

Editorial And Opinion Page



AS I SEE IT

Bruce Barton

On the edge of sixty, and feeling morose and thoughts like that ...

Time has flown away, and I am feeling my age today. The thought came to me recently that I will be 60 when my birthday rolls around again on October 1. I was born a long time ago: October 1, 1941. The United States was at war with Adolf Hitler and all his legions of doom. And my generation thought we would live forever if we could survive this war to end all wars. Not so! Other wars have come and gone, and tyrants are still among us. Externally, things are about as they have always been. It seems to me that the only change that ever takes place is within the recesses of the heart. Everything else is foolishness. And there my battle rages.

I am on the edge of sixty and feeling morose and having thoughts like that. Peggy Lee sang a song once, and she emoted, "Is that all there is to this (life)?" and I have been feeling like that too. Will another great adventure of the heart take place; will I sing new songs and fly to strange and exotic places again?

Or, has time passed me by? Will peace ever come again to my plaintive heart and still its mighty longings to be free and unfettered and fulfilled? Who will I sing to again, and where is the song that needs to be sung?

We have begun practice anew at Strike at the Wind!" and the thought came to me at rehearsals this week that I am relegated to playing Henry Berry Lowrie's daddy, Allen Lowry, now? I am typecast by age. I feel sad in a foolish kind of way. All of us will grow old if we live long enough. And I suppose that I should be grateful for the songs I have already sung and the years and adventures that I have already experienced. I have climbed a mountain or two in my eventful life and fallen awkwardly upon my spiritual hindquarters when I forgot my cosmic place.

I just want to fly and grow and do and be and sing and pray and love again. I want to sing a new song!

Thank God for grandbabies. I have four, and they keep me from running away to find myself from time to time. Amen!

The Way I See It

by Dr. Dean Chavers, Native American Scholarship Fund

My Grandmother was a Saint

I have been writing this column for over 21 years now. I am the second oldest surviving Indian columnist now, after Tim Giago. Sometimes I can't believe I lasted this long. If I had known I would live this long, I would have taken better care of myself. (That's a very old and trite joke.)

One of the main reasons I have lasted this long is that my grandmother saved me. In a real sense, when I was 16, I was headed on the road to no good. Even though I was always near the top of my class in school, I was hanging around with the wrong crowd.

My father was in the hospital with what we learned later was encysted tuberculosis. His lungs were very weak and had lost most of their elasticity. He told me many times how he would fall asleep on the way home-it might be in a cornfield somewhere-and wake up the next morning under a blanket of snow. He abused his body. He had been hit with mustard gas in Belgium, which started the deterioration of his lungs. The drinking hastened it.

Daddy drank liquor from the time he was a teenager until he was 50. In those days, it was illegal for Indians to drink anything. But everyone knew where all the bootleggers were. Daddy knew them all by first name. One of his best friends, an Indian he called Cagle, had served time in the federal pen for bootlegging. Cagle was a regular visitor to our house.

His last binge, which I can barely remember, lasted three weeks. He was drunk every day during that time. Then it took him two or three weeks to sober up. During that time, the only thing he could eat was soup. He could not keep any solid food down. So Uncle Bill Thompson, one of his best friends, started calling him "Soup." The name only took with a few close friends, including a legendary drinker named Jackie Broods who visited our house for years.

When he finally got straight, which meant he had recovered from alcohol poisoning, he never drank another drop. But the damage had been done. Right after that binge, he started having to go to the VA hospital on a regular basis.

He might stay a week or two, or he might stay three months. The last time he went, he stayed 35 months. He died in that 35th month.

In the meantime, that first year he was in the hospital, I went kind of wild. I was running around with a gang of half-outlaws. I was the youngest of the crowd. The oldest went to prison that same year for shooting up a house. Another one is in prison now for killing his wife. The other two never went to prison, as far as I know, but none of us was up to any good.

It had gotten to the point that my mother could no longer control me. I was 16, and thought I was a man. I did a man's work, running the farm by myself when Daddy was in the hospital. But I was an angry young boy.

I followed Daddy's example. Our gang's main activity was meeting at the juke joint every Friday and Saturday night, getting something to drink, and going off somewhere to get drunk. The one who shot up the house was dead drunk in his car when we tried to wake him up the night

before he did the shooting. I still don't know why he shot up that house.

The one who killed his wife (which happened years after I left the state) was in a drunken rage. I was told. Alcohol made all of us do some dumb things. It made me think I was somebody. One of my friends, a girl, told me she had always respected me until she found out I drank. I just waved it off at the time, but obviously her comment is still with me today.

I had no idea what I would do with my life, which was just one of my frustrations. At that time, in that place, there were two options open to me. I could become a farmer, which required no college education, or I could go to college and become a teacher and teach Indian kids.

There were no other options open to me. I could not become a banker, an agricultural agent, an engineer, a scientist, a doctor, a journalist, or a dentist. These options were not open to Indians at that time. I knew I wanted to go to college, but the thought of the "Red Ceiling" (most professions not open to Indians; I just made that up) frustrated the life out of me.

My grandparents lived in Virginia, and we lived in North Carolina. My Aunt Dimple. Grandpa's baby sister, knew what was going on with me. Unbeknownst to me, she wrote a letter to Grandpa telling her what was going on. She told Grandpa if she wanted to save me, her oldest grandchild, she had better come get me. I didn't learn about this letter until years later.

In the meantime, I caught a ride with Willie Bowen, Momma's cousin, from where we lived in North Carolina to where Grandpa and Grandma lived in Virginia. Willie was hauling watermelons and cantaloupes from Florida to Washington, DC, so I literally caught a ride on a watermelon truck.

Willie dropped me off in Dinwiddie County, Virginia, ate dinner with us, and kept driving to Washington. Three days later, when he had sold all his watermelons at the Farmer's Market, he came back through and picked me up. I rode with him back home, and started packing. They had agreed to let me move in with them.

Grandpa and Grandma came to pick me up on September 1, 1957. I had

gone out with the gang the night before, my last night in town, and had drunk too much white lightning. I woke up that morning with a tremendous thirst and a headache. I drank about a quart of water, then threw up the water and the rest of what was in my stomach half hour later. Then I went back to bed and slept it off.

They took me back to Virginia with them. All their kids were gone, and Grandma and Grandpa limed by themselves. One son and his family lived just down the road. The other five lived in different states- New York, North Carolina, Colorado. My Aunt Claire's husband Eddie was in Korea, so she was living with her parents temporarily.

A couple of weeks later, I started school in the court seat of Dinwiddie. I was the only nonwhite person in the school. I had to ride a bus eight miles to school. We went past the Black high school, Southside, and the Black students from the southern part of the county rode past our school on the way to their school. (I later thought about the hypocrisy of the

anti-busing whites protesting the costs of busing. They had already been baring the casts for years.)

Grandma never said a word to me about my gang. Neither did Grandpa. In the six years I lived with them, he only lost his temper with me one time. That was quite a miracle, considering that he had a terrible temper.

Grandma acted as if it was perfectly normal to take in a grandchild. She acted as if nothing out of the ordinary had happened.

Grandma taught me by example. She chided me if I had anything bad to say about anyone. "Would you want someone saying that about you?" She would ask.

She was a genius. I think that if she had ever taken an IQ test she would have scored above 150, which would have put her into the top 1% of the population. She could understand people. She had insight into human nature. And she was very patient with me.

She never mentioned the gang I had run around with. She never brought up any of my past. She acted as if she expected me to behave well, and get good grades. Working hard was a given. As farmers we all had to work hard.

She was a tiny lady, never weighing much over a hundred pounds. She wore a bonnet when she went out in the sun to pick beans.

She went as far as she could in school- the eighth grade. That was the top grade for Indians before World War II. In fact, she taught school for most of a decade before she married grandpa when he came back from the War.

She played the piano and the organ, even though she had never had lessons. She just picked it up. She was very humble. She was a sincere Christian lady. She was very energetic. Even at 70 years of age she never walked- she ran everywhere she went. She had more than her share of aphorisms, and shared them with me liberally. Three of her six children earned college degrees, and the other three could have but didn't want them.

She was a remarkable lady and an inspiration to me. Because of her I earned four college degrees, including three from Stanford University. I miss her every day, even though she died in 1983. Her spirit will be with me the rest of my life.

The Law and You

Child Custody, Visitation and Support By Lorraine M. Morris

Child custody, visitation and support issues can be difficult and highly emotional for everyone involved in such court cases - children, parents and other family members, attorneys and judges. Fortunately, North Carolina laws provide a structure through which these matters may be resolved and allow for changes when appropriate.

Unfortunately, some families sometimes have misconceptions about such child custody laws. Below are some frequently asked questions about North Carolina's child custody, visitation, and support law.

Question: Will custody automatically be granted to a child's mother? Custody is not "automatically" granted to anyone. In North Carolina, the court uses the "best interest of the child" standard in deciding custody cases. The judge generally awards custody based on his/her analysis of what environment best nurtures the child's physical, mental, moral, emotional and spiritual development. The "best interest" standard is flexible. It allows the judges to develop creative solutions to important and complex issues, while at the same time acknowledging the uniqueness of children and their family situations.

Custody orders also include visitation provisions. Using the "best interest" standard, the judge decides when/if, where, and with whom visitation is appropriate. Grandparents whose grandchildren are involved in a custody action may also ask the court for a visitation ruling.

Question: I don't think my daughter and son-in-law are fit parents. Can I file for custody of my grandson?

Perhaps so. North Carolina law provides that "any parent, relative, or other person, agency or organization or institution claiming the right to custody of a minor child may institute an action or proceeding for the custody of such child." However, North Carolina courts have traditionally interpreted the law to mean that before a non-parent even has the right to file custody papers, he/she must show that a parent-child relationship exists between him/her and the minor child. Grandparents generally have the right to file custody papers, but they usually must also claim that the child's parents are unfit parents.

Question: My soon-to-be ex-husband was abusive towards me during our marriage. I am filing for permanent custody of our two sons, and I don't want him to see them because he doesn't deserve to. Will the court grant my request?

Traditionally the Court is reluctant to completely deny a parent's visitation rights, even when there has been a history of domestic violence involving the parents. The Court will usually completely sever a non-custodial parent's visitation rights only when visits would jeopardize the child's safety and welfare or when the non-custodial parent has given up the right to visitation because of his/her conduct (for example, the parent committed a crime against the child).

The Court usually takes into account the existence of domestic violence and fashion's visitation provisions in a way that protects the children and the victim of the domestic violence. If there are concerns about the non-custodial parent's parenting skills, the judge has the discretion to order that his/her visits with the child be supervised by the local Department of Social Services or another appropriate person or agency.

Question: Do I have the legal right to deny visitation to my children's father when he gets behind on his child support payments? Does he have the legal right to withhold support if I refuse to let him visit?

Contrary to perhaps popular belief, the right to visit with one's child is not determined by how much child support is paid by the non-custodial parent. The appropriate and legal way to address the problem is to bring the non-complying parent before the court in a civil contempt proceeding. The non-custodial parent has to "show cause" why he/she should not be held in contempt of the custody/support order.

Question: Once a court order is entered regarding custody, visitation, or support, can it ever be changed?

Yes. In general, a party involved in a child custody, visitation, or support action can ask the Court to change a court order at any time. The party must show the Court that because there have been significant changes in the circumstances which affect the child's welfare, there is justification for having the Order changed. Examples of "changed circumstances" which might affect a child's welfare include changes in employment, health, finances, marital status or educational status. Once the Court determines that there is a significant change of circumstances, it must then decide what is in the "best interests of the child."

Question: If I move to another state with my children and want to file for custody, do I file in North Carolina or the other state?

It depends. Most states require an individual to live in that state for a certain amount of time before he/she is allowed to file a civil cause of action, such as a custody matter. In North Carolina, for example, a child and/or his parent must live in North Carolina for at least six months before the parent can file a custody action. State laws dictate when and where a person can file an action and when the courts of a state have jurisdiction or authority to hear and decide such cases.

Question: Do I have to have a lawyer to request child custody, visitation or support?

Not necessarily. However, with the complexity of such laws, the heavy case loads in the Courts and the critical importance of such requests, it is helpful to consult with someone who is trained and aware of such laws prior to requesting a ruling from the Courts. If you cannot afford an attorney and your income level is at or below 125% of the federally established poverty income levels, you may qualify for free legal assistance from a Legal Services office in North Carolina.

If you feel that you need an attorney along the way, contact the Lawyers Referral Service, 1-800-662-7660, which is a nonprofit project of the NC Bar Association. Or feel free to contact your local Legal Services office. Residents in Robeson and Scotland counties should contact Lumbie River Legal Services located in Pembroke. Cumberland and Hoke county residents should contact the programs branch office located in Fayetteville.

Lorraine M. Morris is an attorney at the Legal Aid Society of Northwest North Carolina, Inc. in Winston-Salem, North Carolina. "The Law and You" is a regular publication of Legal Services of North Carolina (LSNC). The mission of LSNC is to provide free civil legal assistance to poor and low-income residents of North Carolina, both ensuring access to justice and contributing to the stability of society.

A Thank you note to supporters of Relay for Life

To the Editor:

There are a great many charities and functions that need our support- both financially and in other areas. Among the many that are worthy, one of the ones closest to my own heart is Cancer Research. Because I am a cancer survivor, this research is of vital importance to me. It is my hope that one day there will be a cure for cancer, in my life time that will eliminate the need for Chemotherapy and Radiation. While these treatments are good and I am thankful for them, researchers are hoping and working towards a treatment and cure that has less distressing side affects. I hope to see that achieved in my life time.

Recently I participated in the Relay for Life, a fund-raising effort held each year with the monies to be used

for cancer research. As usual, when I participate, I include many people. I am not hesitant to ask for donations. And many people are always ready to assist. I am thankful for all those who helped to make this year's Relay successful. I am especially thankful to the Lumbie River Electric Membership Corporation's Board of Directors and the employees there. They gave individual donations and encouraged me as I walked with other supporters of the Relay. I wish to publicly thank them and the many others who are always willing to "lend a helping hand." You know, our Lord and Savior Jesus Christ requires that we have compassion and help others. That was his ministry and as Christians it should be ours.

Sincerely yours,
Madie Rae Locklear
Prospect Community

Along The Robeson Trail

by Dr. Stan Knick, Director, UNCP Native American Resource Center

In 1984 I came to the land of the Lumbee to do anthropological research on the health and growth of Indian children. During that eighteen month project, I learned a lot (*Growing Up Down Home: Health and Growth in the Lumbee Nation*, 1986). One of the things I learned, predictably, was that it would take longer than eighteen months to come to much of an understanding of that complex whole which is the Lumbee. A more unexpected outcome of the endeavor was the lesson that not much had been previously written about how the Lumbee might be situated within a broad context - a context which would necessarily include their prehistory, their early contacts with outsiders, their historical relations with the newcomers, their culture as it exists today, their health, their relationship to the federal government, the contemporary issues they face and other matters relating to their culture as a whole.

When I began employment at the Native American Resource Center in 1986, I wanted to apply holistic anthropology in the land of the Lumbee. The Native American Resource Center, in the heart of Lumbee Country, is a museum and research institute of The University of North Carolina at Pembroke. The Center's mission is to educate and serve the public concerning the prehistory, history, culture, art and contemporary issues of American Indians. It seemed to me then that one important activity of The Center ought to be an attempt to situate the Lumbee within the broadest possible context, in order to understand them better as a culture and a people.

The Indians of Robeson County, in southeastern North Carolina, are the

largest concentration of Native Americans east of the Mississippi River. They are mostly Lumbee people, around 40,000 in their home county alone, with a few relations who prefer to focus on acknowledgment of the Tuscarora part of their ancestry. While altogether they constitute a large group, they are a people whose history is among the least understood of any ethnic group in America.

Limited understanding of their past results from several historical realities. Not the least of these is the fact that before the founding of an Indian Normal School here in 1887 there was very little literacy in the community. The period before the American Revolution is especially critical in this concern, because it was during this time that the Lumbee community was apparently evolving into the form from which its presently-recognizable state derived - a period when what we see now began to be shaped by the diseases and culture of the new Americans.

During this period when sweeping changes were taking place in the lives of Indians of this region, virtually nothing was written by Indian people themselves. Very little which contributes to our understanding of them was written by anyone else. Thus modern historians have been left with a view of Lumbee history predominantly based on a few frequently biased and sometimes completely wrong observations and interpretations by outsiders. At a time when the best and most revealing historical and cultural information could have been recorded, it generally was not.

In the absence of many reliable written records - those made by or at least verified by the people

themselves - oral history has played an important role in modern attempts to comprehend the past of the Lumbee. This has been at once instructive and, to some extent, confusing. Part of the confusion arises from the fact that different families in the Indian community have different oral traditions about the community's history.

Some families pass down the tradition that their ancestors moved into Robeson County from elsewhere, from any of several Indian tribal sources (Cheraw, Hatteras, Tuscarora, etc.). Some families believe that they have always been right where they are now, along the banks and tributaries of the Lumbee River. Some believe that among their ancestors are members of John White's famed Lost Colony of the 1580s, who were probably absorbed by the coastal Indian population around the turn of the 17th century. Virtually every oral tradition reported by any family has its equally-vocal detractors.

All share a common awareness of their Native American heritage, but there are long-standing internal debates about the details of their history. However, this apparent confusion is exactly what one would predict would be the present case given the amalgamated nature of the community. People combined from various sources tell differing stories of how they came to be combined.

In the next segment, we will continue discussion of the Lumbee in context. For more information, visit the Native American Resource Center in historic Old Main Building, on the campus of The University of North Carolina at Pembroke (our Internet address is www.uncp.edu/nativemuseum).



(NAPS)—Recently Baileys Irish Cream and *Bon Appetit* selected the Baileys Irish Cream Espresso Bread Pudding as the winner of their Pastry Recipe Contest. Twenty U.S. pastry chefs were invited to participate. The bread pudding uses an espresso bread, created by James Wagner, executive pastry chef at The Mansion On Turtle Creek. The bread is then drenched in Baileys Irish Cream custard and topped with crumbled chocolate walnut cookies. The full recipe can be found on the Internet at www.baileys.com.



A recent study by Volunteers of America, a nonprofit human service organization, provides valuable insight into the causes of homelessness. The study, conducted at homeless shelters in four states, concluded that the strong American economy of the past decade has helped create a new category of homeless people: working homeless families. This can have a devastating effect on children and the organization urges full funding for programs meant to help end homelessness. For more information, visit www.volunteersofamerica.org.