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DIRECT DESCENDANT

DOCUMENTING DISENROLLMENT IN THE PENOBSCOT NATION

by

Mary L. Hamilton

The Honors College

University of Maine

May 2016

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Abstract

A documentary in its beginning stages, *Direct Descendant* (Spring 2016) is the product of the research carried out and captured on film by a direct descendent of an active member of the Penobscot Nation, as she addresses issues she has personally faced in regards to her disenrollment from the Penobscot Tribe. Driven by the personal narrative of a disenrolled daughter of a Native American, the film follows its protagonist on the emotional journey she embarked on to foster the understanding of repercussions that follow a Native American tribe that disenrolls members at a blood quantum of 1/4. As a rough cut of a hopeful feature film, *Direct Descendant* (Spring 2016) features the development of the narrator's documentation of discussions that were sought out to voice how her experiences with disenrollment have contributed to the disconnect she experiences from a culture she has been strongly influenced by throughout her life.

Artist Statement

For the years leading up to the 2015 Fall & 2016 Spring semesters of my undergraduate career at the University of Maine, I have generated many questions centered around my disenrollment from the Penobscot Indian Nation. As a student who simultaneously qualifies for the Native American Waiver for the tuition of my classes, due to the documents I can show that prove I am the biological descendant of a Parent or Grandparent that is enrolled in a Native American Tribe, while also being the first generation in my family that has not qualified for enrollment within the Penobscot Tribe, I have faced numerous conversations that have led to me explaining how Native I am. In these circumstances I have been able to articulate to someone who is unfamiliar with the types of regulations I have become accustomed to, how I can qualify enough for one standard that is state mandated while not qualifying for a standard that is mandated by the Penobscot tribe. However, in these circumstances I have faced throughout my life I have never left a conversation successfully articulating how having government mandated regulations that define what I do and do not qualify for, has impacted how I operate within my culture. In Fall of 2015 I became involved with a course that was structured around the Camden International Film Festival, an annual event located out of Camden and Rockland, Maine. In this course I voiced my interest in producing a documentary short that would involve interviews from discussions between myself and other members of the Penobscot community like myself who are the first generation in their family's to not meet the cutoff for enrollment in the Penobscot Nation, therefore being the first within their family lineage considered Non-Native. Through the canon of documentary film I envisioned myself being able to finally articulate what I have failed

to frame to others in conversations about disenrollment. My Honors Thesis is a film that documents the research I have conducted around a tribal census that mandates a high blood quantum.

Introduction to the Film

I have been a resident of Old Town Maine for my entire life. My mother moved to Old Town when she was hired for a full-time position at the Indian Island School as a fourth grade teacher, a job that she has held for over thirty years. My Father has lived in Miami Florida and Eastbridgewater, Massachusetts, but is from Old Town, Maine and returned back to Old Town, where he lives and works, also at the Indian Island School. Throughout my childhood I was influenced by my mother's interest in genealogy. In her spare time my mother traced back the lineage of various families through documents ranging from obituaries, tribal censuses as well as copies of her family's immigration forms. My mother has traced back her family's journey from Ireland to Prince Edward Island to the United States where her father, born in Lewiston Maine, was the first generation of his family born in the United States. Whatever my mother discovered was shared with me. I was always an active participant in the feedback of my mother's research into her family history. When the book titled "Descendants of Thomas Skolfield (1707-1796) of Brunswick, Maine" was published, my mother made a point to show me a particular page in the 553 page long book which included a section dedicated to the family of my grandmother Edith Powers, nee Edith Skolfield. Out of 1,124 family groups reaching back 10 generations, I am included on page 529 notated as the ninth generation of descendants of Thomas Skolfield. I am included with my mother, my brother, and my father, all by name.

On one side of my lineage, there are numerous references that I have been introduced to over the years which I can go through and map out how I fit into my family's story. On the other side of my family is a lineage of people who originate from the exact area I have lived my entire life. The only documentation I have ever been exposed to that is connected to the lineage of my father's ancestors has been the Penobscot Nation Tribal Census. The Tribal Census of the Penobscot Nation is a public document produced annually by the Penobscot Nation Census Committee. The Census Committee is comprised of elected members, including the Governor of the Penobscot Nation, who by law must call an annual meeting each year. During this meeting the members of the Tribal Census Committee of the Penobscot Nation produce, to the best of their ability, a precise document listing all members of of the Penobscot Nation. To be eligible for membership in the Penobscot Nation you must possess at least 1/4 degree Indian Blood or be adopted into the Penobscot Nation as determined by the Census Committee, which requires that you also must possess at least 1/4 Indian Blood. My father possesses 1/4 Indian Blood which determines his recognition as a member of the Penobscot nation, as well as determining his designation as "Native." Because my mother possesses no Indian Blood percentage, I am the first of the descendants of my great grandfather to be considered non-Native, possessing a blood percentage of 1/8.

It can be argued that because the Tribal Census is an annual document that only recognizes those who are active, living, members of the tribe, that it is not a reference that can be treated in the same way other documents tracing back family lineage. The purpose of the census is to generate a document that resembles an accurate membership list for the specific year in which it is generated. However, in my case, and the case of others like myself who have grown

up in the Penobscot Community and are the first of their family members to be disenrolled from the Penobscot Tribe, the knowledge that each Tribal Census will come and not include our names with the rest of our family looms within us. The knowledge that I am not considered Native by the Penobscot Community was acquired further back in my memory than I can now describe. I have been aware for as long as I can remember that my father is considered Native American without question because his father was considered Native American, but I am not considered Native American even though my father is Native American. As I have grown older I have accepted this as my fate, something I cannot control. I can only control how much I allow my disenrollment from the tribe to affect my life. For years I have used silence to achieve a life that wasn't affected by a law I could not change. For years I have carried my unvoiced feelings.

When I entered my Senior year at the University of Maine, I became involved in the Camden International film course on Campus. In this course I began discussing ideas for the course's final project, a five minute documentary short on a topic of choice by the student or student pair. At first I was reluctant to even consider making a film that addressed a topic so delicate to me for so many reasons. However, by happenstance I fell into a collaborative relationship between myself and a fellow student Shannon Scarlett, a collaboration that is the main contributing factor to my honors thesis *Direct Descendant* possible. My preliminary discussions with Shannon about my idea to focus a five minute documentary short on the impacts disenrollment has on members on the Penobscot community were handled with the outmost respect, kindness, and consideration. Therefore I must acknowledge the partnership with Shannon that has made this film making process possible. I wouldn't have had the courage to

make his film on my own, and for that I am endlessly thankful for her contribution to this project.

Filming Process

The film in its entirety was shot on my Nikon digital camera, with the assistance of Shannon Scarlett who has been fully involved in capturing of each shot in the film. My role in the production of the film was contributing the thesis driving the film is driven, conducting candid conversations opening up key themes involved in disenrollment, and shaping the direction of editing. Shannon Scarlett is responsible for all technical elements of the editing process achieved through the Adobe Premier application.

The initial stages in the production of *Direct Descendant (Spring 2016)* began with a written prospectus for the documentary short from which the present rough cut originated. My prospectus for this research project is crucial to the understanding of where my initial interest in approaching this topic came from. This prospectus was the first step in the process of my thesis for it was the first experience I had with articulating what interests a had as I first began embarking in the documentary filming process.

Research Project: Prospectus
September 24th, 2015

The foremost topic of interest I am considering to explore with my research project focuses on experiences and issues dealing with the expression of culture locally in Maine. Initially I intended to focus on interviewing people my age who have unique ties to the Penobscot Reservation, whether they are non-natives like myself who have ties to the Penobscot community or natives who have experienced issues with expressing their culture outside the Island Community. With these accounts I intended to research whether there are connections I could find in other's responses to how they feel connecting with their culture as I do. I am curious to see if I can find connections to my own feelings of rejection from a community that I feel culturally connected to.

However, my initial idea broadened once I started discussing with Shannon Scarlett my ideas for documenting people's accounts with not being accepted within a culture. Being unaware of Shannon's upbringing or any of the experiences she's had dealing with being half Mexican in the State of Maine, when I discussed my difficulties with feeling as though I am not accepted within the Penobscot Community which my father comes from, I wasn't expecting to find so much in common with the experiences Shannon was having related to her culture in Maine. I realized that it would be extremely fitting to collaborate with Shannon in making a documentary film about our experiences, and through discussing our ideas with resources at the Franco-American center on campus, Shannon and I have discovered that because we have so much in common with our experiences that it may be interesting to make films about each other that fit together somehow.

As of right now I intend to start this research project by filming Shannon talking about what it was like to move to Maine, from a Hispanic culture. I would like to film her going back to places like her middle school where she had her first experiences with being Mexican in a community that was predominantly white, talking about the cultural shift she dealt with. And on the other hand Shannon will interview me as I discuss what it is like to be raised in the native community but be considered non-native by the native people.

I would still like to interview people I know who are non-native like myself that have ties to the native community in Old Town because I feel those interviews will still be highly beneficial for this project and for a project later down the road that I may want to develop further.

Each filming session, beginning with the first was partially recorded by myself as well as Shannon on our iPhones to serve as a local source for audio for any cases the camera microphone alone was not sufficient in capturing voices at a level suitable for screening, as well as serve as a way to document the discussions Shannon and I had post filming. I have approximately 10 hours total in voice memos taken from my phone alone that track the discussions that accompanied the filming processes.

The first filming session began in the second week in November of 2015. The first location filming took place was on the Indian Island Reservation in Old Town Maine. Footage was captured of me walking around the Penobscot Reservation. Certain locations I visited such as the school my mother and father work at on the Island, lacked any directed dialog and now exist as examples of B-roll that are stored as footage that can fill any visual gap in moments of the film where audio is driving the narrative. The location of my father's property on the Island as well as the location of the burial ground where members of my family are buried were driven by my discussing the regulations enforced upon those who are non-members of the Penobscot Tribe. These first scenes focus on my first acceptance of the hard realizations I had up until the event of filming, ignored because of the painful connotations attached with. The rawness of emotion is present in these first scenes because I had been told by my mother only two weeks before that as a non-member of the Penobscot Nation I could not own my father's property when he passes away. Up until the moments captured on film I had not fully addressed how to deal with such an upsetting reality of what I had been so unaware of until I embarked on this research. After we filmed on the Island that day we went to my home to

interview my mother and father. These discussions were captured both on film and through audio recording, and are utilized in the film as a voice over of my father explaining the blood quantum qualifications of the Penobscot Nation Tribal Census.

The first session of filming produced enough footage for the first stage in this film's development, which was a five minute short documentary titled *Direct Descendant*. The benefit of being part of a process that edited thirty minutes worth of footage down to five minutes worth of footage was giving Shannon and me a chance to decipher which elements were crucial to the narrative of the film. This practice became important as the film process was no longer restricted by a five minute time limit. Even though the current stage of film making has no specific time limits that must be upheld, it is still important in regards to the narrative of the film to bring in the experience of making the original five minute cut.

The second session of filming for *Direct Descendant*, was shot on January 27th, 2016, and involved my going back to my house to interview my father once more, this time to ask him specifically how he feels about his children not being eligible to be a part of the Penobscot Nation. During this session I shot the footage while Shannon conducted the interview. We felt as though having someone other than myself ask my father questions directly relating to me would make more sense because Shannon would be asking from a place that is relatively new to the subject matter and would produce a more natural flow of curiosity in the questions that were being asked. During this shoot Shannon asked me to sit in with my father and answer a few questions, for which I was not prepared. I became emotional during the interview because I had not prepared myself to answer questions in front of my father regarding how being non-Native has made me feel. Even though my efforts to cover up my emotions were unsuccessful

which made me feel extremely vulnerable, the interview led to my father addressing me in ways that were the first time I had ever heard from my father any sense of understanding regarding how it feels to be excluded from freely being involved with a part of my culture. The moment my father acknowledged the fact that there were grounds for me to feel the way I do, was a moment that lessened my sense of alienation.

The last filming session, was filmed on February 10th, 2016 at the Indian Island school where my father works. The footage is a collection of footage taken within the school and includes my father discussing further his opinions about the 1/4 blood quota. This was the first session to include interviews and footage of people other than myself or members of my family. For this footage to be used we had to ask the permission of the subject a head of time if they were willing to be filmed. At first I introduced the film and my research project to give them an idea of what the footage was being used for, and then asked if they would be willing to sign a general release form to use their image and voice in the film. At this point in time due to my lack of familiarity with what can unfold in a filming session, I failed to bring with us copies of the release forms. In the planning of future filming sessions I will always have copies of the following release form to acquire the permission of the subjects to allow us to use their image within the film.

PERSONAL RELEASE

I, the undersigned, hereby grant permission to _____ to photograph me and record my voice and use my picture, photograph, silhouette and other reproductions of my physical likeness and sound as part of a video documentary (the "Picture") and further to grant permission for the unlimited distribution, advertising, promotion, exhibition and exploitation of the Picture by any method or device now known or hereafter devised in which the same may be used, and/or incorporated and/or exploited.

I agree that I will not assert or maintain against you, your successors, assigns and licenses, any claim, suit, or demand of any kind or nature whatsoever including but not limited to, those grounded upon invasion of privacy, rights of publicity or other civil rights, or for any other reason in connection with your authorized use of my physical likeness and sound in the Picture as herein provided. I hereby release you, your successors, assigns and licensees, and each of them, from and against any and all legal claims, liabilities, demands, actions, causes of action(s), costs and expenses whatsoever, at law or in equity, known or unknown, anticipated or unanticipated, which I had ever had, now have or may, shall hereafter have by reason, matter, cause or thing arising out of your use as herein provided.

I affirm that neither I, nor anyone acting for me, gave or agreed to give anything of value to any of your employees or any representative of any television station, network or production entity for arranging my appearance on the Picture.

I have read the foregoing and fully understand the meaning and effect thereof and, intending to be legally bound, I have signed this release.

(Signature)

(Please print name)

(Address)

(Phone number)

Results

The result of my research includes an edited film sixteen minutes in length, which includes my father and me talking about how the Penobscot Tribal Census requirement of a blood quantum of 1/4 for enrollment in the Penobscot Nation has impacted our family. My research has also resulted in over 10 hours of recorded discussions of the filming and editing process carried out by my collaborator and myself, which documents the development of my thesis as well as traces the development of the film's narrative. Another result of my research is the consequential, broadened understanding of the census committee's process in determining who qualifies as a member of the Penobscot Nation. I also have a better understanding of the restrictions I have as a non-native member of my family, compared to my father and his siblings who as members of the Penobscot Tribe, hold dual citizenship between Canada and the United States. Also due to their recognition as members of a Nomadic Tribe, they can own property or inherit property on Penobscot entrusted land, as well as exclusive rights to hunting licenses each year to make sure a culturally significant ritual such as hunting within the Penobscot Nation is easily achieved. As a whole, the what has resulted from my thesis research is an index that is compiled of knowledge gained from the experience of being a character in a documentary film I produced. This index includes the qualifications for enrollment within the Penobscot Nation. It includes the stories my father has shared about his experiences growing up on Indian Island as someone who was recognized as only being 1/4 Penobscot. It includes the stories my father has shared about bringing his four-year-old son to Indian Island to vote and having to leave his son outside of the building because he wasn't a member of the Penobscot Nation. It includes my brother saying "If they don't accept me as part of them, then I won't accept them as part of myself."

Synthesis

Within the seven month span of time I have worked on this film, I have been placed face to face with some of the most difficult realities of my life. Up until I began the work on this project I had been completely unaware of the fact that I couldn't inherit my father's property on Indian Island. When my father passes away, because I am Non-Native. Discovering this and other guidelines and restrictions to what I have the right to inherit has been the most disheartening experience of my life. It has been difficult at times to ask questions because of the fear it will start a chain of discovering things I wish I hadn't known. For many years this very fear, along with the apparent disconnect that has been placed upon me through disenrollment, has deterred me from finding answers about my own life.

As I step back and synthesize what this research has meant to me, I am faced with the realization of what the media of film has allowed me to do. Before I started this film, I thought I was living in silence. Now I realize, I was suffering in silence. There was a whole life I have lived before this film's beginning, where I didn't express to anyone the pain I feel. I didn't know how to frame what was bothering me. This film has allowed me to be able to frame for the first time in my life what has been causing me pain. This film has facilitated the conversations I have been unable to have for years, by being under the platform of my Honors Thesis. I was able to introduce each conversation by saying "I am producing a documentary film for my Honor Thesis research" rather than introduce each conversation I had by saying, "There have been things that have been bothering me for a while that I'd like to talk about." The difference was the confidence I was given by doing this research to stand face to face with an issue in my life because I making a film for a school project. It may sound ridiculous but, being able to turn the

discoveries I made away from the pain I was feeling toward a research question I was trying to answer, allowed the voice I had silenced for years to be heard. Now that my voice can be heard, I have been involved in discussions that have led me to feel as though there are grounds for the way I feel. I now live a life that is grounded in the understanding that there is a government that states I cannot inherit that which other members of my family have inherited in every subsequent generation up until mine. I am grounded because I am able to voice with confidence the wrong I feel, now that there is someone I can talk to that has given me support. Along with the film, my father has been a huge motivation in my research because he has voiced that there are reasons I feel the way I feel, and that those feelings are not just internal feelings that appeared out of nowhere. My father sees disenrollment as a reason for the pain I have, which has allowed me to find purpose in the research I have started. I am no longer reluctant to talk about my pain, which I owe to the film and to all of the people who have supported me along the way.

Prospects

The vision I have for this research is for it to continue. I hope that one day this research will lead all the way to a film that can be shown to a wide range of communities. Whether it be shown at assemblies, through blogs focused on identity and culture, or at film festivals. I hope that this research will grow to become something that will shine light on the repercussions that occur when laws dictate what people are able to inherit from their culture. If people who are influenced by a culture so much that they can retrace through their life instances where they identify themselves as being, and we allow laws to dictate those people as non-being, we will lose irreplaceable things. Continuing in the medium of film, as I develop my story further I will keep

in mind other films that have addressed identity and culture to carry with me points of reference to fall back on as a way to keep myself stable in the media of film. Lacey Schwartz's *Little White Lies* is one of these films that I will continue to reference because of what it has demonstrated a film about how we believe what we want to believe about ourselves and identities can accomplish through the main character directing their own story. I have begun to ground my own efforts in making a film about my life through other films that open up the discussion of identity. *Little White Lies* has already given me a reference point in telling a story through the discussions you have with your family. I have already become aware through Schwartz's efforts that what unfold through the making of his film may be just as much a growing process for my father as it is for myself. I will begin to use these films as reference points to refer back to as I go forward like I have made in films like Schwartz's.

What I have to say is that there is a threat to the preservation of culture and I will not stop until I am sure that that threat is extinguished. I intend to consider that the research I have accomplished so far and the research I continue to develop can be driven by my experience. I allow myself to consider that the purpose of research is not just inform yourself of work of others that has become established in pages upon pages of document, but rather that my involvement is with that information and how my experiences dictate how that research is interpreted. If I can continue to have this view, I will accomplish my goal of framing what I find so difficult to describe. So far I have researched federal influences on tribal life that dates back to the 1870's, which I foresee as a potential way of being able to frame the threats I see towards my culture. Through researching the Dawes Act of 1887, I have become aware that during the same time period that the first tribal census in the Penobscot Nation was generated, that there were National

efforts to assimilate Indians into an “American” culture. The information explaining that the Dawes Act was passed in efforts to break up tribal land into allotted land for individuals of the tribe, has been accessible for over a hundred years, although I see there being a chance that this information is seen differently from my perspective. So far I have been prompted to ask questions that I see as having the potential to enlighten people who are unaware of a reality I face everyday in fear. As I go forward I only have hope that through my on going research I can find a way to say there is a threat to the Penobscot culture. I may be able to enlighten this threat through discussing with those in my community the possibility that a federal push to assimilate Native Americans in the early 1870’s may have influenced the guidelines of the first Penobscot tribal census of 1881, and how that tribal census that still stands today is continuing to influence its community to assimilation through disenrollment of it’s family member of 1/8 Indian Blood. I can’t be sure that my intentions with my film will articulate to a community the threat I see from the perspective I have been forced to have. One thing I can be sure of is that from this point on there will be one more voice heard in the many conversations that center around identity, culture, diversity, and preservation, one that will be able to share her experiences to encourage others to not be afraid of what they feel they cannot control.

Author's Biography

Mary L. Hamilton was born in Bangor, Maine on January 20, 1994. Mary lived in Old Town, Maine throughout her adolescence and attended Old Town High School, graduating in 2012. In 2012, she began attending The University of Maine where she Majored in Studio Art with a Minor in Art History and a focus in Honors. With her Studio Art degree and strong interest in preservation, she intends to pair an Anthropology and Chemistry degree through the University of Maine, to qualify for Art Restoration Programs post graduation.