2001

The Political Economy of 'Gambling on Gambling' by States and Tribes: A Critical Comparative Perspective

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A Critical Comparative Perspective"c2001

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Gambling is not new to the U.S. polity, economy, or imaginary. Since the colonial era, state-run lotteries have served as a voluntary revenue-producing alternative to mandatory taxes. Eight states sponsored lotteries in 1831, but by the Civil War era lotteries, scandalized by corruption, were abolished. A "second wave" of gambling emerged in the post-Civil War era, which Reconstructionist politicians again turned to as a palatable revenue-generation resource. Gambling, popular in the boomtowns of the West, was again banned in the early 20th Century, and in 1910 Nevada banned casinos. By the 1930s, however, casino gambling and horseracing were making a come-back, with Nevada casinos again in operation and horseracing operating in twenty-one states (n.d. NIGA:1-2).

The so-called "third wave" of legalized gambling in the United States--begun with the legalization of the New Hampshire lottery in 1964—ushered in a third gaming industry boom cycle. Since 1964 gambling has become "the number one U.S. growth industry" (Boston Globe 9/27/93:1), legal in every state except Hawaii and Utah. Casino gambling is now found in twenty-seven states nationwide, up from only two states in 1990 (Nevada and New Jersey). At least thirty-six states currently sponsor state lotteries. According to Mother Jones Magazine, (www.motherjones.com, 6/9/97), more than $500 billion were wagered in 1996, bringing in an estimated $40 billion in profits (see also NIGA n.d.:4; see also www.mfc.org/backgrounder/bg-gambling2.html, 11/96).

Indian gaming, although a focal feature of the public gambling imaginary, is only a small piece of the U.S. gaming industry. Of the nation's 558 tribes, only about one-third, approximately 145 US tribes, sponsor gaming operations. Of these, only seventy-nine, or 14.4%, sponsor high-stakes Class III operations, which include highly profitable slot machines, casino games, banking card games, horse and dog racing, pari-mutuel wagering and jai-alai (Rezendes 2000:A1; NIGA n.d.:12). In 1992 Indian gaming accounted for less than five percent of gaming revenues, while state and private lotteries accounted for thirty-eight percent and private casinos approximately thirty-four percent of market share (n.d. NIGA:5; Exhibit B). By 2000 Indian takes from gaming were $9.6 billion, while non-Indian casinos took in $23.9 billion.

Today approximately 134 United States First Nations tribes sponsor more than 240 Indian gaming operations, of which the largest, Mashantucket Pequot's Foxwoods Casino, brought in an estimated one billion dollars in revenue in 1999. Among the top five tribal casinos, four brought in more than $500 million in gambling revenues, including two in Connecticut: Foxwoods and Mohegan Sun. The other top money-makers include Minnesota Ojibwa Mille Lacs and Hinkley Casino and the Seminole's Hollywood Gaming Palace. Tribal gaming income is highly unequal, however, according to Murphy and Piore (2000:A20-21), with the top ten gaming tribes bringing in $4.2 billion in revenues—twelve percent of all U.S. gambling revenues, and the remaining 128 tribes sharing an estimated $5.4 billion in revenues in 1999. According to Rezendes (2000 A2), the top twenty Indian gaming casinos account for fifty percent of Indian gaming revenues.

Tribal and state-based gaming are highly regulated industries in which individual members of tribes and states, unlike individuals such as Donald Trump, or corporate entrepreneurs controlling MGM, Sheraton, or Hilton, may not personally profit from gaming. Tribes and States are required under U.S. gaming regulations, which for tribes is specified in the 1988 Indian Gaming and Regulatory Act (IGRA), to use gaming profits for specific social purposes: education, infrastructure improvement, social service programs, law enforcement, economic development, and tribal courts.

Gaming--the New Entrepreneurial 'Frontier'

The gaming industry--tribes' so-called 'new buffalo,' states' 'golden goose,' and entrepreneurs' 'golden cow,' --has become new economic frontiers for states, tribes, and private sector entrepreneurs, a bonanza of potential monetary wealth. Gaming, the fastest growing sector of the U.S. entertainment industry, has experienced in the past five years what industry analysts describe as "explosive growth." Gaming has become both an increasingly popular leisure-time preoccupation and a highly successful revenue-producing strategy for states, tribes, and big business. In 1996 there were more than 3,000 public and private gaming companies. Wagering in the U.S. tripled between 1982 and 1989. U.S. households made more than ninety two million visits to casinos in 1993 alone, twice as many as in 1990 (www.futurestock.com/stock863.htm, 11/15/997; www.mfc.org/backgrounder/bg-gambling2.html; 11/96). In 1999 Americans while spent approximately $15.2 billion on spectator sports and movie theatres, they spent approximately $34.5 billion on tribal and other casinos (Murphy and Piore 2000:A21).

This new gaming "frontier" like others before it has captured the U.S. imaginary as another road to the 'American dream,' achievable like all capitalist ventures through entrepreneurial self-determination, where some win and others lose. Gaming is a 'new frontier' of chance-taking, a palatable--and fun!--entrepreneurial venture, that fits well with United States entrepreneurial, individualistic, aggrandizing ideologies, while masking actual social costs. Individuals, states and tribes are enticed--mystified--by gaming's revenue-producing potential which obviates the need for increased taxes and brings into cash-strapped local and tribal coffers desperately-needed funds. Native Americans, too, are embracing--and winning at--entrepreneurial gaming, a development strategy that fits with tribal sovereignty and economic self-determination movements. Some tribes even view gaming success as a form of pay-back: Indians are 'beating whites' at their own entrepreneurial game of profit-making (author's interview, Choctaw Nation Tribal development specialist, 6/93).

The 'frontier' has been a perennial metaphor in United States discourse, popularized by historians such as Frederick Jackson Turner (1962 [1920]) and Charles Beard (see Noble 1965; Dunaway 1996). Metaphorically and actually the 'frontier' was a driving force in westward migration, adaptable to a range of uniquely American encounters and quests; signifying progress: upward and out of prior states of poverty and disadvantage, toward new opportunities, uncharted territories, and expansive spaces. Although largely geographically constructed, the idea captured the historical imaginary as an industrial, post-industrial, and now cybernetic boundary-expanding concept linking ideas of economic opportunity, personal self-sufficiency, and individual self-determination within a ruggedly, expansive notion of progress.

The frontier is characterized by extremes: of poverty and wealth, success and failure, opportunity and cost. So-called 'boom towns' are by-products frontier encounters producing regions of rapid economic growth through the infusion of cash into formerly impoverished rural communities (See Little 1978). Frontier communities are invigorated by new-found wealth, whether newly-discovered natural resources such as coal and uranium, or profitable emerging industries like gaming. Boom cycles, however, are ever-vulnerable to wider political economic forces, and the frontier communities created may soon decline under new economic, political, or social conditions.

The "third wave" of U.S. gaming--the new frontier--links social 'needs' and personal and social economic 'wants;' and is being achieved through three related activities: 1) the resurrection of 'frontier' language and rhetoric around familiar symbol-laden metaphors of individual opportunity, self-determination, and 'progress;' both among Native Americans and in the wider U.S. imaginary; 2) through a process of mystification and subversion, whereby gaming's monetary enticements submerge its actual cultural, individual, and social costs as an economic revenue-producing strategy, which exploits vulnerable populations and regressively expropriates family and community resources; and, 3) through the jockying of gaming industry players--tribes, states, and private corporate entrepreneurs--who compete in an unsavory political arena where vote-buying and legislative lobbying bolster one's industry position, bumping some and privileging others as each constituency carves a niche in this multi-billion dollar industry. US publics serve as mediators in this contest: players on the one hand feed the seemingly insatiable gaming appetite--their own, states and venture capitalists--forking out ever more cash in ever-more enticing games of chance: black jack, roulette, lotteries, keno, horseracing, bingo. On the other hand, anti-gambling lobbies, from the moral right to the social welfare left, expose the moral, social, and economic costs of gambling, which preys on the weakest and most vulnerable members of society seeking to instantly cash into "the American dream" with a winning lottery ticket or instant slot jackpot.

The Gaming Frontier: Winners and Losers

Games of chance are highly profitable to some, yet costly to others. Studies show that games of chance, lotteries and casinos are particularly appealing to less educated and less affluent citizens, although casinos also draw more affluent, older, and retired players, however. A New Jersey Gallup Poll found that twenty-seven percent of gamblers do so to "get rich" (http://web.iquest.net/cpage/ncalg, 11/97). Studies in Michigan, Oregon, and Massachusetts reveal startling disparities in lottery spending between poorer and more affluent citizens (see http://web.iquest.net/cpage/ncalg; 1996; Boston Globe 9/27/93:1). A Detroit, Michigan, study found that individuals earning less than $10,000 per year wagered as much as eight times more on lotteries as a percentage of their income than did wealthier citizens. Individuals with less than a high school diploma spent more than five times as a percentage of their income on lotteries than did persons with at least a college degree (http://web.iquest.net/cpage/ncalg; 1996). In another study by Borg, et.al (1991) found that individuals earning less than $10,000 annually spent more than twice as much as people making between $30,000 and 40,000 annually and four times as much as people earning over $80,000 per year, as a percentage of their respective incomes.

The Massachusetts lottery, the largest nation-wide, "plays like Robin Hood in reverse, taking from poor communities and giving to rich," said Mitchell Zuckoff and Doug Bailey (Boston Globe 9/27/93:1; See also Brown, Kaldenberg and Browne 1995:164ff)). Social class disparities in lottery spending are stark in Massachusetts: whereas suburban residents spend only a few dollars annually on lottery tickets, residents of impoverished communities like Lowell and Chelsea invest $1,000 or more each year for the chance to cash in on million dollar winnings. Lottery revenues also differentially benefit affluent suburbs: high-betting poorer cities don't get their fair share of lottery revenues, since lottery revenues are allocated based on property assessments (Boston Globe, 2/10, 2/11, 2/12/1997; 9/27/1993: 1, 8-9).

Robert Goodman (1995:39) calls gambling a "coercion of circumstance" for poor people, who see the lure of quick money as an opportunity to transform their economic circumstances instantly from poverty to affluence. According to Goodman, as forms of gambling become more widely available, such as the now ubiquitous lotteries, they tantalize poor people into the lure of "easy money" and quick jackpots. In the decade between 1982 and 1992 gambling revenues tripled nationally, and Americans lost $30 billion in gambling in 1992 alone (Boston Globe 9/26/93:1, 18). Investigator John Kindt (1995:) concluded that, "What legalized gambling really accomplishes is to seduce a whole new market segment of the public into gambling activities."

Gambling's Costs and Benefits: Who Wins and Who Loses?

For each of the estimated $550 billion wagered in the United States last year, there were winners and losers. Industry analysts argue that gaming brings many benefits--direct and indirect--to localities: construction and casino jobs, direct and indirect industry tax benefits, public sector improvements (www.ac.md.us/~terryr/casino/tsld002.html; Anders 1996). Gaming certainly has helped some communities, particularly land-based private casinos located in semi-rural counties like Lawrence County, South Dakota, Gilpen County, Colorado, and Goodhue County, Minnesota, and tribally-sponsored casinos, which have brought a boon in jobs, per capita earnings, and service and private business sector development. Other communities, like New Bedford, Massachusetts, a former industrial town that lost much of its industry to the Deep South in the 1960s; or Gary, Indiana, which since the 1970s has lost one-third of its steel industry jobs, view gaming as a new opportunity to bring jobs and optimism to their dying downtowns.

However, contrary to popular belief, casinos have not been found to consistently profit local communities or stimulate state and local government earnings, and substantial casino profits exit local communities as corporate and non-resident profits (www.ac.md.us/~terryr/casino/tsld002.html, 1996). The gaming industry, contrary to its apparent benefits, is a "trickle down" industry where the big players: MGM Grand, Hilton, ITT, along with a small number of Indian casinos, like Connecticut's Mashantucket Pequots and New York's Oneidas--are the real industry winners. Locals--citizens, communities, and publics at large--benefit only marginally when this industry's actual liabilities are considered.

Hidden behind the mystique of community benefits are monetary costs borne by local municipalities and by gamblers themselves: increased crime, gambling addictions, misdirected purchasing power, and other hidden liabilities. John Kindt (1995:) estimates that for every dollar of state gambling revenue, states pay $3 to $7 in community costs for increased policing, crime and adjudication costs, health care and social services, and other hidden expenses. Other studies show that not only do crimes increase when casinos enter a community, but gambling addictions do as well. Currently an estimated five to ten million Americans (ca. two percent) are compulsive gamblers and another approximately three percent are considered 'problem gamblers' (Abbot 1995; http://web.iquest.net/cpage/ncalg). Ninety percent of problem gamblers are men, drawn from all racial, ethnic, and social class strata.

Among gambling's social costs include crimes committed by gamblers and in gambling venues; attendant legal costs for adjudication and incarceration; social services for treatment of gambling addictions and family problems linked to gambling, including lost wages and productivity. According to New Jersey's Council on Compulsive Gambling, ninety-nine percent of compulsive gamblers commit crimes; twenty-five percent attempt suicide; and nearly all become physically abusive, especially toward children (http://web.iquest.net/cpage/ncalg [National Coalition Against Legalized Gambling[). A study of Gulfport, Mississippi reported by Kindt (1995:), revealed that between 1993 and 1994, a six-month period when casinos were being introduced locally, the number of rapes tripled, assaults increased by sixty-six percent, and robberies increased by a staggering 218%. In the same study, Kindt reported that with the advent of legalized casino gambling in Deadwood, South Dakota, child abuse cases increased more that forty-two percent, domestic violence increased eighty percent, and felonies increased by fifty percent. In Atlantic City, following the opening of its first casino, that city went from fiftieth in the nation to first in its per capita crime rate (Goodman 1995:). According to Goodman (1995:), "Atlantic City has become virtually two cities--one of extravagant casinos manned by a largely outside work force, and the other a city of boarded-up buildings, of a predominantly minority population that suffers large-scale unemployment, that has been given easy access to gambling."

Furthermore, monies spent on lotteries and at casinos are cyphoned off into the pockets of casino owners and state lotteries, deleting a community's purchasing power. Very little actually returns to local communities in tax payments or public sector benefits. For example, former Senator Paul Simon in 1995 reported that Illinois brings in approximately $820 million per year from state lotteries, race horse and riverboat gambling, money used to subsidize state education costs slashed by nearly fifty percent during an era of state government downsizing. As he notes, "States have two options: Tell people the truth and ask for the taxes to pay for these needs, or combine the growing practice of issuing bonds...and find some 'easy' source of revenue, like legalized gambling" (http://web.iquest.net/cpage/ncalg, 7/31/95, 104th

Cong.). State-based gambling, rather than enriching communities, simply mystifies publics by transferring tax burdens to the sector of voluntary chance-taking, paid for mainly by poor citizens drawn into the trap of a perennial grand narrative of "rags to riches" opportunities.

The Gaming Lobby: Big Business

As gaming profits have skyrocketed, gaming lobbies have worked to maintain, protect and perpetuate their industry niche in the face of growing community opposition. Tribes and private sector gaming interests use a variety of tactics to promote their industry, including product marketing and government lobbying. Tribal and private sector gaming organizations and lobbyists poured more than $4.8 million into Republican and Democratic Party Committees between 1995 and 1996 alone, with Democrats receiving approximately $2.6 million and Republicans receiving more than $2.1 million. Among the big givers during the 1996 election cycle was the Mashantucket Pequots Tribe, who donated more than $400,000, with $320,000 going to the Democrats and approximately $90,000 to Republicans. Among the top industry donors, giving combined totals over $200,000 each, were the industry giants Sands Hotel, Mirage Resorts, Trump Castle Casino, and Circus Circus (www.commoncasue.org/publications 6/26/97).

Marketing via billboards, TV commercials, and internet websites has become a golden opportunity to attract the approximately fifty percent of Americans, and especially the ten percent of problem and compulsive gamblers, to new gaming opportunities. Researchers note that gambling progresses from "softer forms," such as lotteries, to "more thrilling or harder forms. Theoretically, the normal progression in which the dollars will move is from the state lottery to race trakcs to off-track betting parlors to riverboat gambling to land-based casino gambling to video-machine gambling to harder and more accessible forms of gambling," states Kindt (1995:).

While gambling proponents have worked diligently to advance their industry's political position and public image, public opposition to gambling has grown. In 1996 gaming opponents successfully lobbied for the formation of a federal commission, the National Gambling Impact Study Commission, to investigate gaming's impact in the U.S.; and successfully turned back casino gambling bills in 22 states and the

District of Columbia. State gambling referenda were defeated in North Dakota, Ohio, Colorado, Washington, Iowa, and Louisiana; and a Michigan referendum narrowly passed with a fifty-two percent to forty-eight percent margin (http://web.iquest.net/cpage/ncalg, 1996).

Indian gaming has also come under increased attack, from anti-gambling constituencies as well as state and private gambling competitors. A Washington Times (April 10, 1997) article by W. Ron Allen, President of NCAI, noted that, "The prevailing sentiment seems to [be that]....Indians are getting filthy rich from casino gambling. It just isn't fair, they ought to be regulated or taxed or something." Opposition, particular from States competing for gaming dollars, has taken several forms, including legislative proposals and court challenges to tribal gaming. Legislation proposed by Republican Senator Slade Gorton (R-Washington) in the 104th Congress seeks to require tribes to give up federal funding if they are profiting from tribal business ventures, a measure that in effect would wipe out tribal treaty and trust rights.

States and private entrepreneurs, including Donald Trump, have also used a variety of other tactics to undercut tribal gaming operations, including legislative foot-dragging, court litigation, efforts to repeal state gaming laws, and compact language designed to strangle tribal gaming operations. States have also used both the 10th and 11th Constitutional amendments to stonewall Indian gaming operations, according to NIGA (n.d. 16ff). Using the 10th amendment which reserves to individual states all "...the powers not delegated to the federal government by the constitution," states have argued that this in effect grants them the right to refuse to act on tribal-state compacts, since such compacts are not mentioned in the U.S. constitution. Additionally, states have argued that the 11th amendment protection from lawsuits arising from federal legislation grants states immunity from IGRA "bad faith" lawsuits brought by tribes.

Indian Gaming: Where Success Takes Off

Large-scale tribally-sponsored gaming commenced in the late 1970s, as cash-and resource-poor tribes in Florida and California, following the lead of successes in state-sponsored lotteries, introduced high-stakes bingo games on tribal land (See Sockbeson 1987:4; Folwell 1988:69; Cordeiro 1992; Cozzetto 1995). Tribal economic initiatives were in part fueled by passage of the Indian Self-Determination and

Education Assistance Act of 1975 (PL 93-638), under which tribes were encouraged to reduce federal dependence through self-determined tribal economic initiatives. Among the first tribes to institute gaming were the Florida Seminoles. In response to state opposition to their gaming initiative, the Seminoles sued in federal court in 1979 (Seminole Tribe vs. Butterworth) and won the right to conduct gaming operations on tribal land so long as the state permitted similar operations, a ruling affirmed in another 1987 federal court decision pitting the State of California against the Cabazon Band (480 U.S. 202, 209-10).

In 1988 the U.S. Congress passed the Indian Gaming Regulatory Act (IGRA [25 USC 2701 et.seq.]), which recognized tribal jurisdiction over Indian gaming operations, although the IGRA stipulated that tribes must negotiate with states over the types of games permitted and their regulation. IGRA further stipulated that Indian gaming revenues be used solely for tribal governmental operations and charitable purposes. A National Indian Gaming Commission (NIGC) was formed in 1993 under IGRA, which regulates Indian gaming operations nation-wide. IGRA created three classes of gaming: Class I gaming included traditional tribal and ceremonial gaming and would be regulated solely by tribes; Class II gaming--bingo, pull tabs, lotto and some card games--was also regulated by tribes under IGRA regulations; and Class III gaming, including blackjack and slot machines, would be regulated by state-tribal compacts.

This Act's history recounts a familiar and uneasy tension tribes have historically encountered with state and federal governments over tribal sovereign rights and self-determination. Gaming has become a political and economic contest among states, tribes, and private entrepreneurial sectors, vying for pieces of a multi-billion dollar industry (See Green 1996). Today gaming offers a formidable economic opportunity for some tribes to overcome persistent poverty and unemployment while it poses serious contradictions and dilemmas for tribes seeking to retain remnants of traditional cultural practices built upon a viable, sustainable economic base, a vision many tribes have embraced within a gaming economy.

Gaming has brought phenomenal financial success to some tribes, such as Connecticut's Mashentucket Pequots, whose two hundred adult tribal members are paid $200,000 each annually from the tribe's Foxwoods casino profits. Foxwoods, the world's largest casino, opened in 1992 and currently employs more than 10,000 with an annual payroll of over $300 million (Boston Globe, 2/16/97; Anders and Thompson 1996:13; See also Cooper 1996). Other tribes have also profited substantially from gaming. According to NIGA sources (www.dgsys.com/^niga/ 2/16/97), Wisconsin's seventeen Class III tribal gaming operations employ more than 4,500 with an annual payroll of over $68 million. Washington's Tulalips have reduced tribal unemployment from 65 percent to less than ten percent since it opened its gaming operation in 1991. Minnesota's 17 Class III gaming operations are the seventh largest employer in the state, and have created 10,000 new jobs for Indians and non-Indians. Indian gaming operations nationally employ over 120,000 people. Indian gaming brings in about $4 billion annually, compared with state-sponsored operations that produce about ten times that amount in 37 states.

Indian gaming revenues and alleged monetary benefits to tribes, however, are highly over-estimated, since most U.S. gaming tribes earn only marginal returns from their gaming operations. According to Rezendes (2000:A2), only twenty-five of the nation’s 149 gaming tribes bring per capita annual returns to tribal members of $50,000 or more. On the other hand, members of seventy-two tribes earn only $5,000 or less annually per capital from gaming operations, returns that don’t resolve persistent poverty among their members. Connecticut’s two gaming tribes, the Mashantucket Pequots and the Mohegans, pay members more than one million dollars per capita, while members of nine South Dakota gaming tribes accrue only an estimated$180 per year

Tribes, States and Entrepreneurs Compete for Gaming Dollars

Tribal, state and entrepreneurial jockeying in the highly competitive arena of gaming dollars illuminate the ambiguity and uncertainty of the entire gaming industry generally and of tribal gaming initiatives in particular, which rely upon an uneasy balance among tribal, state and national political and economic jurisdictions. While tribes assert sovereign rights to economic self-determination on tribal land, state and federal officials have perennially contested those rights.

Current gaming language requires tribes engaging in Class III gaming to enter into gaming "compacts" with states, which subjects tribes to the whims of state officials and their powerful legal machinations. New Mexico, Rhode Island, Massachusetts and California have each contested Indian gaming operations in their states, even though those states permit similar gaming operations, either privately or state-sponsored. California Indians have hired their own legal teams and gaming experts to fight that state's efforts to close down various tribal gaming operations. Some states, such as Mississippi, New Mexico, Arizona, Alabama and Florida, resisted negotiating gaming compacts with tribes, even though non-Indian gaming operations are legal in their states (www.dgsys.com/^niga:2/16/97; see also Los Angeles Times 2/26/87, 1(3); New York Times 7/23/90, A(10); Cordeiro 1992:214-216; Vizenor 1990:22-24; Begay and Leung 1994; Cozzetto 1995).

Several of these tactics, including the "bad faith" argument, were used in a protracted New Mexico Indian gaming dispute over Indian gaming in that state. New Mexico's Governor Gary Johnson in 1995--after eight years of tribal efforts to negotiate gaming compacts and persistent stonewalling by the state legislature and previous administrations--finally signed a gaming compact with fourteen tribes, which was later endorsed by the U.S. Department of the Interior under the 1988 IGRA. The New Mexico debate over Indian gaming was not over, however. Adding to the ambiguity of the issue, the New Mexico Supreme Court ruled in 1995 that the state gaming compact must also be endorsed by the state legislature, which had historically rejected such compacts and refused to convene to even consider the agreement. New Mexico's again-revised state/tribal compact calls for New Mexico's tribes to pay the state $6.5 million for overseeing tribal gaming operations, plus pay an additional sixteen percent of slot machine profits, costs which tribes contend are way out of line with anticipated profits. In August, 1997 Interior Secretary Bruce Babbitt signed the New Mexico gaming compact, but rejected the state's compensation package, a significant victory for New Mexico gaming tribes (Boston Globe 8/17/97, A9; 8/25/97, A8).

All of these efforts point to the ambiguous definition of tribal sovereignty upon which tribal gaming rights have been built, a tenuous foundation at best. Indian gaming remains a highly complex contentious issues throughout the nation, serving as a bellweather of the durability of tribal self-determination. Gaming as an entrepreneurial strategy, whether tribal, state or private--offers its own inherent ambiguities as US communities seek profit-making strategies to finance domestic programs in a climate of anti-tax rhetoric. Surely the combination will remain an interesting laboratory of community debate and conflict, playing upon the mystification of political, economic and cultural realities for publics that seek to maximize benefits, minimize costs, and protect domains of privilege, whether they be states, tribes or nation-states.

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Adapted from a Paper presented at: American Anthropological Association, Annual Meeting, Session on "Critical Examinations of Culture and Politics in North America," November 19, 1997, Washington, DC.