham. Man, I wish I had some of those now! [*Laughter*]

SL: I think I might, too.

MA: Oh, man. That was some—the food was great. We'd have a

turkey and a ham. Y'know, it was—I mean, by these days, I—these standards today, I guess it would be kinda modest, but it was a big event for me. And then so everybody would gather around the piano, especially at—on—at midnight and sing "Auld Lang Syne," y'know, as my mother would play. But other than that, we didn't have musicales or anything like that.

SL: Yeah.

[00:27:33] MA: There wasn't much of that going on in Texarkana at the time. She was an organist, too, by the way. She was a—she became a member of the National Guild of Organists when she was sixteen. So—and she used to—when she was a girl, she would give recitals.

SL: Did she play for church at all?

MA: Occasionally, she would fill in if somebody—y'know, she didn't do that on a regular basis, but if somebody was sick or unable to come, she could do that.

SL: Now . . .

MA: She was a good sight reader.

[00:27:56] SL: . . . I'm just going to guess that the Sheppards came—had wealth. How did the wealth come and . . .

MA: The Sheppards were not—they were well-to-do farmer-planter types. And my great-grandfather was a—in addition to being a

congressman, he'd been a lawyer and a district attorney and a judge. But they were not wealthy. They were well off. They were kinda upper-middle class. But my grandmother's family was the—the Sandersons had a lotta money. They were timber people.

SL: From Texas.

MA: Yes. Uh-huh. And they were well connected with the Buchanans, who—well, my great-grandmother's aunt—we called her Aunt Hannah, who lived into the [19]50s, was married to a guy named William Buchanan, who was one of the ten richest guys in the South, who lived in Texarkana—had a Frank Lloyd Wright house, or actually it wasn't—it was a copy of a Frank Lloyd Wright house. It's now gone. But, yeah—so that family was—they were very well off, and that big house I've shown you a picture of was their house. That was—but that was my great—my mother's mother's family. The Sheppards were—they were well—y'know, they were well established, and they'd been in—y'know, they'd come to Virginia in the 1600s in the seventeenth century and had been one of my—two or three of my ve—my early seventeenth-century relatives have been in the House of Burgesses of Virginia. But they were not rich, y'know. They were just kinda well-to-do gentry types.

[00:29:49] SL: And then what about your father's side of the family?

MA: My father's side of the family were sort of upper-middle-class types, too. I have just—I've just showed you I've just gotten this great picture of my great-grandmother, Temperance Lucinda Arnold. She was Temperance Lucinda Arnold before she married an Arnold. She married her second cousin, Thomas Saxon Arnold, and they were—David Saxon Arnold. And they were planter-merchant types in south Arkansas there—that Arnold family was, y'know, well-to-do but not rich. They were not aristocrats by any means. This wasn't *Gone with the Wind* [released in 1939], [*laughs*] okay? They were slave owners, but it was, y'know, fifteen, twenty slaves a household. Nothing in a—y'know, the big-time aristocratic class at all—not like the Johnsons of Chicot County, for instance. But my great-grandfather, David Saxon Arnold, was a well-off, prosperous planter is the way my grandfather described him. He went off into the Civil War and became a captain in the Louisiana Calvary, and 'course, they lost the—there was a book written about my grandfather in which it was documented that his family lost 90 percent of their wealth as a result of the Civil War. And my grandfather had—Grandfather Arnold had this great Civil War story. He was five years old when the Yankee troops came

through Union County [Arkansas] and ran 'em outta their house, and they were off in the woods eating acorns and stuff for three or four days. Came back in—of course, the soldiers had taken everything. Except there was one biscuit on a tin on the kitchen table, and he reached up to grab it, and my great-grandmother, whose picture I just showed you, took it from his hand and threw it out the window and said, "Don't eat that, son. That's a Yankee biscuit." [*Laughter*] So we . . .

SL: So you got to hear it . . .

MA: That was a family story, y'know.

SL: Did you get to hear that from . . .

[00:31:52] MA: Yeah, I heard it from him, and it's a family story. I can't tell that around my good, young eastern law clerks that come down here to work for me [*SL laughs*] 'cause they don't understand that I'm only kidding, y'know. It's not—we have no animosity to [*laughs*] people from the East whatever. And he didn't either, by the way. It was just a—but I mean can you think of anything more oxymoronic, anyway, than a Yankee biscuit? [*Laughs*]

SL: No, I can't. [*Laughter*]

MA: But it was not a hateful story in any way. It was just a—y'know, it was just something to laugh about. [*Laughs*]

[00:32:25] SL: Well, were there any other stories that you remember from your grandfather?

MA: Yeah, he was a—he had a great sense of humor. He went off to Europe one time, which, I guess, must've been unusual in those days. But he was so afraid of getting lost, he carried his résumé around with him—his biography—and at every hotel he stopped at, he'd give it to the concierge, so that if he ever got lost, they'd know where to—where he was from, and they could send him back. [*SL laughs*] And he became a—he kinda became a celebrity as a result and was featured in *Ripley's Believe it or Not* [newspaper column] as "the man who could not be lost." He was [*laughter*]—so—and he was mayor of Texarkana. My—the Arnold family was also involved in politics, though not on the scale [*laughs*] of my mother's. They were local politicians in southwest Arkansas—the three or four mayors, like, of Prescott and Texarkana and Hope and Old Washington, and four or five members of the state legislature and that kinda thing, y'know, and justices of the peace, state senators. But my grandfather [William Hendrick Arnold] was mayor of Texarkana [Arkansas from 1892-1894] in the 1890s and was instrumental in, at least for a time, shutting down the saloons and the bawdy houses and the gambling dens. But he [*laughs*]—but he used to tell the

story about—he actually discovered an opium den in Texarkana in the 1890s in the back of a Chinese laundry. And, as I told you, the Arnolds were not opposed to taking a drink, so he would, along about the shank of the evening, he would get up from his desk and announce that he was gonna go home to hit the pipe, by which he meant take a drink, not the opium pipe, but he got that expression from these opium smokers that he'd essentially—had arrested. And so he would—when he wanted to have a drink, he'd say, "I'm gonna go home and hit the pipe."

SL: Huh!

[00:34:23] MA: But he—one—it's one of his first—he wrote a book [*The Arnold Family*] that was published in 1930, and he told the story about when he first came to Texarkana, he encountered one of these crooked sheriffs who had an interest in a lotta these houses of ill repute and the gambling dens and so forth and actually shot a guy in a courtroom in Texarkana when my father—when my grandfather was in the courtroom. And, later on, when my grandfather was a crusading mayor and was prosecuting one of these guys' deputies, the guy threatened to kill him, my grandfather, in the courtroom. And my grandfather said, "Go ahead." He said, "Life doesn't mean that much to me." So he survived, but it was—y'know, it was rough. [00:35:10]

My other—my great-grandfather [John Levi Sheppard], I told you, on the other side, was a judge on the Texas side, and he—there were—things got so bad in the 1880s that the newspaper editorialized that he better not come to town to hold court because the outlaws, and essentially, the hooligans were gonna disrupt it. So he—in those days—and this is true—they actually held court in a saloon because they didn't have any other place. They held court in old man [Anthony L.] Ghio's saloon on Broad Street and, y'know, you can't make this stuff up. I mean . . .

SL: Right.

MA: . . . you're from Arkansas. And he [*SL laughs*]—so he rode up there anyway and got off his horse or out of his buggy, probably, and went in the saloon and sat down at the table and pulled out two six-guns and put 'em on the table—said, "Okay, anybody wanna cause a ruckus, this is the time." And they . . .

SL: Called their bluff.

MA: . . . nobody did. So he held court. They—y'know, so actually, y'know, that [*laughs*] continued. My cousin, Bill—I know this gets boring, but my cousin, Bill Arnold, was also a judge in the [19]60s, and he actually carried a pistol in his belt when he was sitting on the bench because one of the local lawyers there had threatened to kill him. It was a pretty tough town.

SL: Pretty tough town.

MA: Yeah.

SL: So . . .

[00:36:32] MA: So I grew up with up politics on both sides of my family.

SL: Yeah.

MA: My father didn't like politics, but he was the only one in—he was very disillusioned by politics, and in fact, he quit voting when [President Franklin Delano] Roosevelt was elected, he was so conservative. [*Laughter*] He wouldn't even vote for my brother when my brother ran for [US] Congress.

SL: No!

MA: I'm not kidding you. My brother ran twice, but my father did not vote for him—not that he—y'know, he didn't vote for the opposition obviously but . . .

SL: Right.

MA: . . . he just told him he wasn't gonna vote. And he didn't.

[00:37:04] SL: Well, let's get back to some of your early . . .

MA: Yeah.

SL: . . . memories, growin' up. Is there—in your conversations or whenever you were talkin' with either set of grandparents, was there anything that they passed on to you that kind of turned—

switched a light on for you or . . .

MA: Well, I remember my grandfather Arnold—he was actually—I was only six—five or six years old when he died. I remember him very well, but I don't remember anything he told me directly except that Yankee biscuit story, probably.

SL: Yeah.

MA: But he wrote this book, as I said, in 1930, and he said that he had written it for his grandchildren, including me, in hopes that we might be of some account in the affairs of the world. So I think probably whatever political ambitions I may have had or ambitions to be a judge were kindled by that, probably. As far as my other grandparents—as I said, I didn't know my Grandfather Sheppard. My Grandmother Sheppard was a—well, my grandfather Sheppard was a kind of an inspiration, too, because not only was he a senator, but he wrote two books [*Addresses* and *What Shakespeare Said about It*]. And so I think maybe the fact that he wrote books and my Grandfather Arnold wrote a book might've had something to do with the fact that I've written books. The best advice my grandmother [Lucille Sanderson Sheppard] ever gave me was when I was in the racehorse business—"Well, don't lose all your money." [*Laughter*] That's what I tell you—I told you earlier that I

figured out how to make a small fortune at that, though.

SL: Yeah.

MA: You start off with a large fortune.

SL: [*Laughs*] Yes.

MA: [*Laughs*] Y'know, don't—two or three years later, nothing to it. Small fortune. [*Laughter*] I should've taken that advice.

[00:39:11] SL: When you were growing up in Texarkana, what kind of signs of segregation were around you?

MA: That's a great—all the—that's a great question. All the schools were segregated. The movie theaters were segregated. Some of them didn't take blacks at all, but the ones that did had separate entrances, and they had to sit in the balcony. I—I've done a lot of collecting, I've showed you, old Texarkana memorabilia, so one of the things I didn't inflict on you was this collection of old phone books that I've got. And one of the interesting things that I've divined from those phone books is that even the yellow pages were segregated and so . . .

SL: Is that right?

MA: . . . you'd have "cafes," "cafes-colored," y'know.

SL: Wow.

MA: "Movies," "movies-colored." [00:39:56] There're actually two black [*Trey Marley coughs*] theaters in Texarkana at the time.

They were both on the Texas side. But that's—y'know, actually, at one time there may have been three. There were two commercial theaters, and then there was a black business block that had an auditorium in it that occasionally showed films. But anyway, I think that's remarkable, because Little Rock had only one.

SL: Yeah.

MA: So, yeah, segre—I used to ride in the back of the bus with my maid, Hazel, when I was a little boy. I remember it well. It didn't—I—it was just where we rode. I didn't think anything about it. Y'know, it was just my whiteness didn't rub off on her. Her blackness [*SL laughs*] rubbed off on me.

SL: Right.

MA: And that was fine.

SL: Yeah.

MA: I loved Hazel, and it didn't—I mean, I didn't think of it as insulting or anything else 'cause I wasn't capable—I didn't understand as a child how demeaning this was and how, y'know, being excluded made people feel because I just—y'know, kids follow the rules. [*Laughs*]

SL: Right.

MA: So . . .

[00:40:53] SL: Did you ever sense any problems with race relations? I mean this stuff was so ingrained . . .

MA: Yeah.

SL: . . . in the culture that people just kind of accepted it, and there really wasn't . . .

MA: Well, there was—there were people—yeah, sure, there was a vote—a matter of voting. Y'know, the blacks didn't vote in the Democratic primary until the [19]40s.

SL: Right.

MA: And even then—y'know, as I said, my mother was involved in black registration. I remember that when they integrated the Texarkana College [Texarkana, Texas] or tried to the first time in the [19]50s, and the blacks were turned away. I remember that a friend and I—of mine and I were going out there to look at—y'know, to be there when the—when the blacks showed up, and I—my maid, Gertrude [Walton], got kinda upset at us because she said, "Well"—I said, "well, you don't understand. We're there to support those kids," y'know, we weren't—we weren't there to in any way to impede them. We were for integration. But I think her problem was that, you know, that they couldn't tell that. [*Laughs*] Y'know, we were just white people standing out there and swelling the throng.

SL: Right.

[00:42:06] MA: We didn't understand that, y'know. We were certainly very much in favor of integration, but that was about the only time I can remember when I was a child that there was—or a young man, actually, 'cause I would've been seventeen probably at that time, having any kind of racial—even close to a racial confrontation because, I mean, everybody in town knew that we were, y'know, in favor of black progress. So . . .

SL: In the . . .

MA: 'Course, the country club was not integrated.

SL: Right. Right.

MA: Churches were not integrated.

SL: What about the sporting stuff? I mean did—I know that up in northern Arkansas . . .

MA: Yeah.

SL: . . . white football teams wouldn't play . . .

MA: Oh, yeah, no there was . . .

SL: . . . if there was a black player on any other . . .

MA: Absolutely not. No. And, y'know, the thing—the only integrated thing—the parades were integrated. The black bands marched in the parades, y'know.

SL: That's interesting.

MA: And they were great.

SL: Well, of course, they were.

[00:43:16] MA: Yeah, they were great, y'know, and everybody knew it. The majorettes were better. Their musicians [*laughs*] were better. I'm sorry! But it was just—yeah, that—I remember that. That was a—one—one of the [*laughs*] interesting things I—one of the interesting items I have in the—in my old Texarkana collection is a program from an event that occurred that was put on in Texarkana Auditorium [Texarkana, Arkansas]—it was a black touring troupe of some kind. But they had a—an ad in the paper about it. I've forgotten who it was. Let's say it was Louis Armstrong. I don't know. But the ad said there'd be a separate section for the whites. [*Laughter*] I thought—I don't know whether that was to allay the fears of the blacks or to allay the fears of the whites. Y'know? But I thought that was kind of amusing. [*Laughs*] But, yeah, that was just a fact of life.

[00:44:17] SL: Well, you mentioned some of the help around the house.

MA: Yeah.

SL: And I would assume that you were—your family was close to them.

MA: Yeah. Oh, yeah.

SL: I mean, there was this dynamic where the help was kind of part of the family.

MA: Yeah, that's—I was gonna say it's the old cliché, but it's true. I mean, Hazel was kind of my surrogate mother growin' up, y'know, and as I said, her husband used to work for us occasionally, and she would—she was the one who got assigned to play Monopoly with me. My mother—it was too boring—she called it "Monotony." [*Laughter*] So Hazel had to play Monopoly with me, and I'd get a—at least allow me to pretend to be help around the kitchen. And I remember sitting around in our kitchen listening to the radio with her. She loved her stories—y'know, the soap operas?

SL: Uh-huh.

[00:45:09] MA: *My Gal, Sal* [radio soap opera series] and all that stuff that used to come on in the [19]40s. Boy, they were great. As they say, the pictures on the radio were much superior to the ones on television.

SL: Well . . .

MA: [*Laughs*] 'Cause you use the mind's eye.

SL: . . . there is something—yeah.

MA: Y'know.

SL: That's right. [*MA laughs*] That's right.

MA: That's why a lotta those—incidentally, a lotta those radio shows didn't transfer well to TV because they didn't look like . . .

SL: The magic was gone.

MA: They didn't look like they were supposed to, y'know.

SL: Right.

MA: It wasn't—but I don't know if you know this, but a lotta the old TV shows were the—just the radio format with a camera.

SL: Yeah.

MA: You know, and they tried—you know, even with the organ music in the background and all that. Well, I go to the Museum of Radio and Television [renamed the Paley Center for Media in 2007] in New York [New York] when I'm—whenever I'm there and look at some of the old shows and just watch the way the production—they tried to transfer those production values from radio to television. It was fascinating. It didn't quite work.

[00:45:59] SL: So did your all's help live on the grounds? Did they have their own stuff in the back or . . .

MA: No. No, we didn't. No, they did not. We didn't have any quarters. My great-grandmother's house did, where my grandm—my mother spent a lot of her childhood. They had twelve people working in their house, including two gardeners.

But we had—y'know, back when I was real small, we probably had two or three full-time help and a couple of part-time. But when I got larger, we only had a couple of full-time people and a fellow who'd come in on Saturday, and we'd have a yardman. We didn't—we weren't fancy enough to have a gardener. [*Laughs*] He was called a yardman.

SL: Yeah. Yeah.

MA: And then we had a guy that drove us occasionally, y'know. And we—but, yeah, though I—and in Texarkana, our neighborhood was only about a block from a black neighborhood, maybe a block and a half. So I grew up with black people.

SL: Do you think that's left over from antebellum cultures? I mean . . .

MA: Yeah.

SL: . . . the—the bigger houses were where y'all were and the help lived nearby . . .

MA: Yeah.

SL: . . . and . . .

MA: I think that's probably true. [00:47:19] I think that's an interesting observation. And it was a—that was one of the best things about growing up in our house, was the black people who worked around it. The—I remember Christmastime there would

be a lotta people would come to the back door and bang on the door. And my father would [*SL coughs*] sit down at the kitchen table—y'know, they'd come, and they'd knock on the door and say, "Christmas gift." And that was the old-time way. They were—y'know, and my father'd say, "Christmas gift back." And he opened the door, and they'd come in. I remember there was an African American bishop who would come and visit us, and they would sit down at the kitchen table and have a drink on Christmas Day together. And so that was an occasion where there was integration. Very rare, but I guess . . .

SL: Christmas gift.

MA: Christmas gift.

SL: It's almost like . . .

MA: You never hear . . .

SL: . . . trick or treat.

MA: Yeah, you didn't—you never heard of that one?

SL: No.

MA: Yeah.

SL: I've never heard of that.

MA: Yeah. Yeah, that's an old-time southern tradition. That was great for a little kid. I just loved it . . .

SL: So . . .

MA: They were very interesting people, y'know.

[00:48:29] SL: So what about black music? Where you aware of the dichotomy in, y'know, what whites were listening to and what the blacks . . .

MA: I guess I did—I knew the—I liked—I knew about and liked the blues music. I don't think I thought of it as black music. I just thought of it as music. And, of course, it was a lot different from the classical music that I grew up listening to my mother play and listened to on the radio and on our Victrola, as we called it. But then there was a lotta country-and-western music around, too. The place was rich with music. But, yeah, I used to like the blues. I loved the harmonica and the guitar. But I don't know that—y'know, we weren't all that race-conscious, frankly. It was—we're more race-conscious now than we ever were, I think.

SL: I think you're right.

MA: I—and I think it's too bad. But, yeah . . .

SL: Well, there was a . . .

MA: . . . I liked it, but I didn't like it because it was black or y'know, or—y'know, it was just great music.

SL: Well, there was a comfort back then.

MA: Yeah, it was just what . . .

SL: 'Cause that's just the way it was.

[00:49:29] MA: It was like—well, I guess I grew up eating black food. I didn't know it was black food, but it—y'know, it was mashed potatoes and black-eyed peas and fried chicken and—y'know, back then we had a cook, but we're not talking cuisine here. It was really good country food. Lima beans and, y'know, that stuff. And the way people in—for instance, the way that sorta the aristocrats in Little Rock would get a cook is just go out to their front gate and wait for a black woman to come by and said, you know, "Would you like to cook for me?" And so the black food came in the house, y'know? It was southern food is what it was.

SL: Yeah.

MA: So I didn't think of it as black food. It was just food. But I guess people [*coughs*] today wanna market it as soul food or something.

SL: Right.

MA: Well, it's what I grew up eating.

SL: It's southern cuisine, basically.

MA: Yeah. [*Laughs*] Right.

[00:50:24] SL: So you had radio, I'm assuming. Did you have [natural] gas? Was gas . . .

MA: Yes.

SL: . . . piped into the house?

MA: We had stoves. Yeah, we didn't have central heat. It was [*laughs*]—those old stoves, y'know. They'd—you'd turn 'em on and stand in front of 'em when you got outta bed. They'd burn your front end up and . . .

SL: Right.

MA: . . . you'd—after that was burnt up, you'd turn around and it—they'd burn your back end up, but there was . . .

SL: Right.

MA: . . . you couldn't—there was no—unless they'd been on for a long time, they didn't really heat the whole room. [*Laughs*] But that was fine, y'know. In the summer, of course, it was just hotter than the hinges of hell, and I remember those old oscillating fans—those Emerson fans, y'know. They go like this and [waves hand left and right to portray the oscillating movement of the fan] . . .

SL: Yes.

MA: . . . and they had three speeds, and we didn't have OSHA [Occupational Safety and Health Administration] or anything like that in those days, and if you were damn fool enough, you could stick your finger in there and it [*SL laughs*]—but, y'know, you only did it once.

SL: Yeah, that's right. [*Laughs*]

MA: But I literally remember lying there and, y'know, just burnin' up in the summertime in the bed and the windows wide open and the magnolia trees out there and all that—and that fun humming and the radio going. I mean, it was [*laughs*] southern. And mosquitoes.

[00:51:31] SL: Right. Right. Do you remember when the window air-conditioners hit?

MA: I even got malaria.

SL: Do what, now?

MA: I even got malaria once.

SL: You did?

MA: Yeah. I went off to Exeter for prep school and got real sick. I told 'em—y'know, I had this hundred-and-four-degree fever, and I told them I had malaria. They didn't believe it, but then they tested me and found out that I did. But—I'm sorry—what was your question?

SL: Well, so that happened in Texarkana?

MA: Yeah.

SL: Wow.

MA: Yeah.

[00:52:00] SL: Let's see—oh, I was talkin' about window air-

conditioning.

MA: Oh, yeah.

SL: Do you remember when that hit?

MA: Well, my mother had the high blood pressure, and she died of a stroke when she was only forty-four. I was just thirteen. So—but before she—she'd been diagnosed with this, so my father got one of the first air-conditioners in town, but it was a console unit that actually sat on the floor, it was so big. And then came up to maybe five—maybe four feet tall. [*Laughs*] And the thing stuck out the window. And that was about 1950. We had one of the first home air-conditioners, I guess, y'know. I think air-conditioning came in the movies and some hotels in the [19]40s, maybe. But in—by 1950 I think we had one of the first home air-conditioning.

SL: I've heard of some accounts of the theater air-conditioning systems were really just fans with big blocks of ice . . .

MA: Yeah.

SL: . . . blowin' across and . . .

MA: Yeah [*laughs*] that's true. I think that's what they called air-cooled, maybe.

SL: Air-cooled. Yeah. [*Laughter*]

MA: As opposed to actual, y'know, high-tech air-conditioning.

[00:53:10] SL: What about refrigeration?

MA: Oh, well, sure. We had—y'know, we had that.

SL: Was that propane-driven? [*MA sniffles*]

MA: No. No, it was electric.

SL: No, it was electric.

MA: Yeah. We called 'em ice boxes, though.

SL: Yeah.

MA: [*Laughs*] Kept from the old days.

SL: Well, that's left over from the old days.

MA: Yeah.

SL: Yeah.

MA: Right.

SL: Yeah.

[00:53:28] MA: Yeah. Well, one of the fellows that worked for us whose name was Clyde Willis, who lived only a block and a half away, had one of these old-fashioned refrigerators—was probably—ice boxes—probably a hand-me-down that had one of these big coils on the top. I don't . . .

SL: Yeah.

MA: I don't know if you've ever . . .

SL: Yes, I've seen those.

MA: And it had this sorta massive steel handle, y'know?

SL: Yes.

MA: Iron—y'know?

SL: Uh-huh.

MA: I remember that well. But we had a modern refrigerator in our house. [*Laughs*]

[00:54:00] SL: What about the countryside? Did you ever do much stuff out in the country? Go to the river, go . . .

MA: I never was much for the country. And I'm still not. I don't know why. I'm—I've always been a kind of a library man, I guess. A house person. I went to camp two or three summers, but I didn't really like it. I much preferred to stay home . . .

SL: Was that . . .

MA: . . . with my mother and father.

SL: Was that Boy Scout camp or . . .

MA: I went—no, I went to Ozark Boys' Camp and Baseball School in Mount Ida—still there. It's not called that anymore. It was run by a couple of former professional baseball players. And I liked playing baseball.

SL: You did play baseball.

MA: But you talk about hot. Geez, oh, Pete! And then I went one summer to a camp—a church camp, Camp Crucis, in—somewhere in [Granbury] Texas—Episcopal camp. But that was

only a week, so I liked it better. I didn't—I was not a big camper.

[00:55:02] SL: But baseball was your sport of choice . . .

MA: I liked playing—yeah. Yeah, I liked playing baseball. I also played—we played football in the front yard, and two of the people I played football were—with were my neighbors down the street, Dick and Ken Hatfield [former University of Arkansas Razorback football player and college football coach].

SL: [*Laughter*] Is that right?

MA: Yeah. [*Laughs*] In fact, I played in the first bowl game that Ken Hatfield ever played in, the Milk Bowl in Texarkana for grade-schoolers on—and we played in Texas—Texarkana, Arkansas, High School football field. It was called the Milk Bowl, and I—my assignment was to try to tackle Ken Hatfield.

SL: [*Laughs*] Oh, man!

MA: And I still remember it. He carried me ten yards on his back one time, and I still didn't get him down.

SL: Was that, like, a Kiwanis [International] Club event?

[00:55:48] MA: Yeah, I guess it was. But all the schools—y'know, as I said, I went to this tiny school, so I guess I was in the ninth grade or something or eighth. So there were only two of us that were—that went—that were chosen to play, y'know.

SL: Eligible to play or . . .

MA: Yeah.

SL: . . . whatever.

MA: Yeah, it may have been the seventh grade. I forget. But he was great back then. Dick and Kenny and I and some other neighbors used to play in the front yard. That was fun. I liked that a lot. [*Laughs*] I didn't—my career—my athletic career was—didn't—flourish quite the way theirs did. [*Laughter*]

[00:56:20] SL: No. But baseball—you were more involved with baseball.

MA: Yeah, I liked baseball a lot. Yeah. One of the things—you were asking about the blacks in Texarkana. One of my favorite things that I remember the most about growing up in Texarkana is this black baseball player named Pat Scantlebury, who played for our pro team, the Texarkana Bears. It was part of the Big State League. He was great. He was a pitcher. And this woulda been about 1950—late [19]40s, early [19]50s. He won twenty games.

SL: Wow.

MA: And he was a big hit around town. Everybody loved him. Pat Scantlebury went on to pitch five or six games for the [Baltimore, Maryland] Orioles [professional baseball team], I

think. But I loved to listen to him. I remember in the summertime sitting out on the porch of a neighbor's house and listening to that radio, y'know, and listening—and rooting for Pat Scantlebury. [*Laughs*] I don't know why this comes to me, but I remember my mother told me one time that there was some incident on the bus. When Pat was trying to win his twentieth game, and everybody was pulling for him, and there'd been error in the outfield, and it robbed him of a game. And somebody was on the bus saying that this white player had dropped the ball on purpose to keep Pat from winning the game. And everybody got so scandalized, they said he was a Communist and threw him off the bus. [*Laughs*]

SL: Wow.

MA: Yeah. That was back during the scare, y'know. He thought . . .

SL: Yeah.

[00:57:53] MA: . . . they thought the Communists were tryin' to stir up race hatred. I also remember Jackie Robinson coming to play in Texarkana. That was a big event for me. He . . .

SL: So how would he be playing in Texarkana?

MA: He—they did exhibition games in those days, and the teams would—they'd put up teams—this may've been a—maybe a put—a pick—sorta pickup team or some—it may have been the

[Brooklyn] Dodgers [Major League Baseball team]. But they would come and play na—local minor-league teams as an exhibition. So I saw him in about 1948. That was a big event for me. I thought he was great.

SL: Well received? I mean . . .

MA: Oh, yeah.

SL: [*Unclear words*].

MA: Far as I know.

SL: Yeah.

MA: Everybody I knew thought it was wonderful.

SL: Well, you mentioned a pro-baseball team . . .

MA: Yeah.

SL: . . . there in Texarkana.

MA: Yeah, minor league.

SL: And they had a pro . . .

MA: Texarkana Bears. Big State League.

SL: And they played Texas side.

MA: Waco, Sherman, Dennison, Marshall, Austin. East [*laughs*] Texas teams.

[00:58:50] SL: So they had a pretty good turnout there in Texarkana . . .

MA: Yeah.

SL: . . . for baseball.

MA: Yeah, there was thousands.

SL: Wow.

MA: Yeah, I liked it. Yeah. I have an old program from one of their games, and one of the interesting thing is—things is that in the—the back page is sorta the black page. They had Pat Scantlebury and one other back—black player, and they had—the black businesses advertised on that back page. And it had, y'know, his—in other words, even the program was segregated. [*Laughs*] And they had Pat's picture and this other black player's picture—I forget his name—and then the groundskeeper [*SL laughs*], who was also black. So that was—y'know, and then there were maybe six or eight black businesses that advertised.

SL: Wow.

MA: It's most interesting. There's a lotta sociological data in these old pictures if you just—and . . .

SL: If . . .

MA: . . . and programs and other ephemera if you just know where to look.

[00:59:46] SL: How was the—okay, well, let's talk a little about—well, you weren't really around then. What about any Klan activity that you were ever aware of?

MA: Vaguely. My mother told me about in the [19]20s the Klan used to parade. And in the [19]50s, as I said, there was a kind of a recrudescence, and y'know, everybody I knew was scandalized by it. And I don't—there was never any—I never saw or heard of a rally or anything like that, but I know there was actually, shamefully, a local lawyer who was involved in it. We didn't have anything to do with him, of course, but there . . .

SL: Yeah.

MA: . . . but there was a little bit of that. But I never saw any or—I saw no evidence of it—just hearsay.

[01:00:49] SL: So why don't you take me through—oh, let's do this. What about dinner and the meals? Was [*MA laughs*]—were you expected to be at . . .

MA: Dinner, we had at noon. [*Laughs*]

SL: At noon?

MA: Yeah.

SL: Yeah.

MA: Dinner was at noon.

SL: And supper was . . .

MA: Yeah, you bet.

SL: . . . at . . .

MA: And supper was at night.

SL: Yeah.

MA: Yeah, you bet. You were there at noon, and the family—y'know, my father came home from the office. My mother and father and I and my brother would eat lunch. I'm sorry. Dinner.

SL: And you'd come home from school . . .

MA: Yeah.

SL: . . . to . . .

MA: Correct. Yeah, before my mother died. Yeah. Well, when I went to St. James it was outside of town, so I had to have lunch out there. But I'm talking about really early days. And then supper was at 6:00, and that didn't mean 6:01, either, y'know.

SL: You were in your place at 6:00.

MA: Yeah, and we didn't eat with my mother and father. Hazel would feed us. They had a late supper by themselves in the kitchen along about 8:00. So we ate—my brother and I ate supper by ourselves.

SL: In the kitchen.

MA: No, in the dining room.

SL: In the dining room.

MA: Mh-hmm, just like dinner. Yeah, and Hazel served it, and my father had a little—we had a bell, but he also had a little buzzer under the carpet. Y'know, he could push . . .

SL: Step on it.

[01:02:17] MA: . . . yeah, and that would tell Hazel or whoever was in the kitchen that we needed something. And we used to play games around the table. We had a game called ghost, where you—it was somethin' everybody had to spell a word. I don't remember how—you have to go around the table and spell a word. I don't remember exactly how it worked, but it was a kind of a mind game.

[01:02:39] SL: Someone would choose a letter and then . . .

MA: I think so. Yeah.

SL: And then you'd have to choose the next letter.

MA: Right. And then, y'know, if . . .

SL: And you were . . .

MA: . . . if you say some crazy letter, you know, that you could be challenged. Somebody'd say, "I challenge you," and then you'd have to tell 'em what word you were thinking of. You know, if somebody—if it came to—if it was *G-H*, and it came to you and you said, *S*, somebody'd say, "I challenge that," y'know.

SL: Right.

MA: "What word is that?" And, of course, you were stuck.

SL: Right.

MA: But [*laughs*] . . .

SL: Right.

MA: I don't remember exactly how it worked but . . .

SL: And that was around the . . .

MA: Around the dinner table.

SL: Dinner table. Huh.

[01:03:10] MA: Sundays we would go to my grandmother's house.

SL: After . . .

MA: My Grandmother Arnold.

SL: But . . .

MA: For dinner on Sundays.

SL: For dinner. And was that when she'd get home from . . .

TM: Scott, I need to change tapes. Excuse me. [*Clears throat*]

SL: Oh, okay.

[Tape stopped]

[01:03:21] SL: Okay, so, let's see—I was kinda fishin' around for something about Texarkana. We were talkin' about some of the technologies. Air-conditioning, I think, is where we left off.

MA: Well, we were talkin' about meals.

SL: And meals. And what happened at the meal.

MA: But whatever you like, we'll do. [*Laughs*]

SL: The—it sounded like the times—attendance was mandatory.

MA: Oh, absolutely. Everything ran on schedule, just like the trains

in Italy. It was a—there was . . .

SL: Did that kind of system apply across the board—not just with meals but with wake-up times and . . .

MA: Yeah, pretty m—yeah, and goin' to bed. Yeah, it was a pretty disciplined existence. Absolutely. But on Sundays, as I said, we would frequently go to my grandmother's house for what we called Sunday dinner. [01:04:16] But later on in my life, during what I kinda like to think of as the golden age, when we started goin' to the Episcopal church, I was in the boys' choir, and my father was the senior warden, and my mother taught Sunday school. And so we would go to—the black man I was tellin' you about earlier, Clyde Willis, would usually be—it was—one of his jobs would be to come to the house and wake me up—get me ready to go to Sunday school and church because my mother liked to go to the early service, and so I would go to church, and then after that, of course, we'd have the little get-together in the parish house. But then we would go out to the country club for lunch. That was a lot of fun because there was, y'know, just simple pancakes and eggs and sausage, but it was a beautiful, old club. And I kind of think of that period—say, from the time I was ten to fifteen—as sorta the golden age of my childhood because it was associated with the church, and the St. James

Day School, and the choir, and my mother and father's participation in all that. And then, later on, at the country club where my father played golf a lot and that was kinda the golden age. I mention that because we did have Sunday dinner out there a lot.

[01:05:40] SL: Right. Well, once the Episcopal church became a part of your lives, did that change anything at home?

I mean . . .

MA: Yeah, that's a good—y'know, I hadn't thought about that in many years. My mother and I would have kind of an Evening Prayer service in my room at night before I went to bed, and she—y'know, we'd have a—I had a little desk there, and we would kneel and have a candle, and she would say some prayers. Yeah. I hadn't thought about that in many years.

SL: And so that was every night?

MA: Yeah, that was a kind of a little altar. Mh-hmm.

[01:06:18] SL: And I assume that happened with your brother as well and . . .

MA: Well, I don't think so. He was off at school most of the time then. I remember my job was to light the candle and put it out. I remember we had a little snuffer, y'know?

SL: Uh-huh. [*MA laughs*] And so you were—part of this golden age.

You were goin' to Sunday school.

MA: Right.

SL: And I assume that you studied—had Bible study . . .

MA: Yes.

SL: . . . in the Sunday school. And did you enjoy that?

MA: I was not much of a biblical scholar. [*SL clears throat*] I wasn't—probably as engaged in Christianity as my mother would've liked. I mean, y'know, I liked singing in the choir, and I liked the music, and I liked my school. But it was not—it was certainly a Christian school, but I wouldn't call it a Christian school in the same sense that—it's not—wasn't a fundamentalist school, okay? So—I mean it wasn't what you'd call a Bible-centered school at all. It was a classical education. As I say, we had Latin and math and English and world history and ancient history and Greek mythology—stuff like that. And my mother did teach a Bible class once, but I wouldn't say that it was Christian centered in the same way that—to call it a Christian school would be accurate but not in the—it didn't carry the same connotation as a Christian school does today. It was a kind—almost in some people's minds, almost a separatist kind of existence. It wasn't that at all.

[01:08:00] SL: And how long were you at that school?

MA: From the fifth through ninth grade.

SL: So you probably got out before—you probably didn't study St. Thomas Aquinas or any of that . . .

MA: We did a little bit. Yeah, sure. I mean, that was certainly some—he was someone we were acquainted with. And I certainly got acquainted with him at that church camp I was tellin' you about. It was a high-church camp. [*Laughs*] I mean they taught all the stuff. All the Thomist stuff and the whole purgatory thing and everything, y'know. It was essentially an Anglican—Anglo-Catholic camp. And the—all the high doctrine.

[01:08:41] SL: Did grace now enter the picture at dinnertime and suppertime?

MA: Y'know, we did not say grace much. We used to say grace mainly at my grandmother's house. But it was a simple—y'know, "God is great. God is good. Let us thank him for this food." That kinda thing.

SL: Right. Right. And that was a Baptist house, though. Is that right?

MA: Well, it was—oh, no, Methodist. My grandmother's . . .

SL: Meth—oh, that's right.

MA: Yeah. Yeah.

SL: I'm sorry.

MA: Mh-hmm. No, we—but that wasn't—we didn't—it wasn't—it—that really wasn't part of our ritual. I remember, too, when Brown against Board of Education [*Brown v. Board of Education*, 1954] came down. My mother was upset because a lotta people were starting to inquire about our school, and she thought they were tryin' to escape the blacks, and she did not want our school to be known as a segregation academy because it was not—never was been, never has been. It was founded long before any of those concerns that came along. It was about getting a good education. As I said, the public schools were not terrific in the [19]40s in Texarkana, so it was not in any way associated with that movement. And I want be clear about that. [*Laughs*]

[01:10:14] SL: So at home, I would assume there was a scheduled time for you to do your homework.

MA: Oh, well, when you came back—when you came home from school you had to start on it immediately. We had a lot of it, and I was as perplexed by algebra as anybody—was probably [*laughs*] the worst part of school was algebra. I liked the Latin. I started Latin in the seventh grade, and I took it all the way through prep school. And then, of course, that allowed me to be a Medievalist, so that's—gets ahead of the story. But that background was highly important—allowed me to become a

English legal historian and actually make a living out of it or what pleased—it pleased me to think of as a living for almost fifteen years before I became a judge. So [*belches*]—pardon me—that foundation was very important—that and the French—the little French that my mother taught me. As I told you, she spoke French and German, and she also knew Gaelic. But she was kinda the local wizard, y'know. If anybody wanted to know anything, they'd come to her. She knew how to pronounce the—you know, the museum in Paris [France]—the Louvre and make it sound only one syllable. [*Laughter*] Yeah.

SL: And . . .

MA: Everybody else was going around saying "loover."

SL: Louvre. Yeah.

MA: And they'd say, "Call Janet on the phone. She knows how to say it." [*Laughs*]

[01:11:35] SL: So how far did her education go? What . . .

MA: She—just a college degree. She went to the University of Texas and was Phi Beta Kappa there and majored in English. But she went to a school called Holton-Arms in Washington [DC] before going to George Washington University [Washington, DC] for two years. I still have the scholarship cup she got awarded in 1928 for having the top grades in the freshman class there. And

then . . .

SL: At George Washington?

MA: Yes. Uh-huh. And then she went to the University of Texas for the final two years because—it was the politics, y'know. Two years in Washington.

SL: That's right.

MA: Two years in Texas.

SL: That's right.

MA: Her father wanted her to keep up her Texas connections, I'm sure had a lot to do with it.

SL: And so she studied—she did the foreign language studies in both places.

MA: Yeah, and probably at Holton-Arms. I'm sure she had Latin at Holton-Arms. Yeah, and she also read Sanskrit.

SL: Is that right?

MA: Yeah.

[01:12:36] SL: So do you think your mother had a greater academic influence on you than your father did?

MA: Yeah, although I sorta followed in his footsteps in terms of the schools that I went to. My mother was a—y'know, they—in—she was a constant influence at home until I was thirteen, of course, when she died. But, yeah, I think—in fact, I've often remarked

that mothers have a lot more influence on children—including, perhaps even especially, their sons—than fathers do. It's something that people lose sight of. So, y'know, they become sort—they become a kind of role model in a way that—y'know, just because you happen to be male, your father doesn't.

SL: Right.

MA: It's an important point—certainly, in my case. 'Course, she was a very strong person, too. She was not exactly typical. [*Laughs*]

[01:13:29] SL: So how was it that she died?

MA: She had a stroke. She was teaching at the school in the room next to the room that I was having a class in, and someone came in and said, "Mrs. Arnold is not feeling well," and they took her upstairs. And she was lying down for a while, and they took her to the hospital, and she died that night.

SL: Wow.

MA: Yeah.

SL: So what a huge hole that left in your life.

MA: Oh, it was a—I was devastated. You can't imagine because she'd been, you know, as I said, my mainstay and pretty much directed my life, and then she was gone, y'know. So . . .

SL: And so there was no replacing her . . .

MA: No.

SL: . . . at all.

MA: No.

SL: But you were able to continue with your disciplined . . .

MA: Well, my father . . .

SL: . . . academic . . .

MA: . . . really didn't know what to do. He was at a total loss. And, y'know, I lived with him, but he had peculiar hours, and he would go to bed at, y'know, six o'clock and get up at four in the morning. And so the—a lotta that discipline kinda disappeared. But then I went off—see, I went off to prep school the next year, and there they kept you pretty much [*laughs*] on the straight and narrow. You had to go to chapel every morning, y'know, from the tenth grade on, and you had to . . .

SL: What . . .

MA: . . . be there at 8:05 and, y'know, that was a structured life. [*Laughs*]

[01:15:13] SL: What prep school?

MA: Exeter. Phillips Exeter Academy in Exeter, New Hampshire. I just had my fiftieth reunion . . .

SL: That's a . . .

MA: . . . this month, in fact.

SL: That's a huge . . .

MA: [*Laughs*] Nothing should be that long ago that I remember so well. I . . .

SL: So . . .

MA: I took Latin and Greek there. I had—I got a classical diploma.

SL: So how long were you there?

MA: Three years.

SL: Three years. And you would come home between semesters?

[01:15:45] MA: No, I—yeah. Well, we had three terms. And I would ride the—I actually rode a train up and back three times a year. That was great. As a teenager, I had to get what they call a roomette, which is a little, tiny room that you pull a bed down, and it'd cover the whole room, literally.

SL: Yeah.

MA: You had to lift the bed up to go to the bathroom. And it was kind of a Murphy bed—a rolling—y'know, a Murphy bed on wheels. And I could get on the train in Texarkana on the Missouri-Pacific Eagle and ride to St. Louis [Missouri], and then I'd have to switch to the Pennsylvania or the New York Central. But I didn't have to move my room. My car was switched . . .

SL: Neat.

MA: . . . to the train, and so, y'know, I could—then I'd ride to Boston

[Massachusetts]. And then I'd have to change stations in Boston from Back Bay to North Station to catch the Boston and Maine to Exeter, which was about a—an hour away. It was two days—almost two days each way.

SL: And you made that trip . . .

[01:16:42] MA: And I'd come back and Christmas and spring break and then for the summer.

SL: You made that trip by yourself.

MA: Uh-huh. Yeah, when I was fourteen.

SL: What a big adventure.

MA: Oh, yeah. [*Laughs*] It was great. St. Louis—I'd learned—my father taught me how to travel and how to do it right. Y'know, I still like to travel, and I still like to do it right. And then, y'know, and we'd have—we'd always—we did a lotta traveling together when I was a child. I went—we went all over the country on a train—to New York, Chicago [Illinois], San Francisco [California], Los Angeles [California], New Orleans [Louisiana], Washington [DC], and we had a great time. We played Gin Rummy, and the dining cars were great, y'know. They had all these—they called it hotel silver. It's really, I guess, pewter—all this beat-up pewter and these great black waiters in their white coats and their brass buttons, y'know? It was a great time. So I loved

riding on a train. I remember sometimes I'd have a few hours to wait in St. Louis, and I would—I'd just go up—I'd walk up to the Mayfair Hotel, and in those days, you could get a day rate. For about two bucks, three bucks, you could stay there half a day. And I'd go up there and watch TV and sit around the room, y'know, and take a nap maybe. As I said, my father taught me how to travel first class. And, y'know, that makes for a very independent person. Y'know, if you're fourteen years old and you're picking your way across the country, I think that's a good experience. I really do.

SL: So . . .

[01:18:12] MA: These days, I think people'd be worried about letting a fourteen-year-old go . . .

SL: Sure.

MA: . . . off by themselves . . .

SL: Absolutely, they would.

MA: . . . which is terrible. I don't know what happened. We used to ride the bus—I was tellin' you about riding the bus with Hazel. Well, I—that was when I was really small. When I got to be bigger—like eight—I could just ride the bus downtown by myself and no problem. I remember many a Saturday afternoon my mother would take me downtown to the movie and give me a

quarter. And the movie was nine cents, and popcorn was a dime, so [*SL laughs*] I'd have six cents left over when the movie—you'd get a double feature, news of the world, a serial, coming attractions, and a cartoon.

SL: Nine cents? [*Laughs*]

MA: Nine cents. And I'd have a nickel—I'd have six cents left over. Well, the nickel—I'd take the nickel and ride the bus home. And nobody ever worried about me. So, anyway, for all afternoon for twenty-four cents, I was well entertained. But no one—it never occurred to anybody, I think, to worry about a eight-, ten-year-old boy riding a bus by himself or walking to school. It was a—y'know, it was just a kinder and gentler age, I guess. I don't know how to explain it. Nobody locked their doors, and they left the keys in the car for the most part. But, anyway, that's romantic, I guess. [*Laughs*]

SL: Well, I mean, that's the way it was.

MA: Yeah.

[01:19:36] SL: It was like that all across the country. So what were the more memorable films that you—films kinda shape lives, too.

MA: Yeah.

SL: So you had some heroes, I'm assuming.

MA: [*Laughs*] I loved [actor] Randolph Scott. I don't know why, but

I'd always thought—I loved, y'know, I think he was in *Winchester '73* [released 1950], wasn't he?

SL: Mh-hmm.

MA: And he was—you know, a lotta times he'd play a gallant Confederate officer or something or a cowboy or a—and, of course, I enjoyed [singer and actor] Roy Rogers. I enjoyed [singer and actor Orvon] Gene Autry—Hopalong Cassidy [aka actor William Boyd], not so much.

SL: Yeah.

[01:20:27] MA: [*Laughs*] And, 'course, I liked the comedies, too. I liked [Bud] Abbott and [Lou] Costello. And some of the old horror movies were fun.

SL: I—one of the . . .

MA: Bela Lugosi—y'know, the Frankenstein—one of my particular favorites was *Abbott and Costello Meet Frankenstein* [released 1948]. [*Laughs*]

SL: Well, or *The Werewolf* [released 1956].

MA: Yeah, that too. Yeah.

SL: Yeah, I remember those very well.

MA: Yeah.

SL: I was terrified.

MA: Oh, me, too. Yeah, it was—I remember my grandmother went

with me [*SL laughs*] one time. She had to cover my eyes because I was . . .

SL: I . . .

MA: . . . so upset.

SL: Oh, yeah, or between the seats.

MA: But that was fun. We had lots of—downtown Texarkana then had, in addition to those two black theaters I told you about, there were about six other theaters. So there were eight, nine theaters in downtown Texarkana, and they were all a lotta fun. They were just, y'know, kind of wonderful—wonderful venues for me. I loved to go to in the movie.

[01:21:28] SL: So I—let's see, do you remember color . . .

MA: Oh, sure.

SL: . . . when—what was it—Panavision or like . . .

MA: Yeah. Sure. Well, it was Technicolor.

SL: Technicolor. That's right.

MA: Yeah, a lot of—actually, a lotta the Roy Rogers movies were in color. Yeah. Yeah, that color was an interesting process, and the quality of it is—you can spot it immediately, y'know.

SL: Yeah.

[01:21:49] MA: It's kinda like some of the old color television cameras. You can tell almost in—since I worked in early

television, I can almost tell you the year the camera was manufactured in in some of those just from the color that—the kind of color it's putting out. And the same is true of movies. You can pretty well spot—y'know, certainly, within two or three years what [*laughs*]—'course, you know, even *Gone with the Wind* was in color.

SL: Yeah.

MA: That was 1939. [*The*] *Wizard of Oz* [released in 1939]—all of those, Technicolor.

SL: Um—[*telephone begins to ring*]—I'm trying to think—so you saw the feature, and then there was a . . .

TM: Scott, you wanna hold for the phone for a sec or—will it pick up? [*TM clears throat*]

SL: Oh, I think it's . . .

SL: That's probably . . .

MA: Oh, that's our phone, I guess.

SL: . . . small enough.

MA: It'll stop in a minute.

SL: Okay.

MA: Sorry.

SL: So you got to see a feature. You got to see newsreels. Is that right?

MA: Right. News of the world.

[01:22:45] SL: News of the world. And at that time—let's see—what years were—did you start goin' . . .

MA: About the [19]40s—[19]40s and . . .

SL: So you're seein' war . . .

MA: . . . and [19]50s.

SL: . . . war reels. [Editor's Note: reference to World War II]

MA: Yeah. Mh-hmm. Yeah.

SL: Updates on the war.

MA: And the [19]50s. Yeah, about—well, very late war stuff. Mostly postwar 'cause I was born in [19]41.

SL: Oh, I guess that's right.

[01:23:04] MA: So it was mostly late [19]40s and early [19]50s. There was—actually, there were actually three or four outfits that produced—there was the Paramount News; there was Pathé News. And a lot of it—I remember a lotta Korean War footage, for instance.

SL: And then there were serials.

MA: Yeah.

SL: And what were some of those serials?

MA: Oh, you know, *Flash Gordon* [released 1936]. [*Laughs*] I think there was a *Mr. Moto* [released 1937–1939], maybe. The—I

don't remember—for some reason, I always remember that Sam Katzman was the producer. [*Laughs*] He was an early movie producer, and I always sorta looked for his name. I don't know why. But they were—y'know, the—or they—there were cowboy serials as well, and they would always end with a near disaster, y'know, and "Tune—come back next week to see the sequel." And the problem was that you never really got to see all of 'em, so . . .

SL: Right. [*Laughs*]

MA: But they run some of those on television these days.

[01:24:21] SL: What about reading for entertainment rather than just all academic stuff? Did you—I just have this feeling you were probably a prolific reader early on.

MA: When I was a child?

SL: Uh-huh.

MA: You know, I wasn't particularly bookish, but I remember one summer my mother got concerned, and I had to read three or four good books. I remember I had to read Charles Dickens's *A Child's History of England* [1851–1854]. I had to read *A Tale of Two Cities* [1859].

SL: Wow! [*Laughs*]

[01:24:54] MA: I think I must've been about ten or eleven. I had to

read—might've been *Bleak House* [1853]. I forget. I liked it. But I was not really—I didn't get bookish. I got pretty bookish but much later in life. I much preferred playing games or playing the piano or that kind of thing. And, y'know, the—I wasn't particularly enamored of school, so what—whatever more academic qualities I may have, I developed later in life—although I mean, as I said, my mother was quite a role model for me in terms of getting a good education and being a broadly educated person is concerned. But I wouldn't say that I was terribly engaged in reading. I'd read—you know, I read the Oz books [1900–1921 series by Frank L. Baum] and the Hardy brothers. [*Laughs*] [Editor's Note: reference to the Hardy Boys series of books, 1927–2005]

SL: Great.

[01:25:58] MA: And things of that sort. Nothing terribly serious although—y'know, I liked English a lot and especially when I got into high school. My classes at Exeter were very challenging, and I remember—y'know, we read the standard stuff—*The Great Gatsby* [1925 by F. Scott Fitzgerald] and things of that sort. And I became pretty much engaged in those kinds of things. But it wasn't really until later in my life—when I went to law school, really—that I really sort of concentrated on more academic

things. [*Noises in background*]

SL: Okay. Let's see, I've been listening to this beating that's been going on. What was that? What was that sound?

TM: The fluttering?

SL: Yeah.

TM: Don't know.

MA: Hmm.

TM: Air—it's air-conditioner.

[01:27:02] SL: Oh, okay. I'm trying to think [*sighs*]—so you go to Exeter, and tell me what Exeter was like in comparison to Texarkana.

MA: Well, it was a total culture shock. There were people that—y'know, there were lots of good things about it. There were people there from all over the country. But I was kind of an outsider. There weren't many southerners, and there was only one other person from Arkansas. And I was pretty acculturated to the town I grew up in and to my family. I really didn't like being away from home. The—it was very challenging. I learned a lot. I learned how to write English. I learned a lot of history. I learned how to appreciate good writing. But I always felt like kind of an outsider because, y'know, the most—a lotta people there were from New York City, and they called that the city, like

there was no other place, y'know? [*Laughs*]

SL: Mh-hmm.

MA: They still do.

SL: Yeah.

[01:28:08] MA: And, y'know, it's—strangely, though, it's the most—one of the most cosmopolitan places in the world. It's also one of the most parochial because, y'know, anything west of Dedham [Massachusetts] is nothing. [*Laughter*]

SL: Right.

MA: It's fly-over country, and then there's—might be something out there in San Francisco but [*SL laughs*]—and, y'know, people were talking about going to Europe all the time, but I'd never been to Europe or going to Mount Washington in New Hampshire to ski, and I can't stand up on skis, so y'know, you see what I'm saying?

SL: Yeah.

[01:28:34] MA: It was kind of a tough row to hoe, but I liked everybody, and they were very, very accomplished people. It was a tough school but—and they expected a lot of you. It was very disciplined. It was all boys, which, of course, is humanity in the raw. [*Laughs*]

SL: Right.

MA: It was [*laughs*] . . .

SL: Right. Right.

MA: And I wasn't much of an athlete so—but I did enjoy my English classes especially and Latin and Greek. But it was—I really—I didn't—overall, it wasn't a particularly good experience for me. I mean, I learned a lot, and I took a lot away from it, and I profited from it. But, you know, as I—my mother had just died the year before and . . .

SL: Right.

MA: . . . it was just not a particularly good time in my life, I guess.

[01:29:31] SL: I guess you were totally—felt a real isolation . . .

MA: Yeah.

SL: . . . there.

MA: Yeah, it was pretty isolating.

SL: No family. No . . .

MA: Right. I didn't know anybody when I went up there.

SL: Did you develop any long-range . . .

MA: Oh, yeah.

SL: . . . friendships . . .

MA: Mh-hmm. Sure did.

SL: . . . that . . .

MA: Yeah.

SL: . . . you still . . .

[01:29:46] MA: Yeah, one of my friends was the son of John Kenneth Galbraith—y'know, the famous economist and later ambassador to India, I guess—a big [President John Fitzgerald] Kennedy confidant. I still correspond with him. And, y'know, and the—and I had friends. They would take me home for Thanksgiving because, obviously, I couldn't go home for Thanksgiving. I never had to stay there [*laughs*], y'know, during those short breaks—that kind of thing. But, y'know, I didn't go back to the reunion even though they hammered me. I mean, it was—this is a—this school is really a—an astounding school. I mean it has a library and facilities that's superior to most colleges—huge, beautiful campus, and they just had a fund-raising—just finished a fund-raising effort, and they raised more than four hundred million dollars for a prep school. I mean . . .

SL: That's pretty amazing.

MA: You know, it's astounding.

SL: Yeah.

[01:30:41] MA: So they're—they have a very active money-raising apparatus, and in fact, I read—one of my classmates wrote and said they had about fifty people in their development—I guess we call it advancement these days, don't we?

SL: Yes, we do. We do.

MA: [*Laughs*] We have to . . .

SL: Development is a part of advancement.

MA: Yeah. Right. Well, we have to develop it. We have to invent a new euphemism every now and then . . .

SL: Right. Right.

MA: . . . y'know, to keep from scaring people away. [01:31:06] Anyway, so they put on a—put in a pretty big effort to get this fiftieth reunion together, and I think the class came up with a couple million dollars worth of contributions in it, so they were calling me constantly trying to get me to come. I did—I didn't go because I just didn't—I—y'know, I never really felt at home. I never really felt comfortable. And I didn't—y'know, I don't hold it against anybody, but even when I rent to—went to the fortieth reunion, I thought, "Well, this is actually better than I remember, but it's still not" [*laughs*] . . .

SL: It's still not . . .

MA: . . . "y'know, still not all that comfortable."

SL: Right. Right.

[01:31:45] MA: There—you know, a lot of easterners are not all that keen on southerners, and there's a lotta regional prejudice, and I kinda felt that.

SL: Hmm. Well, and probably Arkansas in particular.

MA: [*Laughs*] Yeah, there . . .

SL: Y'know.

MA: Could be. Yeah.

SL: Yeah.

[01:32:02] MA: Yeah. So I just—y'know, I don't mean that anyone was outwardly mean but—not . . .

SL: Yeah.

MA: . . . usually, anyway, but I thought there was a certain amount of aloofness. I remember when I went back to my fortieth reunion I was talkin' to some guy in the class. I didn't remember him, and I told—and we were at dinner and I [*laughs*]—he asked me where I was from. I told him. He said, "Oh, you must've felt like a real outsider." [*Laughter*] I thought, "Well, not really until now. Thanks a lot!"

SL: That's funny.

MA: So I think that was part of it.

SL: Yeah. So three years there. You—and you get to come home Christmas and when?

MA: Spring break.

SL: Spring break. And there was one other time or is . . .

MA: In the summer.

SL: In the summer.

MA: Yeah.

[01:32:48] SL: What were your summers like in Texarkana, then, coming home from Exeter?

MA: Well, that was a lotta fun. I actually got my first job when I was fifteen, I think—a summer job in the TV station there. And my first—actually, my first job I had to—I tried to sell TV time for people for what they—for specials that they did on local industries, like the chicken growers or the eggs farmers or whatever. And my job was to go out in the countryside and try to sell a minute spot on one of these shows, I mean, I'm not kiddin' you, for, like, fifteen bucks, okay? I also worked in production. I liked that a lot better. I got to work in the control room and run camera and do the—y'know, in those days [*laughs*]—so I learned. I learned how to do everything in the TV station by the time I was seventeen. I got my First Class Radiotelephone License when I was sixteen years old—FCC [Federal Communications Commission] license—so I can log the transmitters and do all that stuff. But this TV station I worked at as a teenager was a one-horse deal. They had only nineteen employees, the whole thing. And on the weekends, there was one person there. One person who did all the switching and all

the audio—all the projection work. There was no videotape in those days. All the slides, y'know. When we first went on the air, we had one studio camera and a film camera. It was a—what was called an Iconoscope. Called it . . .

SL: I kinda remember that.

[01:34:34] MA: . . . an Ike. Nobody probably ever heard of an Iconoscope these days. It was a terrible camera. Anyway [*SL laughs*] it was awful. They had a shading generator on it. I don't know if you've ever heard of—you had to sit there and shade the picture because this camera was so unstable that it would get dark on one side and light on the other. And they had these what they call saw tooth and parabola generators that would generate . . .

SL: You could shape the . . .

MA: Exactly. You could change what we called the blanking level. And so you'd have to sit there and watch the [*SL laughs*]—and manipulate this thing. I mean, it was a real—it was a Thomas Edison kinda deal.

[01:35:11] SL: I wonder if that's where the shader name came from for the guys that, y'know, shade video now.

MA: Yeah, it is.

SL: Yeah.

MA: It's from the Ike. I didn't know they still call 'em shaders.

SL: Yeah, they do.

MA: Yeah, but that's what it was called.

SL: Yeah, I still hear that from time to time.

MA: If you were the shader, y'know. They . . .

SL: Yeah, shade four. Okay.

MA: Yeah.

SL: Yeah.

MA: I did not know they still . . .

SL: Uh-huh.

[01:35:27] MA: Yeah, it comes from the Ike. A lotta people—this is a digression. I'll come back to that. A lotta people don't know what an Emmy is.

SL: Yeah.

MA: Y'know what it comes from?

SL: Hm-mm.

MA: Image orthicon camera tube.

SL: Oh.

MA: It's really *I-M-A-G-E*, but it was invented—this tube was invented in the [19]40s as a substitute for the Ike. [*SL laughs*] And that's where the Emmy comes from.

SL: Emmys come from.

MA: Yeah. Yeah. But I didn't know they still called 'em shaders. But I can do—I can shade one of those Ikes if anyone needs one. [*SL laughs*] But on the old boards, when they'd have a shader—video man.

SL: Yeah.

MA: They'd have a switcher . . .

SL: Yeah.

MA: . . . doin' the video switching and an audio man.

SL: Yeah.

[01:36:06] MA: And that was it. But this outfit was such a one-horse deal that they finally figured out how to get it down to one person 'cause they'd do all the announcements on a tape for a whole day. And then once we got a Vidicon camera, we didn't have to shade anymore or not much, so you could sit there in the middle of that board in front of the switcher and do the audio and the video at the same time. And during—and so you switched your breaks, and then you'd go—y'know, you'd have a log, and you'd in the projection room—sets your films up and your slides for the next break. And then go back in the back and log the transmitters.

SL: Wow!

[01:36:42] MA: [*Laughs*] It—we logged the TV, the AM, and the FM

transmitters. They were all in the same room. One guy, and it was a teenager doin' all this. Anyway, so that was a great job, and that was certainly an independence maker.

SL: You bet.

[01:36:55] MA: I mean, 'cause, you know, you gotta [got to]—you've got thousands of people out there [*laughs*] depending on you to punch the right button. It's kinda scary. And so that—those summers were a lotta fun. I really looked forward to coming home and, y'know, being with friends and hanging out with the girls, and there wasn't a whole lotta ways of entertaining yourself in Texarkana. We'd go to the dances. There were dances out at Spring Lake Park [Texas] and . . .

SL: Spring Lake Park.

MA: Uh-huh.

SL: Is that—it sounds like a lake and a park. Was there a gazebo or . . .

MA: Exactly. A pavilion.

SL: Pavilion.

MA: Big pavilion. Mh-hmm. Yeah. And we used—y'know, we'd have—the schools would have dances out there. There was always something happening.

SL: Well, you know, you . . .

MA: But the TV station was exciting.

[01:37:45] SL: You mentioned earlier that you played piano. Now, we . . .

MA: Yeah, a little bit.

SL: . . . didn't talk about you playing piano. Did you ever join any bands or play with groups of people or . . .

MA: Not when I was a—I had a—I played the guitar in a band when I was in law school. But I didn't—when I was younger, I didn't—well, I started playing the guitar when I was in prep school. I had a roommate who had one, and I sat down and learned a three-chord tune when I was sixteen, I guess, you know. And then I got pretty good with finger picks and that kinda thing when I got older. And when I got older, I had—I got up to four guitars. I had a six—gut-string Goya classical.

SL: Yeah.

MA: I had . . .

SL: I had a Goya guitar.

MA: Mh-hmm. I had a Martin acoustic. I had a Gibson twelve-string.

SL: Wow.

MA: And I had an Epiphone electric. So I got pretty heavy into it, and we had a little band and—but not—I—y'know, I really didn't have all that much talent. What I had was a lotta time to

practice, so [*laughter*]—and I used it wisely instead of reading my law books or whatever or my engineering books.

[01:38:58] SL: What was the name of your band?

MA: McGuffy's Electric Reader. [*Laughter*]

SL: Oh, my gosh.

MA: Is that good?

SL: That's great.

MA: We create—we spent most of our creative energy on the name, I'm afraid. [*Laughter*] The band wasn't all that great, but I thought I was one of the best "Yakety Yak" guitar players in all of Fayetteville. [*Laughs*]

SL: You were. I bet you were.

MA: That's high praise.

[01:39:25] SL: [*Laughs*] So let's get back to Texarkana in the . . .

MA: Yeah.

SL: . . . summer . . .

MA: Yeah.

SL: . . . and the TV station, and we're just now mentioning girls.

MA: Yeah. [*Laughs*]

SL: So let's talk about girls for a little bit and . . .

MA: Oh, dear. [*Laughs*]

SL: . . . and so it was either a dance or a movie? Is that pretty . . .

MA: Right. Yeah.

SL: . . . pretty much it?

[01:39:47] MA: Yeah, that's right. Yeah. Yeah. We didn't—there was no such—there really wasn't any dinner and a movie. I mean, we would go to a drive-in after the movie, maybe. You remember those, where you go in and get . . .

SL: Absolutely.

MA: Oh, there's some wonderful drive-ins in Texarkana. I've got a picture of one somewhere—this huge neon sign, y'know, and the girls that would come out and wait at your car and bring the trays out and that kinda thing.

SL: Absolutely.

MA: That was a lotta fun.

SL: Yeah.

MA: I mean, we might, I suppose—not really—I was thinking we might go to the—well, maybe occasionally we'd go to a country club, but usually it was just a movie and maybe go to the drive-in. But, y'know, goin' to a boys' school made it very awkward for me because, y'know, you just didn't grow up in your teenage years with a lotta girls around, and they had these [*laughs*] terrible deals where they called 'em mixers, where they'd bus the girls in from the girls' schools.

SL: Yeah.

MA: Like Dana Hall [School, Wellesley, Massachusetts] and other schools in Massachusetts. Y'know, the sorta the female counterpart of these boys' schools and . . .

SL: Yeah.

MA: . . . they'd all come in. And then have—supposed to have a dance, and then they'd all get back on the bus. Well, wasn't exactly a great way of developing a social relationship, but it was the best we could do. [*Laughs*]

[01:40:56] SL: Girls on one side of the hall; boys on the other and . . .

MA: Yeah. Well . . .

SL: . . . line up . . .

MA: Yeah, but it . . .

SL: . . . and you just kinda . . .

MA: Yeah, and—but the thing was it was just sorta, "Okay, do this now and, okay, quit." Y'know, it was [*SL laughs*]—and even the—y'know, the—we had the theater there, of course, at the school, and there were no girls to play the girls' parts, so the boys had to play the girls' parts. [*Laughter*] So we had—we were early devotees of cross-dressing, I guess. [*Laughter*] So now they have girls. In fact, one of my nieces graduated from

Exeter. A lotta my family graduated from Exeter. I—see, my Uncle William [H. Arnold Jr.] and my Uncle David [Saxon Arnold], my father, my brother, my niece [Janet Sheppard] and I—maybe a couple more.

[01:41:39] SL: So Exeter now has girls then.

MA: Oh, yeah.

SL: Yeah.

MA: Yeah, since the [19]70s. That's fine with me. That . . .

SL: Sure.

MA: . . . that suits me right down to the ground.

[01:41:47] SL: Yeah. So you were driving.

MA: Yeah. In those days, you could get a license when you were fourteen. And you weren't supposed to drive without an adult, I don't think, but everybody did. [*Laughs*]

SL: Right.

MA: So I'm sure [*laughs*] that I was a high-risk driver, but I somehow survived. That was fun, of course, learning how to drive and . . .

SL: What'd you learn on?

MA: I learned on a [19]54 Plymouth.

SL: Was it . . .

MA: One of the—the headmaster of the school, who was a good

friend of ours and of my mother's, taught me how to drive, y'know.

SL: Three speed on the column or . . .

MA: You know what? I think it was a stick shift. Yeah, three speed on the column. Yeah, I think so. Yeah. It might've been an au—I don't think—yeah, I think it was. Yeah. But then my father—we had automatic cars as I—as far back as I can remember, as far as my driving was concerned. But almost all the teenagers drove in those days. I think they're a little stricter on it now. I certainly hope so. [*Laughs*]

[01:42:59] SL: Drive-in theater? Did you go to the drive-in?

MA: Yeah, drive-ins were fun.

SL: Yeah.

MA: Yeah. That—those were fun. I had, y'know, friends with station wagons, and we'd all pile in there and go to the drive-ins to see those miserable movies, y'know. [*Laughter*] [*The*] *Man From Planet X* [released in 1957] and that kinda stuff.

SL: Yep. Yep.

MA: Lotta fun. Well, they had—still had drive-ins in Fayetteville when I was up there.

SL: Still have one.

MA: Yeah.

SL: We have one left.

MA: Yeah.

SL: I think one of only several in the country.

MA: I read about that in the paper the other day.

SL: Yeah.

MA: There were three drive-ins in Texarkana—drive-in theaters. And my recollection is they were only open seasonally.

SL: That's correct.

MA: Isn't that right?

SL: That's correct.

MA: Yeah.

SL: Got too cold—didn't . . .

MA: They had great concession stands and . . .

SL: Yep.

[01:43:46] MA: Some of that footage they used during the intermission would advertise the concession was—were classic.

SL: You bet.

MA: Uh . . .

SL: "Five minutes to show time."

MA: Yeah. Uh-huh.

SL: You bet.

MA: Yeah, and—right, and the dancing popcorn machine—box and

the . . .

SL: Yeah.

MA: . . . candy bars are prancing across the screen and the rest of that.

SL: Yeah.

MA: That was a lotta fun.

[01:44:08] SL: Okay, so let's see now. I'm tryin' to get—how—you were in prep school from grades when to when?

MA: Nine through twelve.

SL: Nine through twelve.

MA: Mh-hmm.

SL: So you . . .

MA: I'm sorry, ten through twelve.

SL: So you missed all of high school at—in Texarkana.

MA: Right. Yeah. Yeah, and then—of course, since I went to the little private school, I missed the junior high, too, in terms of the—where most of the kids went although they were all friends of mine. There wasn't really any—I mean, I had a lot of friends that went to the public schools. Most of 'em, in fact. Of course [*laughs*], as I said, there were only seven people in my ninth grade class.

SL: Right.

MA: Three of whom were neighbors of mine. I was just sayin' the other day [*laughs*] that four of the seven lived within two blocks of each other. And the other three lived within two blocks of each other on the Texas side. That was pretty . . .

SL: Pretty tight-knit.

MA: . . . narrow spectrum. Yeah.

[01:45:03] SL: Yeah. So what was next for you after the—Exeter?

MA: I went to Yale.

SL: And was that where you wanted to go? Did you . . .

MA: I think so. Yeah. My father and brother had gone there, but yeah, I had wanted to go there. I did think about—I thought about for a while goin' to the University of Oklahoma [Norman, Oklahoma] because they have some television courses that I wanted to take . . .

SL: That's right.

MA: . . . that were specific to television, and I was really much—very much enamored of television. I loved my TV job. I loved it more than any other job I ever had although it was—I told somebody earlier I made seventy-five cents an hour my first summer. Seventy-five cents an hour and all the cold water you could drink. [*Laughter*]

SL: Yeah.

MA: Y'know, so [*laughs*]—as you know, you don't get rich in it. But anyway, I did consider going to Oklahoma, but I didn't go. I went to Yale.

[01:46:03] SL: Well, let's talk about Yale. What'd you find when you got there?

MA: I liked Yale okay. I majored in engineering, which—electrical engineering, which, in retrospect, was probably a mistake.

SL: It's not known for—as an engineering school, is it?

MA: No, and I wasn't—y'know, although I was in engineering in a TV station, I really was more inclined toward the production end of things. I mean, thinking back on it—although by—I—I'll tell you about this in a minute, but y'know, I told you earlier my mother was in drama school at one time in New York. And I remember her trying to teach me some dance steps in the kitchen, y'know, Russian ballet and the Charleston and also how to do a turn, y'know, without getting dizzy.

SL: Yeah.

MA: And she used to direct the plays at the school and would tell me about stage presence and all that stuff. But, anyway, I'd really thought about—I was in the Yale Dramat, which is the student—the undergraduate dramatic society, and I really loved that. We thought we were better than the drama school, which was the

graduate school. 'Course, we probably weren't, but that doesn't matter. It was a good amateur theater. I spent most of my time over there. And so . . .

[01:47:16] SL: Were you in the production side of . . .

MA: Yeah.

SL: . . . of theater?

MA: Well, I did—actually, I did sound. And I remember we did a Tennessee Williams play. And—but I loved that. But, anyway, I was in electrical engineering, which—and I'd thought about majoring in drama, so you can obviously see that I didn't know what the hell I was doing. I mean I was torn. There were two different sides of me, y'know, that I don't know—maybe [*laughs*] it's left brain, right brain.

SL: Yeah.

MA: I don't know what they call it. And so I did that for a year and a half, and then I quit. I quit Yale. And I came back to Texarkana because they were move—they were building a new station in Shreveport [Louisiana], and I became a studio engineering supervisor when I was nineteen, and I built that station down there from the ground up. I mean, not physically, but I mean the electronics of it—we put it together. And we had a . . .

[01:48:13] SL: Did you—and you did the design, too? I mean . . .

MA: Yeah, I—mh-hmm. Yeah. And I did all the drawings, y'know. There was a flow chart, I think . . .

SL: Yes.

MA: . . . we called it. I've forgotten.

SL: Yep

MA: Video flow. That's what we called it.

SL: Yep.

[01:48:25] MA: And put together all the remote controls for the projectors and switchers. And we had—we called it a VTR in those days—video tape recorder. It was an RCA [Radio Corporation of America]. Ampex [Corporation] was really the top of the market then. This was 1961. But we had a RCA. The serial number was zero zero zero zero two [00002].

SL: Wow!

MA: It was the second one they'd ever produced, and it ran like it was. [*SL laughs*] It was not exactly reliable. It was one of the huge reels with one-inch tape—two-inch tape.

SL: Two-inch tape. Yeah.

[01:49:04] MA: And five racks of equipment from floor to ceiling. Now I've got a VCR [video cassette recorder] upstairs that—this thing cost fifty grand in 1961. That was still money 'cause the money was still green. I've got a VC . . .

SL: Probably . . .

MA: . . . I've got a DVD [digital video disc] upstairs that cost me ninety-nine bucks that's a hundred times better. And so anyway, that was a lotta—that was challenging. And we had a microwave link. It was a big deal. We had two studios, one in Texarkana, one in Shreveport, and a transmitter in between. We had microwave links linking the studios to the . . .

SL: Back . . .

[01:49:38] MA: . . . transmitter and actually had to do manual switching there at the transmitter 'cause we ran a news show that was part from Texarkana and part from Shreveport, so we switched [*laughs*] back and forth. There'd be this huge blip when the switch was thrown, y'know.

SL: Sure.

MA: When the video was interrupted. It was no—the synch wasn't locked. And so [*laughter*]—anyway, so—but after—I did that for about a year and a half, and I went back to school and went to [the University of Arkansas] Fayetteville. I decided I'd really had enough of the east. As I told you, I didn't really feel at home there.

SL: Right.

[01:50:12] MA: And so I went back to Fayetteville and finished my

double-e [electrical engineering] degree. But during the summers, I'd work for TV stations. I worked for Channel 4 in Dallas [Texas] and also CBS [Columbia Broadcasting System] Television when they had the—back in the [19]60s, the space shots were a big deal.

SL: Yeah.

MA: And we did the—we covered Gemini—the Gemini program from Houston [Texas], and [newscaster] Walter Cronkite, and all those people used to come down to do their news shows—their six o'clock news shows from Houston, it was such a big deal. And I ran camera on the Cronkite show once. And did microwave and videotape engineering. We did—I think the first early-bird satellite feed of a space shot, I did. The satellite . . .

SL: Yeah.

MA: . . . deal, y'know.

SL: Yeah.

[01:50:55] MA: I think so. And I loved that, y'know. I really did. That was fun. The videotape was getting better by then, of course, and—but not nearly as sophisticated as it is now. But this—we were just doing that very high 2Gc microwave—high-frequency microwave was just starting—just had this little horn [*laughs*] that we sat out in a field, and it would shoot y'know . . .

SL: It would do it.

MA: . . . it would shoot up the satellite. It was unbelievable. I couldn't believe it because, y'know, [*SL laughs*] when I was comin' up, a ten-foot [satellite] dish was necessary for a thirty-mile 99.8 percent reliability, y'know. I never have figured out that high-frequency stuff. [*Laughter*] It's not supposed to happen. You're not supposed to be able to do that much with so little power.

SL: It's interesting, isn't it?

MA: Yeah.

[01:51:52] SL: So when you were in—you went to Fayetteville?

MA: Yeah.

SL: And so we ought to talk about your time in Fayetteville. What year was that?

MA: Nineteen sixty-two.

SL: Okay.

MA: Yeah.

SL: So, let's see, we've got—[University of Arkansas Razorbacks head football coach] Frank Broyles is there in 1962.

MA: Oh, yes, he was very much in evidence.

SL: And you . . .

MA: Frank of the Ozarks.

SL: Yes. [*Laughter*] You've . . .

MA: He's a great gentleman.

SL: Yep. You've got . . .

MA: I like him a lot.

[01:52:21] SL: Me, too. You've got—and you were there for two and a half years?

MA: I was there actually five and a half years.

SL: Is that right?

MA: Almost six. Yeah. Because I finished my double-e degree, and I had, y'know, resolved never to be a lawyer because my whole family's lawyers. [*SL laughs*] We are now—there are now fifteen of arn—of us Arnolds who've been admitted to the Arkansas Bar. Y'know, I thought, "Well, I'm not doin' that." Well, I finally caved in to the genes is what happened. And what happened was that with my usual foresight, I'd managed to end up [*laughs*] at the end of a semester with seven hours or six hours left before I could get my double-e degree.

SL: Okay.

[01:53:14] MA: So—and this was a—the end of the fall semester, right?

SL: Okay.

MA: So I thought, "Well, what should I do? I think maybe I'll go over

to the law school and take two courses because I can't just take six hours. That would be a total waste." So I went over there and I took Criminal Law and Contracts. I started Contracts in the middle of the course. In other words, I took Contracts II first [*laughs*] as a part-time student. Well, they would never allow that now.

SL: Right.

MA: They're much too serious about [*laughs*] it.

[01:53:42] SL: So who was your Contracts teacher?

MA: Al Witte, of course.

SL: Of course.

MA: [*Laughter*] Yeah. Great. Big Al. I still remember the first class I had—the first case—Jones against City Café. I can tell you the whole case, but I won't. [*SL laughs*] But—so I started—and they'd never allow that. [Today] you could—I also never took the—I didn't take the LSAT [law school admission test] until the next year. They didn't require the LSAT, and they obviously didn't require a degree, or I couldn't have gotten in. And what they required was ninety hours of college. That was it. So [*laughs*] I went over there, and by golly, I loved it. It was hard as hell! I could not believe how difficult it—and it was so different. [*SL laughs*] But I was fascinated by it. And by that

time, I think I had finally realized I really wasn't cut out to be an engineer. I mean, I liked the TV—I liked the sort of exciting, romantic part of television. What I didn't like was I couldn't imagine myself working for IBM [International Business Machines] like the way a lotta my classmates did and sitting in a room with a—y'know, a slot—"in" slot—here's a problem, "out" slot—here's the solution kinda thing. I just couldn't do that.

SL: Right.

MA: So I was fascinated by this law stuff, so I decided I'd stay.

[01:54:55] SL: So Contracts, and what was the other course?

MA: Criminal Law.

SL: Criminal Law. And who did that? [*Door creaks*]

MA: A fellow named Sam Fetters.

SL: I vaguely remember that name.

MA: He was a big influence on me. He was a great man.

[01:55:08] SL: So did—let's talk a little bit about Al Witte and your . . .

MA: Yeah.

SL: . . . your inaugural experience . . .

MA: Yeah.

SL: . . . with Al Witte. And you're . . .

MA: Scared me to death.

SL: . . . so you're comin' in Contracts II [*SL laughs*] which is definitely verboten now.

MA: [*Laughs*] Right.

SL: [*Laughs*] And you were—and it already—and did you miss the first couple of classes or . . .

MA: I missed the first half of the course [*laughs*] for . . .

SL: How did you survive?

MA: Well, because, y'know, there's no good place to start with law. The truth is, it's always in the middle of something. Maitland, who the—Frederic William Maitland, the great English legal historian, said that law was a seamless web. There isn't any beginning. And so—and it's true. It's just like a swimming pool. You just have to jump in and get your environment. [01:55:55] And so what Witte said [*laughs*]—at the beginning of the class he said, "There are eleven of you people," or something like that, "in here that haven't had contracts one. You don't need it. All you need to know is there's a contract. That's what we learned in the first semester—how to make one. You don't need to know that to know the rest of the story, which is what you do when there's a breach." [*Laughs*] So . . .

SL: Well . . .

MA: . . . that was it. So we started—I started in the middle. Of

course, it was very scary. I mean, here's the thing—I tell first-year law students this all the time because many of 'em are so lost. I say, "Look, [*laughs*] my first law class, the first six weeks I did not understand a word, I promise you. But worse than that, I was morally certain that everyone else in the room understood it all." [*Laughter*] And the truth is that at least half of them were in the same boat I was in, y'know. And—but I caught on. I mean basically, y'know, I didn't set the world on fire in those first two courses, but I did okay. I did fine. But, basically, law is a bag of tricks, and once you learn the bag, you can sorta move it around from course to course. Y'know what I'm saying?

SL: Yep.

[01:57:10] MA: And so I got a lot better at it as I went along and ended up first in my class and editor-in-chief of the [*Arkansas*] *Law Review*, but, y'know, nobody woulda predicted that when I started because I was just, y'know . . .

SL: You were tryin' to fill time . . .

MA: I was—yeah, I was killin' time . . .

SL: . . . initially.

MA: . . . and also sort of lost, y'know, and . . .

SL: And you wanted to play rock and roll. [*Laughs*]

[01:57:35] MA: And I was concentrating on my alleged band. [*Laughter*] Yeah, right, I wanted to be a rock star or something, y'know. I was twenty-three years old or something. Twenty-two. Twenty . . .

[01:57:50] SL: So you got to have [Robert] Leflar, then.

MA: Yeah. Oh, yeah, that was great. Oh, yeah—here's the thing. Even though we didn't have an entrance exam and you didn't have—you didn't have any requirements other than ninety hours to get in, what you had was a survival exam. And the survival exam was Leflar's Torts exam. He'd—first semester, five hours of torts with Bobby Jack.

SL: Bobby Jack. [*Laughter*]

[01:58:22] MA: And this is no exaggeration—the law school was only about a hundred and fifty people when I—the year before I went there. But about a hundred and fifty people came the next year. It was when the big run on law schools started. And, of course, Arkansas was easy to get into. But Leflar flunked about sixty of those people, and you had to have a 2.0 [grade point average] at the end of your first year, or you were out. And five hours of F will ruin you. There's just no way to survive that. So that was the entrance exam, essentially. It was a lot fairer. It wasn't a—kind of an artificial barrier to entry like some of these exams are.

And, by the way, these entrance exams are not very good. The LS—two things to know about the LSAT worth knowing—one is that it predicts about 30 percent of your performance. The other is that it's the best single predictor that we have. So, in other words, there's no real good way of predicting how someone will do in law school, but you can certainly tell how they did do in law school. [*Laughs*] And that's what Leflar did. He sorta manned the barriers. He was the gatekeeper to the legal profession [*laughs*] in Arkansas in the [19]60s. And if you got past him, you were all right. Of that a hundred and however many it was that came in with me, I think about forty-eight graduated. So the trick was not getting in. The trick was getting out. The opposite is true today. [*Laughs*]

SL: So . . .

MA: If you're in, you're out. [*Laughter*]

[01:59:57] SL: Any Leflar stories?

MA: [*Laughs*] I had a roommate named John Harmon.

SL: Okay.

MA: He was a great man. But John [*laughs*] was a—how shall I put this—irreverent . . .

SL: Okay.

[02:00:17] MA: . . . and [*laughter*] Bob Leflar was—how shall I put

this—a little grumpy on occasion, and he used to come—I remember he came in the law school one day—it was cold outside, and he had his kind of disheveled overcoat up around his neck and had this crumpled-up hat on top of his head. And John and I were walking in—walking out as he was walking in, and we said, "Good evening, Dr. Leflar." And he didn't say anything. He just kinda walked by with a scowl on his face. [*Laughs*] And Harmon turned to me soon as he got by and said to me in his best stage whisper. He said, "You'd be mad, too, if someone sat on your hat." [*Laughter*] Leflar never cracked a smile, never missed a stride. Just kept on goin' up the stairs. Harmon was the same guy in one of Al Witte's classes who—Al called on him one day. Harmon says, "Unprepared." Just kinda like that, y'know. Al said, "What'd you say?" He said, "I'm"—he said, "I'm unprepared." "Why are you unprepared, Mr. Harmon?" "I didn't know what the assignment was." "Why didn't you know what the assignment was?" "I wasn't here yesterday." "Well, do you have any friends in this class?" Harmon stood up and looked around and said, "No." [*Laughter*] I couldn't believe it. Somebody talkin' to Al Witte like that. Well, Al says, "Well, I'll tell you one friend you've not got—Big Al." [*Laughter*] Harmon wasn't scared of him. He—I guess he

was the only guy in the school who wasn't. He scared me to death. I remember one time he—and the old courtroom is gone now, unfortunately, but the old courtroom that—we had a jury box in there and somebody gave such a stupid answer that Al got up and jumped in the jury box and jumped back behind the rail, y'know, and then came up over it, like a Kilroy. Y'know, with his hands over it like this and [gestures to show only hands and chin peaking over the rail] . . .

SL: Oh, yeah. Yeah

MA: . . . his head sticking out saying, "I can't believe you said that," or something like that. [*SL laughs*] He also said used the old line one time if somebody gave a stupid answer—said, "Here's a dime. Go tell your mother you need to go to music school." [*Laughter*] In those days you could make a phone call with a dime. But that was a great experience. That was a good—it was a good school. But, you know, there were only eight full-time teachers there at the time. That's astounding.

[02:02:48] SL: Let's see, was [Ralph] Barnhart the . . .

MA: He was the dean.

SL: . . . dean then?

MA: Mh-hmm. Yeah. He was great.

SL: I can't remember who some of the other older guys were.

[02:03:02] MA: Well, Mort Gitelman was . . .

SL: Mort Gitelman.

MA: . . . was still—was there.

SL: Yeah. Okay.

MA: And Sam Fetters and Trammel—Ray Trammel.

SL: Ray Trammel.

MA: Mh-hmm. And Carnes—Charlie Carnes.

SL: I went to school with his daughter.

MA: Uh-huh. And old Judge [Edward Baylor] Meriwether was still there every now and then.

SL: Is that right?

MA: Mh-hmm. And Ralph Barnhart. And then Ray [Rafael] Guzman came. Ray's still there.

SL: So you got a little touch of Ray, then.

MA: Yeah. Yeah.

SL: Yeah.

MA: That was about it.

[02:03:35] SL: What about women? Any women in the . . .

MA: Almost none. There was one or two in this huge one-hundred-person Torts class. And no blacks. By the time I got out, there were still very, very few women and—I mean, I've got a picture of my law school class. I was typically negligent, so I didn't

show up. So it—I'm not in the picture. [*Laughter*] But they're all white males in the picture. And—but I was in school with the first black woman who graduated from the law school. Her name was Sharon Miller, and her husband was George Miller. I remember them. They were in my Legal History class. And then Les Hollingsworth was in that class—or not in that class but in school with me. And Richard Mays.

SL: Richard Mays

[02:04:36] MA: And that was about it, y'know. There may have been one or two others who—y'know, there had been blacks there as early as 1948, but a very, very small number. Those were the black students I remember. There coulda been one or two others, but there—the—there just weren't many women. Women—I got out in [19]68. They started coming in the next year in some numbers. 'Cause then I went to Harvard for graduate school. [*Clears throat*] Pardon me. And they started coming in in the late [19]60s. And by the mid-[19]70s they were about half the class, I think.

[02:05:12] SL: Let's talk about U of A Law School itself and . . .

MA: Yeah.

SL: . . . and its—y'know, I've always heard that it's a really good law school.

MA: Uh-huh.

SL: And it was then.

MA: Yes. Mh-hmm.

SL: But it doesn't seem to be that highly ranked among . . .

MA: Yeah.

SL: . . . among law schools. I don't understand that.

[02:05:35] MA: Well, it is a very good law school, but the competition [*shuffling noises in background*] is very tough, and the resources that these other law schools have are just enormous. I mean, for instance, the way that, say, *U.S. News and World Report* ranks law schools partly has to do with the physical plant and, say, the size of the library.

SL: Right.

MA: And the starting salary of the students. Well, those two things [*laughs*]—I mean, it—they—y'know, the rankings are skewed toward the law schools that have two million books and whose graduates all practice in New York and San Francisco. Well, we don't have any of those things, so that's one thing that contributes to the ranking. The Fayetteville [law] school, for instance, has always been very strong on teaching rather than research and publication. I think it's more research-and publication-oriented now than it used to be. But one of the

things that the schools are ranked on is the quantity and quality of the publications of the faculty, and until recently, the faculty hadn't done much because it was a teaching faculty. Well, that's why it was a good school. I learned a lot at that school. I went on to teach at a number of American law schools—some of 'em, y'know, in the top ten. But I never really encountered better teaching than at Fayetteville, and the truth is that at a lot of these elite schools, teaching doesn't count. And it's not—it doesn't count in the rankings 'cause there's no way of measuring it. [*Laughs*] So, y'know, I used to tell my students who complained about some of the teachers that it wasn't true that teaching didn't count for much in getting tenure. It didn't count at all. [*Laughter*] And that was almost true. Unless you were just really, really awful and people complained about you constantly, the teaching part of the tenure decision was pretty perfunctory. So the—what's . . .

TM: We need to change tapes.

[Tape stopped] [Joseph Patrick Key begins as interviewer]

[02:07:47] MA: Well, Joe, I appreciate you comin' down here for this.

[Joseph Patrick Key]: Oh sure. I—it sounded pretty interesting.

MA: Very nice of you.

JK: Pretty fun. So—get to talk to you a little about early Arkansas

history. That's . . .

MA: Yeah. Right.

JK: . . . that's a good thing.

MA: Good thing for me. Nobody else wants to hear about it. [*Laughter*] I regard you as a new victim.

JK: No, not a victim.

MA: Like these guys and . . .

[02:08:06] JK: Not a victim at all, and I think most of the folks—they just don't realize they'd be interested in it yet, so . . .

MA: That's it. [*JK laughs*]

Kris Katrosh: If you'll do this bottom square [KK indicates where JK's signature is required on the Pryor Center's release form.]

JK: Okay.

KK: And I'll do the rest.

MA: It's our job to show them the way, Joe.

KK: Yeah.

KK: Everything look the same to you, Trey?

MA: Bring the heathen light.

JK: That's right. [*Laughs*]

[02:08:26] JK: Okay, so, Judge Arnold, let's talk about how you became interested in the history of early Arkansas—colonial Arkansas.

MA: Okay, great. Well, for many years—for fifteen or sixteen years or so, I taught Medieval English legal history. I taught at the University of Pennsylvania [Philadelphia, Pennsylvania] and at Stanford [University, Palo Alto, California] and some other places. I taught that course at the University of Texas law school in one summer session in about, oh, I guess 1973 [Interviewee Edit: 1978]. Anyway, I'd gone to graduate school and developed a facility at reading all this old Latin script and had spent a lotta time in the public record office in London [England] and other archives pouring over this stuff. And so I'd sorta developed a habit of reading old documents and had published a number of books that depended on it—some of 'em were transcriptions and translations of that stuff. So, anyway, when I came back to Arkansas in 1980, I thought, "Well, I need something to read." [*Laughter*] I'd developed this habit, if not facility, of reading this kind—of reading old stuff, and I started casting around for something, and I found out that there was a huge amount of material available that touched on the colonial history of Arkansas—most of it more or less untouched. Written in Spanish and French, both of which I read, but I had to get the [*dog's tags jingle in background*] paleography down and finally learned how to dope out the hands [*JK laughs*] and so forth—the

handwriting and . . .

[02:10:00] JK: Much easier usually in the French than in the Spanish.

MA: Yes. [*JK laughs*] Yeah, the Spanish documents are a lot harder. They tend to be—the writing tends to be more florid, for one thing, and [*laughs*] so, anyway, I discovered that although there'd been some things and good things written about colonial Arkansas, there really hadn't been a general appreciation of the period done that I thought did it justice. So I started looking around all over the place for stuff and found tens—thousands of pages of letters in Paris [France] and in Seville [Spain] in the archives that were written to, from, or about Arkansas Post in the seventeenth and eighteenth centuries. So I first wrote a couple of little articles about it. Some of the—'bout some of the local stuff, and then I started expanding. And then when I was teaching law at the University of Arkansas at Little Rock in the early [19]80s, it occurred to me that I actually might could—perhaps I could make a book outta this. And so I wrote the first book, which was about law. I was a legal historian, and so naturally, my first book was about the history of law—the French and Spanish legal system. Such as it was in the eighteenth century and just sorta grew from there.

[02:11:10] JK: What was the title of that book—that first book?

MA: *Unequal Laws Unto a Savage Race: European Legal Traditions in Arkansas,*—let's see—*1686 to 1836*. It was exactly a hundred-and-fifty-year period.

JK: Was that the University of Arkansas Press?

MA: Yes.

JK: Published that one.

MA: Uh-huh. Yeah.

JK: And that was, what, [19]86?

MA: Nineteen eighty-five.

JK: Nineteen eighty-five. Okay.

MA: Mh-hmm. Yeah, almost twenty-five years ago. [*Laughs*]

[02:11:35] JK: How did you find out about this big cache of documents? Because so many people—even ten years ago, before you started writing these books—didn't know about them.

MA: Well, there were . . .

JK: At least folks in Arkansas didn't know about 'em.

[02:11:45] MA: Yeah, there were a couple of articles written in the [19]40s by a man named Stanley Faye. Each of them ninety pages long. One about the French period of Arkansas Post and the other about the Spanish period of Arkansas Post. They were published in the *Louisiana Historical Quarterly*, 1943 [and] 1944,

I think. They were good as far as they went, but they contained references to this—they call—this thing called a general archive or the *Archivo General de Indias* in Seville. And so from those references I was able to somehow—y'know how research goes—I divined that there was actually a catalog and a kind of calendar of the papers bearing on the history of Louisiana in the eighteenth century in the Seville archives. And I started going through that, and it's a pretty good guide. And it turns out that if you know who the commandant was at a certain time, you can find out from the index what bundle of papers his letters are for that period—where they are. So it was one of those—it was just kind of following the breadcrumbs. But I did first get onto it from a published article in a *Louisiana Historical Quarterly*. But he—oddly enough, Stanley Faye did a lot of good work, but he—because he was writing in the [19]40s, he couldn't travel even if he could've afforded to to Spain, so he was working, I think, from microfilms in spa—in Washington [DC]. And the big treasure trove of Arkansas Post materials of over a thousand pages of letters—the single-biggest source—was not available to him for—evidently, because he never referred to it. That's—*legajo* is the Spanish, as you know, for bundle, and it's bundle number one-oh-seven [107]. [*JK laughs*] And it's all about

Arkansas Post. And it had a . . .

JK: Right.

MA: . . . ton of information in there that I don't think anyone had used before. Maybe there—y'know the book by Anna Lewis called *Along the Arkansas* [1932]?

JK: Yes.

[02:13:50] MA: She may have used a few of those letters. I'm not sure. So—but it was . . .

JK: I think so.

MA: Yeah.

JK: She did. I think she did.

MA: From that bundle. So there had been a few things written. I was certainly not working entirely in the dark, but most of what—I mean it was pretty difficult business. It never occurred to me that anybody else would ever be interested in it, practically. [*Laughter*] It's so obscure. But now there are a lotta people interested in [*laughs*], and I'm glad, I guess. [*Laughs*]

[02:14:15] JK: That's right. Well, and for you, the first book, *Unequal Laws*, has led to two more books.

MA: Right.

JK: Correct?

MA: Yeah. Exactly. Once—one of the impediments I faced in writing that first book was that nobody, despite all this work that had done—been done before that I referred to, had ever really done a proper job of discerning where Arkansas Post was even located over the years. There was all of this stuff. There was a lot of it rubbish about there were seven places. There were two places—there were—this—it was named that—it was, y'know. And so I had to—in order to write that first book on the law, I had just for my own peace of mind try to—had to try to figure out where in the heck am I talking about? Where are these letters [*laughs*] coming from, y'know? Where are they? Because it becomes important in interpreting the documents. So one of the things I had to do was to divine, I think, correctly for the first time—more or less accurately, within a year—where—where the post was located over this hundred-and-fifty-year time period. So in doing that, I discovered a lot of material that wasn't particularly relevant to law, but it—there was a lot of social history I had to put in this alleged legal history book in order to make sense of the context that the law was being applied in, okay? So I mean there's no such thing as just a separate legal history, as you know.

JK: Sure. Sure.

MA: I mean—or if there is, it's just an arid recitation of section numbers [*laughs*] or something.

JK: [*Laughs*] Right.

[02:15:42] MA: You got—it's gotta be working in the population. Something's gotta be going on in the society. So I mean the short of it is that I had to—a lot of that—there was a lot of sort of social—semi-social history in that legal history in that legal history I wrote. And then it occurred to me—I went down to Louisiana and saw a book on Arkansas—on Louisiana colonial architecture. And I thought, "You know, I've got a lotta material just sort of by the way on colonial Arkansas architecture. Maybe I could write an article about that." And I did. And I thought, "Well, you know, this would make a nice chapter in a book. I could have a chapter on social life; chapter on science and religion; chapter on architecture; chapter on law and government; chapter on social structure." Y'know, so I wrote the second book called—*This Colonial Arkansas* [*1686–1804*]*: A Social and Cultural History* [1991]. And the—y'know, I discovered a lotta portraits of people who lived here and some maps—y'know, that kind of thing over the years in the Paris and Seville archives. So I put all of that in that book. And then Indian history got kinda hot. [*JK laughs*] People got interested

in it, and I didn't really know anything about it. And so my first two books had been very much focused on the European settlers although there was some incidental information necessarily about the Indians because, obviously, that was the context they were living in. But they were sorta background context and not—y'know, to the center . . .

JK: Right. Right.

[02:17:13] MA: . . . of the picture and to the main stage and center of the stage. So I was—I think I went to a museum down in San Antonio [Texas], and I was looking through their Indian stuff. And I went out to one of the missions and the mission—there was a mission that had a film, and in that film it featured the intermarriage of the Spanish and the Indians and the creation of this mestizo, mixed-blood people. And, y'know, it—the light came on. I thought, "Well, I've missed the whole story here." [*Laughs*] The main story. Not—I don't mean that totally literally but . . .

JK: Right. Right.

[02:17:59] MA: . . . I came to see that the main story of colonial Arkansas was this—was the connection was the sort of symbiotic connection that the Europeans and the Indians had made and that, in any event, the interaction between—whether symbiotic

or not—the Europeans and the various Indian tribes was really what was of interest or the main story. And I thought, "Well, I can't let the main story go untold." [*JK laughs*] "People are gonna think I just totally missed it, y'know. I mean, I've written two books, and I still hadn't gotten to the point." So that third book, called [*The*] *Rumble of a Distant Drum* [: *Quapaws and Old World Newcomers, 1673-1804*] [2000], was my attempt to get to the point. [*Door squeaking*] And so I don't know whether I got to it or not, but I think that I certainly brought to light a lotta stuff about the interaction between Indian and European people that hadn't been known before so . . .

[02:18:45] JK: And it was a focus mostly on the Quapaws . . .

MA: On the Quapaw Indians. Correct.

JK: . . . writing kinda from their perspective . . .

MA: Yeah.

JK: . . . where you've given the French and Spanish perspective, and the other two books are . . .

MA: Well, yeah, and . . .

JK: . . . focused on them for the most part.

[02:18:59] MA: Yeah. Exactly. But it was a—there had been a book written about the Quapaws, of course, by [W.] David Baird, which is a very good book [*The Quapaw Indians*]. But I think

what my book focuses on is the way the two people interacted with each other and how they dealt with each other—the Quapaws on the one hand and the French and the Spanish on the other. So it was about both of them and mainly about their alliance—I call them alliances—their associations and the various levels on which they associated from military to trade to intermarriage to daily interaction, religion—all of that stuff. And so it's . . .

[02:19:43] JK: Well, and to be fair to you, of course, David Baird's book only has—a very small part of that book is on kinda colonial, territorial Arkansas, and you're the one that's written kinda the first bigger book in examination of, y'know, early Arkansas in that—and the Quapaws during that . . .

MA: Yeah, I think that's right.

JK: . . . eighteenth and early nineteenth century so . . .

MA: Yeah, I think that's right. Yeah. Yeah. It was very challenging [*laughs*], especially since I started off not knowing anything about it, y'know. [*JK laughs*] I mean, I had—I was—I worked very hard on that book. Y'know, people say, "Well, how long did it take you to write that book?" And I say, "Well, I started when I was five," y'know. [*Laughter*] What does that mean? I started because that's when I learned my ABCs, but I foc—I

guess I've spent a lotta focused time on it over a period of about two years. And I was really at work hard on it. Every night, y'know. And I got—a couple of three summers I spent a month or two in New Orleans doing research and, of course, I'd been to Seville and Paris already and to London and to all the American archives, from Los Angeles to Philadelphia [Pennsylvania]. But—and . . .

[02:20:46] JK: And so much of that because the documents are scattered.

MA: Oh, they're every—I mean, it's just a—it's like a needle in a haystack.

JK: Yeah.

MA: But the—I think the thing about it is that I had to read a huge amount of secondary material, too, because, as I said, I—y'know—and so I was reading—I mean I'm not exaggerating—four—I read—I know one year I read five or six hundred books. I had to, just to get a kind of—y'know, a hint of a foundation for and an appreciation of—it's obscure. It's tough going. And I would read—y'know, there would be books—there would be days when I'd read two or three books, just tryin' to catch up. And then the literature now is burgeoning [*laughs*], I mean, because people have caught on to this.

[02:21:37] JK: It's very [*laughter*] hard to keep up these days, that's for sure.

MA: And then a lotta really good stuff is being written, y'know.

JK: Yeah.

MA: And so, y'know, you sorta live in mortal terror of missing the article that—that's the most important to you or the—maybe the person—there's somebody out there writing this same piece, y'know? [*Laughs*]

JK: Right. [*Laughter*] Right.

MA: So it's been fun and challenging.

[02:21:56] JK: What were, for you—what were surprises that you found in this research?

MA: I'm sorry—oh, surprises.

JK: The surprises that you found.

MA: Oh, gosh. I—the first thing was I was surprised by how much had been left behind. This was a tiny community. Y'know, it was founded in 1686. We're talking about Arkansas Post as you know. And a hundred years later, it still only had about a hundred people in it. It started off with six, and a hundred years later, it had a hundred, y'know. By the end of the eighteenth century or early nineteenth century, there were four or five hundred, including fifty or sixty black slaves, a couple of—or

three free blacks. And not many more Indians in the state resident—fewer than a thousand.

JK: Right.

[02:22:43] MA: So my—the surprise was that you could tell this story. I mean how many towns are there in Arkansas right now with four or five hundred people in 'em that leave any record? None. I mean, [*laughs*] almost none.

JK: [*Unclear words*]

MA: But the reason is that there was a military government, and this was—especially the Spanish. They were very bureaucratic. And every time—y'know, the captain, who was a commandant down at the post, would write to the governor regularly about what was happening—just about every time a leaf fell [*JK laughs*], he would write a letter. "Dear Ralph, a leaf fell." And the Spanish kept this stuff, and it ended up in Seville. I mean when they left Louisiana, they took it with them to Pensacola [Florida]. When they left Pensacola, they took it with 'em to Cuba. And when they left Cuba, they took it with 'em to Seville. And there it is. I got so familiar with those commandants' handwriting that I could tell you across the room if you posted a page of one of their letters on the wall, who had written it.

JK: Wow.

MA: Uh . . .

JK: Wow.

[02:23:41] MA: And so I—that was the first thing that was so surprising. The other thing—there are a lotta surprising things. The next thing that comes to mind is the cosmopolitan character of the place. Even though there were so few Europeans, there w—so much interaction with the Indians. But the—but even among the Europeans, there was Frenchmen and Spaniards and Americans and Englishmen and Germans. There were most—mostly Roman Catholics, but there were a few Lutherans. There were people who—in Arkansas Post who spoke four Indian languages. [*JK laughs*] So if you walked through the post in the 1790s, even though you couldn't—you wouldn't encounter more than a few hundred people, if that—I mean, if you came during hunting season, it wouldn't be that many 'cause they would be all up the river hunting. You'd hear four or five European languages spoken and four or five Indian languages, including Mobilian, which was a trade language that the Quapaws used for trade. So I mean that's [*laughs*] kind of astounding.

[02:24:42] JK: And there were Indian folks, at least if they weren't staying at Arkansas Post for very long but—or passing through who were from way up the continent—New England, the Great

Lakes and . . .

MA: Yes.

JK: . . . those areas, right?

[02:24:52] MA: Yeah. During the American Revolution, for instance, there were people—not altogether clear where they were from to me—but they came down the Mississippi River because they were refugees, and they settled at Arkansas Post for a time. And one of the things that I found in the records was the census of those Americans. Then the third thing, y'know, that was so surprising to me was the extent of the cooperation between the Europeans and the local Indians because, you know, we're—this may be the first surprising thing because of what we're—what I was taught, at least, in school was that the European/Indian history was characterized mainly by tension and competition and sometimes on a genocidal scale. That was true, but it wasn't always true. [*Laughs*] And it certainly was not true in Arkansas with respect to the Quapaws most of the time. Now, obviously, I don't mean that they sat around and held hands and sang "Kumbaya" all the time. [*JK laughs*] They didn't—they had their ups and downs.

JK: Yes.

MA: They had some real difficulties.

JK: Right.

MA: But, by and large and in the main, they got along 'cause they had to. They needed to. They needed each other. And so—I mean, the thing you'd—I don't know if this surprises me, but the thing about—the great thing that I think history reveals is, y'know, the—it tells you how the worlds—world works and what it is that makes people cooperate—how and when they get along and why. An important lesson.

JK: Sure. Sure.

MA: Essentially, you gotta have something to offer the other person. [*Laughs*]

[02:26:24] JK: Right. Right. And they . . .

MA: I don't—that's . . .

JK: . . . both had a little bit of something to offer each other. [*Laughs*]

MA: Yeah. Yeah. I don't mean that in a cynical way but . . .

JK: Right.

MA: . . . you know, it gets your attention. I mean . . .

JK: Right.

MA: . . . for instance, y'know, just a kind of a simple-minded level, the Quapaws liked the French at first because they needed guns 'cause the Chickasaws had guns, and the Chickasaws were using

'em with the English against the Quapaws.

JK: Oh, yeah.

[02:26:46] MA: And the French wanted the Quapaws as—to have guns because they wanted 'em to use 'em against the Chickasaws and the English. [*JK laughs*] So, you know, the enemy of my enemy, y'know . . .

JK: Exactly.

MA: . . . is my friend.

JK: Exactly.

MA: So—but it—y'know, there were a lot of other reasons. But it's a complicated world, but basically you gotta have something to offer the other person, which is why I didn't exactly organize this *Rumble* book around the idea—the economic actor, but I did use that as a kinda metaphor to try to help people understand. And by economics, I don't mean money. I mean just a person's, y'know, searching for personal welfare.

JK: Right.

MA: Pursuit-of-happiness kind of economics. That's all.

[02:27:28] JK: Right. One of the, I guess, debates or myths in early Arkansas's history really surrounded John Law and his colony . . .

MA: Uh-huh.

JK: . . . and the Germans that were supposed to have been here . . .

MA: Yeah.

JK: . . . very early on. What did you find out about that? Or were you surprised by what you found out about Mr. Law and his colony?

[02:27:46] MA: Well, that's a good point, and one of the early articles I wrote attempted to demonstrate, and I think did demonstrate that, actually, Law's colony—Law's Germans never got here. Pardon me. There were large numbers of them recruited. Many of them died in France. Many of 'em died on the way. Many of 'em died on the beaches in the Gulf Coast. But none of 'em apparently actually got to Arkansas. There were some Frenchmen, who were employed by the Company of the Indies, which was John Law's company, to sorta prepare the place for the colonists. But as far as I could determine, the records of the company pretty clearly show that none of the Germans actually got up here. They all settled on—in a German—a lot of 'em settled on what's called the German Coast [50 miles upriver from New Orleans] today. And I learned a good lesson from that because there were some secondary sources that said that the Germans had been here. But I learned—I knew this from having been a Medievalist, that you

can't trust secondary sources all the time. [*JK laughs*] But I learned a very healthy skepticism from [*laughter*] that little investigation . . .

JK: [*Laughs*] Yes.

MA: . . . about whom to trust on what subjects.

JK: Yes.

MA: Y'know, it's a very kinda precise and subtle difficulty, trying to divine the reliability of a secondary source.

JK: Right. Right.

[02:28:57] MA: And so, yeah, that—the thing—but, y'know—but then that wasn't really a discovery of mine. There was a historian of early Louisiana named Giraud, I think, Marcel Giraud, who had written a couple or three—well, he ended up writing five volumes on the history of Louisiana. And he had some sections in there on Arkansas Post, which pretty clearly showed that the Germans hadn't . . .

JK: Okay.

MA: . . . hadn't come up here. But that—his—that his stuff was in French and people—and it was being read in Europe but not in America. So I somehow discovered his books, and you know how that works.

JK: Right.

MA: You just kinda keep digging and . . .

JK: Right.

MA: . . . so, yeah, that . . .

JK: So you made that . . .

MA: . . . was—that was surprising. And there's still people who think I'm wrong, y'know [*laughs*], and that's fine. [*Laughter*]

JK: Yeah, sometimes those myths are hard to kill . . .

MA: Yeah, they are. You can't . . .

JK: . . . sometimes.

[02:29:50] MA: Yeah, that's—in fact, that was the name of the—my article was "The Myth of [John] Law's German Colony on the Arkansas," I think.

JK: Right. Right.

MA: But, yeah, people like to have fun over—arguing about that, and I'm glad. [*Laughter*]

JK: Well, you've entered the debate pretty strongly. That's for sure.

MA: Yeah.

[02:30:07] JK: I—somethin' else that you found out about, and I guess it was a sort of another debate, too, is that the history's being told and—getting back to the Quapaws a little bit—the history's being told sometimes by the Quapaws, too, or by some of the Indian folks by the hides and maps and about the three

village robe that you found. And, well, I guess people knew it was there, but it just wasn't very well . . .

MA: Well . . .

JK: . . . discussed.

MA: . . . the—yeah, they're—you're talking about these Indian paintings—hide paintings—that are in the Musée de l'Homme in Paris [France]—the Museum of Man—anthropological museum there in the Trocadéro across from the Eiffel Tower. They—those skins had been—those paintings had been known to some antiquarians, and there was a little literature on them, but to my way of thinking anyway, and I think I pretty well established this—they're—they had the wrong provenance assigned to them because the book that was most recent—had been most recently published before I published on the subject was published in Paris, and they attributed 'em to the Illinois Indians, which, in my mind, is quite clearly wrong. [*Laughter*] And I think I was able to show that it was. In fact, it wasn't all that hard [*laughter*] because one of 'em had Arkansas written on it, y'know.

JK: Yes.

[02:31:27] MA: And it showed a victory by the—y'know, the Quapaw Indians. Well, who else would be painting a—y'know, come on.

But, y'know, I use this as a example of how they're—some—there's nothing that is too obvious that some of my academic colleagues won't dispute it. [*Laughs*]

JK: Exactly. That's right.

MA: But, yeah, that was a great find. I—that one—that's a beautiful painting. I mean, it's a—it is the premier eighteenth-century Indian painting in the country, I think. Or there's a couple or a little bit earlier ones called the Segesser Hide paintings that are larger.

JK: Right.

[02:32:03] MA: But this—y'know, this one is just magnificent. And I—and there—this one in particular, the so-called village of the—robe of the three villages is superb. In fact, we had it here along with another one of those on exhibit at the Historic Arkansas Museum about fifteen years ago. We had six thousand people there the first day.

JK: Oh, yeah.

MA: It was huge.

JK: Yeah.

MA: They had to take the fence down [*JK laughs*] to get people [*laughs*]. But it was huge.

JK: [*Laughs*] That was wonderful.

MA: So I wrote an article on that, and I got a lotta mileage on that. Used . . .

JK: Yeah.

MA: . . . part of it in my book and . . .

JK: Did you . . .

[Tape stopped]

[02:32:35] JK: Did you work with the French to bring the robe here or . . .

MA: Yes.

JK: Okay.

MA: Yeah, there were quite cooperative. There was a woman named Anne Vitart, who had written or at least edited a book in which they'd been feature—these robes had been featured. [*Background noises begin*] And we worked with her to get them over here. We—it was hard. They won't let 'em outta the country again, I don't think, 'cause they're so much in demand. And it cost a lotta money. We had to insure 'em for a million dollars, which, of course, is way low. There's no telling what—I mean if they went on the market, people would go nuts over it. But, yeah, they had to fly—they were flown over here in their own—with their own curator, and it was difficult. But we had 'em here six months, and it was huge—a huge success.

JK: Okay. Wonderful. [*Noise from leaf blower increases*]

MA: Of course, the Quapaws were very excited about it.

JK: Oh, I'm sure.

MA: Yeah, we had a big . . .

JK: I'm sure that it'd be amazing for them.

MA: . . . big powwow down here, and they were extraordinarily happy about it.

[02:33:31] JK: One of the things that you—I guess you've also done, and we all have to do in American Indian history is not only reading documents and such as this but also sometimes working with the anthropologists and archeologists. And . . .

MA: Yes.

JK: . . . you've been very involved with the [Arkansas] Archeological Survey [*unclear word*].

MA: I have although really I—I'm totally innocent of archeological method. I don't—I'm [*JK laughs*]—I don't know a thing about it. I read—the only thing—I mean, yeah, the Arkansas archeologists are all very good friends of mine, and they're very cooperative, and they want—y'know, they're great. The only thing that annoys me about 'em is they don't publish any of their stuff. [*JK laughs*] It's all up on a shelf somewhere in an obscure . . .

JK: Yes.

MA: . . . office, y'know.

JK: Yes.

[02:34:09] MA: And I say, "Y'know, I'm working"—"Oh, yeah, I got one. I've got five hundred pages on that." [*JK laughs*] "Well, y'know, where is it, man?" Y'know. [*Laughter*] But, really, it's not that they're hoarding it; it's just that it's not—there's no conscious effort. I guess it's just not—there just aren't many places to publish it, or they've got too much of it. It's kind of like an artifact, I think. I think they'd—y'know, it's sorta like an artifact. But, y'know, I don't know a lot about archeological method. I really couldn't—it—I'd be no good in the field, probably but . . .

JK: But you're, like, a good historian. You can take some of their work and . . .

MA: Oh, absolutely.

JK: . . . and use their . . .

[02:34:51] MA: Yeah, I know their lingo. I understand. [*JK laughs*] And I know where they're coming from, and I understand the—y'know, the—way anthropologists look at things. And I know when to—how to interpret their work and that sort of thing.

JK: Right.

MA: And the ethnohistorians, and some of that have obviously—has

obviously influenced the way I write and look at things, too.

[02:35:10] JK: Sure. Sure. And then the other relationship, I guess, that's kinda just developed over the years and with you writing the book on the Quapaws has been your relationship with the Quapaws. How has . . .

MA: That's been great.

JK: How has—how did that really sort of begin and develop?

[02:35:21] MA: That's been great. I'm not sure exactly how it started although I started corresponding with Carrie Wilson, who's a prominent Quapaw, early on. And I just recently corresponded with some Quapaw historians about intermarriage and—but over the years I—they—I developed a nice relationship. They gave me a—oh, of course, when I got—when I discovered—*when I discovered*—when I helped bring these robes to Arkansas, then I got involved with them because they came down, and I got to know their chief—their pre—what do they call him—president? [Editor's Note: The head of the Quapaw Indian tribe is known as the chairman.] Anyway—chief. And I got to know their council, and they actually had me up there for a traditional Indian dinner and gave me a blanket and also a medal. I have a Quapaw medal and . . .

JK: Right.

[02:36:19] MA: . . . and I went to the powwow, and they gave me a dance, and it was great. We danced around a circle and did a dance in my honor. And then they have this custom that the people who dance in your honor come up and shake your hand and give you a dollar. [*JK laughs*] And then you take the money, and you give it to the drum, they call it, which is the drummers as a, you know, reward for doing the dance. It was really great.

JK: So you learned about . . .

MA: Yes, and a nice ceremony.

JK: . . . a little bit about . . .

MA: Yeah, I loved it. I think I need to do that again.

JK: [*Laughs*] Probably wouldn't hurt all of us—any of that.

MA: Or [*laughs*] . . .

JK: So you've learned something about . . .

MA: Ardina Moore is the name of the Quapaw historian I've been in touch with.

JK: Ardina Moore. Yes. Yes.

MA: She's great.

[02:36:56] JK: So you've had kind of wide range of people and sources that you've worked with on . . .

MA: Yeah.

JK: . . . on all of this.

MA: Yeah, I've tried to work with the native people and also with the archivists in Paris and . . .

JK: How has that been and how—and just . . .

[02:37:08] MA: That's been good. I did [*laughs*]—I did run into a spot of trouble in the [19]80s with the Archive of the Indies in Seville [Spain] because I was ordering too many documents. [*JK laughs*] And finally they wrote to me and said, "We're not sending you anymore." [*Laughter*] So I had to find another source. But I found out that almost all of it's on microfilm in New Orleans at The Historic New Orleans Collection. So I use my secret weapon. I hired a graduate student down there, and he copied all the stuff . . .

JK: Oh, yes.

MA: . . . from the film. So I have all of the letters from the Seville archives that were written by the Arkansas commandants.

JK: Wow.

MA: Every one—I gave 'em to the Butler Center [for Arkansas Studies, Little Rock].

JK: Right. Right.

MA: [*Laughs*] So, yeah, they finally wrote—Señora Rosario at the archives said, "That's all for you, buddy." [*Laughter*] So I had

to find a way around her, but I did. [*Laughter*]

JK: That's good. That's good. But the French have also recognized you for your work in French colonial history, right?

MA: That's true. That's right. They gave me a medal. That's Chevalier de l'Ordre des Palmes—Palmes Académiques—Chevalier of the—Order of the Academic Palms. That was nice.

JK: Oh, that's wonderful. That's wonderful.

MA: Yeah, I got a certificate and a medal. [*Laughter*]

[02:38:19] JK: Hey, that's pretty good. Can't beat that. That's for sure. And you mentioned that you've given your papers now to the Butler Center.

MA: Right. Mh-hmm.

JK: Very good to do that and everything to help out some of these . . .

MA: Yeah, I had to . . .

JK: . . . younger scholars.

MA: . . . get 'em outta the house. I mean, they were [*JK laughs*] all over the place. And the truth is that when I finished that Indian book, I was just fed up. I mean it was so much trouble. You—I mean, well, you know—just the amount of engineering that goes [*laughs*] into producing a book can be very disheartening, y'know.

JK: Right.

MA: There's a lotta drudgery. Y'know, but, y'know, there's some romance, too. But it's—there's a lotta drudgery. It's hard work. And Dr. [Samuel] Johnson said that a man who would write for free was a blockhead. Well, [*laughter*] I'm pretty much a blockhead 'cause I haven't made much money off of this. In fact, I'm way in the hole because I financed all this on my own, y'know.

JK: Sure.

MA: They didn't have grants or anything so—almost, though. I mean actually when I was a law professor here I got some grant money to do part of that first book. But . . .

[02:39:21] JK: But you've been doing much of this writing while juggling your duties as a federal judge, right?

MA: Yeah. Yeah, the two later books were written when I was a judge. And also I am a contributor to this general history of Arkansas that Jeannie Whayne mainly wrote—I wrote the colonial parts. I did that . . .

JK: That's right.

MA: . . . when I was . . .

JK: That's right.

MA: . . . a judge, too. [Editor's Note: reference to *Arkansas: A*

Narrative History by Jeannie Whayne] So—but I want the—I want the taxpayers to know I wasn't doing it [*JK laughs*] on their time. I was working at night and on weekends. [*Laughter*]

JK: Right. Keepin' up on that? Unless Kris has something else he wants me to go over with . . .

[02:40:02] TM: [*Clears throat*] You know, I—I've got a question.

JK: Okay.

TM: And you can just answer back to him. And I've heard you say this before, but can you just go over the origin of the name Arkansas?

MA: Oh. [*Laughs*] Oh. Well, I can tell you my version. [*Laughs*] I don't think it means anything. [*TM laughs*] I think that it is a proper name like Arnold. Some proper names mean something; some don't. Cooper means something. It means somebody makes a barrel. Arnold doesn't mean anything.

JK: Right.

[02:40:36] MA: I think Arkansas is a version of the word Kansa, which was just a tribal name for a tribe and a clan in certain tribes, and that the "a" is a prefix that the Illinois Indians affixed to the word Kansa because they called every foreign tribe a-something. So Akansa meant foreign tribe called Kansa. And . . .

[02:41:06] JK: So you don't think it specifically means downstream people or . . .

MA: I don't, but I know that there's an Osage word that's very similar, and they say that it means south wind or something like that. But I have—I take this opinion mainly from a man named Dan Larkin at the University of Kansas [Lawrence, Kansas], who is the world's reigning expert on the Quapaw language . . .

JK: Okay.

MA: . . . academic expert. I think that Ogahpah means downstream people.

JK: Okay.

MA: Quapaw comes from—that's Kappa. Quapaw is Kappa—downstream people—and it is a Quapaw word, and that's what it means. [*Laughs*] But . . .

JK: Okay.

MA: . . . I don't think Arkansas means anything. Now you won't read that in many history books, but that's my personal opinion. Carrie Wilson disagrees. She thinks it means south wind or something like that.

JK: Okay.

MA: But—and she knows—y'know, she's one of two or three native Quapaw speakers, so I'm obviously don't—I'm not a native

Quapaw speaker. But Larkin is recognized as a—and he—y'know, he can go through the etymology with you. But I don't think it means a thing anymore than Arnold means anything.

JK: Okay. [*MA laughs*] I don't think I've heard—you haven't told me that, anyway. [*Laughter*]

[02:42:27] TM: That's good. Maybe something else we can follow up—could you describe, y'know, what maybe the animals and what kinda hunting and stuff was goin' on around . . .

MA: Yeah.

TM: . . . Arkansas Post . . .

JK: Yeah.

TM: . . . and how far out they were goin' . . .

MA: Yeah.

TM: . . . and what that base was like?

MA: Yeah, you bet. Yeah.

JK: 'Cause there's a—there [*laughs*] . . .

MA: Pardon?

JK: Should've been something that I thought about . . .

MA: Yeah, well . . .

JK: . . . because there's one animal most people don't . . .

MA: The . . .

JK: . . . associate Arkansas with so . . .

[02:42:47] MA: Well, that—y'know, that was—y'know, you asked me what surprised me. One of the things that surprised me was how far up the Arkansas River these hunters were going. Let's remember Arkansas Post is only thirty, forty miles—fifty—upriver from the Mississippi [River], so it's way down in southeast Arkansas. They were goin' up into Oklahoma and Kansas. In fact, they had a little operation up in northern Oklahoma—somehow got the name of Ferdinandino. I don't know how. But it was a French/Wichita cooperative venture—hunting and that sorta thing, and they were hunting buffalo up there. But they hunted buffalo all over Arkansas. There're buffalo over Arkansas. The Buffalo River—y'know, the [Le] Boeuf Bayou down in Ashley County. [02:43:39] There's—there are several place names named Buffalo, and there's a [*laughs*]—prairie up in northwest Arkansas called—they call it Vache Grasse. *Vache grasse* means fat cow, [*JK laughs*] and it was called that because it was Fat Cow Prairie, obviously, because there were a lotta buffalo cows out there. The cow was more sought after because it was fatter and more tender. And the cow hump was especially in demand. And buffalo ribs were a big product of Arkansas. [*JK laughs*] One of the things that—one of the surprising things is that I don't see a lot of evidence of a lotta skins and peltries

and furs being exported from Arkansas until—even deer skins—until the late eighteenth century. I don't see it. They could've been. What I see is a lotta buffalo products—buffalo ribs, buffalo tallow, and bear oil—rendered bear fat. Those were really the three main products, and one of the delicacies that Arkansas produced and one that I think any New York delicacy would love to have was salted buffalo tongues. [*JK laughs*] They were much sought after in New Orleans [Louisiana] and Madrid [Spain], along with the pecans from the St. Francis River valley.

JK: Really?

[02:45:07] MA: So you got yourself "a holt to" some good, ol' buffalo tongue—salted buffalo tongue with some pecans, you had somethin' to eat. And they were regarded as a great delicacy. So the bears were, in addition, as I said, hunted, but so were otter and mink, deer—a lot of deer. The English came over from the other side of the Mississippi and poached, the Spanish thought of it as poaching, on the Arkansas side, and there were some clashes, in fact, between French and English hunters up on the St. Francis and White rivers. So even bobcats, skunks, raccoons—some of that peltry was being traded in the late eighteenth century anyway. But the main export was—pardon me—buffalo tallow. The buffalo skins themselves weren't worth

anything. Some beaver. Not much because, y'know, the beaver pelt wasn't too good this far south. Most of that was traded outta St. Louis. There was some beaver. But that's about it.

[02:46:29] JK: And you mentioned earlier, kinda—'cause I think this works together—the low population numbers for Arkansas in the colonial era, so that you had, basically wouldn't you say that—this very large hunting ground . . .

MA: Oh, absolutely. Yeah.

JK: . . . that lotsa [lots of] people started to come to.

MA: It was a hunters' paradise. In fact, the people in New Or—it was known as that, and the people in New Orleans would write about it, especially the St. Francis and White River areas. Y'know, they could—they would go up there, and they would—sometimes they'd just kill the buffalo for the tongue. Y'know, just leave the carcass.

JK: Right. Right.

[02:47:02] MA: But, yeah, it was well known as a—and, of course, it was well known as hunting territory, especially bear territory, well into the nineteenth century. [*JK laughs*] It was the bear state. Well, imagine what it was like when there were only a few hundred Indians and a few hundred white people. It was a . . .

JK: Right.

MA: . . . it was a hunters' paradise.

[02:47:19] JK: And I think one time you've even described it as—for the French, it was—Arkansas was like a delicatessen. [*MA laughs*] You mentioned on the—a couple of times. [*Laughter*]

MA: Yeah. It was, yeah. All the great [*JK laughs*] delicacies of the world came outta here. It was world renowned. And one of the buffalo painting—one of the hide paintings in Paris shows a—the Quapaws hunting with guns and bows and arrows. That's one—one of the great revelations on those skins is that the Quapaws were using—we knew this probably anyway, but this—I mean to see a picture of it, they were using bows and arrows and guns simultaneously. It's—y'know—the bow and arrow had some advantages over the gun. For one thing, it was more powerful, believe it or not. [*Laughs*]

JK: Right.

[02:48:07] MA: [*Laughs*] Now, y'know, there are lots of down side—there's a lotta down side to the bow and arrow. As, for instance, you know, you can't get your arrow back sometimes. [*Laughter*] But there's always more lead. But, you know—and also its trajectory isn't as straight and so forth and so on. But there were some advantages—technical advantages. The other thing—the other advantage was it did not make any noise. And

so if you wanted to surprise an enemy—and you could have a lot of 'em pretty well incapacitated before anybody knew what was happening. Whereas if you used your *fusie* [Interviewee Edit: *fusil*], or your gun, then obviously the cat was outta the bag the first time you pulled the trigger. So they were using 'em, y'know, for different purposes, but at the same time.

[02:48:54] JK: Well, it's mostly matchlocks that they were—or flintlocks that they were—the firearms . . .

MA: Right. Mh-hmm.

JK: Okay.

MA: Muskets. Yeah.

JK: Muskets.

MA: Yeah, they were—the French calls 'em *fusie—F-U-S-I-E* [Interviewee Edit: *fusil—F-U-S-I-L*], which is a—just a French word for a musket flintlock. And they were smooth bore. The most popular ca—caliber was about a .50, .52. It was more portable. Y'know, some of those big military rifles were .60, .70, even .80 calorie [Editor's Note: caliber], but the trade gun was around a .50, .52, .54 caliber. I've got some musket balls here that I found down at Arkansas Post.

JK: Wow.

[02:49:40] MA: They're about .50 [*laughs*]—I remember I was so

excited when I first found 'em. I measured 'em all up, y'know. And I thought, "Boy, now I'll really" [*JK laughs*]—"I'll be able to tell what—exactly what kinda gun they were using." Well, it turns out [*laughs*] that in the eighteenth century—y'know, here we've got .22s and .45s and .38s are standard gauges that were—in the eighteenth century there was a caliber for every one one-hundredth. I mean from every—a .10 to a .70. [*JK laughs*] And not only that, a .52 caliber wasn't necessarily a .52 caliber. Lot of the guns were so non-uniform that they would come with their own bullet mold because they weren't interchangeable. [*Laughs*] So . . .

JK: Wow.

MA: Yeah. But, you know, that took me . . .

[02:50:23] JK: So you weren't able to really identify . . .

MA: Not exactly the gun because they were—y'know, I thought—I knew it was a .52 caliber, but that didn't help me much. [*JK laughs*] And that was a popular trade gun caliber. But I thought, "Well, this will make me—this will lead me to an exact type." Well, not really. Not so much as they say [*laughs*] today.

JK: Right.

MA: But, y'know, that took me about twenty or twenty-five books' worth to learn that. [*Laughter*] I mean it came as a kind of a

disappointment but also a revelation.

JK: Oh, yeah.

MA: Yeah.

[02:50:49] JK: Y'know, there's some of those questions that we can't always answer is what—I guess, thinking about that, some of the questions that you've answered or some of the myths that you've challenged, what are some of those questions you—if they're still out there that you wish we knew the answers to?

MA: [*Sighs*] Well, I think—I wish I knew a little more about daily interaction between Indians and Frenchmen at the post 'cause I know—y'know, we know a lot about Ste. Genevieve [Missouri], where—because of the secondary sources—where people lived up there and who wrote about it, about the daily life, about how the Indians would come by with game and sell it to the settlers. And the Indian children and the white children would play together in the streets. There was even a little Shawnee, I think, settlement in the middle of Ste. Genevieve [*laughs*] at one time, so I wish—and I wish I knew whether they went to the same taverns. Y'know, the Arkansas Post, believe it or not, in the 1780s had taverns and pool halls. They brought pool halls up the river from—I mean, pool tables—billiards actually—up the river [*laughs*] from New Orleans or down from St. Louis

[Missouri]. [*JK laughs*] Now the billiard table in the eighteenth century, it is true, was smaller but still [*laughs*]—so I'd like to know, did—y'know, did they go to the pool halls together—the billiard halls? Did they go to dances together? Did they drink together? I know they did out on—in the camps.

JK: Right.

[02:52:18] MA: But I know there's a record of a pool hall in Pensacola [Florida] where—billiard, I should—I keep saying pool hall—billiard parlor—where the Indians and the French played together, y'know. I just don't—I'd like to know more about that and about—there were Indian festivals, y'know. The green corn festival—fairs. I suspect that the white people attended those regularly—must have. And I think the Indian—I—there's some evidence that the Indian women came through the village and sold corn on a kind of daily basis. I'd just kinda like to be there.

JK: Sure.

MA: First of all, to see if I came [*JK laughs*] anywhere close [*laughter*] . . .

JK: Yes.

MA: . . . to tellin' the truth. But second of all, just to experience that interaction. It had to be fascinating.

JK: Sure. Yeah.

[02:53:01] MA: And all those mixed-blood people. Y'know, they—I mean, they—every race in the world and mixed-blood Indian and French. Well, y'know, fascinating. I just wish I knew for certain a little more. I know in my mind's eye, and sometimes I'll write an article for a newspaper or something where I don't have to have a footnote, and I'll say some of this. [*Laughter*]

JK: Yes. [*Laughs*]

MA: Saying, you know, as being more or less true, but I can't actually—I mean, y'know, you never get an actual document sayin' . . .

JK: Right.

MA: . . . "So-and-so came in today with his little Indian girl, and we played pool together," or somethin', y'know. You don't get that.

[02:53:35] JK: We wish—yeah. We wish they wrote at least half as much, maybe, as the folks up in New England did.

MA: Yeah.

JK: And we'd know a whole lot more then so . . .

MA: Yeah. On the other hand, it does—it makes it eas—even more fun to try to tease the truth outta this stuff, y'know. [*JK laughs*] Some of it's—y'know—as you know, a lotta the secondary material is totally untrustworthy.

JK: Sure.

MA: But it takes years to tumble to that. [*Laughs*]

JK: Oh, yeah.

[02:54:01] MA: And, for instance, this fellow, Jean-Bernard Bossu, we were talking about earlier, who wrote two books, a lot of it about Arkansas in the mid-eighteenth century. A lotta the stuff he told just was flat out false, and some of it is obviously false. But on the other hand, some of it is true, and there was an edition—a new edition done in the 1980s by a French scholar, and he fell for the whole thing. [*JK laughs*] You know, I've got the book upstairs. I mean he believed every word. And, y'know, it makes you—it makes me kinda cringe because I know I must've done the same kind of thing over the last twenty-five years more than once. Not perhaps with respect to one of these writers we're talking about, but—maybe—but with respect to something else, y'know. 'Cause we all do that. We all fall in the traps . . .

JK: Sure.

MA: . . . and I'm trying—y'know, I'm thinking, "Well, I wonder which ones I've fallen into." [*JK laughs*] But I've learned my way around some of those traps, y'know. After you fall in 'em enough times, you get up, and you notice you've got some sand on your knees. [*Laughter*]

JK: Yes.

MA: "Must be something wrong here." [*Laughs*]

[02:55:06] JK: Well, it keeps us historians in business, too, y'know, to . . .

MA: Yes, it does. Yeah.

JK: . . . keep lookin' at all . . .

MA: It makes . . .

JK: . . . that stuff as well so . . .

MA: That's right. That means that other people have something to write about—namely, what you wrote. [*Laughter*]

JK: Yeah.

TM: That . . .

MA: Okay?

TM: Yeah, I think that's pretty . . .

JK: Okay.

TM: . . . pretty solid. Now you need to leave at three?

JK: Yeah or three thirty, but it's fine.

TM: Okay.

JK: Yeah, but I . . .

MA: I'm sorry.

TM: Well, we're just discussing schedule.

MA: Oh.

JK: [*Clears throat*] Yeah. Yeah.

TM: Can you think of anything else down that side?

JK: I can't right now.

TM: Okay. I—well, I'm just gonna throw this out for you.

JK: Okay.

[02:55:38] TM: You may have already talked about it. But are there any specific accounts that you would've come across as far as what the Arkansas Post commandants or how they would've written about any of that specific—any specific encounters or just daily things or any big things that may have happened that they may have written about?

MA: Oh, themselves?

TM: Mh-hmm.

MA: The commandants?

TM: Mh-hmm.

MA: Well, they wrote constantly. They wrote letters constantly to the governor, and I've got thousands of pages of those. And they also wrote internal letters almost—y'know, they would write—for instance, I just recently [*laughs*] discovered a letter that the commandant in 1793 wrote to the priest at Arkansas Post in [*laughs*] 1793. Those internal—so we don't think of an internal courier . . .

[02:56:24] JK: Right.

MA: . . . sort of . . .

JK: Right.

MA: . . . system in the post, but there was . . .

JK: Wow.

MA: . . . there was written communication even among residents of the post—not many of them because most of 'em [*laughs*] weren't literate. But the commandant and the priest certainly were. What we don't have is diaries—daily accounts of life from the commandant. And—but we do know some details about the commandants' lives because some of them went on to do things elsewhere or they went to New Orleans and bought stuff from their family estates or something like that. [02:56:57] For instance, Fernando de Leyba, who was commandant here in Arkansas Post, became commandant in St. Louis and became pretty famous up there because there was a Revolutionary War battle up there in 1780. And he kinda got blamed for some of the mishaps that occurred and—so we know something about his life. One thing, back on the question of what surprised me—I wrote in my *Colonial Arkansas* that there were no records of any books at the post, so that's wrong, I've since discovered. [*Laughter*] For instance, I think in 1798, the governor in New

Orleans sent the commandant a book on communicable diseases and [*JK laughs*] on how to avoid, y'know, the things like the yellow fever and that sorta thing. You—it's a way to—y'know, by quarantines and probably inoculations even. I'm not sure. I can't remember now. And—but also I discovered—this document really oughta [ought to] be published, but there's an inventory of Pierre Laclède [pronounced Lah-clehd] when he died—Laclede [pronounced Lah-cleed], they called him in St. Louis. He was the founder of St. Louis, and he died—he was a big trader, and he died on his trading boat at the mouth of the Arkansas River. And the Arkansas commandant went down there to inventory his estate as a kind of a probate judge. And so that inventory exists. I've got it.

JK: Wow.

[02:58:38] MA: It shows everything he had in his trading book, including his blankets and his—I mean, his covers, his pillows, and he had two or three books that he had with him.

JK: Wow.

MA: And it's got the title of the books, so you—and, y'know [*JK laughs*]—as you know, these days you can get a reproduction of any book. And so you can send away to—I don't know, Michigan Microfilms or whatever it is and get the thing back, and you can

see what he was reading.

JK: Wow.

[02:59:02] MA: So, y'know, there are a lotta little things like that that I wish I had back. But—so there were some books at Arkansas Post. [*Laughter*]

JK: Yes. [*Laughs*]

MA: Ley—the reason that I thought of that is that I said in the book that Leyba probably had some books with him because . . .

JK: Sure.

MA: . . . he sold some—there's an inventory. There's a great book by [John Francis] McDermott on colonial Louisiana libraries, and Leyba's—Leyba sold some books in St. Louis, and that inventory is—has survived, and so I'm sure he had some of those books with him at Arkansas Post when he went up to St. Louis.

JK: Right.

MA: So they—what I said was there's no record of any particular book, but that turns out to be wrong. Should never say never. [*Laughs*]

JK: Oh, yes. Yes. [*Laughs*]

MA: I've been threatening to write a book about everything I got wrong. [*Laughter*]

JK: Well, that's, y'know, part of the process.

MA: But it's too long.

JK: You find out—we all find out—we finally . . .

MA: I might as well do it before someone else does, right?

JK: Sure. Sure.

MA: But [*laughs*] . . .

[02:59:59] JK: And that's—y'know . . .

MA: So . . .

JK: It's also just—with you, is you having to track down all these documents all the time.

MA: Yeah.

JK: And all the work you've done on that.

MA: I might save some enterprising graduate student a lot of work [*laughs*] . . .

JK: Yes, you—exactly.

MA: . . . if I corrected my own errors.

[03:00:00] JK: You've helped quite a few [*MA laughs*] enterprising graduate students already with [*unclear word*] work. One thing that I—one—I—about the commandants is just . . .

MA: Yeah.

JK: . . . simply that they're sorta the top of the social heap . . .

MA: Right.

JK: . . . at Arkansas Post, right?

MA: Right.

JK: And their families are with them?

[03:00:13] MA: There—yeah. Largely. In fact, there was a fellow named Dec—Alexandre [Chevalier] DeClouet, who was a very aristocratic guy. I've got his picture in my book—one of my books—who wrote really great French, and his letters have survived. His wife [Louise] was with him. She was a Favrot , and she brought her brother up with him—with her. So she—he had his wife and his brother-in-law there with him. And, of course, a lot of 'em had their children there, too. But some of them—some of the wives stayed in New Orleans. It was pretty wild and wooly. [*JK laughs*] The one wife—Mrs.—let's see, who was it? Chalmette. Delinó de Chalmette wrote when she got back to New Orleans—she said, "I'm really glad to be back from Arkansas—back down here where we've got civilized things like schools and dancing lessons for my children." [*Laughter*] So you discover—every now and again, you discover a little social detail like that which confirms pretty much what you thought, but it's nice to have evidence of it.

JK: Right.

MA: And not only nice but entirely . . .

JK: Right.

MA: . . . y'know, it's totally surprising. It's more than we could expect from so remote a place.

JK: That's right.

MA: Astounding.

[03:01:31] JK: And thinking about what they would've thought as a lower social scale—and I'm sorry, I forgot about . . .

MA: I'm sorry.

JK: . . . covering this earlier. And you mentioned there were about sixty slaves . . .

MA: Yes.

JK: . . . in about the end of the colonial period.

MA: Right.

JK: Well, they're not working cotton fields so . . .

MA: Right.

JK: . . . what were they doin'?

MA: Well, a lot of were . . .

JK: And we . . .

MA: . . . house—well, a lot of 'em were artisans.

JK: Okay.

[03:01:48] MA: There's a record in 1793, believe it or not, of a Spanish war vessel putting in at Arkansas Post. They were running a galiots up and down the Mississippi 'cause they were

afraid of an American invasion. And one of 'em put in at Arkansas Post to have a rudder repaired, and a commandant provided him with what he referred to as an old, black man who was a blacksmith who fixed the ship—got it on its way. So there were—they were artisans. Some of 'em were small farmers. There were two or three freed blacks who were small farmers. A lot of 'em worked in the houses.

JK: Okay.

MA: I've got an account of a dinner that was given by the commandant to a visitor in the 1790s, where he talks about people serving the dinner. It had to be black slaves. And they worked in the businesses of the traders—y'know, packing skins and preparing tallow and furs and buffalo ribs for shipment—oil, y'know. So they're—a lot of—some of 'em were skilled laborers; some were just laborers; some were house servants; some were field hands.

JK: Okay.

MA: But there wasn't much agriculture.

JK: Right.

[03:03:06] MA: So—for instance, the biggest landowner in the 1790s was a widow of one of the commandants, a woman named [Marie Félicité] Vallière [de Vaugine], who had, I think, eight or

nine slaves. She was the biggest slaveholder in the place and had reported no crop, so they were obviously doin' somethin' else. And what they were doing is helping her in her mercantile business because she'd—she was a pretty much a full partner with her husband when he was commandant. She would go up and down the Mississippi River to New Orleans and do business. The French women actually had more power than the English women. They could—there was a special status for merchant women—married ones. Under French law they could be a *marchande*, which meant they could have their own business and their own property and deal—do—have their own dealings as separate and distinct from their husbands. And I think there probably were a couple of those in Arkansas Post but not real sure.

JK: Okay.

MA: And, of course, widows were very popular—very powerful . . .

JK: Well, sure. [*Laughs*]

MA: . . . when the old guy's gone, y'know. [*Laughter*]

JK: Exactly. [*Laughs*]

[03:04:13] MA: There was one woman [Marie de Françoise de Coulange de Villemont] in Arkansas Post who had gotten married three times before she was thirty-nine. [*JK laughs*]

MA: And became a—she was born here in 1732, believe it or not.

JK: Wow.

MA: Became a very powerful person.

JK: Wow.

MA: So . . .

TM: Need to fix this boom here.

[Tape stopped]

[03:04:34] TM: Just to kinda—and a lot of this stuff is probably documented stuff but just to go ahead and get it on tape—is just the importance of all those waterways that were comin' out of Arkansas into . . .

MA: Yeah.

TM: . . . the Mississippi and how that really—what the usefulness of those were.

[03:04:48] MA: Yeah. Okay. Well, the whole east Arkansas was a swamp. The French called it Le Grand Marais—the big swamp. The St. Francis—all of that stuff up in eastern Arkansas, and it was a game refuge. [*Knocking at door in background*] Fact, I—one of my chapters has—in that *Rumble* book is called "Animal and Human Refuge" [*laughs*] 'cause the—there were—this place, as I said, was a hunter's paradise and, of course, the—y'know, the waterfowl was just—the number of waterfowl was immense.

And they talk about cranes and bustards [*Sound of door opening and someone entering*] and ducks and geese and just, y'know, and made—that would block the sun. And the one—once you get past Big Island, the—y'know, the Arkansas, the White and the St. Francis all run in there. Sometimes people don't realize this. The Arkansas is the biggest tributary of the Mississippi there is. Bigger than the Missouri. Bigger than the Ohio, depending on the season. And to say to the—y'know, the dams and so forth. But at that point where the Arkansas enters Big Island, half of the water that is drained from the continental United States passes that point. I mean it's immense. [03:06:15] And, y'know, there was a land route from Arkansas Post up to St. Louis, but you had to go around—had to go up to Grand Prairie and then go around to a crossing in the White River and then go up. Y'know, it was—y'know, there was no direct route. That's the reason they—because of that huge swamp, and that's the reason that they traveled by boat as much as they did. But there was a land route. People don't realize—there—they used packed an—pack—they used pack animals, and sometimes the hunters would—they would divide up. They would go up the river and get their game and pack it in a boat. Sometimes they'd just build a boat up there,

sometimes outta buffalo skins. And then half the party would come down the river and half—on the river—and half would come back with a pack train, and they would rendezvous at—y'know, "Well, I'll meet you in three days at Galet." There's a Galley Rock on the highway between here and Fort Smith. That's a French word. *Galet* means slate. It's kind of interesting how a lotta these French places are now country clubs. [*JK laughs*] There's a Galley Vall—the Galley Rock Country Club. Well, that's a French name. But who knows, y'know. [*JK laughs*] There's a Vache Grasse Country Club.

JK: Exactly.

[03:07:28] MA: But who know—y'know. But—so a lotta people don't realize that there was a lot of diff—there were different ways of traveling, and they would rendezvous, and of course, Cadron was a favorite rendezvous place—Dardanelle—wherever the river and a good land mass came together. And so—but up through the—there just wasn't any land route up through that swamp, and it was huge. And that—of course, another thing people don't realize is that cane was a—provided a very agreeable forage for buffalo. And there are lots of places in Arkansas named after cane. I mean if you look at the Cane creeks and Cane Prairie and this kinda cane, that kinda cane. And the—

there are places—I'm tryin' to think of the French word—gallaise? Is that it? *Glaise*. Yeah. You see a . . .

JK: Yeah. Yes.

[03:08:30] MA: . . . you see something called so-and-so Glaise. Paul's Glaise. Well, *glaise* in French means a clay pit, but they weren't interested in the clay. What they were interested in was the fact that that soil was salty, and it was a lick. It was a salt lick where the buffalo, and other animals would come. So they would—it would get a name, and people say, "Well, it was a clay pit." Well, it was, but it [*laughs*] wasn't really—that wasn't the point. [*JK laughs*] Point was that that's where the animals came. And so, y'know, that part of Arkansas that wasn't swamp, well, there were—there was a—there were a lot of—there's a lot of—and part of that was there was a lot of cane and a lot of clay—a lot of *glaises* and a lotta little prairies associated with 'em. And so that whole part of Arkansas was more or less inaccessible—the—except to the hunters, who, y'know, they would wade through there or ply their boats through there. I don't know how the heck they ever did that but you—there are a lot of accounts of people being let off at the White River [*laughs*] sayin', "We're goin' to Arkansas Post." They'd say, "Well, we ain't goin' that far." [*Laughter*] "But we'll let you off at the

White River." And they had to make their way through somehow to Arkansas Post, and they talk about it—how—what tough going it was 'cause . . .

[03:09:46] JK: Right. Right.

MA: . . . half of it was, y'know, you were waist- or knee-deep in water. And the—in the times of flood, people don't realize this, the Mississippi was fifty or a hundred miles wide. It was called the inland sea, and there would be water all the way from Arkansas Post to the Mississippi, and this one little knoll where Arkansas Post was built was up outta the river, y'know . . .

JK: Right.

MA: . . . up outta the water. It was an inland sea. It was forty, fifty miles from there, y'know, by—as the crow flies, maybe twenty, thirty, but it was all water, y'know. [*Laughs*]

JK: Wow.

MA: Yeah.

JK: Amazing.

MA: A lotta water.

JK: Amazing.

TM: Great.

MA: Okay?

TM: Excellent. Yeah. Went need to—we're—tape change.

[Tape stopped] [Robert L. Brown begins as interviewer]

[03:10:33] Robert L. Brown: Well, Judge, you've had a varied educational career . . .

TM: Real quick—would you go ahead and . . .

RB: Yeah.

TM: . . . announce yourself . . .

RB: Yes. Yes.

TM: . . . as the interviewer.

MA: Yeah.

RB: Yes. I am Justice Robert L. Brown, Arkansas Supreme Court. Longtime friend of Judge Arnold's.

MA: Indeed so. Thank you.

RB: And this is an honor to be interviewing you.

MA: And I'm honored to have you, but I'm afraid you're gonna ask me some hard legal questions . . .

RB: No, not a chance.

MA: . . . that I won't be able to answer.

RB: Not a chance.

MA: Okay. [*Laughs*] Long as you promise, I'll go ahead.

RB: I promise.

MA: Okay.

RB: I swear and affirm.

MA: Thank you. [*Laughter*]

[03:11:02] RB: I'd like to begin with your career in Fayetteville and then go forward because you've had such an interesting and varied educational career. And if you could start me, perhaps—well, I know that you went from Phillips Exeter Academy [Exeter, New Hampshire] to Yale for a couple of years.

MA: Right.

RB: And then apparently transferred to [the University of Arkansas] Fayetteville. But could you just take me from that point forward?

[03:11:23] MA: Yeah. I started in Fayetteville in 1962, and the university was quite small. I think there were only about five thousand people there. And I started off as—in one of the dorms. I didn't go through rush [to be chosen to be a member of a fraternity]. I didn't really wanna do that, but I ended up pledging a little fraternity called Sigma Pi, which I then became president of a couple—for a couple of terms and enjoyed that a great deal. Got involved in campus politics. That was fun. Sandy McMath and I were . . .

RB: Oh, my goodness.

MA: . . . and Sammy Hilburn were running various people for various student offices, most of whom lost, of course, because of our

support. But, nonetheless [*RB laughs*], we had a lotta fun at it, and it kinda beat goin' to class, I guess. I'm afraid I wasn't all that diligent a student for a time. But, anyway, I got my degree in electrical engineering. I was elected to Tau Beta Pi when I was a junior. And I went to law school in the middle of the year—of the semester. I started in the spring of [19]65 because I didn't quite have enough hours to get my double-e degree—electrical engineering degree—and liked law school so much that I decided to stay there. And as I told Scott, I got lucky and graduated first in my class and was editor-in-chief of the *Law Review* and did a lot of, y'know, bar activities—student bar activities and that sorta thing. Ran for president of the student bar and lost. [*Laughter*]

[03:13:00] RB: Well, that was an interesting class because you had a variety of people in that class who—some went into politics and . . .

MA: Yeah, [former Arkansas governor] Jim Guy Tucker was in my torts class.

RB: Right.

MA: In those days, it was kind of loose to say that somebody was in your class because people would come and go. Y'know, the—there was a—it was a lot easier to get into the law school and a

lot easier just to become a part-timer and then leave for a year—come back, y'know, because they were not very strict on sorta containing you in any kind of class structure, y'know. Jim Guy was in my torts class, but then he went to Vietnam, I think, and wrote a book about Arkansans in Vietnam, and he came back. So I don't really know what year he graduated. San . . .

RB: I think [19]68.

MA: Was it? Mh-hmm. I got out in January of [19]68. I don't really know when his class would, but I knew—I mean I always say he was my classmate because anybody who was there with me [*laughs*] I call a classmate. [*Laughter*] And I was there with a lotta people, y'know. [Former US Senator] Kaneaster Hodges . . .

RB: Yeah.

MA: . . . and David Hodges and Sandy McMath and—gosh, y'know, it was just a very interesting group of people. There were—I told Scott earlier, about a hundred and fifty started with me, and only about forty-eight got out.

RB: Lot of attrition.

MA: Lot of attrition because the trick was getting out, not getting in. The opposite's true now.

[03:14:22] RB: Yeah. Well, the—y'know, you went from Texarkana

to Phillips Exeter . . .

MA: Uh-huh.

RB: . . . to Yale.

MA: Right.

RB: So you were in the Northeast for a good, what, four . . .

MA: Yeah.

RB: . . . years—five years?

MA: Yeah, five. Uh-huh.

RB: And then you transferred back to Arkansas. Was there a bit of a culture shock going from the Yale University to Fayetteville?

MA: Well, y'know, not really. I spent a year—a year and a half in a—living in Louisiana in between. I worked in a TV station [KCMC TV and KTAL TV]. But, no, I always liked Arkansas better. The culture shock was the other way. I never really got acclimated to the East. I really liked the South a lot better, and there was a—I mean it was certainly a lot different place. Fayetteville in 1962 was a lot different [*laughs*] from New Haven or Exeter. But I didn't really have that much of a difficulty acclimating—especially since I'd been in Louisiana for about a year. And I was always at home in the South. Still am. Even though I taught up East for seven, eight years—never really got used to it.

[03:15:23] RB: Well, you settled in at the law school, and as you say, you were editor-in-chief of the *Law Review*, a very high, prestigious position and graduated number one in your class. What did you do after that?

MA: I practiced law for a little, short period at Arnold and Arnold in Texarkana, doing general practice—anything that came in the door, y'know. It was everything from a simple will to an admiralty case. I mean that's the way the country practice was, and I guess it still is. And then I went to Harvard. I got a—I went to Harvard to do graduate work, and I got two graduate degrees there.

RB: So your . . .

MA: A master of laws and a doctorate.

[03:16:00] RB: So your career at that point was to be in teaching?

MA: Well, yes. I had—the—I had sorta determined during my years at Fayetteville that I would like to be a law teacher. I don't know why exactly. I just—it looked interesting to me, and I thought to myself—y'know, with the arrogance of youth—I thought, "Well, I could do that." [*Laughs*] It looked like fun and it—I liked ideas and talking with people about 'em, and I thought, "Well, this is—what's wrong with this? Y'know, it beats practice, too." I much preferred talking with people about law

than just the—y'know, the day in and day out of diary entries and so forth. [Editor's Note: Judge Arnold's Dalmatian enters the room.] So I'm not quite sure how I formed that ambition, but I remember I formed it very early in my law school career. And Sam Fetters was a law professor who was very instrumental and influential on me. I liked him. And so I thought, "Well, if I'm gonna be a law professor, I'm gonna have to get another get another degree because I'm not gonna be able to be a law professor with only a law degree from the University of Arkansas. I'm gonna have to get something else to—y'know, to add to the pedigree." I mean Arkansas is a very fine law school, but I needed some—to get into the academic world, I needed a little boost. So I thought, "Well, I'll just apply to Harvard [Cambridge, Massachusetts]." My brother had gone there and my father [*dog shakes its head and tags jingle*], and somehow I lucked into being accepted. So I went there for a year to get my master's, which was just another law—a year of law school. There was no specialty really.

[03:17:37] RB: You had to write a paper, I assume.

MA: Yes, I did, and that's where I acquired my interest in legal history. I'd always been interested in old stuff and had an antiquarian bent and had—when I was on the *Law Review*, I'd

written my notes about law of future interests, which [*laughs*], y'know, is all about feudalism essentially.

RB: Yeah.

MA: It's all about old law. I don't know why I've always had an attraction to the past and especially to English history. So after I got my LL.M., they gave me what's called a teaching fellowship to pursue my S.J.D., the doctor of juridical science, and I taught at Harvard for a year in a first-year course called legal method, which was just a first-year introductory course to, y'know, case law, statutory interpretation, court system, that kind of thing. And . . .

[03:18:27] RB: And then you got your second degree after that.

MA: Right. But before I got it, I had—I got a [Frank] Knox Fellowship to go to the University of London [London, England] to finish—to do this research on fourteenth-century English law that ended up being my dissertation for the S.J.D. So I spent three more years after my first three years in Fayetteville in law school. I spent three more years at Harvard and the University of London, acquiring all this arcane knowledge. [*Laughter*]

[03:18:58] RB: Did you get a degree in London, or was it just for the research purposes?

MA: No, it was a Harvard degree, but I was doing my research in

London.

RB: Yeah.

MA: Yeah. In fact, the Knox Fellowship is something that they give you to—they encourage you to—not only to study and do your—if you wanna take courses, fine; if you don't—I took one course at the University of London. Do—you wanna do research, that's fine, but they also encourage you to travel on it. So I traveled as well as hung out and did research and go to class. I went to Paris. I often say that Paris was the best part of England. [*Laughter*] For it was a—certainly a lot better.

RB: I thought Amsterdam [Netherlands] was.

MA: Yeah. [*Laughter*] Well, you know, you can't eat the English food.

RB: Yeah.

MA: I mean there's no—it's an oxymoron.

RB: Yeah.

[03:19:43] MA: That's where I learned to in—like Indian food, by the way. Because, y'know, I didn't have a lotta money, and Indian food was cheap and really good. And so I would—spent a lotta time down in Soho eating Indian food, y'know, for—or you could go into an Italian restaurant there close to the Senate House, where I did a lotta my work—British Museum—I did a lotta work

at the British Museum—to an Italian restaurant—y'know, for four or five bucks, you could have a meal with a little glass—little bottle of wine.

RB: Sure.

MA: You could get a bottle of wine for a buck and a half. It wasn't the best wine, but y'know . . .

[03:20:16] RB: Well, at this stage, you were going to Paris. Were you bilingual at that point as far as French?

MA: Not really. I knew some French. I'd taken French at Yale.

RB: And you speak French now? Are you . . .

MA: Yeah. Not well, but I—when I—y'know, it takes me a while to get going again.

RB: Oh.

MA: When I go to Paris I'm lost, but within a week, I'm back. I can talk to taxi drivers even, y'know.

RB: Right. Right.

MA: But—well, I was kind of—I—bilingual. I sort of dev—I hadn't really spoken much French in the interim between my freshman year at Yale, and then when I went to France, but I maintained a reading knowledge. I used to read French books a lot.

RB: I was . . .

MA: So . . .

[03:20:56] RB: I was thinkin' that you'd done some research and some history in Louisiana.

MA: Not before—not—no, I didn't do that until the [19]80s.

RB: All right. But did you need French to do that?

MA: Oh, yeah.

RB: Yeah.

MA: Yeah, but this—I started developing a facility in French as a graduate student because in order to be a Medieval English legal historian, you really don't need to know any English at all. What you need to know is Medieval French and Latin, and I knew Latin, and I knew modern French, sort of, so I taught myself this specialized Medieval French, which is sometimes called "law French," in which all the old law reports are written and which the—was the official spoken language of the English courts until the eighteenth century. And so—because I was immersed in learning all this Medieval law, most of the sources for which are written in French, I'd started thinking in French a lot. Sometimes it was Medieval French, unfortunately, and I'd use a wrong word in Paris, and people'd look at me like I was crazy. [*RB laughs*] I was kinda like somebody . . .

RB: Chaucer. [*Laughs*]

[03:22:00] MA: Yeah. Exactly. Someone going to London and

speaking Chaucerian English.

RB: Right.

MA: Y'know, you get the tense wrong or something, and they go, "What's that?" Y'know. [*RB laughs*] They're not all that tolerant anyway, as you know.

RB: Right.

MA: Americans attempting their language. So I just sort of over the years developed this habit of reading French a lot and thinking in French, y'know, and so I guess that's how I developed a . . .

RB: So I guess it was self-taught.

MA: . . . what facility. Yeah. Although, y'know, that five-year—five-hour course I had at Yale was all year long, so I had ten hours, and it was very intense. They never spoke a word of English in the class from the very start. [*Laughs*] They walked in and started speaking French.

RB: Right.

MA: And so that was a great background. I really should've majored in French in—at Yale instead of doing engineering. I don't know why I did that, but I could—I should've done French literature or something, or French with an English minor.

[03:22:56] RB: Did you ever had an interest in doin' the Classics because, as you say, you can speak Lat—Latin and could read

Latin?

MA: Not really. I did—I got a classical diploma from Exeter. Exeter actually gives two diplomas—the regular academic diploma and the Classical Diploma. And there are only eight or ten people out of about two hundred every year that do the Classical, which means you have to have a certain amount of hours in Latin and Greek and ancient history. So I did all that. But I was kinda through with that at the time. I was not particularly interested in pursuing it. I didn't like the advanced Latin courses.

[03:23:30] RB: Sounds like to me that you were interested in teaching, and you were getting these advanced degrees from Harvard for that purpose.

MA: Correct.

RB: But you were also interested in doing the writing—the . . .

MA: Yeah, I loved it.

RB: Yeah, the historic perspectives.

MA: Yeah.

RB: So you were kind of torn or working on both particular careers.

MA: I liked writing a lot. I liked—it's hard work. It was for me. Still is. It's hard work. Samuel Johnson said that a man who would write for free is a blockhead. [*Laughter*] They . . .

RB: Well, your research is so incredible. I . . .

MA: I've spent a lotta time digging around in old stuff. I mean it's really quite amazing how much you can find out, poking around where people haven't been before. It's kind of astounding how much has survived, when you think of how remote, for instance, Arkansas, which is one place that I've concentrated my efforts on, was at the time and how few people there were. That's astounding how much has survived.

[03:24:27] RB: Well, for your purposes was the research the more enjoyable or the writing—or a combination?

MA: I think that for me the attraction is almost archeological in both the sense of finding the shards and the sense of putting the shards back together to make a picture. [*Laughs*] I like the reconstructive aspects . . .

RB: Yeah.

MA: . . . of history—trying to re-imagine a world that's no longer there. What was it like? Y'know, who did what and why? What did they look like? Where'd they live? What did—what kinds of transportation did they have? How'd they get along? Who were they mad at [*laughs*] or whom did they like? Why? What were their aspirations? What was their education and state of their material culture? All of that. So I think it's a combination of finding the stuff, and then I've compared it to being someone

who's gone out in the field and found all these hundreds of pieces of an old mural [*laughs*] and then, y'know, loaded 'em up [*laughs*] in a bucket and then puttin' all the buckets in a truck and taking the truck home and then trying to put it back together. And all of that's interesting. But the—y'know, the—to put it back together and say, "Gee, y'know, that might—that's probably the way it looked. Maybe not. But these are the way—this is a way and most plausible way these pieces can go together." I just think it's fun. I know it's an odd . . .

RB: It's . . .

MA: . . . way to have fun but [*laughs*] . . .

[03:25:54] RB: But yet you're doing this. It obviously brings you a lotta pleasure, but yet you're on the teaching track.

MA: Right.

RB: And I'm sure you're torn between the two.

MA: I loved teaching. That was the best part of being in a law school.

[03:26:08] RB: But your—and your career after Harvard was really a teaching career.

MA: Yeah, although I did a lot of—yeah, mh-hmm, as far as—you mean, my law—the law part of me is concerned?

RB: Right. Right.

MA: Yeah. Exactly. Yeah, it . . .

RB: And keeping the wolf away from the door.

MA: I—that's right. Yeah, my—I taught for fifteen years. I started off, as I said, I was a teaching fellow at Harvard, and then I taught at Indiana [University, Bloomington, Indiana] for six years, and then I taught at Penn, the University of Pennsylvania [Philadelphia, Pennsylvania], where I became a professor of law and history. I had a joint appointment in law and history. And it—was in the administration for about a year. Became a vice-president.

[03:26:49] RB: In both schools? I know at Indiana you were dean for a year.

MA: I was a dean. Yeah. And I also taught at Stanford [Stanford, California], and in the summers I taught at [the University of] Texas [Austin, Texas] and [the University of] Michigan [Ann Arbor, Michigan] so—I was asked to . . .

[03:27:03] RB: And all this time you were writing articles . . .

MA: Yeah.

RB: . . . on the side and . . .

MA: Mh-hmm.

RB: . . . books at that time or just articles?

MA: Yeah, I wrote—I did some early English, some fourteenth

century document books. But I was also asked to teach at [the University of] Virginia [Charlottesville, Virginia] and [the University of] Chicago [Chicago, Illinois] and maybe some other places, but I just couldn't get around to 'em all. I liked—but the teaching—I loved being in the classroom. That was great. If teaching were all there were to teaching, I'd still—probably still be there because I loved the students. The best part of being a judge is the law clerks, I think. I really like . . .

RB: Yeah. Yeah.

MA: . . . talkin' to young people. That's why I wanted to be a teacher. I just liked—I guess I liked my classmates in law school. They were fun 'cause they were intellectually engaged, and they were interested in politics, and you know how it was in the [19]60s. There was a lot of engagement—give and take and enthusiasm. And I guess I just never wanted to leave that, so [*laughter*] I just switched sides of the desk and really drew a lotta strength and inspiration from students. One of the things that I used to like to tell 'em—they always thought I was kiddin' 'em or being—was guilty of an insincere flattery or something, but I would tell 'em how much I learned from 'em because they—nothing engages the mind better than having—than knowing that, y'know, within about thirty minutes you're gonna

have to stand up there in front of maybe as many two hundred . . .

[03:28:25] RB: And the teacher always learns more.

MA: Absolutely. As many as two hundred people and try not to make an ass of yourself.

RB: Right. [*MA laughs*] Right. And it happens from time to time. [*Laughs*]

MA: Y'know, it's easy for me. [*Laughter*]

RB: So . . .

MA: I didn't have any difficulty. But . . .

[03:28:41] RB: So what did you teach?

MA: What did I teach?

RB: What did you teach?

MA: I taught property and trusts and wills and legal history. I taught constitutional law for a couple years and conflicts, but I didn't really like constitutional law because not—it's not—there's not enough law there for me. [*Laughs*] It's all mask and masquerade mostly. It's a—I much prefer the real—what I call—I—they're common law subjects. That's what I was good at. I was good at law—big law classes—common law subjects where I—y'know, the case method, I would stand up there with nothing but a casebook. And I didn't use the old Socratic method so

much as I just talked about the case and asked questions, and then they would answer, y'know, and I could call on people—not—they just raised their hands or—y'know, I didn't call on people much by name.

[03:29:29] RB: Did you—you didn't spoon-feed, I assume. You didn't start with the basics. You just . . .

MA: No, I didn't . . .

RB: . . . assumed they knew the . . .

MA: . . . just lecture but we—I'd use the cases as a springboard for asking questions. That was the—my method of teaching.

RB: And you would . . .

MA: It was always hypotheticals.

RB: You would engage . . .

MA: I'd say, "Well, here's" . . .

RB: . . . the students that way.

MA: Yeah. I would do—I would go—I would always use the case. I'd always ask—y'know, I'd go through the case and say who was suin' whom and why and what, and then we'd divine some sorta principle. Then I'd start talkin' about hypotheticals. "Well, what if it"—change the facts. "What if this? What if that?" And so I'd use the cases as a kind of springboard for a series of questions that . . .

[03:30:04] RB: Do the what-ifs.

MA: . . . yeah—mh-hmm—that the material suggested and that we're—it really covered—as you know, what's important is the question. [*Laughs*]

RB: Right.

MA: And so that was fun. I loved that. I mean there's nothing—I never had as much—as—I never had so much satisfaction as I did after, y'know, walking out of a class after I'd had a really good class. It was exhilarating.

RB: Now were you pumped up . . .

MA: Yeah.

RB: . . . or exhausted after you finished?

[03:30:29] MA: No, it was exhilarating. Yeah, a lotta fun, because at—y'know, the first couple of years I'd be kind of embarrassed if somebody would ask me a question that I didn't quite know the answer to, but after that it didn't embarrass me at all because . . .

RB: Say, "I'll get back to you." [*Laughs*]

MA: Yeah. Well, not only that, I just—I realized that I wasn't supposed to know.

RB: Yeah.

MA: And what I would do, instead of being sort of mortified by it, it

was—I'd say, "Well, let's try to"—I'd gotten enough confidence in myself that I'd say, "Well, let's try to work through that. I'm not sure, but here's some—here's a way of thinking about it." And we'd work the answer out. It was Socratic in that sense of working to the answer together. Y'know, that's great stuff. It's a lotta fun, and that's why I like to engage with the law clerks because it's that same process.

[03:31:17] RB: You—during this fifteen years of teaching, were you dabbling at—in politics at all? You said you had some interest in politics . . .

MA: Yeah.

RB: . . . on the student level—y'know, back when you were at Fayetteville but . . .

MA: Yeah.

RB: . . . during this period?

MA: Well, I did more than dabble. I came back to Arkansas in 1981. I became general counsel for the Arkansas Republican Party, and then I became state chairman and a member of the Republican National Committee.

[03:31:43] RB: Well, I've gotta ask you this question because you're the Republican in the family [*MA laughs*], and your brother, Judge Richard Arnold, was the Democrat . . .

MA: Yeah.

RB: . . . in the family, and never the twain shall meet.

MA: Yeah.

RB: So how did that happen? Was it just different persuasions or were you struck down on the road?

[03:31:58] MA: No, it was—there was no epiphany. [*Laughs*] I'd—y'know, I just sort of grad—gradually gravitated—I just realized that—the problem is there are only two effective parties in this country, and that's a shame. In a sense, I wish we had something like the parliamentary system, where, y'know, you get a percentage of the vote. Like, for instance, when I was chairman of the Arkansas Republican Party, I had a visit from a guy who was the chairman of the—something called the Democraten 66 Party of Holland. Y'know, when foreign visitors come through, they're always lookin' for [*laughs*] somebody to talk to 'em. [*Laughter*] Well, I had lunch with this fellow. He was very interesting. He was kind of center-left—the Democratic Socialist Party—very, very nice guy. And he told me there were fourteen parties represented in the Holland—in the Dutch Parliament—everything from the—what they call the right-wing liberals, which is sorta libertarian, to the communists. Y'know, out of hundred there'd be four libertarians and four communists

and every—and the rest were regular people, y'know. [*Laughter*] Social Democrats are slightly center—left or center-right. And I think that—y'know, I wish we had more of that because it—y'know, as between the two parties, there are difficulties with both of 'em as far as I'm concerned. But I cast my lot with the Republicans, and I'm still a Republican. I don't think that means that I'm any particular kinda judge, but I guess I did do myself a good turn when I became a person who was interested in President Reagan because he appointed me to the district court . . .

RB: Well, I . . .

MA: . . . in 1985. [*Laughs*]

[03:33:46] RB: I was gonna ask how that happened because he was elected in, what, 1980?

MA: Right.

RB: And you paid your dues here in Arkansas as—well, you were in Indiana when Jimmy Carter was . . .

MA: Right.

RB: . . . elected. But were you back in Arkansas . . .

MA: Yes.

RB: . . . at this point? So—and you were . . .

MA: Not . . .

RB: . . . head of the . . .

MA: Not in [19]85. In the early [19]80s I was.

RB: Early [19]80s.

MA: Yeah, because I became chairman of the party here—state chairman.

[03:34:06] RB: Okay. And you paid your dues, but how did it happen that you became a district judge?

MA: Well, lightning kinda struck me. I told you earlier that I'd formed the ambition to be a law professor when I was in my first year in law school. I also wanted to be a law dean, which I got to be for a short period of time. But then oddly enough, and I know this is—sounds pretty arrogant, but I wanted to be a federal judge when I was—I'd—first-year student or with—within, y'know, during—sometime during law school.

RB: Now . . .

MA: Because I really admired a lot of the opinions they wrote. Y'know, I mean [Judge Billings] Learned Hand and [*laughs*] all those kinda [*laughter*]—y'know . . .

[03:34:45] RB: No aspirations to be a senator like your maternal grandfather?

MA: Oh, yeah, sure. I tell young people about all these ambitions I had and I achieved. [*RB laughs*] I don't tell 'em about the ones

I had and didn't achieve. [*RB laughs*] Actually, what I tell 'em is "Have lots of 'em," 'cause I did, and I achieved two or three, but there are a lot of 'em I didn't achieve. I'll tell you about some more of those later but—well, and one of the—I'll tell you about one of 'em now if you don't mind a little digression.

RB: Not a bit.

[03:35:09] MA: In 1980 I was on the short list for the president—presidency of the University of Arkansas because I had been a vice-president at Penn. And actually, I was on three short lists. I was on the short list for president of the University of Alabama [Tuscaloosa, Alabama], at Tulane [University, New Orleans, Louisiana], and the University of Arkansas. Well, I didn't get any of 'em although I came very close at Arkansas. Well, that was a big disappointment, but I really didn't—I was only thirty-eight, and I really didn't have much administrative experience, so it was perfectly understandable. I—it's—but—so I kinda got derailed. I was sorta headed in that direction, and I thought about running for office in Arkansas, but as a Republican, it's very difficult, as you know. I gave some thought to running against Frank White in the early [19]80s in the Republican [gubernatorial] primary. I got a lot of encouragement for that, mostly from Democrats. [*Laughter*] Republicans weren't too

keen on it. [*RB laughs*] So I could've certainly run for attorney general, but I don't think in those days—even now the people in Arkansas are not willing to vote in very great numbers for people that far down on the ticket on the Republican Party, so there really wasn't much opportunity. But I—yeah, I had political ambitions. I'd certainly thought about running for office. My grandfather being a senator was obviously one of the reasons that I thought about that, and my Arnold—and family had also produced a lot of local politicians. So—but I never really summoned the courage. As [US Senator] Dale Bumpers told me one time—he said, "You had stomach trouble." [*Laughs*] "What do you mean?" He said, "No guts." [*Laughter*]

RB: Well, speaking of Senator Bumpers, he was your brother's mentor to the bench.

MA: Yeah.

[03:37:02] RB: Did you have a mentor who helped you in any way or sense?

MA: Sure. [US Representative] John Paul Hammerschmidt.

RB: Okay.

RB: John Paul Hammerschmidt was, as you know, a longtime Republican congressman from northwest Arkansas. He and Ed Bethune actually—and Frank White—got me elected chairman of

the Arkansas Republican Party. There was an opening and their—in 1982, and they wrote a letter to everybody on the committee—in the whole state committee, recommending me. So I won narrowly [*laughter*] despite all of my disqual—all of my—all the apparent reasons that someone might vote against me, they carried the day for me and . . .

RB: Well . . .

MA: . . . I had fun at that. I traveled the state, y'know, did—ate chicken and peas . . .

RB: Making speeches.

MA: . . . and made speeches, and I enjoyed that.

[03:37:46] RB: At that point were you thinking about a judgeship, or were you thinking about . . .

MA: Kind of. Yeah, a little—both. A little. I wanted a public service position—a position in the government—political or—back to the University of Arkansas deal, they—the board of trustees essentially told me that if I would be the chancellor, they'd make me chancellor at Fayetteville if I'd just—y'know, if I didn't—if they said, essentially, y'know, "We don't think you're gonna be the president, but would you consider being chancellor?" I said, "No."

RB: Yeah.

MA: Because I wanted a more political job. I wanted to be the president because the president worked with the [Arkansas] legislature, and I wanted that. I'd like that. You know, I like—well, like you. You like runnin' for office.

RB: Right.

MA: I like that. Interestingly enough, some about ten years later, when I was a district judge and I kind of—getting restless, I expressed an interest in being president again in 19—about 1990, I guess, and [*laughs*] the—somebody on the board of trustees drew the short straw and had to come and tell me that they didn't think that a Republican would do.

[03:39:08] RB: [*Laughs*] So who got it? Was that Ray Thornton or was this . . .

MA: No, [B.] Alan Sugg.

RB: Alan Sugg got it that year.

MA: Yeah. Yeah, they told me that—yeah—you know, "Well, how are you gonna work with the legislature?" I said, "Well, I don't know." I mean it never occurred to me. I don't—I think—I'm sure there were other reasons, but they thought that was the more—the most acceptable one—the one that I would find the most acceptable. Actually I thought it was inappropriate [*laughter*] that there should be a political condition placed on a

governmental job, at least at that level. But, y'know, that was the—that was it. And, besides, I'd gotten a job before because I was a Republican, so I guess I could—deserved to lose out on one because I was. But . . .

[03:39:46] RB: Well, you certainly had a good relationship with [then-Governor] Bill Clinton, I assume.

MA: Oh, yeah. We—he—I saw him about a month ago, and he came over and spent fifteen minutes with me, just . . .

RB: Yeah.

MA: . . . talkin'.

RB: Yeah.

MA: But, anyway, I'm glad that I didn't get the job because I—I've really enjoyed being on the court of appeals.

[03:40:03] RB: Well, tell me how it went—how you went through the confirmation process. You had . . .

MA: Oh, for the first one?

RB: The first one.

MA: Yeah, I'm sorry.

RB: For the district judgeship.

MA: We'll go back to that.

RB: Yeah.

MA: I got that—I got lucky. In 1984 there was a judgeship bill—a

new judgeship was created in Arkansas. And at that time Ed Bethune was a [US] congressman—a Republican congressman. He was also in my camp. But [*laughs*] he had to—he had a kind of a public process that—he wanted to get some publicity over this judgeship, so he interviewed everybody, y'know, and it got in the paper. And I think the [Arkansas] Bar Association got all upset about it and said it was inappropriate.

[03:40:45] RB: Well, as I recall, he wanted to be a judge at one point.

MA: He did. Not only that, he got nominated.

RB: I remember.

MA: But he couldn't get a hearing because it was at the end of a—let's see, that woulda been when—I guess that woulda been the—Ford?

[03:41:04] RB: The end of [the administration of President] Gerald Ford.

MA: Yeah. And . . .

RB: That's right. That's when you had the blue cards.

MA: And he couldn't—yeah, the blue slip.

RB: Blue slip.

MA: And he couldn't get a hearing. But, anyway, Ed made a big public display of interviewing people for judgeships, and that was

back when everybody was all excited about something called activism, you remember? They still are. I mean it's kind of a meaningless word, frankly.

RB: Right.

MA: But I mean I know what they're talking about, but it's a—as you know, the problems are a lot subtler [*laughs*] than either activist or not activist.

RB: Right.

MA: I'm sorry. [*Laughs*]

RB: Right.

MA: It's not that easy.

RB: Right. But it's a buzzword.

[03:41:40] MA: But it's a good buzzword, and people get excited about it. I know what they mean. Anyhow, so the bar association, I think, kinda got upset and said it was inappropriately political or something. Anyway, I didn't think it was. I went up and interviewed, and I didn't make the short list. I didn't have any trial experience to speak of. I had some, but you know, I was mainly a—I was mainly a law professor, y'know. And a Medievalist at that. So it wasn't exactly the best possible background for trial judgeship, to put it mildly. So I didn't make the short list, and I wasn't surprised. And I'd kinda given up on

politics and went back to Penn and Stanford to teach. And one day I came back from class, and there was a phone message there from—a slip from John Paul Hammerschmidt. And I called him. He said, "How would you like to be a federal judge?" I said, "I'd love to." Well, because of the short list that they produced, the bar association nixed. [*Laughter*] So I was . . .

[03:42:42] RB: I won't ask you who was on it. [*Laughs*]

MA: No, I won't—I probably shouldn't tell. They're not all dead yet. [*RB laughs*] But as my friend, Doug Smith, said in fay—from Fort Smith said, "You suddenly looked good." [*Laughter*] He said, "You began to look good."

RB: The last man standing.

MA: I wasn't even standing. [*Laughter*] I had been seated all that time. So I tell people that there weren't even—there were so few Republican lawyers in Arkansas that they had to go outside of Arkansas to get a judge because by that time, I'd become dean at Indiana. So I was chosen as the district judge when I was dean at—with the Indiana [University] Law School. And Reagan called me on the phone. That was great. But, anyway, John Paul Hammerschmidt did it. I mean that—he was—it was his call, and I'm grateful to him forever because it changed my life—given me a great privilege.

[03:43:41] RB: And you were on the trial bench for how many years?

MA: Seven years.

RB: Seven years.

MA: Mh-hmm.

RB: Memorable . . .

MA: Hardest job I ever had.

RB: Memorable cases?

MA: Oh, a lot of 'em, but the most memorable probably was an eight-week trial—a sedition trial. There were fourteen people charged with conspiring to overthrow the government of the United States by force and violence.

RB: That was a jury trial?

MA: It was a bunch of—I'm sorry?

RB: Jury trial.

MA: Yes.

[03:44:04] RB: Is this the same group who had threatened Judge [H. Franklin] Waters?

MA: Correct. Said to have.

RB: Yeah. Allegedly.

MA: The—but that was part of the case, that the—they were conspiring to kill Judge Waters.

RB: Yeah.

MA: That was another charge but part of—they were tried at the same time. There were fourteen of 'em. They were from different groups. There was the Aryan Nation and the Identity Christians and the Posse Comitatus and . . .

RB: White supremacists.

MA: Yeah, all white supremacists. The Covenant of the Sword and the Arm of the Lord—y'know, that group unfortunately that we—they were in north Arkansas. Anyway that was an eight-week trial, and that was a—more than a challenge because they were representing themselves except that I appointed lawyers for—there was one retained lawyer, and the rest I appointed to be standbys.

[03:44:57] RB: Well, what was your security situation?

MA: We—I did not allow anybody to follow me around because I didn't want 'em to think they were runnin' me under a brush pile. But there was huge security. They built a chain-link fence around the parking lot behind the courthouse with Concertina wire and all that stuff, and there was a SWAT [Strategic Weapons and Tactics] Team there of marshals in black uniforms and some of 'em with bandoleros and these laser-directed rifles. There were about fifteen or twenty of those. And looking

[*laughs*] back on it, I don't really know how I did it. It was twenty-five—well, twenty years ago. But, y'know, they were standin' on the top of the building, and they had to transport 'em from the local jail to the courthouse every day 'cause we couldn't accommodate that many people in the courthouse. Of course, we had a little lockup, but nothing to accommodate fourteen people. And they had—y'know, it was the—the marshal service did a wonderful job. The logistics of it were just incredible, and they had to bring 'em into the courtroom in shackles and then take the shackles off and get 'em all situated before they bring the jury in because I, of course, wouldn't allow them to be in shackles in front of the jury. And—but there were marshals stations all around the courtroom, but I made 'em stay back so that, y'know, the jury wouldn't get the idea that they were so dangerous that they might attack 'em at any time—although they may have been. I don't know. But, you know, you have to make sure they're being given a fair trial.

[03:46:20] RB: Well, were there other white supremacists there in the audience?

MA: Oh, yeah. There was a big march the day before the trial, but actually there were more police there than there were marchers. But there were skinheads and all kinds of people who were really

quite frightening. And—but, you know, the number of police cars, I'm not exaggerating, must've been thirty or forty of 'em. [*High-pitched bell rings in background*] But there was no—they had a big rally on the front of the courthouse. I watched it from my chambers. So I mean, y'know, that was fine with me. Everyone's got a First Amendment right. I just started the trial.

RB: And they got acquitted.

MA: They got acquitted, yeah, on all charges.

RB: And . . .

MA: Somebody wrote to me from Fayetteville about that recently, and I said—they asked me was I surprised. I said, "Well, I wasn't surprised that they were—I wasn't *surprised* that they were acquitted of sedition," because they were—remember, you have to believe that these fourteen people actually agreed to overthrow the government of the United States. That's a hard charge to prove because, y'know, it's the no-sane-man defense. Why would fourteen people think they could do that? Impossibility, of course, as you know, is not a defense, but it is some [*laughs*] evidence that they wouldn't [*laughs*] try it, y'know what I mean?

[03:47:44] RB: So it was conversation versus conduct—that type thing?

MA: Yeah, they really—the—they were obviously all in cahoots, and they were antigovernment, and they were robbin' armored cars and stuff. But, y'know, the case with respect to them actually wanting to overthrow the government was not all that great. It wasn't—I mean I let it go to the jury, and I held it. There was certainly a conspiracy, enough to support, y'know, these—entered as what you will know as a co-conspirator statements. Y'know, to let them in . . .

RB: Right.

[03:48:15] MA: . . . as exceptions to the hearsay rule. But—so I was skeptical of the charge of sedition myself. If I'd been the judge [Interviewee Edit: jury] I don't know what I woulda ruled, but I didn't have to. So I wasn't surprised. I wouldn'ta been surprised by a guilty verdict either, but then I was surprised mi—certainly more than mildly surprised that they weren't convicted of conspiring to kill Judge Waters. Although the reason the jury announced as they did that is they didn't believe the government's key witness, who was a guy who had turned, and he turned just about, y'know, the day after he got sentenced—some big, long sentence. Some of the things he said were not all that credible. But, anyway, I was still surprised. But then there were some gun charges, too, which I—they were

acquitted of those, and I was astounded by that because the evidence was [*laughs*] pretty overwhelming on the gun charges that they

were . . .

[03:49:14] RB: Antigovernment sentiment, it sounds like.

MA: I don't know, Bob. Y'know, I know that some years later when I had a—what was said to have been a threat by a so-called church leader named Tony Alamo on my life, he was tried for threatening to kill me in Fort Smith, and he was acquitted, too. So . . .

RB: There seem to be some . . .

MA: The case wasn't great against him but . . .

[03:49:41] RB: Yeah. Seemed to be some tie-in between the militia and some of the white supremacist groups and what happened in Oklahoma City, what, several years later. [Editor's Note: reference to the April 19, 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma]

MA: Oh, yeah. Well, yeah. Some of those people were involved with some of those people.

RB: Right.

MA: Yeah.

RB: Right.

MA: And there's a little settlement there in—just inside the Oklahoma border called Elohim City, which is inhabited by people of this political persuasion. And they were—the marshal service was afraid of a rescue attempt. 'Cause it was just, y'know, twenty or thirty miles away from the Fort Smith courthouse, I think. So they were—y'know, they were keen—they—I mean there were so many of those leaders there in one spot. I don't suppose there was any—ever any realistic possibility of that, but anyway, I didn't have—I didn't have security for myself although I carried a radio with me—slept with it for ten weeks. When Tony Alamo was charged with threatening to kill me, I did have security then. I had twenty-four-hour security.

[03:50:51] RB: Well, that's reason enough to get off the trial bench, isn't it?

MA: Yeah. [*Laughter*] Yeah.

RB: Go to the appellate court.

MA: Yeah, so far [*laughs*] I haven't had that kinda difficulty. [*Laughter*]

RB: Didn't need an epiphany for that.

MA: [*Laughter*] No, I didn't. That's what we call a no-brainer.

[03:51:04] RB: [*Laughs*] So how did that progress—I mean, seriously, when you decided that maybe your calling was more

the appellate work as . . .

MA: Oh . . .

RB: . . . opposed to the trial work?

MA: Well, progress wasn't exactly the word for it. I was actually considered twice before. And the White House—or the DOJ [Department of Justice] people or whoever it was who were in charge—assured me that I was going to get the nomination, and I didn't get it. So . . .

[03:51:28] RB: Was one of the problems that your brother was already on the Eighth Circuit?

MA: I don't know. I don't think that was the problem. I—well, I have my own suspicions about it, but y'know, I don't really know. But it was kind of unusual that they would tell me that, and then it didn't happen. One time a congressman in Nebraska got upset because I was being—was gonna be appointed to a seat they thought was ne—for Nebraska. And so they had a big dust-up about that and, y'know, the—I forget which way it went. I think the DOJ wanted to give it to—y'know, there's a committee that—it's the White House people and the DOJ people. I think the DOJ people, let's say, wanted to give it to Nebraska and the—[US Attorney General] Ed Meese [III] and—no, maybe it was the White House that wanted to give it to

Nebraska. That was it. But Ed Meese and the DOJ were for me, or so they said, and I guess I'm sure they were. So—but anyway the story I got was that they really said, "Y'know, we"—actually ha—they called Hammerschmidt and said I was the guy, and Hammerschmidt put it in the paper I was the guy, and then I ended up not being the guy even though they had announced it. So the story I got was that they just got at loggerheads, and one guy from the White House and one guy from the Justice Department went into [President George Herbert Walker] Bush's office and said, "We've got this problem. We don't know which person to give it to." And Bush said, "Give it to the guy from Nebraska." So . . .

[03:52:56] RB: And he was so close to John Paul Hammerschmidt. That was a . . .

MA: Right. Yeah. So that—but anyway I eventually got appointed. I think it was the third or fourth try. [*Laughs*] Old number three. [*Laughs*]

RB: Yeah.

MA: So I didn't have exactly a meteoric political career [*RB laughs*], Mr. Justice. [*Laughter*]

[03:53:14] RB: So what was it like at the confirmation hearing?

MA: Oh—well, both times it was all about what club did I belong to.

Yeah.

RB: Athenaeum Club?

MA: Well, the first time—now, see, this is—it gets back to this racial politics, which I deplore so much . . .

RB: Right.

MA: . . . and I was telling you before. The first time, my difficulty—but they didn't—it didn't seem to matter to them that I'd ever been to law school or been—written any books or what—y'know, had any kinda record at all. All they wanted to talk about was the fact that I belonged to the Texarkana Country Club, and the Texarkana Country Club didn't have any black members. Well, it's true. They didn't. This was 1984 or [19]85. I'm not sure they do now. I don't know. But I told 'em, "Y'know, I"—no, wait a minute. No, it was—you're right. It was the Athenaeum Club. Let me get this straight. Yes, you're right. It was the Athenaeum. It wasn't the Texarkana—I'd long—I wasn't a member of that anymore. It was the Athenaeum Club. There's a club in London, for heaven's sake [*laughter*], which I paid a hundred dollars a year to belong to, I think. It was a gentleman's club. It was two hundred years old. You know what those were like.

RB: Sure.

[03:24:27] MA: And [US] Senator Simon got upset about that—Paul Simon of Illinois—or his constituents did. And so the gender politics being somewhat like the racial politics dictated that he—he actually told me during the hearing that he was gonna put a hold on my nomination until I decided what I was gonna do about the club. I tried to explain to him—I did explain to him that only a year or so before, there'd been a movement to accept women into the Athenaeum Club and that it had been defeated. I'd voted for it. I always had voted to admit women to clubs. [03:55:08] The only time I didn't was once at Harvard Law School, and they had a group called Lincoln's Inn [Society]. And we decided not to have women members, and one of the—my women friends got so upset, I said, "Well, I didn't know it meant that much to you. I'll never do that again," 'cause I didn't realize that they were that upset about it. I didn't—I mean it was fine with me to have women in the club. I just didn't see any sinfulness in having a women's club or a men's club, so—but then after that, I've always—y'know, I've had a—been in a lotta clubs, and I always voted to admit women because I didn't—I just didn't understand evidently how much it meant to some of 'em. But, anyway, I had voted to change the rule, and so, in fact, had a majority of the club members. But

the parliamentarian had ruled, I think, wrongly, but it stuck, that it required a two-thirds vote. [*Laughter*] I think he just made it up. [*RB laughs*] And so it didn't pass. So I told Simon all this, that I—y'know, "What—do you want people in this club that wanna change the rules or not?" "I—just want you outta the club." So, I said, "Okay. I'll resign from the"—and we made this deal. Duke Short, who was [US] Senator [James Strom] Thurmond's right-hand man on the Judiciary Committee. You probably knew Duke . . .

RB: I knew Duke.

MA: . . . in Washington. You probably knew Duke, didn't you?

RB: I did.

MA: Yeah.

[03:56:28] RB: And if this the story I've heard, it's a great story. [*Laughter*]

MA: Well, he [Duke Short] told me [*laughter*]—he said—he worked this deal out. He said, "Just tell Simon that if you're confirmed, you'll resign. And then when you get confirmed, don't do it."

RB: [*Laughter*] That's the story I heard.

[03:56:50] MA: So I said, "Well, Duke, no, I'm not gonna do that." [*RB laughs*] "But I will tell him I'll resign if I'm confirmed." And I was confirmed, a hundred to nothin'. It was a—just kind of a

five-yard chuck. I knew that, I mean, it was still annoying.

RB: And who was there with you? John Paul was there with you, I assume, at the table and . . .

MA: No, Dale [Bumpers] and David [Pryor] came. John Paul was prob—but, y'know, being a member of the House [of Representatives], I don't think he was there.

RB: Right.

MA: But anyway, so the day after I got confirmed, I wrote Senator Simon a letter saying that—I sent—I wrote the club a letter resigning and sent Simon a copy. Do you know, he called me three days later and wanted to know if I'd resigned yet?

RB: Wow.

MA: I said, "Well, the letter's in the mail, Senator."

RB: Yeah.

MA: I mean it was the very day. I wasn't gonna let—but he was that hep on it.

RB: Yeah.

MA: So that's fine. I got to be judge. But then the next [*laughs*] confirmation hearing [*doorbell rings*] the big deal was that I was an out-of-town member of the Little Rock country club [Country Club of Little Rock], which didn't have . . .

[03:57:59] RB: So this . . .

MA: . . . any black members.

RB: . . . this is the first thing you were referring to was the district . . .

MA: Yeah. Sorry. Yeah.

RB: . . . court appointment.

MA: The district.

RB: All right then seven years later, it's the Little Rock country club.

MA: Yeah. Right.

[03:58:07] RB: And after that [*MA laughs*] Bill Clinton had his own problems with the . . .

MA: Yes, he did.

RB: . . . Little Rock country club.

MA: The same deal. But, y'know, again, I was an out-of-town member [*laughs*] of Country Club of Little Rock. It didn't have any black members. [*Door squeaks in background*] Well, y'know, there was no rule against it. I would never belong to a club that had a rule against—discrimination against anybody—blacks or Jews or whatever. It's totally contrary to the way I work internally, period—would never do that. It's true there'd never been any black members, but there'd never been any black people turned down either. Y'know, if I'd ever thought that blacks were ineligible, I never woulda joined that club. It

was a class thing, as far as I was concerned, not a race thing. I didn't know—I mean I think the—that the reason there weren't any black members was that there weren't many blacks who could afford to be members who wanted to be members, y'know. And now they've—I guess there's some. Well, I know there are. But, anyway, so that was the big deal in my second confirmation hearing. But . . .

[03:59:11] RB: Again was it Senator Simon, or was it someone else?

MA: No, I think it might've been [US Senator Dennis] DeConcini. But anyway I had a ready explanation for that one as well, and that was what I just got through telling you. And also that for a year before I was even nominated, my brother and I and [*Arkansas Democrat-Gazette* publisher] Walter Hussman [Jr.] had been working on getting a black member into the country club. [*Laughs*] I had the let—I had the paper trail, and it wasn't a confirmation conversion either because I wasn't even up for the Court of Appeals. I didn't wanna be hangin' out there, and I didn't wanna belong to a club that was discriminating. So if Howard [Curtis] Reed hadn't been admitted, I would've resigned.

[03:59:53] RB: Right. And he was admitted.

MA: He was, but he was not admitted at the time of my hearing. So that was all—there was this huge crowd there, and it was all

about the Country Club of Little Rock. So both of my hearings were really about politics—identity politics. And that has—that's—that has irritated me over the years because, y'know, as I told Scott in the early part of this interview this morning, my family was in the forefront of civil rights in the [19]40s and [19]50s with the *N* double-*A C—A-A—N* double-*A C P* [NAACP, National Association for the Advancement of Colored People] voter registration efforts and anti-[Ku Klux] Klan efforts and all that. And so I thought it was kind of—it was insulting, frankly. And, y'know, it was also—I mean it's not a good thing for the judiciary to—for people to be attempting to paint you as a prejudiced person. So I wanted to get away from that as fast as I could.

RB: Sure.

MA: So, anyway, in that case, after my explanation and all, they said, "Fine." [*Laughs*] And I never did resign from the Country Club of Little Rock although I'm not now a member because [*laughs*] when I came back to Little Rock from Fort Smith, my out-of-town membership expired. [*Laughter*] And they said, "Well, we'd love to have you. All it takes is a thirty thousand dollar check." I said, "No, thanks. I'm broke." [*RB laughs*] So I went through all of that for nothing. [*Laughter*]

[04:01:38] RB: So you ascended to the Eighth Circuit Court of Appeals . . .

MA: Yeah.

RB: . . . and it's unusual to have two brothers or two family members of any type . . .

MA: Unique.

RB: Unique. Are you the only example of that or . . .

MA: Yes. Well, two brothers.

RB: Two . . .

MA: The Hands [Learned and Augustus Noble], of course, were on the second circuit, but they were first cousins.

[04:01:52] RB: Right. Right. So—and nothing on the horizon that would change that. You're the first and the only pair of brothers.

MA: Well, it's now illegal.

RB: It's now illegal. [*MA laughs*]

RB: So the—there was some kinda nepotism or . . .

MA: Yeah, there was [*laughter*]—'course, there's not nepot—they—everyone called it nepotism, but it's not because he wasn't doing the appointing, nor was any of—other member of our family. Nepotism is when you choose your own family member.

RB: Somebody who's a family member.

MA: Yes. But, anyway, there's now a statute. It was passed not long

after I got confirmed. [*Laughs*] It was actually—wasn't passed in response to my confirmation.

RB: Yeah.

MA: But it was passed not long after I was confirmed, making it illegal. We—Richard and I called it the "Arnold Bill." [*Laughter*] It wasn't really.

[04:02:39] RB: Well, what was it like? I mean, I assume *en banc* appearances. From time to time you would be on the same court with Richard, would you not?

MA: We were on the same panel a lot.

RB: Yeah.

MA: Just together.

RB: Well . . .

MA: Even just the three . . .

RB: Yeah.

MA: . . . judge panel.

RB: Yeah.

[04:02:50] MA: Actually, I'd sat with him 1987 or [19]88, when I was a district judge. I went up to sit as a—as they call it, as you know, by designation. And I went up and sat with him. That was the first time two brothers had ever sat physically on the same court . . .

RB: Yeah.

MA: . . . and then when I was confirmed, it was the first time two brothers had ever been on the same court.

RB: And you always agreed, of course. [*MA laughs*] Back then or . . .

MA: Most of the time . . .

RB: . . . on the eighth circuit and sometimes a . . .

MA: . . . as you know.

RB: . . . little bit of sibling rivalry.

MA: No, I hope not. I hope that we just decided the case on our vision of the law and the facts.

RB: Yeah.

MA: That was certainly . . .

RB: Yeah.

MA: . . . the way I looked at it.

RB: Yeah.

MA: Y'know, I always worried a lot when I was on a different side [*laughs*] from him 'cause he was so brilliant. [*Laughter*] In fact, I told Steve [US Supreme Court Justice Stephen] Breyer not too long ago that I always knew I was wrong, and when I knew it was when I didn't agree with my brother. But I still didn't. If I didn't, I voted that way, y'know.

[04:03:38] RB: Well, an esteemed Arkansan, who will go nameless, always said you were the brighter of the two.

MA: I—that—I don't know who would've said that [*RB laughs*], but it's not true. I—not even close. He's an—that's—totally extraordinary person and . . .

RB: No question.

MA: But we agreed almost all the time because most judges agree almost all the time, as you know.

RB: Right.

MA: Ninety-eight percent of our orders are entered unanimously.

[04:04:01] RB: Now when you got up to this ivory tower, did you feel like you were kind of encapsulated and didn't have the ability to go out and have that type of relationship with a class or making speeches or whatever—which is very important to you, obviously?

MA: You mean on the court of appeals?

RB: On the court of appeals.

MA: I kinda like the ivory—I don't—I describe my job as sitting in the top of a tall building and grading papers. [*Laughs*]

RB: Yeah.

MA: Which is a lot like being a law professor, right?

RB: Right. Except you don't have the teaching experience.

MA: Right. I taught for a while. I taught at Wash U for a few years after I got on the court of appeals—Washington University in St. Louis [Missouri].

RB: Sure.

[04:04:40] MA: I would fly up on a Friday. I had a [*laughs*] great schedule. I had a Friday afternoon class at two—from two to four. But there was a—believe it or not, there was a Southwest [Airlines] flight that left here at noon. I'd come in in the morning. I'd do a morning's work; get on that flight; arrive at St. Louis at one o'clock, and my driver would pick me up with a sandwich. I would eat lunch in the car; arrive at the law school right before two; teach my class; leave at four; the flight left at five thirty. I'd be home for dinner.

RB: Ah, youth.

MA: I did that for two years.

RB: [*Laughs*] And, of course, it didn't wear you out.

MA: I have no idea how I did that.

RB: Yeah.

MA: I mean—because I was full-time on the court of appeals, of course, y'know.

[04:05:22] RB: Well, give me some examples of memorable cases or memorable moments on the court of appeals.

MA: [*Sighs*] Well, I liked the First Amendment cases because I'm kind of a Bill of Rights fundamentalist. I gave a—the University of Arkansas was kind enough to give me an honorary degree last month or maybe—yeah, last month. And I made a speech about liberty and about the Bill of Rights, and I mean it's—was central to my upbringing. I mean we—it was kind of a—like a holy writ around our house—devotion to our Constitution—and most particularly to the Bill of Rights because, as I said in Fayetteville, I think it's the most important part of the Constitution because it's all about what the government cannot do to you. And so . . .

RB: Your libertarian streak.

MA: Yeah. And so—y'know, as I said, it's about [*laughs*]—y'know, it's—the first—the—free speech and the Fourth Amendment are exclusionary rule and stuff like that are sort of—are usually thought of as liberal; and the Second Amendment, right to guns, and the Fifth Amendment, right to property, are usually considered as conservative. But what they're really about is what the government can't do, and that's why [*laughs*] the political right nor the political left will ever be fully on board with the Bill of Rights, and that's precisely why we have to have one. And so I liked all the First Amendment cases.

[04:07:17] RB: You wouldn't be an absolutist, would you, like [US

Supreme Court Associate] Justice [Hugo] Black or . . .

MA: I am one, but I follow the cases of the Supreme Court, and they're far from absolutists. But my own political—my own legal philosophy—jurisprudential philosophy is not abs—I mean, of course—I mean you can't draw a schematic of an atomic bomb and call it a—y'know, a piece of art and put it on display in a Chinese art museum, y'know. I mean I [*laughs*] . . .

RB: Right.

MA: There—there's no such thing as a real absolutist, I guess, but I'm certainly a—I have an expanded view [*laughs*] of what's protected. Yeah.

RB: Yeah.

MA: And I—and Hugo Black was certainly one of my heroes.

[04:07:55] RB: Well, you've also written some freedom of religion opinions.

MA: Yes.

RB: Prayers in the public school—that type of thing.

[04:08:01] MA: Yes. Yeah, those are very tough cases 'cause—because people don't understand. They think that the courts are being anti-Christian, and I don't believe that for a minute. It's not—they're not anti-Christian. They're—they don't wanna—I think there's a difference between government religion and

public religion. People say that—some people say—the right—some of the right-wing people say that the court is trying to exclude religion from the public square. I don't believe that at all. For instance, y'know, every year the Pentecostal Church on Mississippi Avenue has a living crèche out on their front yard, and you can't get in there. I mean, there's thousands of people drive through there. Nobody wants to turn that off. That's a—that's public religion. Nobody even [*laughs*]—it never entered anybody's mind to say you can't practice your religion in public. It's when it comes in contact with the government that you've got a First

Amendment . . .

RB: If it were . . .

MA: . . . difficulty.

RB: . . . on the state capitol grounds—something like that.

MA: Yeah, something like that. Yeah. And so those are tough cases, but, you know, you just kinda have to hold the line, and they're very difficult. Some of those monument cases are really hard, y'know.

RB: Yeah.

MA: The monuments on the courtyard. But . . .

[04:09:14] RB: Well, the Ten Commandments and Justice

Breyer . . .

MA: Yeah. He wrote a very interesting opinion that sorta split the difference between the four and the more [Interviewee Edit: majority]. A very pragmatic opinion. He said, "Look, we just [*laughs*] can't be—this is—we just have to do it this way in this case and maybe not in the next."

RB: Yeah. Yeah, that's . . .

MA: Because you can't . . .

RB: Been on the grounds for fifty years.

MA: Yeah, it's been there fifty years. We can't go around uprooting all these monuments.

RB: Right.

MA: Just as a practical matter.

RB: Right.

[04:09:39] MA: And I saw him at the [William Jefferson] Clinton School [of Public Service, Little Rock, Arkansas] about a year ago, and I complimented him on that opinion. I said, "I thought that was a really good opinion." And he said, "It was a hard one to write." I said, "I know it was." But the—but it's important to draw the line between public and government. For instance [*laughs*], y'know, there's this big dispute about—this really hasn't got much to do with law, but about whether America is a

Christian nation. Well, do you know that—I think it was [President] George Washington—signed a treaty—the Treaty of Tripoli in 1797 that said, "The United States is not a Christian nation." [*Laughs*] What he meant was it's not a Christian government. That it was—and it was kind—it was a reassurance to Islam. [*Laughs*] But we're not a Christian nation in the sen—it's kinda like what [President Barack] Obama is trying to do today, I think—maybe in a clumsy way, but I shouldn't say that as a judge one way or the other. But it's the same kind of thing. We are Christian—we are all Christians and Jews in ways we don't know, as a cultural matter. [*Laughs*] Every—you know, almost—not all of us but most of us in this country, and many—and most of us who are religious are Christians. But it's not a Christian government. In fact, it's deliberately not a Christian government. That's why we have a—an establishment—antiestablishment clause, and that's why we don't have religious tests for office because you can be in office and not be a Christian or a Muslim or whatever. It's very important to see the difference. It's a Christian nation in the sense that the majority of the people in the country are Christian, but it's not a Christian government in the sense that we are exclusive of other religions.

RB: And the prayer in the Senate . . .

TM: Excuse me, guys. We need to change tapes.

MA: Yeah.

TM: And we got ten minutes before the twenty-minute mark.

RB: Okay. Good.

[Tape stopped]

[04:11:33] RB: There are a couple of other cases that come to mind. One is the judicial—not judicial—political free-speech opinion you wrote about contributions . . .

MA: Oh, yeah.

RB: . . . that directly affected Arkansas.

MA: Yeah. I was just thinking about that case this morning because [US Supreme Court] Judge [Sonia] Sotomayor—Sotomayor—was quoted as saying that she was worried about people not being able to tell the difference between a contribution and a bribe. And that's really the nub of it, isn't it? [*Laughs*] So . . .

[04:12:04] RB: Well, I think that's right. There—as you know, there's an important case pending right now before the US Supreme Court on the judge from West Virginia Supreme . . .

MA: Yeah.

RB: . . . Court, which will be very interesting when that opinion comes down.

MA: I saw that argued.

RB: Oh, did—that's right. You were there. Yeah.

MA: I was up there.

RB: Yeah. Yeah.

[04:12:21] MA: Yeah, that—I really think that those are—that it was a mistake to try to start regulating political contributions. This is a political matter, not a legal one necessarily, but it's not . . .

RB: It's just . . .

MA: . . . possible, and it's not—in a republic, it's not all that good an idea because it's the way that people express themselves. And they're so—I mean, in a republic, expressing yourself through money is open to all kinds of people—labor unions and other groups and, y'know, gender-related groups, racial-related groups. It's—it doesn't take all that much, and it's actually banding together for the purpose of raising and spending money is a very important political activity. So—I mean it's part of politics. It's a republic, and I kind of admire Thomas's and [United States Supreme Court] Justice [Antonin] Scalia's take on it although—I mean I don't have to say this to you—I do what the Supreme Court says. [*Laughs*] I don't follow . . .

RB: Sure.

MA: . . . the dissents. [*Laughs*]

RB: Sure.

[04:13:27] MA: The dissents are not the law. But, yeah, I had a case of where I wrote an opinion invalidating an initiated act, which is a—an awesome thing to do, obviously, because the people voted for it.

RB: People voted for it.

MA: But I just—I didn't think that—y'know, [*RB exhales*] it didn't go to the Supreme Court. I don't know what they would've done with it, but later cases seem to indicate that they wouldn't have looked too kindly on it.

[04:13:57] RB: Those limits were very low, as I recall.

MA: That was the problem. I think what I fin—what we finally held was that it just wasn't enough. I think it was, like, two hundred bucks or one hundred. I forget now.

RB: Three hundred. Yeah.

MA: Do you know what it was?

RB: Three hundred.

MA: Three hundred. Yeah. That's even less now.

RB: Yeah.

MA: I just think that's—I don't know how you say this other than saying it's not enough. [*Laughter*]

RB: Right.

MA: The First Amendment means more than that.

RB: Right.

MA: It means more than two hundred dollars. But I guess that's—those are diffi—I just did the best I could to apply the best law I knew to the case and . . .

[04:14:38] RB: Then a case that's close to my heart is the Henderson case involvin' the twenty-dollar sale of crack cocaine. [Editor's Note: reference to Henderson v. Norris, 2001]

MA: Yes. That was a case in which the court held—I wrote the opinion that a life sentence without parole for first-offense sale of cocaine in an amount weighing less than a paperclip violated the Eighth Amendment of the Constitution of the United States because it was cruel and unusual punishment.

RB: Right.

MA: I believe your court had upheld the sentence by 4-3.

RB: That's right.

MA: And I believe you were on the dissent.

RB: Right.

MA: So [*laughs*] I guess I do follow dissents sometimes. [*Laughter*]

RB: But you follow the law, too. That's the Eighth Amendment.

[04:15:19] MA: I hoped that—I believed that was the law, but I mean that—my law clerk did an extensive amount of research on that. We had to go through the statutes of all the states, and we

couldn't find another state that was as draconian as Arkansas on that issue.

RB: On that point.

MA: And this poor guy—I mean it's—y'know—I mean, there was no evidence of any other previous criminal activity. Now, y'know, [*laughs*] the chances of him actually being caught the first time he sold cocaine—I mean I realize are slim, but there was—not only had he never been convicted, but there was no evidence of other sales, so . . .

RB: Right.

[04:15:59] MA: But the state of the law now on habeas corpus—I don't wanna get too technical on it, but might not allow me to come out that way anymore because the habe—federal habeas has been restricted in a way, as you know, that requires deference to the state court . . .

RB: Right.

MA: . . . in a manner that might've made it hard to get over the hurdle. But just . . .

RB: Certainly in death cases.

MA: Yeah. Just reviewing it straight up as we did before what we call AEDPA [Anti-terrorism and Effective Death Penalty Act of 1996], I thought that it was an Eighth Amendment violation and it—

y'know, there was not a dissent, and y'know, we have a pretty conservative court. There was not a single vote to take the case *en banc* either to have the whole court hear it, so I think it was a pretty solid opinion.

RB: Right. Right.

MA: I tried to nail [*laughs*] it down . . .

RB: Well, you . . .

MA: . . . because I knew that it would raise some eyebrows for interfering with a state judgment. I—that's a very awesome responsibility. I—and you'd think that really—you'd take a hard look before you overturn a state court.

[04:16:54] RB: Well, I know the magistrate had agreed with you, and then the district court reversed the magistrate.

MA: That's right.

RB: Then it came to you.

MA: That's right.

RB: Yeah.

MA: Yeah, it was a very difficult case, but I thought that's what the Constitution required. And that—by the way, that's the only case I can think of in the seventeen years that I've been on the court of appeals where a habeas petitioner actually got out of jail. We granted petitions before but they—you know, they were

retried. But in this case, the state said, "Well, he's been in—I think he'd already been in jail seventeen years. So they said, "We'll just say 'Time served.'"

RB: Certainly several years because I believe the case from our court was in the mid-[19]90s.

MA: Oh, yeah. [*Laughs*]

RB: Late [19]90s—somethin' like that. Yeah.

MA: Yeah, he's been in jail a long time.

RB: Long time.

MA: So—his name was Henderson. [Interviewee Edit: Grover Henderson]

[04:17:44] RB: Henderson. Tell me something about your honors. You mentioned the honorary degree at Fayetteville, but you've received several and—including a—an award in France, as I recall.

MA: Yeah, I have an honorary degree from the University of Connecticut [Hartford, Connecticut] and the University of Pennsylvania, UALR [University of Arkansas, Little Rock].

RB: Now this is for history—for law—for being a judge . . .

MA: Law.

RB: . . . for all—your career?

MA: Law and—but at Fayetteville it was for law and history. And

then the French government gave me a medal and a certificate for—and inducted me into the Order of the Academic Palms [*laughs*] for my work on eighteenth century Louisiana.

RB: Did you get a laurel wreath or . . .

MA: No. [*Laughter*] But I suppose I could get one. [*Laughter*] I was in Paris not too long ago, and I was talkin' to some guy at the—in—worked for the ambassador. I said, "I'm gonna get a promotion. Y'know, the—I'm just a *chevalier*. I wanna get up to *commandeur* level [*RB laughs*] in this order." I said, "How do I do that?" He said, "Oh, just go down to one of these antique shops and buy yourself a medal and put it on." [*Laughter*]

[04:18:47] RB: I thought it was gonna be a contribution.

MA: No. [*Laughter*] He said, "I don't care what—you can find—just go down and get one and put it on. We don't care." [*RB laughs*] I said, "You're not takin' this seriously." [*Laughter*] I didn't think that was very nice. But he was as serious as he could be. He did not want to engage with me on what he regarded as too trivial a matter. [*Laughter*]

RB: Well, I've got one more question for you and . . .

MA: Okay.

RB: . . . and that has to do with your senior status on the eighth circuit.

MA: Uh-huh.

RB: And what do you think that your focus will be over the next, what, ten to fifteen years?

MA: Oh, gee, I don't know, Bob. I'm gonna stay on the court for the foreseeable future, I think.

RB: Sure.

MA: I'm down to less than half. I like bein' a senior judge because it gives me more time to work on the cases I have. I think the product's better. It's more satisfying. I always felt rushed.

[04:19:32] RB: Can you pick and choose to some extent?

MA: No, you just pick . . .

RB: Still assigned.

MA: . . . your level of participation.

RB: Gotcha.

MA: But it's all random assignments.

RB: Right. Right.

MA: It's computer-generated.

RB: Right.

MA: And so the cases are assigned by computer to a panel, and the panel is composed by computer.

[04:19:50] RB: So you can say, "I'd like to take 50 percent of the cases."

MA: Correct. You—ahead of time—you say a year ahead of time so they—for staffing purposes—"I wanna sit fifteen days next year." And so you sit fifteen days or twenty or whatever. And . . .

[04:20:05] RB: But that still gives you time to do other things.

MA: Yeah. But, you know, I find that I don't know—I mean I've heard people say this before who actually retired altogether—they say they don't know how they had time to have a job. [*Laughter*] I have plenty of things to do.

RB: Yeah, walk the dog and . . .

MA: I've got—yeah, and I—y'know, I pay more attention to friends. I do more exercise.

RB: Yeah. Yeah.

[04:20:26] MA: I pay attention to people more than I did before, and I do a lot more reading. I'm doin' a little writing and correspondence. I do a lotta correspondence. I'm one of the last letter-writers left on earth. And I enjoy that. People like getting letters, y'know that? Especially now.

RB: I think they do.

MA: I mean, they—people call me on the phone and say, "Thanks for the letter, man."

RB: Well . . .

MA: "We don't get anything but e-mails."

RB: Well, yeah, our generation does. I think the generation below us—my son's generation still does the e-mails exclusively.

MA: Uh-huh. Yeah. Yeah. [*Laughs*]

RB: But it's a lost art. You're right.

[04:21:06] MA: Yeah. So I have plenty to do. I think I'm just gonna keep doin' what I'm doin', y'know. My—people ask me all the time, or used to, "What is your management technique or your case management plan?" I said, "I don't know what you're talkin' about. I just come—I do what comes next. I don't have a case management plan. I do what's in the in-box."

RB: [*Laughs*] Don't hafta think about it.

MA: And when I get through with it, I put it in the out-box. [*RB laughs*] And then if there's nothing in the in-box, I sit at my desk with my hands quietly folded. And usually something comes in. And, y'know, I've done it that way for twenty-five years, and my product is no tardier, or I don't think no—or any worse than anyone else's, so I'm gonna stay with that.

[04:21:48] RB: And you still have a full complement of law clerks, I assume.

MA: No, I'm down to two. I had four.

RB: To two.

MA: But since I don't sit as much, I don't get—my staff is not as

large.

RB: I see.

MA: So I'm just gonna do what comes next, and something will turn up. I like the level of activity I presently have, and y'know, I'm a lot less—there's a—the volume and variety that comes through, as you know, one of these courts can be daunting. And I'm enjoying having less anxiety, y'know. Because people don't understand the psychology of judging, is that there's—it comes with a lot of anxiety—at least it does is—if you're a—y'know, a—doing a—trying to do a conscientious job. And so my anxiety level is way down, and my boredom level is not up so . . .

RB: [*Laughs*] You've struck the . . .

MA: . . . I'm just gonna keep on keeping on.

RB: . . . struck the happy medium.

MA: Yeah.

[04:22:44] RB: Well, I've thoroughly enjoyed this.

MA: Thank you. Thank you, Bob.

RB: Thank you, Judge.

MA: Appreciate it.

RB: Yes, sir.

MA: Great to see you.

RB: Good to see you.

TM: You guys, that was an honor. That's great. [*RB laughs*]

[Tape stopped] [Scott Lunsford returns as interviewer]

[04:22:52] SL: Okay. Well, we're back in Fayetteville. [*Laughter*]

MA: Great.

SL: You've had a detour this afternoon but . . .

MA: I—I'm glad to be back in Fayetteville. I had a lotta fun there.

SL: Well, we were talkin' a little bit about the law school.

MA: Yeah.

SL: And—but I also want to talk about Fayetteville . . .

MA: Yeah.

SL: . . . and your time there.

MA: Yeah.

[04:23:13] SL: You were there for how long?

MA: Almost six years. Six years, really.

SL: And what was the scene like? The—well, let's see, what were those years? What years . . .

MA: [Nineteen] sixty-two to [19]68.

SL: Okay.

MA: It was a great scene. It was great socially and great politically. Yeah, I was involved—and politically I was involved in campus politics, but also in the Free Speech Movement and—in the [19]60s and the civil rights movement and the antiwar

movement. I had a underground newspaper, in fact. Actually I was involved in three of 'em, but only one of 'em ever saw the light of day, and that was only one issue. It was called *The Arkansas Advocate*.

SL: Okay.

[04:23:53] MA: Then I had another—this was a hippie newspaper kinda thing called the *McGuffy's Electric Reader*. We named it after my band, but I couldn't get anybody to print it. [*SL laughs*] And then there was a—well, the third one, we actually bought a printing press and rented a little building on Dickson Street, but we could never—we—and we had a printer and everything, but we could never get it going correctly. I'm not sure. I think we got a couple of issues outta that. But, anyway, so I was involved in politics, and then socially it was great because they had a lotta great rhythm and blues bands up there in those days. Rockwood Club—y'know, and Ronnie Hawkins and the Hawks were out there. They played matinees at four o'clock on Saturday. Get a date. Go out there. Have set-ups, y'know, and dance. It was a lotta fun—or on Friday or Saturday night. It was just kind of a basic room with tables in it, but we thought it was, y'know, it coulda been The Ritz as far as we were concerned [*laughs*] or the New York Rooftop Garden. And then

there were other lesser venues, like Mhoon's 71 Club and the Huddle Club and George's [Majestic Lounge], of course. Now George's didn't have music in those days, for the most part, but it was a great hangout.

SL: Had the Library.

[04:25:04] MA: The Library was there and, of course, Roger's Rec. Do you know that that's now the back part of a building?

SL: Yeah.

MA: The first—front part is called 21st Amendment [Bar and Lounge], which, of course, is the amendment that repealed my grandfather's amendment, the Eighteenth Amendment. Twenty-first Amendment repealed Prohibition. [*Laughter*]

[04:25:23] SL: They should have a photograph of your father there.

MA: I thought that was . . .

SL: Or grandfather ?there?.

MA: . . . pretty funny, but I found out—I went out to a restaurant, and they told me—the lady up there told me that Roger's Rec was still in existence, but you had to go in the back door. So I went in there. It's just like it was before—the tile walls and all. But I spent—misspent a lotta my youth playing snooker there. I was a pretty good snooker player, which made me a really good pool [billiards] player, because after you play snooker, those

pool table holes look like canyons.

SL: Right.

MA: It was easy, y'know. And, y'know, the old men used to sit up there in the front play dominos. They'd be there at nine o'clock in the morning drinking beer and slammin' those dominos. You could hear 'em a block away slammin' those dominos on the table, and there was usually a bookie sitting at the bar. There was a pay phone there. He used to lay his phone—his bets off to St. Louis and Chicago [Illinois], so if you wanted to bet on the horses on Saturday, you could go down there and give 'em five bucks and [*laughs*] have a good time.

[04:26:20] SL: Well, you know, that place would have—a mayor would be in there; domino players would be in there; professors would be in there . . .

MA: Oh, yeah, writers.

SL: . . . students would be in there; writers would be in there.

MA: Oh, yeah. It was a great hangout for everybody. It was a very democratic place because it was just a good place to go and hang out.

SL: And then, of course, there was Roger Kidder that ran it and . . .

MA: Yeah.

SL: . . . always had a . . .

MA: Yeah.

SL: . . . big wad of money in his pocket.

MA: Oh, yeah.

SL: And . . .

MA: And then the D'Lux was up the street.

SL: Yep.

MA: D'Lux is gone, I think. I think it's—it bit the dust.

SL: Yeah.

[04:26:53] MA: George's isn't the same. It's just kind of a big room now. Didn't—the booths are gone and—but I remember Mary. You remember Mary, who ran the place?

SL: Absolutely.

MA: I went back there. I guess she died a few years ago. [Editor's Note: Mary Hinton died on February 12, 2001.] But I went back there—whenever it was—right before she died, and she could barely see. I don't know if you knew that.

SL: Hm-mm.

MA: But I hadn't been in that place in twenty years, I swear. And I walked in that door, and she looked up at me and said, "Hey, Buzz, how're you doin'? How you been?" [*SL laughs*] "Been readin' about you in the paper." [*Laughter*] I couldn't believe it, y'know. But she took care of everybody. Y'know, if you didn't

have the money, she'd give you a pitcher of beer, and next week you can catch up. Either that, or you didn't. Y'know, it was not a big deal. Then there was Maxine's [Tap Room].

SL: Maxine's, up closer to the . . .

MA: She just died. [Editor's Note: Maxine Miller died in May 2006.]

SL: . . . [Fayetteville] Square. Yep.

MA: But I think they—somebody told me they were remodeling it or something. I can't believe that. But I was there about two years ago, and they still had that same bowling machine with that slide deal, y'know?

SL: Mm-hmm. Mm-hmm.

MA: Been there since the [19]60s.

[04:27:53] SL: Well, didn't they—did they have a fire there or somethin'?

TM: Mh-hmm.

MA: Yeah.

TM: About . . .

SL: I think so.

TM: . . . a year and a half ago.

SL: Yeah.

MA: But anyway that was a great social and political scene, y'know. We had a lotta fun. I was in a fraternity for a while, and I

enjoyed that, but then I lived off-campus and, of course, during law school—almost all of law school, I lived in an apartment. There was always a party, or go over to the girls' dorms or the sorority houses for parties, and it was just . . .

SL: What . . .

MA: . . . just a great place.

[04:28:25] SL: What about the great shootout? [Editor's Note: reference to "The Big Shootout," the December 6, 1969, football game between the number one University of Texas Longhorns and the number two University of Arkansas Razorbacks.]

MA: The great shootout—I was not there for the great shootout. That was [19]69, wasn't it?

SL: [*Vocalized noise*] I guess that's right.

MA: Yeah, that was [19]69. That's when Nixon came.

SL: Yeah.

[04:28:42] MA: I was—I'll tell you a funny story about—I was at Harvard, I remember. I was watchin' it on television, and I was so upset. I was totally distraught for days, and the people up there couldn't believe it. They thought there was something wrong with me. [*SL laughs*] You know, I went way down in their estimation. I'm not sayin' I was that high in it in the beginning, but they thought, "This guy's nuts. He's just—how

can you get so upset over something as trivial as football?" [*SL laughs*] They did not understand what was important. [*Laughter*]

SL: They didn't.

MA: I was—I couldn't believe it, except I could. I just knew that Texas was gonna do that to us, y'know.

SL: Yep.

MA: I just [*laughs*] knew that they were. [*Laughs*] And they did. Oh, man! There was a book written about that. *Dixie's Last Stand* or something like that. [Editor's Note: reference to *Horns, Hogs, and Nixon Coming: Texas vs. Arkansas in Dixie's Last Stand* by Terry Frei]

SL: Yeah.

[04:29:27] MA: I remember *Sports Illustrated* covered that deal, and I remember they [*Laughs*] described Fayetteville and the university as "mildly intellectual." [*Laughter*] I thought, "Well, that's just about right." [*Laughter*] The only thing that disappointed me about Fayetteville was that it was very conservative politically, by which I mean not that their politics were conservative, but it was—there—most of the people were kinda apathetic, so they were conservative in the sense of being, y'know, not—uninvolved.

SL: Complacent or . . .

MA: Yeah.

SL: Yeah.

MA: But they weren't actively conservative, like a [William F.] "Bill" Buckley. I mean, that would've been interesting, y'know. But, y'know, I found a lotta friends who were interested in politics, and so I—I've always—I had my little nest of friends, y'know. And the law students were always engaged in politics, as you know. They [*sniffs*]—they wanna talk about it all the time and [*unclear word*] the intimate connection between law and politics.

[04:30:27] SL: Just briefly, back to the law school. You graduated top of your class in law school, and you were the editor for the *Law Review*.

MA: Yes. Uh-huh.

SL: What does that mean, to be the editor of the *Law Review*?

MA: The editor of the—it's a student publication, and I was in charge of putting it out every quarter. I mean I had to, y'know, supervise the recruitment of writers and make sure everything got in on time and got printed and the proofs got back. In those days we sent galley proofs to—you know, they just set up big galleys before they put 'em in pages. I don't know if you remember print—how printing was done. They'd do about three

pages in one and send the galley proofs to the authors, and then page proofs'd come back. Sometimes we'd send them the page proofs before publication, so there was a lot of sort of engineering that went into it, and my job was to make sure it came out, and it came out on time and had, y'know, reasonably high quality.

SL: And . . .

MA: But there were a lotta people on the journal.

[04:31:24] SL: What were the articles about?

MA: Law. My brother wrote one, for instance, for me, and they were about—mostly about Arkansas law, because it's a law review or journal that's intended for the Arkansas professional audience. And it was a—it's pretty old. It's fifty or sixty years old now.

SL: And . . .

MA: Sixty.

SL: . . . you got to be pretty sharp to be asked to submit an article and . . .

MA: Yeah.

SL: . . . and get it . . .

MA: That's how you get on it. In those days, how you got on it was you submitted, and you had to—I don't know that there was a grade point requirement or not but I—you had to write on—you

had to write a note or a comment or an article to get on the journal [*dog shakes its head*] to become a member of the edit—of the journal. And then you were either elected editor-in-chief, or the dean appointed. I forget which. I think the dean appointed me. But it was a student publication, and you had to publish a little casenote or something in order to become a member of the journal.

[04:32:33] SL: Okay. Now, has anyone asked you about how you and Gail got together?

MA: No, but I'm glad you did because it's the best thing that ever happened to me, and I mean that. We met on a blind date in Fort Smith, Arkansas. She's from Connecticut. She was described to me as being, A, from Connecticut; B, a vegetarian; and C, someone who got up every morning at five thirty and ran six miles. [*SL laughs*] No. I thought, "Look. A—I'm, A, a twelfth-generation Southerner; B, a carnivore; and C, a couch potato." [*SL laughs*] "She's gonna hate me!" But she didn't, and we—it was—we got along from the very beginning. It was one of those—one of the—y'know, you hear that it just clicked for—we never—we've never had an argument. We never had a cross word really.

SL: Well . . .

MA: And that's a tribute to her because I'm volatile, y'know. And, certainly, I—more—I used to be more so than I am now. But she's—no, she's got her opinions, and she's adamant in them, but she doesn't fight, and she just says, "Well, if I"—ya know, if she doesn't wanna do somethin', she just doesn't do it, which is fine. There's no waving your arms or stompin' your feet or anything. She just doesn't come or—y'know. [*Laughter*]

SL: Well, now so . . .

MA: So I told her, "We got one rule." I had one rule, and that is that she should do whatever she wants.

SL: That's a good rule.

MA: Yeah, it works.

[04:33:57] SL: So where were y'all when you met?

MA: Fort Smith, Arkansas. I'd just been appointed district judge up there, and she—somebody wanted to—y'know, I was single—divorced—and Gail was divorced, and somebody said—one of her friends suggested that they have us to dinner, so they did. And that was great. We were—we've been together now twenty-three years.

SL: Congratulations.

MA: Oh, yeah.

SL: That's big.

MA: That makes a modern record.

[04:34:31] SL: That's big. And now have you—do you have any children?

MA: No, I didn't—I don't have any—never did—and she doesn't and never did so . . .

SL: Okay. Okay.

MA: Yeah, we're a—we're it. We're our family. Gail and I and our dog, Sarah.

SL: Now did Bob—did y'all talk about goin' to Harvard at all?

MA: Yes. Uh-huh.

SL: Okay.

MA: Oh, yeah.

SL: So we've got that covered . . .

MA: Oh, yeah.

SL: . . . pretty much . . .

MA: Oh, yeah.

[04:34:54] SL: . . . or is there more you wanna say about—so you graduate from the University of Arkanlaw—Arkansas Law School, and then you immediately go to Harvard or . . .

MA: No, I practiced law for a short time in Texarkana with my family firm. There were six of us all named Arnold. [*SL laughs*] Three sets of brothers.

SL: Yeah. [*Laughs*] How was that?

MA: That was great.

SL: Was it great?

MA: I loved it. I—it was a great law firm. It was my brother—there was me and my brother. My brother graduated first in his class from Harvard Law School and first in his class from Yale. Clerked for the Supreme Court. My father had gone to Harvard Law School and Yale. My uncle, William, was a Rhodes Scholar in 1914. My cousin, Bill Arnold III, was a circuit judge—a University of Texas *Law Review* guy, and so was my—and my cousin, Tom, that just died last week. So it was a pretty fair country law firm.

SL: It was. [*Laughs*]

MA: Yeah. We did—and now I've got this—these great pictures from [19]68 of all six of us standing in front of my grandfather's portrait. Now I'm the last of the Mohicans. Everybody else is gone so—last man standing.

[04:35:59] SL: Last man standing. Well, is there anything else that you wanna say or you feel like we should go over before we end? I know we're about out of time, but we covered pretty good your early years.

MA: One of the things—one of the shaping events in my life . . .

SL: Okay.

MA: . . . we didn't cover was all of the violence that occurred in the—at Harvard in the late [19]60s.

SL: Let's talk about it.

[04:36:27] MA: Yeah, that was a big disappointment to me. I was pretty much a pacifist in those days—at least I thought I was. Y'know, I was a—certainly a—I was very much opposed to the Vietnam War, and I'm sure much too idealistic, looking back on it. But a lotta that violence shattered those ideals in a way that I never really have recovered from because I would—had hoped that we were—I mean this is really idealistic, y'know, we're gonna make a world where, y'know, everybody got along and we—race wouldn't matter anymore, and we'd have a colorblind world, and that we wouldn't have violence. Y'know, that—very much involved in that in my mind. And when this violence broke out and all this rock-throwing and head-bashing and stuff, it was a big disappointment to me. I didn't exactly have an epiphany, but I began to—y'know, my politics began to migrate some. [04:37:25] And one interesting story I'll tell you from that, and then I'll shut up is that Clarence Thomas and I've become pretty good friends, and it turns out that we were very close at one time, but didn't know it—that is, physically close. In 1970 there

was a big riot in Harvard Square. It was April 15, and the reason I know that was it was [income] tax day [*laughs*], and I couldn't get down to the post office to—'course [of course], I was always late.

SL: Late. Last minute.

MA: So it was always the last day.

SL: Yeah.

[04:37:58] MA: But there was this huge riot down in the square, so I went down there to watch it. I was just watching from the barriers. It—very—I was all upset, y'know, but, anyway, [*laughs*] Clarence told me that he was in the riot as a rock-thrower because he was a black revolutionary at the time. [*Laughs*] And so [*laughter*] there we were together. He told me that he was throwin' bottles and stuff, and y'know, and the cops were shootin' tear gas and the—he said, "The white kids were comin' out from the sidewalk and givin' us black kids wash cloths with water to help us, y'know, resist the tear gas." And he said he'd pick up the thing and throw it back. And so—I often think about that because he told me that—I think this may have been in his book—that after that, he had an epiphany, and it was really what—a kind of a St. Paul moment. He said he was at—I guess it was Holy Cross or Boston College—Holy Cross—one of

those—a Catholic school there—and he would—after that riot, he was walking back through the campus and came in front of the church, and he said, "I've just gotta purge my heart of all this hate. This is not working." And it was very moving. And he did, y'know. He just said from then on he wasn't—he was gonna be engaged, but not—he wasn't throwing any more bottles. And he also—he told me another interesting thing. He told me that they were in that riot—you may not know this, but he grew up in Georgia in a segregated—very poor, segregated situation and—y'know, and a very—what had to be a racist environment. And he told me that that night was the first time a white person had ever called him the N word, and it was a Cambridge cop. A cop from Cambridge, Massachusetts. Interesting.

[04:39:49] SL: Yeah, you'd think . . .

MA: Yeah.

SL: . . . it's all liberal up there and . . .

MA: Yeah. Yeah. That was—see, that's exactly what I'm gettin' at, [*laughs*] 'cause why—I mean, when I left Arkansas I thought—you know, I mean, I was very upset with all the racism there was here. And, y'know, when Martin Luther King [Jr.] got shot, I was in tears sittin' in front of the television and . . .

SL: Sure.

MA: . . . so I went up there. I thought, "Well, man, this is gonna be great." Well, it wasn't. The other thing was that I thought that—y'know, the black-white relations would be better, and I was very—I was surprised at how much—how convinced the black people were that white institutions, all of 'em including Harvard and places like that, were racist, when in fact they'd, y'know, done over the years a lot for racial relations. So I was—I—the whole thing didn't work in my mind. It was not the way it was supposed [*laughs*] to be. So—but—so that was—those events—those—that time—those two years there were important to my world view, y'know, to forming a—my own political mindset.

[04:41:10] SL: If you were [*sighs*] going to give advice to aspiring lawyer or student, what kind of advice would you give to somebody that's growin' up in these days and . . .

MA: Well, I'd tell 'em to get a good, broad, liberal education, y'know. Study history or English or even French literature or something that doesn't have -ology on the end of it, unless it's geology. [*Laughter*] No, you know what I mean.

SL: Yeah.

[04:41:45] MA: What I call a real academic subject. I don't—y'know I mean my undergraduate degree was electrical engineering.

That was great for some purposes, but it wasn't great preparation for law school, y'know. Because I think—y'know, and learning how to write—those kinds of things are so important to success as a lawyer. And the other thing is that—you know, as Woody Allen said, "Ninety percent of life is showing up." It took me a long time to learn that—just coping. [*Laughs*] Y'know, put your feet on the floor relatively early in the morning. Get up. Do your business. Return your phone calls and answer your mail. [*Laughs*] And . . .

SL: Yeah.

MA: . . . do all those mundane things that everybody just kinda dreads doing, and before y'know it, you'll be a huge success. But there's just a lot of showing up that's necessary.

SL: That's good.

MA: Yeah. [*Laughs*]

SL: That's real good.

[04:42:20] MA: I wish that those—y'know, the reason I give all that advice was that I didn't do any of those things. [*Laughter*]

SL: And you wish that you had.

MA: Yeah.

SL: Well, you—yeah, I pretty sure you did.

MA: Well, and . . .

SL: And also in defense of electrical engineering . . .

MA: Yeah.

SL: Engineers—there's a way that engineers think.

MA: Oh, yeah. Sure.

SL: And there is an analytical bent . . .

MA: There's a certain—oh, yeah.

SL: . . . to . . .

MA: That's true enough.

SL: Yeah.

[04:43:00] MA: Yeah, especially—you know, electrical engineering is as close to pure science as any engineering gets. 'Cause, y'know, I had, like, thirty hours of college math just for that degree, and all those engineering—electrical engineering science classes were really physics classes, y'know, so yeah, it wasn't—y'know, I was kinda making light of my own background but it—I still—it's still—it's not the best background.

SL: Yeah.

MA: I should have—y'know, I should have taken more history. Y'know, I never had a history college course, and yet . . .

SL: No. I can't—that's hard to believe, Morris.

MA: I took—I take that back. I took Western civ [civilization] as a sophomore.

SL: Which is a great course.

MA: Yeah. But that's it. And so I—to the extent I'm a historian at all is just self-taught. Fancy word for that these days is autodidact. [*Laughter*]

[04:43:52] SL: Listen, have you worked with archeologists or the . . .

MA: Oh, yeah.

SL: . . . Arkansas Archeological Survey?

MA: Oh, a lot. Yeah, yeah, I have a lotta good friends who are archeologists. In fact, we did—I've been at digs down at—they found the original Arkansas Post down on the Arkansas River. I helped 'em find it two or three years ago. And there's a brilliant archeologist named John House—a very quiet man—and he's got more sense than most people—most five people, you know, got—put together. And he did some really great detective work on old maps and things and plotted out where the river used to be and the low lakes and stuff and right there where he found some debris—I mean, y'know, right on the edge of that lake is where the post had been. So I mean he's got it, but I helped him—helped the—I've helped them over the years.

[04:44:42] SL: Well, it seems like I've heard that the archeologists are really enamored by your work as well.

MA: Well, I—I think I've been of some help to them, and [Leslie C.] "Skip" Stewart-Abernathy's another one and Judith Stewart-Abernathy, and oh, they're just a lot of 'em that—Tom Green, who's the head of the Survey—they're all very, very good. They don't get enough credit. I was teasing earlier—somebody was interviewing me—I said the problem with 'em is they don't publish anything, and they write all these papers. They put 'em up on a shelf like it's a pot. [*Laughter*] Wait, this is not an artifact. Y'know, you need to tell somebody. [*Laughter*]

SL: That's good.

[04:45:22] MA: But they know a lotta stuff they're keepin' secret, Scott, y'know.

SL: Yeah, they do. They do.

MA: They do.

SL: That's a good . . .

MA: Y'know, that's not good.

SL: That's a good observation.

MA: Yeah.

SL: They do need to be out there more.

MA: It's astounding . . .

SL: That's right.

MA: . . . how much they know.

SL: And how much stuff there is . . .

MA: Oh, yeah.

SL: . . . that they've done.

MA: Yeah, I'm very impressed with our Archeological Survey. It's gotta be one of the best in the country.

[04:45:40] SL: Well, let me ask you this. You've just about survived a Pryor Center session here. Is . . .

MA: Great.

SL: . . . is—what would you have to say about this ordeal?

[04:45:55] MA: I've enjoyed it. I really have. Y'know, I had wondered if I'd really have time to—this much time to set aside because I—y'know, I hardly—I don't sit much anymore, but as it happens, I've gotta go to St. Paul [Minnesota] Monday [*laughs*], and so I—this was, y'know, right at the end of the week that was my sorta big run at being prepared, and I thought, "Well, gee, I'm just not gonna be able to work all this in." But I'm delighted I did. It's just been more fun than I can—could've imagined, and you all did a great job, and I thank you for the—for wanting to do it and for caring that much. And, y'know, I appreciate being paid [*laughs*] attention to.

[04:46:32] SL: Well, we appreciate the opportunity and your time. It's an honor to . . .

MA: Well . . .

SL: . . . be in the same room with you.

MA: Well, it's my honor that you're interested, and I think—you know, the Pryor family, over the years, have just done so much for Arkansas. You may not know this or not recall it, but my brother ran against David in 1966.

SL: I was there.

MA: Yeah, I think he you told me that we met. You hand—you handed me some Pryor literature at a ball game.

SL: I did. I did. [*Laughter*]

[04:46:59] MA: David has, y'know, been a great friend over the years. I—every time I see him I tell him that I'm his fault 'cause he voted for me twice [*SL laughs*] in the Senate. And he voted for my brother twice. And, y'know, he's—David is such a nice man that it was a very hot—hard-fought campaign, as you remember. But as my brother used to say, there's not a mean bone in David Pryor's body. And the best proof of that is that David gave my brother's daughter a job in Washington. [*Laughter*] No, he's a—they're both wonderful. And I told you Mark Pryor gave me that . . .

SL: Yeah.

MA: . . . copy of my grandfather's resolution. Hey, I tell you the

truth, is that meant a lot to me. It's one of the nicest things anybody ever did because, y'know, I don't have any votes. Why would anybody [*laughs*]—y'know, I'm not a lobbying group. Why would anybody bother to give me somethin'? And so I thought that was great.

[04:47:53] SL: Well, I think it goes almost without saying that the Arnold family is—has been—continues to be a remarkable family, that it's done many wonderful things . . .

MA: Well . . .

SL: . . . for a lotta people so . . .

MA: I thank you. I hope to be able to continue to serve the public and do my best to affect the course of public and private events for the good.

SL: I'm sure you will.

MA: Well, thank you.

SL: I'm quite confident. Well, listen, thank you very much.

MA: Thank you, Scott.

SL: Okay.

MA: Enjoyed it.

[End of Interview] [04:48:21]

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