
Santa Clara Pueblo v. Martinez (1978) Trial
Transcripts

Law and Indigenous Peoples Program

11-25-1974

11: Florence Hawley Ellis-Redirect.pdf (196.3Kb)

U.S. District Court for the District of New Mexico

Follow this and additional works at: [https://digitalrepository.unm.edu/
law_certificate_indianlaw_santaclara](https://digitalrepository.unm.edu/law_certificate_indianlaw_santaclara)
University of New Mexico
UNM Digital Repository

Recommended Citation

U.S. District Court Docket No. 9717 Civil; 436 U.S. 49 (1978)

This Transcript is brought to you for free and open access by the Law and Indigenous Peoples Program at UNM Digital Repository. It has been accepted for inclusion in Santa Clara Pueblo v. Martinez (1978) Trial Transcripts by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu, lsloane@salud.unm.edu, sahrk@unm.edu.

1 Santa Clara culture as a child of the Santa Clara father
2 and an Anglo mother who lives in California?

3 A This would be hard to say. I would say that certainly
4 the child of a non-Santa Clara father and the Santa Clara
5 mother living in California would have less Santa Clara
6 training and influence than the child or the Santa Clara
7 child who lived in the Pueblo --

8 Q That was not the question.

9 A I know it is not.

10 Q Can you answer the question?

11 A No, I cannot answer the question. I don't think anyone
12 could.

13 Q I see.

14 MR. COLLINS: May I have just a moment, Your Honor?

15 THE COURT: Yes, sir.

16 MR. COLLINS: I have no further questions, Your
17 Honor.

18 THE COURT: Mr. Prelo.

19 REDIRECT EXAMINATION

20 BY MR. PRELO:

21 Q I have just a few questions, Dr. Ellis, if I may.

22 Does the information you have received from the informants
23 recently tie in with everything that you have read and
24 researched, and is this what your testimony is based upon,
25 Doctor?

1 MR. COLLINS: I object to the question as leading.

2 THE COURT: I don't think there is any problem of
3 Mr. Prelo leading Dr. Ellis under these circumstances,
4 Mr. Collins.

5 A Yes, sir, it is so.

6 Q (By Mr. Prelo) Doctor, how long did you know Ed Dozier?

7 A I knew him from either the end of the 1930's or the
8 very early 1940's until his death in '71.

9 Q Approximately 31 years?

10 A Yes.

11 Q Did you know him as a student?

12 A Yes, I had him as a student. We were very close friends
13 at that time, and worked together in various projects.

14 Q You knew him as a colleague afterwards, I presume?

15 A Yes, I did. He always visited me when he came back into
16 New Mexico, and I saw him in Arizona when he was teaching
17 there.

18 Q Were you aware of his heritage, Doctor Ellis, at the time
19 you were dealing with him?

20 A Yes, sir, I certainly was. We discussed it.

21 Q So that you knew that he was from Santa Clara?

22 A I knew he was from Santa Clara, I knew the story of his
23 father and so forth.

24 Q Do you always agree with every anthropologist or
25 ethnoanthropologist on everything?

1 A Certainly not.

2 Q Is it a fair statement to say that you disagree as
3 attorneys disagree, or as any other professional person
4 disagrees?

5 A Decidedly. In part because of new information that
6 comes to light periodically, and we re-evaluate our
7 conclusions.

8 Q Your disagreements with Mr. Dosier, would they be as to
9 factual matters or as to classification in the
10 anthropological field?

11 A It would be to interpretive matters, which would be what
12 you are referring to, if I know answer from question.

13 Q Doctor, when asked about Monica Silva, Rose Gutierrez,
14 and Virginia Gutierrez, you started to explain this
15 morning, and counsel cut you off after having asked you,
16 are these three sufficient for you to arrive at an opinion?
17 What was your explanation going to be?

18 A The explanation was going to be that they are examples,
19 they are not enough for anyone to base an opinion upon.
20 Unfortunately, it's stated, and it's a careless statement
21 in my own paper here, I think I said "This proves that,"
22 and it is not proof that -- this is an example. The
23 background for my opinion comes from not only those but
24 from the rest of the material as in Parsons.

25 Q Doctor, you were asked in an excerpt from your deposition

1 whether you verified some of your information pertaining
2 to religious matters. Could you verify this other than
3 through your sources? Is there any other way you could
4 verify this?

5 A No, I would think not. And, this was one of the reasons,
6 in fact the main reason, that I didn't go out and try to
7 canvas Santa Clara and ask them such questions about such
8 matters at present. These things are not discussed,
9 ordinarily, with outsiders. Besides that, as even among
10 ourselves, if there is difficulty, such as factionalism
11 in one's group, they are very reluctant about discussing
12 things outside. This is comparable to what we say about
13 washing your dirty linens in public. One doesn't.

14 Q Would you be allowed to personally attend a religious
15 ceremony?

16 A Never.

17 Q We've heard the term matrilocal, patrilocal, matrilineal,
18 and patrilineal. As an anthropological term, would matri
19 and patriculture, could that be utilized?

20 A That would be infinitely better than using patrilineal as
21 I have used it in this paper and is rather carelessly
22 used among anthropologists.

23 Q What would that mean, Doctor?

24 A It would mean that the culture was primarily influenced,
25 I suppose you could say, as far as such important things

1 as religion, politics, and the overall culture basis by the
2 men.

3 Q And the equality of the women as to economics would remain
4 how?

5 A It would remain as it is. A woman has a good deal of
6 economic equality in all of these Pueblos. In fact,
7 sometimes she's the one who holds the purse strings.

8 Q Doctor, assuming for the moment that a child were raised
9 by a male member of the Santa Clara Pueblo and a non-member,
10 female, off the Pueblo, and that another family, we
11 reversed the parents, a female Santa Clara and a male
12 non-Santa Clara, which child in your opinion would be
13 taught more culture values, more Santa Clara culture values?

14 A They both would be taught some, but I think that the one
15 who had a father from Santa Clara would get the heavier
16 dose of it.

17 Q You stated, Doctor, on cross-examination that the Spanish-
18 Anglo influence might have been the cause of factionalism.
19 Is it safe to state, or would you state, in your opinion,
20 if this same influence could be the cause or is the cause
21 of a cultural breakdown?

22 A I think it's involved in the cultural breakdown. I don't
23 think it is the only cause for it, but I think it is
24 definitely involved in it.

25 Q Doctor, we've coined a new phrase, I think, patricultural.

1 Would you describe Santa Clara as being patricultural under
2 the definition you've just given?

3 A Yes, I would, and I think I will use that in some of my
4 future papers. It's a good term.

5 Q I understand you do not speak Tewa; is that correct?

6 A That's correct.

7 Q Do you speak Spanish, Doctor?

8 A Yes.

9 Q Through the years that you have been working with the
10 Tewa, do any of them speak Spanish?

11 A Oh, yes, we have used Spanish in Tewa Pueblos and in other
12 Pueblos over a period of years. In the past, in fact,
13 until quite recently, all of the older people in the
14 Pueblo spoke Spanish, almost without exception, as the
15 extra language beyond their own, and did not speak
16 English very well if at all.

17 Nowadays, relatively few speak Spanish and more
18 speak English.

19 Q So today it would be a fair statement that you speak
20 English with all of them?

21 A With rare exceptions, yes.

22 Q And in the past you spoke Spanish to a great number of
23 them?

24 A Yes.

25 MR. PRELO: I have no further questions.

1 THE COURT: You may step down.

2 MR. COLLINS: Your Honor, pardon me, he acknowledged
3 that this term patricultural was brought up for the first
4 time on redirect. Could I ask a couple of questions about
5 that?

6 THE COURT: You may. I think probably it was pretty
7 clear what the discussion was, Mr. Collins, but you go
8 ahead.

9 MR. COLLINS: It will be very brief.

10 RECROSS-EXAMINATION

11 BY MR. COLLINS:

12 Q Dr. Ellis, would you term the Anglo-American society as
13 patricultural?

14 A Somewhat, but not as strongly so as the Tewa society.

15 Q Didn't you say earlier that the Tewa women had a higher
16 status than the Anglo culture?

17 A No, I didn't say they had a higher status. Wait a minute,
18 I think I know what you are referring to. The Anglo
19 women in our society have, according to the women's lib
20 persons, and some of the rest of us, rather, had second
21 place in comparison to the men, we were somewhat second-
22 rate citizens. I think that for the Tewa women they
23 have perhaps a higher place, or have had, than we have had
24 in the past. They had more freedom than we had. On the
25 other hand, I think the Tewa men exerted more influence