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“Whoz Ya People?”: Defining Lumbee Citizenship and Belonging in the 21st Century

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“WHOZ YA PEOPLE?”: DEFINING LUMBEE CITIZENSHIP AND BELONGING IN
THE 21ST CENTURY

by

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ABSTRACT

The Lumbee Tribe of North Carolina is a state-recognized tribe with an estimated 60,000 citizens. From 2018-2020, the tribe closed their enrollment office so that the tribe could reexamine enrollment policies, particularly the criterion for appropriate contact with the tribal homeland. During this closure, the tribe was continuing its long journey for federal recognition, with a bill passing the U.S. House of Representatives and receiving support from then President Donald Trump and current President Joseph Biden. During the summer of 2021, I conducted ethnographic fieldwork with the tribe's enrollment department, located in Pembroke, NC, to answer the question of how Lumbee people understand and conceptualize "appropriate contact" with the tribal homeland. I interviewed 10 Lumbee individuals, both enrolled and non-enrolled, alongside conducting participant observation as a temporary enrollment officer. From my fieldwork, I found that Lumbee people understand appropriate contact through cultural, linguistic, and biological constructions that attempt to create a distinct population within the Southeast. Further, I found that the quest for federal recognition plays a key role in how Lumbee people understand citizenship and how they conceptualize both real and imagined obstacles to obtaining this long-sought recognition.

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INTRODUCTION

From 2018-2020, the state-recognized Lumbee Tribe of North Carolina closed its enrollment office to new enrollees. During this time, it reevaluated specific procedures that determined whether new applicants met the criteria for tribal enrollment. Namely, the most controversial of these criteria was “appropriate contact with the tribal homeland.” Previously, applicants had to pass a “contact interview” with an enrollment officer, which entails successfully answering a set of questions. When enrollment was reopened, a required Lumbee history and culture class was created to replace the contact interview for new enrollments. This change was informed, in no small part, by the Lumbee Tribe’s continuing quest for federal recognition during this closure period, even receiving national attention during the 2020 U.S. Presidential elections, garnering support from both political parties, in an attempt to establish a distinct citizenry identifiable by outsiders. In order to more clearly understand these foundational changes to Lumbee identity and citizenship, I conducted fieldwork with the Lumbee Tribe by working with the tribal enrollment office and interview enrolled and non-enrolled Lumbee people¹ in the summer of 2021. Alongside my fieldwork, I incorporate autoethnographic techniques, such as the inclusion of myself as a subject that was born and raised in the tribal homeland, but has lived outside of it for over five years. Based on this work, I argue that Lumbee people conceptualize appropriate contact with the tribe through cultural,

¹ For this paper, “Lumbee People” refers to both the actively enrolled population and those who are not enrolled, but who self-identify as Lumbee (both those who have never been enrolled and those that may have had their enrollment lapse – a topic that I discuss in the Knowledge as Contact section.)

linguistic, and biological frameworks in an attempt to create a citizenry that is distinctly Lumbee. Further, I argue these frameworks are tied to the tribe's efforts for federal recognition and the real, and imagined obstacles, that exist in obtaining this recognition. This paper aims to examine how one tribe seeking federal acknowledgement constructs tribal citizenship before, and what its plans may be potentially after, achieving this acknowledgement. Elizabeth Povinelli's framework of the "cunning of recognition," and its usefulness in examining authenticity, and who defines it, will serve as my guiding framework as I examine Lumbee citizenship (2002: 54). For this paper, this framework will be primarily used to examine how the Lumbee Tribe and its citizens views citizenship as one way to establish an authentic and distinct presence within the United States, and show how emergence and its ambiguities (Feliciano-Santos 2021: 1 4-15) plays a role in how Lumbee citizens and applicants engage with the enrollment process. To place Povinelli's framework within a U.S. context, I will use it in conjunction with Dennison's framework of colonial entanglement and how settler colonial processes influences how tribal governments organize themselves (2012: 6-7).

It was August 2016 when I decided to become an official member of the Lumbee Tribe of North Carolina. I have always known that I am Lumbee, even though I was not officially enrolled until I was 18 years old, mainly due to it not being a pressing issue for my family since I was born into a prominent Lumbee family and attended predominantly Lumbee schools and churches. In fact, a sizable faction, roughly between twenty and thirty percent (based on conversations with enrollment officers) of Lumbees are actually not enrolled. After making the decision to enroll, I entered the Turtle (the unofficial name of the Lumbee Tribe's Housing Complex) and I signed in with the enrollment

department. I brought with me a packet that contained a family tree with my parents and grandparents' names, so that I could demonstrate descent from the tribal base rolls, and an enrollment application that had simple demographic information about myself.

It was my first time being in this space and I patiently waited for my time to take the infamous "test," an oral examination to determine whether or not I have maintained appropriate contact with the tribal homeland to become a citizen, even though I was born and raised within the tribal homeland, which consists of Robeson, Hoke, Scotland, and Cumberland counties. In preparation for this test, my mom told me what questions they were going to ask, one week before my enrollment; on my first try, I knew all of the questions except one and she gauged whether my answers would be appropriate. After a few minutes, they called my name and I entered an enrollment officer's office and handed them my packet and application. After a few minutes, they began asking me the questions. I knew what to expect, but I still felt a sense of fear at the back of my mind: what if I forget the answers to the questions? As the officer stated the questions, I tried to focus on what I already practiced with my mom, and at the end of the process, I was told that I passed and became an enrolled citizen of the Lumbee Tribe.

This process remained in place until the Spring 2018, when the tribal council decided to change how the contact criterion should be measured and, consequently, closed enrollment to new enrollees until this decision was made. The test, or the "contact interview," its official name, was meant to gauge an applicant's knowledge of Lumbee history and of the tribal homeland. This process was criticized by enrolled and non-enrolled Lumbees both living within and outside the tribal territory. One of the main reasons for this criticism was that if an applicant failed the contact interview, they were

required to wait one full year before they could apply again for citizenship with the tribe. This deferral was put in place so that applicants ostensibly had time to learn more about the Lumbee and our history. Some at-large Lumbees thought this wait was unnecessary and that there was not a way for them to learn the necessary material for the interview. For the tribal government, applicants should ideally maintain contact with their extended kin within the tribal territory, but this can be complicated by a variety of issues, such as adoption and family estrangement. To remedy these two issues, the tribal council decided to remove the contact interview as a part of enrollment. In 2020, new applicants instead took a required in-person history and culture class, that in 2022 is offered once a week, on Monday, from 6:00 pm to 7:30 pm. At the end of the class, attendees are given a certificate that becomes part of the required application materials that must be included with other required documents.

Alongside this change, a new section was added to the main application, titled “Self-Identifying Race/Culture.” The purpose behind this section was to serve as a new way to gauge one’s contact with the tribal territory, with the rationale being that someone who has maintained contact will identify as either being American Indian only or American Indian plus other ethnic identities, such as Asian, Hispanic, and/or African-American. If an applicant selects any ethnic identity that is not American Indian or “American Indian and” another ethnic identity, they are rejected and must wait one year before applying again, which is explained by an enrollment officer, keeping the deferral from the previous enrollment process. These changes have had profound impacts, particular for reconnecting Lumbees, with some mixed opinions from currently enrolled citizens.

In the following sections, I will examine the three perspectives of culture, language, and biological constructions and show how they are interconnected views that are influenced by both Lumbee practices and previous, and current, federal policy towards federal recognition as an American Indian tribe. The cultural section will examine how Lumbees understand contact by gauging how much an individual knows about the tribe. The linguistic section analyzes how Lumbees' from within the ancestral homeland use discourse practices within Lumbee English to interactionally test and place one's interlocutor as belonging within the tribal homeland or not. The last section will examine how Lumbees, both historically and contemporarily, understand their identity through biological constructions, such as blood quantum. For this research, I conducted fieldwork with the tribal enrollment office for two months during the summer of 2021 and conducted 10 semi-structured with Lumbee individuals, both enrolled and non-enrolled. Further, any names that I list in this paper are pseudonyms for people that I both meant during my fieldwork and for individuals that I interviewed. During my internship, I worked at the front desk for the Office of Enrollment and Records, being the first-person individuals would talk to regarding enrollment. During my time, I interacted with roughly 1,000 individuals, both new and current citizens, but during these interactions, I did not ask ethnographic questions, mainly due to the busy nature of my position. For the interactions that I had during my internship, I took detailed fieldnotes of my conversations with tribal staff and enrollment applicants and updates, usually during calm periods between helping individuals and families visiting the office. The interviews occurred during July and continued until November 2021, mainly due to the shifting circumstances with the COVID-19 Pandemic, that required me to interview individuals

through Zoom to mitigate potential exposure to the disease. These sections of these interviews were transcribed and coded by themes. The major themes that occurred throughout my interviews were: knowledge, language, race, and recognition.

CHAPTER 1

TRIBAL ENROLLMENT

Prior to European colonization, American Indian nations had an incredible diversity of ways they included and incorporated people into their communities. Many of these would be systems changed after being legally forced to comply with settler-colonial laws, especially during allotment. Before the beginning of the twentieth-century, the federal government began seeking to break up tribal lands by allotting specific tracts of land to individual American Indians. Not all tribes were affected equally by this federal policy of allotment, however, this policy did lead to the creation of allotment rolls that were aimed at recording who was a member of a particular tribal nation ²and their respective blood quantum measurement (Royster 1995). Eventually, some of these allotment records were used by some tribal nations, such as the Choctaw and Muscogee Nations, to determine one's eligibility to become a citizen based on lineal descent, which did not account for other forms of inclusion such as adoption and marriage. Today, applicants for tribal citizenship have to meet criteria that are established by individual tribal nations and can vary widely. For example, for the Chickasaw Nation, applicants must demonstrate that they descend from an individual listed on the final rolls of the Dawes Roll of 1907. For the Eastern Band of Cherokee Indians, applicants must demonstrate that they descend

² In this paper, I will be using the term tribal nations to refer to tribes that are federally recognized. This is due to much of the literature that I am citing refers to federal policies that federally recognized tribes must follow. This does not mean that a tribe that is not federally recognized is not a legitimate tribal nation, like with the Lumbee Tribe of North Carolina.

from an individual on the 1924 Baker Rolls and have a blood quantum of at least one-sixteenth Eastern Cherokee descent. These tribes have the sovereign right to determine their own citizenship criteria, but they also must comply with some federal regulations, such as those forbidding dual tribal citizenship.

For the Lumbee Tribe of North Carolina, there are two main criteria for citizenship: descending from an individual from the tribal base rolls and demonstrating appropriate contact with the tribal homeland. The tribe's base rolls are extensive, with a total of 13 base rolls. These base rolls consist of Federal Censuses that listed individuals identified, both self-identified and by roll makers, as being Indian from 1900 and 1910 in Robeson and surrounding counties. Other rolls include Croatoan School records, Robeson County tax record from 1890 to 1910, and an Elders Review Committee from 1985-1987. Individuals on these rolls must have self-identified as being Indian, or listed as Indian by a census taker. The second criterion of appropriate contact is currently defined as an individual identifying as a Lumbee and having a physical presence within the tribal territory once every seven years. Previously, it required applicants to demonstrate adequate knowledge of Lumbee schools, churches, communities, and leaders.

Prior to legislative state recognition via an 1885 act which granted separate schools for Lumbee children, Lumbee belonging and citizenship was determined by one's claim to particular Lumbee communities and families. If a non-Lumbee individual married a Lumbee person, that person would be incorporated into the Lumbee kinship system would be considered part of the Lumbee community (Lowery 2018). After the creation of the Croatoan Indian Normal School in 1887 – which was named for the ancestors of the Lumbee Tribe, who Democratic lawmakers thought to be the

descendants of the Lost Colony – Lumbee leaders and state politicians created criteria to determine who was eligible to attend this state funded Indian school in Robeson County. One criterion that was created by Lumbee and state leaders was excluding children from attending the Indian Normal School who had a parent that was Black (Lowery 2018). This type of segregation and exclusion was part of the political strategy of politicians in North Carolina that worked to maintain white supremacy in the South. The ancestors of the Lumbee had to navigate this difficult situation by both resisting and conforming to some of these racial notions to maintain their distinct identity within the biracial South (McCulloch and Wilkins 1995; Lowery 2009, 2018).

CHAPTER 2

BY WHO'S BLOOD

It was a busy day for the enrollment office. The night prior, several families from outside of North Carolina came to the culture class as part of their enrollment process. When the office opened up for new and updating citizens, several of these enrolling families came in at once. Given that the enrollment department is only operated by three individuals, besides myself, as an intern, this was an overwhelming start to our day. Even though the start of our day was stressful, for some of these families, this was a moment they have been waiting for: confirmation of their Lumbee ancestry and being claimed by the tribe. One particular family from the mid-west, who had some members become citizens a few weeks prior, brought more of their family to become enrolled citizens. They all flew into North Carolina from the Midwest, with some having to take off from work to travel with family. The night before, prior to the start of the culture class, they asked me several questions as I sat by the entrance to make sure that their enrollment applications were correct. As I was working at the front desk for tribal enrollment, I saw members of this family walk in with their completed forms, ready to start the process. However, even though members of this family were duly enrolled, not everyone within the tribe saw them as such.

As members of this family waited in the council chambers after signing in, a tribal employee walked by. They looked inside the chambers, as some employees tended to do, and their face revealed some of their emotions, even though it was mostly hidden by their

mask; emotions of shock and disappointment. This employee walked to a nearby desk and told the employee sitting/stationed next to me that “we will never get recognized with those people in our tribe.” “Those people” referred to this particular family from the Midwest, who happened to be Afro-Indigenous, both Black and Lumbee. Even though members of this family were citizens of the tribe due to meeting our criteria, that did not matter to this one individual who believed that their very presence hindered the recognition efforts of the tribe.

Seltzer and Race

Anti-black sentiment is not unique to the Lumbee (Sturm 2014; Adams 2016), however, it does have a particular history with my tribe, especially in regards to legal recognition as an Indian tribe by the federal government. At the turn of the twentieth century, the United States was interested in recording the blood quantum measurement of American Indians for allotment purposes, distribution of resources, and census records (Tallbear 2017; Thornton 2017). In 1930s, the Office of Indian Affairs sent anthropologist Carl Seltzer to conduct physical examinations of the Indians of Robeson County to determine their eligibility to organize under the Indian Reorganization Act (IRA). Seltzer examined over 200 individuals and determined only 22 met the blood quantum requirement to receive government services as Indians (Lowery 2010: 197; 2018). Those who failed to meet the IRA’s minimum blood quantum requirement, were recorded by Seltzer to be either borderline or less than one-half Indian. With all applicants, Seltzer designated phenotypic features as either being Indian, White, or Black (Lowery 2010: 192). Even though Seltzer’s methodology was problematic because, for example, it gave different results for full-siblings, it was part of a longer legacy of

differentiating Lumbees from other racial groups in the South (Lowery 2010: 197). As Lumbee historian Malinda Maynor Lowery states, “[b]lood has significance as a symbol of identity for Lumbees,” and having Black blood, or “bad blood,” can affect how a Lumbee is viewed by both other Lumbees and outsiders (Lowery 2009: 501-502). Currently, American Indians and Alaskan Natives are not classified as a racial category, but as a political one, as established by *Morton v. Mancari*, but it is still one that the Lumbee still grapple with today, particularly due to earlier efforts by the tribe to receive recognition under racialized notions of indigeneity.

Prior to the interventions of politicians and academics hired by the government, Lumbee ancestors typically conceptualized ones belonging through biological descent and kinship ties. Simply, who claims you and who do you claim. The Indians of Robeson County did not think of themselves as being a certain measure of blood, but during Seltzer’s field work, which he completed and reported on in 1937, some applicants used the racialized language of blood quantum to describe their claim to being American Indian (Lowery 2010: 195; Lowry 2010). Those who were recognized as being Indian under the IRA within Robeson County, primarily those who belonged to the Tuscarora faction within Robeson County, used this particular form of recognition as a means to gain political traction as another faction that the federal government had to contend with when dealing with the Indians of Robeson County (Lowery 2010; 2018).

With racialization via blood quantum being one tactic that the Indians of Robeson County used to receive some form of recognition, it influenced, and some ways, continue to influence, how the Lumbee try to distinguish themselves within the South post Indian Removal Act. This particular form of anti-blackness stems from the perceived presence

of African ancestry and how it has been used to deny tribal nations their recognition, particularly in the South. Due to Virginia threatening to de-recognize American Indian tribes that were thought to be mixed with African descendants in 1924 with the passage of the Racial Integrity Act, the Pamunkey of Virginia were coerced into passing their own laws forbidding the enrollment of Pamunkeys with African ancestry. This has led to some descendants seeking justice in 2014 from not being able to being enrolled (Bell 2005: 456; Adams 2016; Lazarus 2020). For the Lumbee, supporting notions of white supremacy and segregation was useful in creating our own schools within our homeland, even though it excluded members who had African ancestry. Even though the Lumbee today do not legally face this particular pressure to be distinct racially, it still perpetuates in how Lumbees understand their own identity as being American Indians and relations with both African-American within the county.

Racism and Identity and Blood Quantum

For most Lumbees, particularly those who grew up within the tribal homeland, they are raised to believe that they must marry another Lumbee to “keep the blood strong,” a sentiment that I heard from several community members growing up. One elder who I interviewed had said that growing up “it was okay to court them [non-Lumbees] but I told ‘em ‘hey, I can court ya, but I can’t marry ya,’” highlighting that in the end, she was expected to marry another Lumbee, and to have children with another Lumbee. During my time as an enrollment intern, I noticed how families were received differently by some Lumbees when they came in to either update or enroll. Families that were racialized as being Indian or white were viewed more favorably than those that were racialized as being Black. Even though Lumbees are taught and expected to marry

another Lumbee person, the potential ancestry of another Lumbee or the racialized identity of a non-Lumbee can influence how family and tribal members view others and even themselves.

Due to the legacy of race being used to both distinguish my community within the South and undermine our in earlier attempts for federal recognition, this has led to some Lumbees having an identity crisis of whether or not they are truly Indian. Amy, a tribal employee I worked with during my internship, said the following during an interview with me:

“When I went to a conference a met someone from the Northwest, he told me that ‘your people had to deal with Europeans centuries longer than we did, so no wonder you all look different from us.’ And after he said, it was like everything was clear to me now.”

This particular quote highlights how this one individual was able to finally rationalize their own appearance by connecting it to the long history of settler contact on the East Coast. Even though this one individual had this one experience, some Lumbee still use notions of race to identify one another (Lowry 2010). This employee is phenotypically white, but has thick, black, curly hair. During our many conversations during my fieldwork, she recalled being labeled as being Jewish, Black and White, White, or Hispanic.

In connection to the contact criteria, some Lumbees believe that one’s cultural connection is influenced by one’s blood quantum, the measurement of one’s ancestry. “Every tribe has the sovereign right to determine who’s a citizen, but can you have a strong claim [to being Indian] if your only connection is an ancestor that you never met,” said Thomas, an urban Lumbee, who I interviewed during my field work. Blood quantum is one criterion that some tribes in the United States use to determine citizenship and with

citizenship comes certain privileges, such as voting and access to Indian Health Services (IHS). For the Eastern Band of Cherokee Indians (EBCI), an applicant must trace their ancestry to the Baker Rolls of 1924 and must meet the minimum blood quantum requirement of one-sixteenth EBCI to become an enrolled citizen. For the Lumbee, there has never been a minimum blood quantum requirement, a measurement of ethnic ancestry, as a criterion for citizenship, however, some citizens have notions of belonging that indicate that racialized constructions of American Indianness are. As I was leaving my internship, I ran into a woman who was hoping to receive financial help from the tribe. Due to the COVID-19 pandemic, the Lumbee Tribe was able to receive some federal grants, namely the Emergency Rental Assistance Program through the U.S. Treasury Department, to address the need of tribal citizens affected by the pandemic. Before anyone can apply for some of these programs, they must be an actively enrolled citizen. This particular situation is not unique to the Lumbee, with several tribes across the United States seeing an uptick in enrollment applications due to potential access to resources designated to tribes. She stopped me and asked me what she needed to get enrolled. I told her and she asked was it possible to enroll her two children as well. After I explained the process to her, she responded “I heard that since my children are mixed, that they couldn’t get a card,” and she would later state that her children’s father is Black.

This statement is one that can be heard and believed by some Lumbee. During my undergraduate career, one Lumbee student’s parent told them that “you know that if you don’t have children with another Lumbee your children won’t be able to get enrolled,” due to failing to meet a blood quantum standard that does not exist for enrollment. I once thought my tribe had a blood quantum requirement and it was not until later in life did I

learn that this is simply not true. These notions of belonging and contact being biologically based, with an emphasis on having a sufficient amount of American Indian blood continues to influence the ideologies that Lumbees believe is the best path forward for federal acknowledgement. The current federal acknowledgement process, that is overseen by the Office of Federal Acknowledgement (OFA), does not have a racial or a minimum blood quantum requirement for tribes to meet to receive federal acknowledgement through the administrative process. However, due to early interpretations being based on race and blood purity, and with Lumbee ancestors being denied the ability to organize under the IRA, these beliefs still exist within the Lumbee community.

Seeking entanglement

The Lumbee have a unique history when it comes to our relationship with the federal government. The first time my ancestors came into the attention of the federal government was in 1888 when Indian leaders petitioned the federal government for the funds to help create an Indian school for Croatoan Indians (the then name of the current Lumbee Tribe of North Carolina). After Seltzer recognized 22 as being eligible to enroll under the IRA and the passage of the Lumbee Act of 1956 to officially give an accepted name for the people, the Lumbee were finally on tract to becoming a recognized tribal nation. With the creation of the seven mandatory criteria for tribal recognition being created in the 1970s (Wilkins and Wilkins 2017), my tribe decided to apply under this process in the 1980s. However, due to the Lumbee Act of 1956, the BIA determined that the tribe was effectively terminated by Congress and that it could not avail ourselves to this procedural process. Since then, my tribe has attempted to persuade Congress to

amend the Lumbee Act to rectify this issue. However, due to pressure from recognized tribal nations and their congressional allies, this has still not come to pass. Most of the arguments against Lumbee recognition state that the Lumbee are a fake tribe, do not descend from any historical tribe within North Carolina, and that recognizing the Lumbee via Congress would endanger the government-to-government relationship that recognized tribes currently have.

One attempt that some Lumbees believe will help us in our efforts for recognition is to prohibit the enrollment of individuals who have Black ancestry. This ideology continues to manifest in different forms, whether it is in citizens believing that specifically if one has any African ancestry they are ineligible for enrollment, or more broadly that one's ancestry determines one's ability to become a citizen. This notion of having a certain type of citizenry for recognition purposes can be seen in other tribes as well. Jean Dennison in her work highlights how efforts to change the Osage Nation's enrollment criteria revealed that some citizens wanted blood quantum to ensure they have a distinct citizenry (Dennison 2012: 42-43). It is important to note for the Osage, this topic was not exclusive to Black ancestry, but the amount mixed ancestry broadly. Dennison and other scholars use the concept entanglement to discuss this process, particularly with how tribal nations are entangled with colonial processes and ideologies.

For the Lumbee, due to our lack of federal recognition, we have in some ways more sovereignty in determining our enrollment criteria. Federally recognized tribes must follow some regulations in amending their citizenship criteria to maintain their federal status. For example, tribes cannot allow for dual citizenship in federally acknowledged tribes and any amendments to tribal constitutions regarding citizenship must be approved

by the Secretary of the Interior. However, due to our current status, we can freely change our enrollment criteria to reflect the wishes and desires of the nation. In amending the criteria during the closure of 2018-2020, blood quantum was brought up as an option, but it was not approved upon by the tribal council. From conversations with tribal employees who were knowledgeable about the debates, it seems the council did not take up this option due to how it would negatively impact the tribe. Primarily that whatever minimum blood quantum requirement would be established, it could possibly disenroll many potential citizens, impacting their ability to receive services. Even though official policies do not reflect some of the biological ideologies possessed by some Lumbee people, there still exist some ideologies of settler-colonial entanglement that seek to allow those who appear to be racialized as “fully” Lumbee to be citizens, while those who are not viewed as being racially Lumbee to be pushed to the margins.

CHAPTER 3

KNOWLEDGE AS CONTACT

Today was a surprise for me: the office was actually calm. It was a steady stream of both updates and new enrollments and the staff and I were processing documents as quickly as we could. One family came in to enroll in the tribe for the first time. This family has lived outside of the tribal territory for a few generations, with us having to connect several generations of this family back to a few individuals documented on the base rolls. As I signed the family in and took their photos for their enrollment cards, the mother of the family told me that “we have been trying for twenty years to get enrolled,” and began mentioning how they were never raised in the tribal territory and that the family left a long time ago and trying to reconnect due to their distance was not easy.

The mother and her children went back to the waiting room and I continued filing in individuals’ information in our system, until one of the enrollment officers came by to collect some applications. I had been intrigued by how long it had taken the mother and child to enroll and so I asked one of the tribal enrollment officers about this particular case. They asked to see the application and looked it over. They noticed the name and guessed that “they are getting enrolled now because they couldn’t answer the questions during the interview,” referencing the fact that his particular family is in the process of reconnecting with the tribe and the homeland and did not attempt the contact interview again after failing initially. For applicants that are rejected, due to not meeting the criterion for appropriate contact, their records are maintained on a tribal database that is

accessible only to enrollment officials. Whenever they come back for enrollment, their information is available to enrollment staff. When the tribal ordinance changed regarding enrollment – the removal of the contact interview – families that there previously denied due to not proving appropriate contact were able to become enrolled due to the process changing from proving one’s knowledge to learning about Lumbee history. This statement by the enrollment officer reflects one particular opinion of a tribal citizen, in reference to the statement above, but it begs the question of how does one measure contact, and how does one’s understanding of it inform how it is perceived by tribal citizens.

Measuring “Contact”

Tribal nations under U.S. law are treated as domestic dependent nations within the U.S., established by the Marshall trilogy of Supreme Court cases in the early nineteenth century. Tribal sovereignty, as described by Cattelino (2010), is not based solely on the autonomy of tribal nations, but due to the interdependency of federal, state, and local laws and policies that can potentially limit what tribes can do (234-235). For federally recognized tribes, tribal enrollment criteria must be approved by the federal government before they can be amended and implemented. These criteria vary depending on the tribal nation. For example, for the Cherokee Nation, one criterion is that you must provide documentation that they are a lineal descendant of an individual listed on the final rolls of the Dawes Rolls. For the Tuscarora Nation of New York, applicants must be a lineal descendant of an enrolled mother. For all federally recognized tribal nations within the United States, unless exempted by federal policy, biological descent plays a role in determining who is a citizen. However, some tribal nations require additional information

beyond of biological descent, such as maintaining a noticeable presence within the tribal territory, such as the Pamunkey and the Chippewa-Cree discussed below. The Lumbee Tribe of North Carolina is not bound by federal requirements due to being non-recognized, but its enrollment criteria are similar to the majority of recognized tribes in the United States, which will be discussed in the biological section of this paper.

For the Lumbee Tribe of North Carolina, in addition to biological descent from an individual from the tribal base rolls, applicants must prove that they have maintained appropriate contact with the tribal homeland. In the past, this was measured by an enrollment officer who conducted the “contact interview” with an applicant. This interview included questions such as: What are some traditional Lumbee communities? Churches? Schools? Leaders? If an applicant was able to answer these questions, along with proving biological descent, then they could become a citizen. This is just one example of how tribal nations using a contact criterion for enrollment. The Pamunkey Indian Tribe of Virginia requires citizens to maintain contact with the tribe to maintain their citizenship by maintaining a physical and social presence within their territory, which is judged by tribal leaders (Pamunkey Indian Tribe – Enrollment Office). The Chippewa Cree of Rocky Boys Reservation requires citizens to visit the reservation every ten years or citizens risk losing their citizenship with the Tribe (Wilkins and Wilkins 2017). For the Lumbee Tribe, contact takes on two meanings: 1) applicants must demonstrate they have maintained contact with the tribal homeland through knowledge acquisition and 2) citizens must continue to update their membership in person every seven years to be consider an “active” citizen.

For the Lumbee specifically, the contact criterion requires citizens, especially those who live outside the homeland, to return once every seven years in hopes that they will maintain their kinship ties to the community. In practice, however, this simply requires citizens to come to the tribal enrollment office, in person, to complete an update form. Lumbees, both in the past and the present, can be found all over the United States and have even formed distinct communities and participated in urban Indian organizations/institutes (Peck 1972; Oakley 2005; Minner 2020). In trying to keep Lumbees “together” in a sense, the tribe has required citizens to have some presence in the tribal territory. This criterion reflects Lumbee practices of kinship and community connections in trying to determine one’s people (Blu 1980; 1996; Lowery 2010).

Interview vs. Class

The Lumbee Regional Development Agency (LRDA), the previous institution that was responsible for governing and representing the Lumbee people from the 1970s to until the creation of the modern tribal government in the early 2000s (Lowery 2018), measured contact through asking applicants questions regarding the tribal homeland that came to be known as contact interview. This form of contact measurement was carried over to the current government and became known as the infamous “Test” by some Lumbee people. The questions were not published by the tribal government for applicants to know beforehand. One tribal official told me that membership “is not a right, but a privilege,” highlighting the idea that Lumbee citizens should be those who possess cursory knowledge of the Lumbee people. The common way that individuals learned what questions were asked were by asking family members who went through the process. This process proved to be controversial by some Lumbee people, mainly in

having to demonstrate a level of knowledge of the tribe and the deferral period for failing, and so the Lumbee Tribe closed enrollment for new citizens from 2018-2020 to determine what new method they would take to measure contact. For those who live within the tribal territory, some did not like the interview due to not knowing what the questions were beforehand and that if they failed, they had to wait one year before applying again. For some who lived outside their territory, they criticized how the questions were answerable only if one was raised within the homeland. These discussions eventually lead to the creation of a required “Lumbee History and Culture Class” that new applicants had to take prior to becoming a new citizen.

This class is currently offered once a week, on Mondays, from 6:00-7:30 pm and it is only offered in person. Attendees are only required to listen to the presentation given by enrollment staff – no examination, either orally or written, is administered to attendees to gauge their understanding of the material. Cynthia James, a Lumbee elder who has worked with American Indian students in the Robeson County public schools for several years said to me during our interview that “to me, contact is physical. If you are here, I can physically touch you.” For this one elder, the contact criterion should be one where citizens should visit the homeland, but should also be an opportunity for new citizens to learn more about the Lumbee. “I don’t know what they teach in the class, but I like the idea of it. They can learn more about their people.”

(Dis)Connection to Kin

With contact being conceptualized by some Lumbee people being the acquired knowledge and some level of physical presence within the homeland, it offers the tribe, in some ways, to control who should become a citizen. Control not in the way that tribal

officials make executive decisions on a case by case basis for applicants, but in a way that aims to create a citizenry that should possess knowledge of Lumbee history and culture and that is proud of their tribal citizenship. One tribal member told me during my field work that “they [non-enrolled Lumbees] only get a card when they can get something,” in references to the increased number of applicants for enrollment due to more services being offered to citizens, such as energy assistance, emergency housing, drug rehabilitation, and rental assistance. This particular concern for some Lumbees can be connected to the fear that Lumbee people are becoming citizens for the potential benefits of citizenship rather than for the want to be recognized by the tribal government.

For the Lumbee specifically, some citizens want people to be enrolled not because of potential benefits, but of their pride of being an enrolled Lumbee. During my fieldwork, one new tribal citizen asked one of the enrollment officers “what can I get with this card now?” The officer replied with “well, you can say that you’re a card-carrying Lumbee,” trying to emphasize the importance of being an enrolled Lumbee, and not one trying to get enrolled for potential benefits. This is just one case, but for some, this is cause for concern. The reasoning behind the contact criterion, as stated by tribal officials, is that citizens should be those who are proud to be Lumbee and not wanting to be a citizen solely for potential benefits, especially in regards to federal recognition. Due to federal status, tribal nations, and their citizens, can benefit due to their government-to-government relationship to the federal government, such as potentially falling under the Indian Gaming and Regulatory Act, which is determined by the tribal government (Lewis 2017: 36). This can be traced back to earlier discussions regarding the allotment of American Indian land bases (Lambert 2017; Kiel 2019). Some Lumbee citizens believe

that if the tribe ever does receive federal recognition, the tribal rolls should be closed to new enrollments from individuals who were not enrolled prior to recognition. This stems from the belief that one should be Lumbee because of ethnic pride, not because of potential benefits.

Alongside wanting citizens who are proud to be Lumbee, the cultural knowledge aspect also intersects with biological constructions of identity. This takes place during the application for tribal membership when applicants must answer the section “Self-identify Race/Culture.” For this section, applicants can select any ethnic group that they self-identify with. However, if an applicant selects any ethnic category that is not American Indian, or not “American Indian and” plus another ethnic identity, they are denied citizenship and must wait one year before they can apply again and applicants are not told this in advance, and they are told this during their enrollment process. The reasoning behind this, as stated by enrollment officials, is that if someone does not identify as American Indian or American Indian and another category, or more, then they do not meet the contact criterion. When I asked enrollment officials why this particular method, they stated that the tribal council believe that if someone does not identify as being American Indian/Lumbee, then they do not know enough about the tribe to become a citizen. It is controversial in its own way, in that it becomes a gatekeeping device for new enrollees that may be reconnecting to the tribe. In changing the enrollment process in an attempt to be more accommodating to both homeland and at-large citizens, it has created a new problem for those attempting to reconnect to the tribe.

One applicant from western North Carolina brought her son with her to become citizens of the tribe. She stated that her only “Lumbee connection” was her grandmother

and that their non-Lumbee family dissuade them from claiming that identity. She told me this story after I called her and her adult son up to complete the self-identification section. She told me “we did not know what to put down for this section so we left it blank until we got here.” I told her that she and her son must fill this section with “whatever they self-identify as.” With that, they completed the section and selected white only. They were brought to the offices of one of the enrollment officers and told that they were not eligible to enroll until a year later.

One being connected, or disconnected, to Lumbee kin can occur through a variety of means such as family relationships, adoption status, and socioeconomic status. Some examples include: seeking economic and educational opportunities (Smith 2000), due to conditions within the tribal homeland (Peterson 1972; Adams 2012), due to adoption (Walters 2008), or federal relocation programs (Ramirez 2007). Some of these issues, particularly adoption of economic migration, are not unique to the Lumbee, but due to our lack of federal recognition status, the tribe lacks protection and power, specifically when it comes to adoption cases, that is afforded to federally recognized tribes through the Indian Child Welfare Act, with the number of Lumbee in the adoption system not currently known. The acquisition of knowledge, whether going through the culture class, reconnecting with distant kin, or failing the contact interview and knowing what is required, is important in that it helps develop “experience.” Kelly Fayard, in her dissertation analyzing her tribe, the Poarch Band of Creek Indians, and their efforts towards recognition discusses how racialized experiences and community connections, as one Poarch Creek states of “see[ing] how they talked and look at how dark they are,” helped identify one as being Poarch Creek and whether one was full-blood or mixed

blood (Fayard 2011: 87). For the Lumbee Tribe, knowledge being a measure of contact helps the tribe in determining whether an applicant has the “experience,” of being a Lumbee. This is determined by whether or not someone at least identifies as being Lumbee, has some knowledge of tribal history and the territory, and is able to situate themselves within the Lumbee kinship network.

Failure to meet, or maintain, this aspect of the criterion, as understood by the Lumbee Tribe and by some tribal citizens, leads to enrolled citizens being considered “inactive” after seven years or applicants to be denied for a period of time. This does not prohibit them from becoming active again or attempt to enroll, however. With the shadow of federal recognition looming over the Lumbee Tribe and what it means, it begs the questions: 1) how will appropriate contact by knowledge acquisition be measured by the tribal government once the tribe is federally recognized, even though it is allowed and 2) how can the tribe still be accessible to those who want to (re)connect to the tribe but do not know the exact process and expectations due to the lack of “experience” as described by Fayard (2011), with not knowing how to “talk” like other Poarch Creeks and the legacy of discrimination in the South (87-88)? Even though federal recognition has been sought by the Lumbee since 1888, once it is actually achieved, it has the possibility of radically changing how Lumbees currently conceptualize citizenship and belonging. It will open the possibility of new economic development opportunities, such as a gaming industry, but it also has the possibility to further divide the Lumbee, which it has done in the past (see Lowery 2010), and limit the options available to those who wish to reconnect to the tribe.

CHAPTER 4

“WHOOZ YA PEOPLE?”

At the beginning of my fieldwork, I wondered how long it would be before someone asked my name, heard my response, and looked at me with shock; not for something that I did, but because of my last name: Hite, which is not a recognized Lumbee surname. For the Lumbee Tribe, there are several last names, such as Locklear, Oxendine, Chavis, and Lowery, that readily identify someone/a person as being Lumbee. If an individual carries one of those last names and they are from North Carolina, they are almost certainly Lumbee, or a Lumbee descendent. This changed for me in the middle of July when someone finally asked me for my name while I was working, reminding me of the privilege that exists for individuals that carry a Lumbee surname and being easily identifiable as Lumbee as a result. A tribal citizen came into the office one morning/afternoon that month to check on her enrollment status before she applied for some tribal programs. I typed her information into the system to check on her status and to see if we needed any extra documentation before we could begin the update process. To pass the time, the woman asked me my name. When I stated my name, her face lit up with shock: “Hite!? That’s a name you don’t hear around here. Whoz some of ya people?” This has often occurred when meeting other Lumbee people, so I started listing my mother’s family and my home community. She relaxed, seemingly content with my

response, proving my connection to the Lumbee, even though I do not have a Lumbee surname.

For the Lumbee, one of the most important, if not the most important, question that another Lumbee could ask another is “whoz ya people?” With this question, respondents can mention many facets of their background that makes them Lumbee. Usually, Lumbees will recall/mention both their paternal and maternal grandparents, their home, or primary, community within the tribal territory, and the church their family attends. With this information, Lumbees are able to place one another within a large kinship network that exists within the tribe. The answers to these questions can also determine whether or not individuals can date, due to close biological relations, or if the individual comes from a respectable family, such as descending from notable Lumbee ancestors, such as Henry Berry Lowrie.

Lumbee English

One distinguishing aspect of being Lumbee, especially for those who grew up in the homeland, is using and hearing our own unique linguistic variety of English. Because the Lumbee are descendants of several linguistically and culturally different peoples from Iroquoian, Algonquin, and Eastern Siouan speaking peoples, English became a useful tool in communicating across groups that eventually migrated to Robeson County in the mid-eighteenth, though today our variety of English does not appear to contain phrases that may hint at some of our tribal origins (Wolfram 2014 et al.: 200; Lowery 2018). Today, our linguistic variety of English can be used to readily identify someone as being Lumbee. Lumbee English is one of the many types of American Indian English linguistic varieties that currently exist within the United States. Anthropologist, William Leap, in

his leading text, *American Indian English*, states that for some tribes like the Lumbee, “Indian English [...] assumes all ancestral language functions for its speakers” (Leap 1993: 184).

Outsiders have sometimes questioned the legitimacy of the Lumbee Tribe (Blu 1980; Wolfram et al 2014: 200). Anthony Webster, a linguistic anthropologist, who studies the Navajo and their own variety of English argues that writing poems in Navajo English helps communicate Navajo identity to both non-Navajos and to Navajo youth (Webster 2010: 76; 2009). What Webster shows is that even though a tribal community may not use their native language, such as in writing poems in this case, it does not mean that the tribal nation is any less authentic. For the Lumbee, we use our variety of English, both spoken and written, to communicate our identity to both ourselves and outsiders. The necessary use and adoption of English can be used by some as a means to communicate to both insiders and outsiders, and highlights the agency of American Indian communities in navigating settler colonial processes, though these communities should not necessarily have to adapt in this particular way to endure.

Mapping the Homeland

In the introduction of this section, I briefly discussed the question of “whoz ya people,” and some of the ways that Lumbees can respond to this question. The purpose behind asking this question is to be able to place someone within the Lumbee kinship network. By knowing one’s home community and family and kinship ties, one can validate one’s claim to being Lumbee. The way that I have written the question “whoz ya people” is a purposeful, in that it maintains the Lumbee ethnolect. Keeping this particular form maintains the importance of the oral aspect of language and how Lumbees utilize it,

especially when it comes to quoting and transcribing some of the statements made by my interlocutors and to combat misrecognition of what is being said by Lumbee people (Briggs 1984, Webster 2015: 11-12). This type of informal validation of one's Lumbeeness emerges out of a linguistic practice and is part of an enregistered discourse that helps insiders in validating one's claim to being Lumbee. By engaging in this discourse, individuals have an opportunity to linguistically demonstrate their identity. In responding to this question, an individual is expected to mention either some or all of the following information: names of family members, surnames, churches, schools, and communities. The responses can take a variety of forms that can be recognizable to Lumbees and not to non-Lumbees. For example, in the ethnographic vignette that I shared, I was able to demonstrate to the individual that I am Lumbee even though I do not have a Lumbee surname. I was able to name some family members, state my home community, and family church within the homeland, indexing particular people and places by using Lumbee English.

These indexes are mostly unmarked boundaries that exist on no map. When a Lumbee person talks about being from Mt. Airy, Saddletree, or Prospect, these communities are actual communities that do not exist on a map, they are, as Maliseet linguistic anthropologist Bernard Perley defines, as being translocal, or invoking "multiple cartographic conceptualizations and the various boundaries they represent" (Perley 2020: 978). By answering the question of "whoz ya people," Lumbees are able to, linguistically, map out the tribal territory and place themselves within the territory.

Under the old tribal enrollment process, applicants had to answer questions that aimed to gauge one's knowledge of the tribal homeland. However, the questions were not

framed in a way similar to the question of “whoz ya people.” The questions were explicit in wanting applicants to list specific places and individuals. Some Lumbees who were raised in the tribal territory could not answer the questions correctly until the questions were reframed into “whoz ya people.” As one tribal officer told me during my fieldwork was that “they couldn’t answer the questions; you had to nudge it out of ‘em by asking about who their people are.” As Wolfram et al (2014) states, “tribal membership is not only tied with space, but a distinct tribal dialect that is spoken within the community space,” and they use interviews with some Lumbee people and compared them to how Eastern Band Cherokees use their language (202). During my fieldwork, families that have lived outside of the homeland for an extended period of time, usually had a family elder with them to help with the enrollment process. Primarily, they would use the phrase of “whoz ya people” as a way to describe their connection to the homeland and how they are Lumbee.

Sounding like Home

My fieldwork for my project took place during an important time for the Lumbee Tribe of North Carolina: Lumbee Homecoming. Homecoming is an annual holiday that happens the weekend before July 4th, a time for Lumbees who live away from the tribal territory to come home to celebrate with family and tribal members. It is a week-long event where vendors set up tents in the town of Pembroke, the base of the Lumbee Tribe, selling Lumbee foods such as collards sandwiches and collard wraps, and some clothing and jewelry. The event culminates in a parade on the Saturday before the 4th where families watch from the side of the road as different floats pass by. Before the parade, several families came in from out of state to both update their enrollment and enroll their

children. Because of this, enrollment was busy that week with several large families from 8:00 am to 4:00 pm. I was alone at the desk in the morning and I was inundated with documents, signing people in our book, and scanning necessary materials. Luckily, the other enrollment officers came shortly after and helped in processing these arrivals.

Thomas Oxendine, is a person that I remember very vividly from that day. He is a Lumbee elder and he left Robeson County in the 1950s to find better economic opportunities. He brought his children and grandchildren to the tribal building for update their enrollment and enrolling his young grandchildren. Once his family walked into the waiting room, he remained at the enrollment desk with the enrollment director and myself. He chatted with his for a few minutes and told us that he “wanted them to know who their people are.” He listed some of his family members, some of the businesses they used to own in the county, and some of the struggles he faced being a Lumbee who lived outside of the tribal territory.

Mr. Oxendine used the question “whoz ya people” as the means to communicate his connection to the tribal territory. Even though his family and his self are at-large members, he uses Lumbee discourse practices as a means to lessen the difference between their selves and those who live in the homeland. Chickasaw linguistic anthropologists, Jenny Davis, notes that language can serve as a means to “de-diasporaize” some at-large communities and allow them to be part of the “home” community, regardless of physical separation (Davis 2018: 129). Even though the Lumbee are not a diasporic community, this framework is useful in examining how at-large members use language as a means to maintain ties to the core tribal community.

Knowing how to respond to the question “whoz ya people” is something that is taught to young Lumbees. During my interviews, Lumbees usually stated that they learned who their people are as they growing up. It was not at a particular age, but an ongoing process throughout their life. Even though Lumbee English is used and understood by most Lumbees born and raised in the tribal territory, those who might not be connected to their Lumbee family and/or community may not know how to respond to that question. One individual that I interviewed, Jason Revels, is an enrolled member of the tribe, however, he cannot update his enrollment due to the lack of documentation that definitively proves his biological descent from the current tribal base rolls, due to new policies requiring county issued birth certificates versus state issued birth certificates. These vary only in that county issued birth certificates only list biological parents while state issued birth certificates can list either biological or adoptive parents. At the opening of the interview, as I did with all of my interviews, I asked him “whoz ya people,” and he did not know to respond to the question and simply stated he was Lumbee.

With the contact criterion originally being measured by one being able to correctly interpret Lumbee enregistered discourse and provide the right answers to prove their appropriate contact with the tribal territory during an interview, one’s lack of communicative competence in Lumbee English could hinder them in seeking tribal citizenship. With the shift from the contact interview to a required culture class, Lumbee English now serves as a possible vehicle to help individuals, both those within the tribal territory and outside, connect to the larger tribal population. During the class, I noticed that the presentation created by the tribal enrollment director included words and phrases in Lumbee English, such as “across the river” to refer to communities in Cumberland

County. In this space, I sometimes noticed that individuals who lived outside the territory write down information that they learned, such as name of churches, communities, schools, and/or leaders versus those who lived within the tribal territory. The actual presentation itself, which composed of PowerPoint slides, was not the main source of Lumbee English: it was the presenter. Currently, the director of the Office of Enrollment and Records gives the presentation, and during the classes that I attended, I noticed that she would use phrases such as “whoz ya people?” and names of particular communities to help situate applicants within the tribal territory. This space also allows applicants to ask questions about terminology and what exactly Lumbee English is. During my time interning with the enrollment office, some at-large members, who were taking the class, would ask questions about our unique variety of English and where they could learn more.

CHAPTER 5

CONCLUSION

By looking at the three ways that Lumbees understand appropriate contact with the tribal territory, I have shown that there is not one unified view of tribal contact. While the Lumbee government defines contact as being physically present in the tribal homeland, for some Lumbees, knowledge of Lumbee history and culture is key, while for some, ancestry is another indicator. While each of these perspectives aim to create a distinct Lumbee citizenry and space within North Carolina, one cannot ignore the colonial factors that influence how Lumbees and the Lumbee Tribe understands appropriate contact with the tribe.

Due to the complicated history that the Lumbee Tribe has had with the U.S. federal government and the shifting criteria for federal acknowledgement since the Indian Reorganization Act of 1934 (IRA), which required tribes to meet one of three criteria to organize under this act: being a member of a recognized tribe, living on a recognized tribal land base, or members possessing one-half or more Indian blood. Due to Lumbee ancestors not having a formal relationship with the federal government, they had to meet the third criterion to become recognized by the U.S. Even though the Lumbee do not need to meet this requirement for recognition currently, this racial ideology still persists in how some Lumbees understand their identity (Lowery 2018). This need to conform to particular standards that have been developed and changed by the U.S. government has influenced how Lumbees think about tribal governance and citizenship, but has not

predetermined what Lumbee tribal is (Wilkins 1993, Lowery 2009: 516). But the debate surrounding the uncommon criterion of appropriate contact for Lumbee tribal enrollment has revealed the multiple interests that are in play within a tribal nation in self-determining its own future.

This research is an initial survey of how Lumbee people understand appropriate contact as a means of tribal citizenship. There are some limitations to my argument, primarily this research occurred during the COVID-19 Pandemic, influencing who I was able to speak to due and who was able to safely travel to the tribal enrollment office. Relatedly, my interviews took place over two short months and I was only able to interview a small sample of Lumbee individuals, of 10 individuals. I found that during my internship and interviews that Lumbee people have a complex way of viewing Lumbee citizenship. Is it both something that is recognized, by being an enrolled citizen, and something that is known, through kinship ties and knowing one's people, by other Lumbee people. Even though the enrollment process is not perfect, I found that Lumbee people want a process that encourages individuals to learn more about their history and heritage. Even though being officially recognized by the tribal government is seen as important, mainly to protect the sovereignty of the tribe and defining who the Lumbee are, there were some moments where even though someone was denied citizenship due to not maintaining contact, they were still accepted by other Lumbee citizens and welcomed home by inviting them to some events during Lumbee Homecoming. The "cunning of recognition" (Povinelli 2002) has influenced how Lumbee people understand and conceptualize their citizenship with the tribe, but also shows how the tribal government

have resisted some colonial frameworks, such as blood quantum, as a means to determine one's connection to the tribal homeland.

This paper, however, propose new areas of interest when it comes to Lumbees and how tribal enrollment policies can be sites of ethnographic analysis, particularly for communities that are seeking federal acknowledgement from the U.S. government. How might we critically examine tribal enrollment criteria as it pertains to tribes seeking federal recognition? What impact does application for federal acknowledgment possibly have on the creation of enrollment criteria? How might the possibility of monetary payments impact the enrollment criteria for the Lumbee? This are just a few possible questions that this research raises and I plan on expanding this research by continuing participant observation within the tribal territory and within at-large Lumbee communities.

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