

A GENIUS OF ELEGANT CLARITY

Judge Holloway was a gracious, principled, and kind man. If you met him once, he enthusiastically remembered you always. He recognized and honored the human dignity of everyone he knew.

He spoke at the second Sovereignty Symposium, in 1989, on the topic of “Recent Federal Cases in Indian Law.” I read his comments when preparing this memorial, and I was struck by Judge Holloway’s care in making certain his comments were circumspect, as befitting a judge. However, his remarks could serve as a textbook outline of issues important in Indian law, then and now. He spoke of the importance of the Indian Child Welfare Act, state and federal court interaction, and sacred sites.

He was noted for his opinions in cases upholding tribal sovereignty, including *N.L.R.B. v. Pueblo of San Juan*, 276 F.3d 1186 (10th Cir. 2002) and *Jicarilla Apache Tribe v. Andrus*, 687 F.2d 1324 (10th Cir. 1982), in which he stated at page 1332:

We are convinced, however, that the plain, mandatory terms of the regulations do not leave room for deference to this interpretation, which does not serve the interest of the Indians. If there is any doubt, the interpretation should be made liberally in favor of the Indians for whose protection these provisions were promulgated.

He was a true son of Oklahoma, who recognized and honored the unique relationship of the First Nations to the state and federal governments.

I will be forever grateful for his support at the time of the founding of the Sovereignty Symposium. He remained a staunch and loyal supporter through the years, and we were delighted to recognize him as the Symposium Honored One in 2011. Judge Holloway and his staff were invited to be the guests of the Symposium at the luncheon honoring Oklahoma’s tribal leaders and other dignitaries attending the

Symposium—Judge Holloway sent a check to pay for their lunches. As a judge, he would be beholden to no one.

A quotation by Ernst Friedrich Schumacher, the 20th century economist and writer, best describes the character and work of Judge William J. Holloway, Jr.:

Any intelligent fool can make things bigger, more complex, and more violent. It takes a touch of genius—and a lot of courage to move in the opposite direction.

Judge Holloway, in both his life and his work, had a full measure of the genius that reduces complex legal issues to elegant clarity. This clarity came, as it must, from intelligence, a unique capacity for hard work, and strength of character. I honor him for these qualities and for his innate belief that all human beings should be given their rights under the law.

The Honorable Yvonne Kauger
Justice, Supreme Court of Oklahoma

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59



*The Honorable Yvonne Kauger presenting at the
30th Anniversary Proceeding*