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Big Winnings Up in Smoke:
Tribal Gaming and Indigenous Tobacco Industries in the "New Gilded Age"[1]

Indigenous peoples across Turtle Island[2] exist simultaneously within the Settler-Colonial capitalist society, as well as the communities, values, and worldviews unique to their diverse and individual Nations. Throughout our reading of the "New Gilded Age"—or the "Second Gilded Age"[3]—I have been curious how Indigenous protagonists fit into this larger economic and social narrative. As a white-Settler, my goal is not to tell Indigenous peoples' history, but put their experiences into dialogue with the New Gilded Age. A context with themes like the growth of wealth inequality,[4] the decline of the middle-class,[5] deindustrialization,[6] the rise of political-cultural conservatism,[7] credit debt, austerity, and the large question of race in the stratified American society.[8] Likewise the New Gilded Age sees unprecedented change to industry with the decline of unionism,[9] globalization and imperialism,[10] the flourishing service and finance

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[1] I would like to acknowledge and thank Professor Michael Loft, Professor Allan Downey, Professor Ned Blackhawk, Professor Jon Parmenter, and PhD candidate Ian Kalman for their support and help.
[2] Turtle Island is how North America is referenced in some Indigenous worldviews and creation stories.
[3] Thomas Picketty, *Capital in the Twenty-First Century,* (Cambridge, Harvard University Press, 2014).
[4] Steve Fraser, *The Age of Acquiescence: The Life and Death of American Resistance to Organized Wealth and Power,* (New York, Little Brown and Company, 2015).
[5] Putnam, Robert D. *Our Kids: the American Dream in Crisis,* (New York, Simon and Schuster, 2015); Daniel T. Rodgers, *Age of Fracture,* (Cambridge, Harvard University Press, 2011).
[6] Judith Stein, *Pivotal Decade: How the United States Traded Factories for Finance in the Seventies,* (New Haven, Yale University Press, 2010).
[7] Robert O. Self, *All in the Family: The Realignment of American Democracy Since the 1960s,* (New York, Hill and Wang, 2012).
[8] Ta-Nehisi Coats, *Between the World and Me,* (New York, Spiegel and Grau, 2015).
[9] Jefferson Cowie*, Stayin' Alive: The 1970s and the Last Days of the Working Class,* (New York, The New Press, 2010); Joseph A. McCartin*, Collision Course: Ronald Reagan, the Air Traffic Controllers, and the Strike that Changed America,* (New York, Oxford University Press, 2011).
[10] Andrew J. Bacevich, *The New American Militarism: How Americans Are Seduced by War,* (New York, Oxford University of Press, 2005).

economy,[11] and the deregulation of industry.[12] I was interested in exploring how these two contemporary industries—tobacco and gaming—are either alleviating or contributing to the New Gilded Age phenomenon in Indigenous communities. How is wealth being distributed in these new economic situations? It is worth analyzing Indigenous gaming since these operations constitute a $26 billion industry that employs 300 000 people, with half of the 564 federally recognized tribes in the US operating casinos of various sizes.[13] As well, the prevalence of tobacco in reservations promoted the US government to consider tobacco damages and regulations in 1998.[14] This was a process for me to begin to understand and dismantle the new stereotypes around Indigenous peoples, casinos, and tobacco. Is everyone prospering from the "new buffalo"[15], or is a newly created elite class fragmenting communities? Part of this project for me is resisting the idea prevalent in some scholarship that gambling enterprise is "un-Indian".[16] But if Indigenous peoples are using colonial tools or technology to benefit their communities, why police its "authenticity".

An important note on terminology. Whenever possible I seek to use the specific tribe or national name of a group. When speaking more generally in my own voice I will employ the terms Indigenous or Native American. To address legal or historic policies I will use the term

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[11] Bethany Moreton*, To Serve God and Wal-Mart: The Making of Christian Free Enterprise,* (Cambridge, Harvard University Press, 2009).
[12] Bethany McLean and Joe Nocera, *All the Devils Are Here: The Hidden History of the Financial Crisis,* (New York, Penguin Group, 2010).
[13] Roxanne Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*. (Boston, Beacon Press, 2014), 210.
[14] "Indian provisions contained in the tobacco settlement between the attorneys general and the tobacco industry hearing before the Committee on Indian Affairs, United States Senate, One Hundred Fifth Congress, first session, on oversight hearing on the proposed tobacco settlement and how it may affect smoking and the sale of tobacco products in Indian country, October 8, 1997, Washington, DC. Washington: U.S. G.P.O." United States, 1998, http://books.google.com/books?id=Eu718G4XMLkC.
[15] Paul Pasquaretta, *Gambling and Survival in Native North America.* (Tucson, University of Arizona Press. 2003) 26.
[16] Pasquaretta, *Gambling and Survival in Native North America.* 26.

"Indian" or "American Indian". Coming from a Canadian context, I am cautious to refer to communities as "tribes", being more comfortable with Nation and First Nations terminology. However, given the legal status around tribes (or bands in the Canadian context), I sometimes need to employ these terms especially when discussing imposed community governance. Likewise, in referring to the states of Canada and United States I utilize the term Settler-Colonial to outline the historic process by which the nation states have been created, and to acknowledge ongoing contemporary colonialism.

I have limited this research to the colonial borders of the United States but, as some topics show these borders are arbitrary and not always recognized. This project will not analyze the ways in which Native Americans have become economically and socially dispossessed. Instead the processes of historic and contemporary colonialism like wars of conquest, land dispossession, Boarding schools, reservation poverty, federal Indian policy, environmental racism, high unemployment, systemic lack of economic opportunity, and political disenfranchisement—as a non exhaustive list—are taken as the starting point. It is from here I wish to analyze how the Indigenous made industries of tobacco and gaming benefit communities by working counter to colonial capitalism in the New Gilded Age, or if they perpetuate income inequality among themselves. My goal is not to criticize Indigenous communities or individuals, as they best know how to navigate and survive colonialism and capitalism.

The original scope of this paper included extractivism industries (fossil fuel, fracking, mining etc) but was cut early on.[17] I wish to emphasis that all Indigenous communities simply do not have the same economic opportunities. Some obstacles to development include access to

[17] Naomi Klein, *This Changes Everything: Capitalism vs. the Climate*, (New York, Simon and Schuster, 2014).

financial capital, human capital, too much or too little reservation planning, having few or no control over resources, or being isolated from markets.[18] Tobacco and gaming are inextricably linked to Native "sovereignty" and the process of self-determination. It is precisely the sovereign status of reservation territory that allows for "distinct legal and economic market opportunities,"[19] such as reduced taxes on goods, or a monopoly on gaming. Before the self-determination policy, "sustainable development" on reservations was impossible. With economic development strategies, federal control is "radically inappropriate" as it hinders a tribes goals as politically and socially sovereign.[20] As long as the Bureau of Indian Affairs (BIA) or other external factors carried the primary responsibility, developmental plans inevitably catered to "outsider's agendas".[21] Instead of trying to fit into development strategies, Native institutions need to have the power to make the necessary decisions for their well being.[22] Taiaiake Alfred speaking about the Akwesasne Mohawk Reserve said

> the movement for self sufficiency and economic control has become virtually synonymous with gaming enterprises…Onkwehonwe leaders who see economic dependency as their main obstacle to their people's freedom and happiness have sought to take their people out of the cage of colonialism by using a strategy of economic development that is predicated on the ideas that increased wealth will lead to an increased ability to live *Indigenous lives* and that secure control by their nations over large land bases.[23] (emphasis mine)

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[18] Stephen Cornell and Joseph P. Kalt, "Reloading the Dice: Improving the Chances for Economic Development on American Indian Reservations", in *What Can Tribes Do?: Strategies and Institutions in American Indian Economic Development.* eds Cornell, Stephen E., and Joseph P. Kalt. (Los Angeles, University of California, Los Angeles, 1992), 6.
[19] Pasquaretta, *Gambling and Survival in Native North America,* 26.
[20] "Reloading the Dice: Improving the Chances for Economic Development on American Indian Reservations", Cornell and Kalt, 35.
[21] "Reloading the Dice: Improving the Chances for Economic Development on American Indian Reservations", Cornell and Kalt, 15.
[22] "Reloading the Dice: Improving the Chances for Economic Development on American Indian Reservations", Cornell and Kalt, 53.
[23] Gerald R. Alfred, *Wasáse: Indigenous Pathways of Action and Freedom.* (Peterborough, Broadview Press, 2005), 211.

A brief historical and legal background: In 1934, Congress passed the Indian Reorganization Act under the BIA which was cited as the "Indian New Deal" by establishing democratically elected tribal councils on reservations.[24] These tribal councils work to politically fragment communities in the past as well as the present. They usurped diverse traditional authority regimes based on lineage, clans, or elders and installed a government within arms reach of the Department of the Interior (later the BIA).[25] Congress established the Indian Claims Commission in 1946 to adjudicate cases where lands had been appropriated or treaty agreements were violated. It functioned to eliminate their Indigenous title by paying the "puppet" tribal council cash settlements in lieu of retuning the disputed lands.[26] The Congressional Act only allowed the commission to award financial compensation, the return of lands was never an option. Throughout the 1950's coal, oil, and uranium was discovered on Native land throughout America like Arizona, South Dakota, Montana, and California.[27] The new tribal councils and the commission worked to secure these resources for the state at the expense of Indigenous peoples health, lands, and identities. Throughout the 50's and 60's there were unsuccessful attempts at a "termination policy", to get rid of the special recognized treaty rights of Native Americas.[28] Rex Wyler writes "only after the fracturing of Anishinabe Ojibway territory in Michigan, after fish from the rivers and lakes was no longer edible due to acid rain, heavy metals and radioactive

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[24] Rex Wyleter, *Blood of the Land: The Government and Corporate War Against the American Indian Movement*, (New York: Everest House, 1982), 37.
[25] Wyleter, *Blood of the Land*, 37.
[26] Wyleter, *Blood of the Land*, 38.
[27] Wyleter, *Blood of the Land*, 38.
[28] "Reloading the Dice: Improving the Chances for Economic Development on American Indian Reservations", Cornell and Kalt, 1.

contaminants." Ojibway people moved into the cities. "It was there, in the streets of Minneapolis, that the American Indian Movement began in 1968."[29]

After years of fierce, public, and confrontational activism the American Indian Movement (AIM) secured a shift to "self-determination" away from "paternal federal policy."[30] In 1970, President Nixon "laid the groundwork" by responding to the growing pressure. "The time has come to break decisively with the past and create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions."[31] 1975 saw the passing of the Indian Self-Determination and Educational Assistance Act. Vine Deloria Jr. however revealed some ulterior motives to the policy shift, stating that the BIA made this change with a focus on "reservation crime and limiting the direct action activism" of AIM.[32] Regardless, the US was finally responding to the "strong expressions of the Indian people for self-determination by assuming the maximum Indian participation in the direction of Federal service to the needs and desires of those communities."[33] Roxanne Dunbar-Ortiz saw the legislation as "validat(ing) Indigenous control over their own social and economic development with the constitution of federal financial obligations under treaties and agreements."[34] With deindustrialization, many US cities turned to gambling for revenue, and in 1986 the National Indian Gaming Association was formed and lobbied for government recognition.[35] Finally in 1988, Congress passed the Indian

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[29] Wyleter, *Blood of the Land*, 21; Dennis Banks, and Richard Erdoes. *Ojibwa Warrior: Dennis Banks and the Rise of the American Indian Movement*. (Norman, University of Oklahoma Press, 2004).
[30] "Reloading the Dice: Improving the Chances for Economic Development on American Indian Reservations", Cornell and Kalt, 5.
[31] *American Indian Policy in the Twentieth Century*, eds Vine Delora, Jr. (Norman, University of Oklahoma Press, 1985), 179.
[32] *American Indian Policy in the Twentieth Century*, 177.
[33] *American Indian Policy in the Twentieth Century*, 179.
[34] Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 209.
[35] Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 210.

Gaming Regulatory Act, so the state could gain some control and recognize gaming sovereignty free of taxation.[36] The Indian Gaming Regulatory Act divided Native American gaming operations into three categories, Class I ("traditional" small scale games), Class II ("games of chance" such as bingo), and Class III (all other forms of gambling, especially those illegal under state legislation).[37] The law recognized tribes "sovereign rights" over their gambling but required they negotiate with the state to regulated gaming operations.[38] To some economists, a main reason for the legislation was to limit the involvement of organized crime involvement and siphoning revenues away from Native communities.[39]

Gaming Operations: Bingo

For most reservations now involved in gaming, bingo was the precursor to high stakes gambling. Control over the industry was tested in 1987 with the supreme court case *State of California v. Cabazon* which found criminal gaming laws were not applicable on Indian land and were merely "civil regulatory" in nature.[40] Self governing people were not subject to state policy. Even before regulation, the Morongo Band in California achieved a revenue of $24 million in

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[36] Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 210.
[37] Eduardo Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", in *What Can Tribes Do?: Strategies and Institutions in American Indian Economic Development.* eds Cornell, Stephen E., and Joseph P. Kalt. (Los Angeles, University of California, Los Angeles, 1992), 213.
[38] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 213.
[39] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 216.
[40] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 213.
[41] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 210.

1987 from bingo alone.[41] Thus, by 1991 the bingo industry had 113 tribes participating with a total gross revenue of $225 million.[42]

What makes Native American bingo so successful? One reason is the "price elasticity" of bingo. It has no substitutes or competitors in the marketplace.[43] Likewise the start up costs of bingo are small in comparison to a manufacturing facility or business.[44] They normally take place in church halls, community centres, or pre-existing warehouses. One important factor for bingo success is acquiring "new income" by luring non-tribal members to the reservation to inject funds into the community.[45] Some Native Americans can take advantage of the population density around reservations to lure "new income", but for others isolated from urban areas bingo is not a viable economic endeavour. Other variables for success include population radius, median income, tribal population, months in operation, distance to competition, and the legality of gaming.[46] Contrary to popular thinking in terms of propensity, data suggests that when a state has legalized lottery, reservations within the state saw higher bingo revenues.[47]

One story of bingo's development is how the "Bingo Queens" of the Oneidas of Wisconsin, led their community through strides in health care, education, infrastructure, and

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[42] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 207.
[43] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 217.
[44] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 215.
[45] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 234.
[46] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 223.
[47] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 235.

living conditions.[48] Exemplary, in 1979 bingo funds helped expand the Oneida school on the site of the old reservation Boarding School that was closed in 1919.[49] To community members involved in the early years it was clear that this was about more than bingo dabbers and making some pocket change. According to patron Charles Wheelock "bingo wasn't just about gaming dollars; it was about exercising our sovereignty…Those women who ran bingo were paying bills and buying basket balls for the present generation."[50] Bingo's potential was realized when the 1972 Supreme Court case *Bryan V. Itasca Country* ruled that state taxation authority was not applicable on tribal property.[51] In its first full year in 1977 it generated $46 421 for the tribe, and in the year after revenue more than tripled.[52] Bingo revenue was funnelled into the community centre's electricity bill, expanding the hospital, and constructing an elders home.[53] In the 70's, in the context of a nationwide economic depression bingo and a small footing into tobacco sales was helping the community through hard times.[54] In 1979, the Bingo Committee diverted funds to pressing issues like buying property for the reservation—15% of funds were diverted to land acquisition—and paying off the mortgage on a community owned farm.[55] Bingo was run by dedicated volunteers, but by the late 70's they were able to pay workers many youth, mothers, and elders. Debbie Doxatory worked the kitchen and used her first paycheque to help buy a car: "people saw the impact bingo had in helping programs and supplementing federal funding."[56]

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[48] Mike Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. (Green Bay, Wisconsin Historical Society Press, 2014), xx.
[49] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 97.
[50] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 2.
[51] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 92.
[52] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 89 .
[53] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 90.
[54] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 94.
[55] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 94.
[56] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 95.

Similarly, the Seminoles in southern Florida were able to experience near economic autarky with bingo establishments. They grossed $45 million one year after opening in 1979.[57] Consequently, their dependence on federal funding plummeted. In 1977, 60% of their budget came from federal funds and this dropped to 20% by 1984.[58] It would appear to be in the State's interest to allow Native Americans to develop economic self-sufficiently. Tribal council chairman James Billie was only able to open the first high stakes bingo hall in 1979, after tobacco sales had helped stabilize the community's economy.[59] A court ruling secured Seminole gaming expansion in 1981 with *Seminole Tribe of Florida v. Butterworth* deciding that bingo was not taxable by the state or subject to regulation.[60] These revenues were supporting social and government services as well as employing tribal members.[61] Despite the fact that Seminole bingo was made possible by non-Indian investors, it was benefiting the reservation community.[62] This will be expanded on when addressing Seminole casino enterprises.

The Mohawks of Akwesasne established their first bingo hall in 1983 with the assistance of the multiple councils.[63] Mohawk Bingo Palace was an "overnight success" by 1987 attracting busloads of guests from Montreal, Ottawa, Syracuse, and Plattsburgh.[64] The American tribal council (not to be confused with the similarly imposed Canadian band council), refused to invest

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[57] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 207.
[58] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 207.
[59] [59] Julian M. Pleasants and Harry A. Kersey Jr., *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, (Lincoln, University of Nebraska Press, 2010), 35.
[60] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 2.
[61] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 208.
[62] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 212.
[63] Rick Hornhung, *One Nation Under the Gun: Inside the Mohawk Civil War*, (New York, Pantheon Books, 1992), 25.
[64] Hornhung, *One Nation Under the Gun,* 26.

in the project wanting the investors and owners to be involved directly.[65] One such local investor was Larry Thompson, a former ironworker who saved his wages and "bootlegging profits" to help open the Onkwe Bingo Jack.[66] The list of reservations who profited from bingo is vast and these profits were funnelled into bettering the communities. The Lac du Flambeau band of Lake Superior Chippewa Indians in Wisconsin used bingo revenue for programs and services, the Mission Indians near San Diego used their bingo capital to fund housing, fire department, health insurance, a tribal trust fund, and per capita payments.[67] More of the community benefits from gaming will be explored in the next section, as well as the discrepancies to complicate a harmonious Native gaming narrative.

Gaming Operations: Casinos

"Indian" casinos have risen as pop culture stereotypes as they have grown to become the cornerstone to some community's economic strategies. Native American casinos have allowed for some groups to achieve "fiscal independence" and invest these gaming revenues into their society.[68] The "rag to riches" of some Indigenous casinos is astonishing. Norman Crooks and his six brothers returned from WWII service to find that encroachment from suburban Minneapolis-St. Paul had shrunk their reservation to 1250 acres. They opened the Little Six bingo hall which transformed into the Mystic Lake Casino generating housing, health care, education funds, infrastructure maintenance and "generous per capita payments to tribal members" of the

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[65] Hornhung, *One Nation Under the Gun,* 26.
[66] Hornhung, *One Nation Under the Gun,* 26.
[67] Cordeiro,"The Economics of Bingo: Factors Influencing the Success of Bingo Operations on American Indian Reservations", 207.
[68] Akee, Randall K. Q., Katherine A. Spilde, and Jonathan B. Taylor. "The Indian Gaming Regulatory Act and Its Effects on American Indian Economic Development" in the Journal of Economic Perspectives. 29 (3): 185-208, 2015.

Shakopee Mdewakanton Sioux Community.[69] Anthropologist Jessica Cattelino draws attention to how media coverage of gaming dominants Indigenous news coverage. However on a broad scale they remain one of the poorest socio-economic groups in the US.[70] One cannot isolate Indigenous economies from larger colonial, and capitalist systems. Furthermore, Cattelino raises awareness at how gaming economies have spawned "new racist stereotypes" in Settler-Colonial contexts:

> the dramatic shift in public portrayals of Indian people that has accompanied gaming reflects deeper realignments in the ways many Americans reckon the relationship among cultural difference, economic power, and political rights.[71]

This "settler anxiety" is evident when Arnold Schwarzenager denounced his opponent in the 2003 recall election for California Governor for receiving donations from wealthy tribes; or when Jack Abramoff raised cries for political lobby reform following a casino scandal in 2005.[72] Four case studies for the emergence of Native American casinos and the use of these funds will be discussed through the Seminoles in Florida, Peqouts in New England, Kanien'kehá:ka of Awkeseasne, and Onedia of Wisconsin.

The Seminoles of Florida ventured into casinos after establishing their first "smokeshake" in 1977 and expanded into bingo in 1979 before the *Seminole Tribe of Florida v. Butterworth* ruling of 1981 guaranteed that bingo activities were not taxable by the state.[73] They tried to articulate and enact tribal sovereignty and governance "true to Indigenous political theories" while simultaneously navigating US legal and political systems.[74] Before the economic

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[69] Adam Fortunate Eagle. *Pipestone: My Life in an Indian Boarding School.* (Norman, University of Oklahoma Press, 2010), 160.
[70] Jessica R. Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, (Durham, Duke University Press, 2008), 6.
[71] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 7.
[72] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 7.
[73] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 2-33.
[74] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 13.

self-determination policy the tribes only economic outputs were from a small tourist economy at their "Indian Village", cattle ranching, and citrus groves.[75] Flash forward to 2006, and the Seminole tribe operates 6 casinos in southern Florida with a combined revenue of a billion dollars.[76] Immediately after the Indian Gaming Regulatory Act was passed in 1988 the tribe brought a negotiation suit to the court. It was settled in 1996 and Congress ruled in *Seminole Tribe of Florida v. Florida* that they did not have the power to force negotiations for legal gaming operations.[77] As the suit was underway the tribe waved the legal formalities and continued their expansion from bingo to high stakes casino. In 1991 the Seminole Casino Hollywood near Fort Lauderdale became the first high stakes Native casino in the country.[78] Expansion continued on the fragmented Seminole territory with the Seminole Casino Immokalee establishment in 1994 south east of Fort Myers which featured a bar, restaurants, machines, poker and a craft shop. The tribe did a public relations advertising campaign in the late 90s to "combat their new perceived snooty status." The tribe emphasized the ripple effects their wealth had for the local economy on top of a school program for low-income Seminole students, community health care, education, and a pledge of $3 million towards a park in historic Fort Lauderdale.[79] A string of off reservation newspaper adds read:

> which Floridians employed over 2,200 other Floridans, paid over 3.5 million in federal payroll taxes and purchased more than 24 million worth of Florida goods ands services last year.. The same Floridians who operate citrus groves, manage one of Americas largest cattle herds and have acted as stewards of the everglades for over 200 years.. 100% Seminole, 100% American.[80]

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[75] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 2.
[76] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 2.
[77] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 37.
[78] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 37.
[79] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 45.
[80] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 45.

It was a strong assertion to their Indigenous right to the territory, and their right to a present in the luxury Florida capitalist-tourist economy. Other project expansions came in the 2000's with the Seminole Brighton Gaming Casino on Lake Okeechobee and the Coconut Creek Casino north of Fort Lauderdale.[81] In 2000 the St. Petersburg Times reported the annual budget of the tribe had skyrocketed to $203 million and criticized that despite growing dividends paid to the tribal members, unemployment and school dropout rates remained high.[82] It would seem that money was not the solution to all problems, but what authority does a Settler journalist have to comment that structural equity problems had not been solved in a mere 20 years of finding self-sufficiency. Shortly after that editorial a looming financial controversy struck the tribal government.

In 2002 and 2003 it was reported by the St. Petersburg Times that tribal chief James Billie had mismanaged funds.[83] The tribe responded with a suit against the newspaper for slander and racism but it was dropped.[84] Philip Holden of the National Indian Gaming Commission had warned the tribal government about unsupervised spending. An unchecked $5-10 million dollars of discretionary spending was allocated to each council member.[85] Tribal corporate corruption was thrust into the spot light with *Seminole Tribe v. James Billie.* It was alleged that records were falsified, and he had paid Christine O' Donnel $169 000 of tribal funds to drop a sexual harassment charge.[86] The suit found that Billie had to repay the money to the tribal treasury. Trouble arose again in 2002 when a report found three council members had embezzled and

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[81] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 38.
[82] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 38.
[83] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 40.
[84] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 40.
[85] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 43.
[86] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 42.

laundered money.[87] This "excessive spending" violated the Indian Gaming Rights Act which stipulated that money from gaming finance tribal government operations or "general welfare, promot(ion of) economic growth."[88] Tribal councilman David Cyrpuss purchased so many luxury cars as gifts, he was unable to recall how he had spent $57 million in under 4 years.[89] Cypruss had given money to his ex-wife and three daughters. [90] Gaming revenue totalling $13.6 million was supposed to be shared between the 945 tribal members, but 30 people were getting more than half of that wealth.[91] Financial reform was desperately needed once it was discovered tribal wealth was not being appropriately used and shared. The 2004 budget was recalled and the tribe implemented open budget meetings and eased transparency.[92] Locals were furious but understood that the problem was not "gambling money" it was "leadership failure, interpersonal tensions and personalized greed."[93]

The Seminole presence, language, and culture survives three colonial wars and rejected expulsion west of the Mississippi.[94] In the new economic era "cultural preservation" is seen as a priority.[95] Despite the strong cultural identity, many know that the economic projects may be at odds with Seminole values. In an interview Samuel Tommie reported:

> In some cases, our economies systems is based on the United States and it becomes totally useless when it comes to human rights. So I think some of the things we practice do a lot of damage to the environment…The money does help out the people, but what is the process… I mean, this gambling brings in a lot of money, yes, but it hurts a lot of people. It is the good old American way.[96]

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[87] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 44.
[88] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 44.
[89] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 44.
[90] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 44.
[91] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 44.
[92] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 44.
[93] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 44.
[94] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 52.
[95] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 9.
[96] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 52.

Divisions were already present in the community spiritually between Baptist Church goers and traditionalists who adhered to the Green Corn Dance ceremony.[97] But as illustrated above, the new gaming industry created an economic elite class who were out of touch with Seminole values and the confines of the laws regarding Indian gaming. Likewise Seminole youth were struggling with the wealth they were receiving from the tribe. Drunk driving and recreational drugs were a problem targeted with a billboard ad on the reservations: "we fought too long to die by our own hands. Stop drugs, alcohol, and violence."[98] After many unfortunate accidents, 75% of minor's revenue share was put into trust funds until they turned 18.[99] Elders spoke out against the new affluence, and that many people were traveling recreationally off the reservation and loosing touch with their community and heritage. "You drive around (the reservation) but you don't know who to wave to because everyone has these new cares and you don't recognize them…Will they continue to know each other? Will the tribe hold together? Who knows" said one elder.[100] Despite current problems, in the context of their history of poverty, many Seminoles feel they are on a path of "cultural renewal" because of the gaming economy. Seminoles do not wish to outright reject "modern" life, but want to achieve a balance with their ways.[101]

The new Seminole era is not perfect. The tribal council has bureaucratized the "transmission of cultural and traditional knowledge" away from the clan and family leaving some wondering if this is the appropriate the role of the colonially imposed tribal government apparatus.[102] However, under tribal government leadership the tribe has witnessed unprecedented

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[97] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 5.
[98] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 53.
[99] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 53.
[100] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 53.
[101] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 65.
[102] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 66.

economic expansion. “There is truly nothing like it” tribal councilman Max Osceola Jr. said in reference to the economic situation of the tribe[103] As of 2003, gaming accounted for more than 90% of the tribes revenue.[104] And those sources of revenue keep growing. In 2006 the tribe purchased the Hard Rock franchise for $965 million acquiring resorts in 44 countries.[105] But remember, before 1979 the tribes budget was below $2 million, most from federal grants. With the 2006 deal the tribes net income from gaming alone surpassed $600 million.[106] Every tribal member who wants a career can work for the tribal government in some regard, entrepreneurs can obtain small business loans, members have free lifelong education, universal health insurance, direct bimonthly cash distributions, augmented household incomes, infrastructure improvements, and numerous Elders services and programs.[107] Although there have been problems with the distribution and management of funds, it seems the average Seminole member is now in a state of social and economic security.

The Pequots in New England were closely watching the advent of Seminole gaming unfold.[108] Before gaming the Mashantucket Pequot tribe had garden projects, maple syrup production, timber, and swine raising as economic activity.[109] In 1960 the tribe was small with 50 members, but by 1994 they had grown and were wealthy enough to place 165 of the first 250 members in landscaped reservation homes.[110] In 1989 a letter was sent to Connecticut state

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[103] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 39.
[104] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 39.
[105] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 5.
[106] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 9.
[107] Cattelino, *High Stakes: Florida Seminole Gaming and Sovereignty*, 9.
[108] Kim Isaac Eisler,. *Revenge of the Pequots: How a Small Native American Tribe Created the World's Most Profitable Casino*. (New York: Simon & Schuster, 2001), 98.
[109] Hauptman, Laurence M., and James Wherry. *The Pequots in Southern New England: The Fall and Rise of an American Indian Nation*. (Norman: University of Oklahoma Press, 1990), 215.
[110] Eisler, *Revenge of the Pequots,* 214.

authority to allow a Class III casino expansion of their bingo hall.[111] State politicians tried to oppose the procedure since the state would see no revenue from taxation.[112] In May of 1990 Judge Dorsey ruled that the state could not block a casino, they could only have sway in how it was regulated.[113] For example, agreeing to restrict slot machines due to their addictive nature. State politician Lowell Weicker now found himself on the other side of Pequot relations opposing their economic development. Previously he negotiated with President Reagan to reverse his 1984 veto of the Mashantucket Pequot land settlement claim.[114] Weicker's influence, and the $900 000 outcome of the land claim had allowed the Pequot to finance their economic "resurrection".[115] Investor Barry Lim from Malaysia was secured to finance a $60 million loan to build the casino.[116] In return Lim was offered a partnership to co-own the nearby Two Trees hotel.[117] There was an air of xenophobia among settler Connecticut regarding the financing of the casino.[118] In 1992 the expansion was complete and New York Times Columnist William Safire criticized the protocol under tribal leader Skip Hayward. Safire was outraged that tribal members employed were not "scrutinized" like workers in Atlantic City with no background checks, only police approval needed.[119] As well unlike Jersey, the Foxwood casino did not have to deal with unions since reservation territory is exempt from most Department of Labour regulations and the National Labor Regulations Act denying collective bargaining rights.[120]

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[111] Eisler, *Revenge of the Pequots,* 126.
[112] Eisler, *Revenge of the Pequots,* 127.
[113] Eisler, *Revenge of the Pequots,* 130.
[114] Eisler, *Revenge of the Pequots,* 133.
[115] Eisler, *Revenge of the Pequots,* 133.
[116] Eisler, *Revenge of the Pequots,* 156.
[117] Eisler, *Revenge of the Pequots,* 156.
[118] Eisler, *Revenge of the Pequots,* 161.
[119] Eisler, *Revenge of the Pequots,* 162.
[120] Eisler, *Revenge of the Pequots,* 175.

Pequot success came with more expenses than just labour relations. Their new economic spotlight soured relations with the Narrangaett in nearby Rhode Island.[121] Long standing Indigenous solidarity was splintering in the atmosphere of capitalist competition. Exemplary, the Pequot bingo members learned tactics from working at the Penobscot Reservation in Maine before buying out the management and extracting the craft of bingo management.[122] Gaming wealth for the Pequot represents another problem in the era of the "new buffalo" economy, growing membership lists. Claiming or finding heritage to a wealthy tribe can guarantee employment and income for some. Patricia Feltcher learned she had a Pequot aunt and left a life of poverty in Brooklyn for a $45 000 annual salary, $50 000 dividend cheque and a 3 500 sq foot house on the reservation.[123] Dealing with growing membership is a problem for some bands. This brings into question the tricky situation of policing membership by lineage or blood quantum. However, when considering membership its important to remember that Nations need to regulate the limited lands and resources they have control over from colonial policies.

The pathway to a gaming economy is not always smooth. For the Awkwesasne Mohawk Reserve/ St. Regis Mohawk Reservation, one Mohawk historian has referred to the casino process as starting a "civil war", splintering the community, and resulting in two deaths. The reservation straddles the Ontario, Quebec, and New York border. Hornhung describes the imposed Settler-Colonial borders as "potent symbols of humiliation and colonization."[124] Similarly Mohawk anthropologist Audra Simpson reiterates that Canadian and US sovereignty

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[121] Eisler, *Revenge of the Pequots,* 185.
[122] Eisler, *Revenge of the Pequots,* 189.
[123] Eisler, *Revenge of the Pequots,* 198.
[124] Hornhung, *One Nation Under the Gun,* 26.

fail to recognize Mohawk or Iroquois sovereignty.[125] The international border also creates an "administrative nightmare" between the three member St. Regis Mohawk Council elected in "New York" territory and the twelve member Mohawk Council of Akwesasne elected from "Ontario" and "Quebec."[126] There is a third unrecognized governmental body, the traditional council which receives no governmental funds but has considerable pull from supporters on both sides of the border due to the traditional governing style of appointment from clan mothers according to the Great Law of the Haudenosaunee Confederacy.[127] Divisions became violent and confrontational in 1983 when pro-gaming supporters were elected to the tribal council in New York with plans for a casino on the American side.[128] Many on the reservation had unlicensed slot machines at truck stops, or other small personal gaming establishments. There was six known casinos, or small scale gaming establishments in operation without sanction from the tribal council.[129] In 1987 leaders from the traditional council "cast aside centuries of rejecting white authority and took the unprecedented step of asking the FBI and state police to raid" the reservation for gaming rooms and slot machines.[130] One member of the Mohawk Warrior Society said

> though the anti-gamblers say they want to protect our heritage, they use the tolls of white politicians. We don't accept these councils and we don't participate in their elections or decision making. Before the police invasion of June 6, some of the anti-gamblers were talking about a state and federal taxation plan. That's treason. We do not pay taxes to a foreign government for any business on our home land. That is recognized by treaty.[131]

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[125] Audra Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, (Durham, Duke University Press, 2014), 125.
[126] Hornhung, *One Nation Under the Gun,* 20.
[127] Hornhung, *One Nation Under the Gun,* 20.
[128] Hornhung, *One Nation Under the Gun,* 17.
[129] Hornhung, *One Nation Under the Gun,* 33.
[130] Hornhung, *One Nation Under the Gun,* 17.
[131] Hornhung, *One Nation Under the Gun,* 18.

Three fractions emerged, the traditional leaders and antigambling supporters, entrepreneurial Mohawks who advocated for the casino, bingo hall, and small scale gaming, and lastly the warrior society who greatly objected Settler authority and defended gambling.[132]

The land around Akwesasne can no longer sustain old economies. The St. Lawrence seaway chokes the river, ore filled boats float to foundries, fishing is no longer safe. "On this side of the border, the law gives us a chance to start our bingo and gambling business and we should. For decades the industries have dumped toxic waste into the rivers… there is no way to live off our land" said one man pointing out that casinos and private sector gaming have been economically successful for some.[133] In the summer of 1988 two anti-gaming councillors were elected to the New York tribal council along with head chief Harold Tarbell who campaigned to cease all gaming activity except the profitable Mohawk Bingo Palace.[134] In September of 1988 a truck stop was raided by New York police and several slot machines were confiscated.[135] Tarbell's "hunger for power" as some saw it continued. He requested the invasion of state and federal police to force closure of independent gaming operations and shut the water off to multiple businesses and homes.[136] Confrontation was becoming violent, during raids the Warrior society protected business and in June 6th 1989 the "civil war" took two lives when warrior Davey George allegedly shot and killed Harry Edwards Jr. and Matthew Pyke.[137] Despite anti-gaming activists pinning the two deaths on him, he was not found guilty.[138]

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[132] Hornhung, *One Nation Under the Gun,* 17.
[133] Hornhung, *One Nation Under the Gun,* 21.
[134] Hornhung, *One Nation Under the Gun,* 28.
[135] Hornhung, *One Nation Under the Gun,* 28.
[136] Hornhung, *One Nation Under the Gun,* 29-30.
[137] Hornhung, *One Nation Under the Gun,* 16, 177.
[138] Hornhung, *One Nation Under the Gun,* 30.

A new tribal council vote defused the situation electing a mostly pro-gaming council along with Tarbell.[139] However, animosity remained in the community and in the spring of 1990 several homes were burned and New York State police, Surete du Queec, OPP and RCMP investigated the arson. Almost a decade later the New York tribal council sanctioned a casino that opened in 1999. Community divisions emerge on the issue around gaming for economic opportunity on a personal or community level. Gaming as a theoretical concept can fracture a community based on value and principles. In the case of Akwesasane, it would seem that gaming's early relationship to the community was one in terms of violence. Resulting in internal fracturing regarding morality, spirituality, sovereign relations, and economic status. But Hornhung articulates that gaming also materially fragmented the community, dividing people by newly emerging statuses based on wealth and power. "(Gaming) overturned the old political, economic, and social orders: high rolling bingo chieftains were the new elite. Power and status were measured by money, not by the the traditional alignments of clans."[140] In a community gaming history entrenched with conflict, the outcome as creating a less egalitarian society is noteworthy. Economic opportunities for communities should be benefiting all, not a chosen few.

The Oneida of Wisconsin had a much different relationship to the establishment of casinos. One statistical analysts said the tribes casino economy was "superior to any public anti-poverty program shot or long term."[141] Through economic self sufficiency from gaming, the Oneida are "saving costs otherwise borne by state, local and federal governments.[142] While

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[139] Hornhung, *One Nation Under the Gun,* 283.
[140] Hornhung, *One Nation Under the Gun,* 27.
[141] Daniel J Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", Wisconsin Research Institute INC, 1997, 3.
[142] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 3.

saving the Settler-Colonial state costs should not be the prime concern with establishing economic self sufficient Indigenous communities, it certainly is an attractive spin off within the state's interests to allow self-government and self-guided industry development. Oneida gaming emerged after the development of bingo charities and with state regulation around 1975. In 1991 tribal gaming was permitted but restricted to blackjack and machines. A change in legislation to expand permissible gaming and the contract renewal for the Oneida Casino in 1996 prompted the source used here for analysis by Alesch.[143] At the time of the report in 1997, the Oneida employed 3 350 people making them metropolitan Green Bay's largest employer with 1 200 non-Indigenous and 300 non-Oneida Indigenous positions.[144] Gaming is regarded simply as a "means to an end" for capital accumulation that provides employment, is letting the tribe buy back lost lands, invest in local business and long term economic planing, as well as fund cultural programming like language classes.[145] Metropolitan Green Bay is seeing a tremendous amount of growth due to Oneida gaming as well. Since the casino opening there has been a decrease in unemployment, a net positive effect on the local economy with a "ripple expenditure" into the state economy.[146] In 1994, the Oneida Casino helped generate $400 million in revenue for the local business within a 35 mile radius of the establishment.[147] This "conservative estimate" of wide growth is partly due to gaming as becoming an "export business" in Wisconsin, attracting tourists from outside the normal economy.[148] The Oneida gaming industry attracts "an additional round of income earners and spenders in a local economy" with the state wide economy seeing

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[143] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 7.
[144] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 1.
[145] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 8.
[146] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 13.
[147] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 13.
[148] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 27.

positive impacts.[149] Money spent in reservation gaming economy quickly filters out to the local economy.[150] This would indicate a high level of corporate efficiency by the Oneida, as well as an apprehension to alienate investments for the sake of wealth accumulation. Instead they actively reinvest gaming revenue into the economy and community. The report concludes that the state should renew the gaming status of the Oneida on account of the benefit to the reservation, and wider state economy.[151]

The Oneida gaming revenue strategy is truly unique. Through an Indigenous framework of "seven generations of prosperity"—roughly ensuring that what is being done is beneficial for the seven generations past, and the seven generations ahead who have yet to come—they funnel gaming revenue into social and economic programming instead of per-capita payments to tribal members. From my research, dividends are the most common way tribal gaming revenue is divided, seemingly egalitarian like the Seminoles in Florida or the Oneida's neighbours the Shakoppe Tribe in Minnesota where each adult member received $454 000 in the year 1995.[152] The Oneida use gaming revenue to develop their human resources, "productive capital", and purchasing the land lost from their original 1838 reservation.[153] The development of "human capital" begins with investing in elementary, secondary, and post-secondary schooling for Oneida youth.[154] Gaming revenue is also used to diversify their economy. Long term economic growth is fuelled by casino income through a farm that cultivates 1200 acres, an orchard, cannery, several

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[149] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 15.
[150] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 1.
[151] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 27.
[152] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 1-8; [152] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 38.
[153] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 8.
[154] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 11.

gas stations, tobacco outlets, hotels, restaurants, and of course the casino and bingo hall.[155] The long term prosperity is also ensured through small scale economic development. The tribe expects to own all economic enterprise on the reservation, they actively attract industries with "high potential for long term payoff in jobs and income." A scientific testing facility failed, but an electronic developer is doing well leasing land from the reservation and providing jobs.[156] Furthermore, budding entrepreneurs can take out small business loans from the tribe to add to economic diversification and job opportunities through self-employment.[157] Gaming income also goes towards social and cultural resurgence with investments into child care, drug and alcohol programming, mental health, nursing homes, a career centre, health facility, schools, financial assistance programs, fitness and sports programs, housing assistance programs, job training and recycling.[158] Likewise a language strategy is revitalizing the Oneida tongue through courses.[159] Contrary in 1976, elder Mamie Ryan would frequent bingo and order her cards in Oneida (*uskah*, *kaye*) to be returned with blank stares by the youth working there like Don Webster.[160] "The elders seems disappointed when we couldn't talk to them in Oneida. There were only a few dozen native speakers left in the community."[161]

While the casino has had a tremendous impact on the Oneida and Green Bay economy, there remained mixed effects from the new Oneida success. One of the main prioritizes of the economic strategy from gaming revenue involves buying back land from the 1838 reservation borders. The "land acquisition" program has spilled into the nearby town of Hobart with Oneida

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[155] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 10.
[156] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 9.
[157] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 9.
[158] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 12.
[159] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 8.
[160] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 71.
[161] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 71.

integration into local government proving sometimes "confrontational".[162] On account of this, the Oneida make a powerful representative body in the municipal political scene. In the new "generation of prosperity" the Oneida have become an influential political force in municipal government.[163] The "settler-anxiety" and new stereotypes around Indigenous success as outlined by Cattelino seem to be at play here as well. But more than just government influence, the land acquisition program and their efforts to undo land dispossession are shrinking the tax revenue base of surrounding municipalities.[164] Taxation exemption is only applicable to reservation land, so Oneida lease land and than turn the legal designation over to "in trust" of the tribe as opposed to private ownership making it ineligible for taxation.[165] The author of the 1997 report notes that taxation was not an issue until the Oneida became "prosperous". Where Oneida long term economic planning and sovereignty intersect at land acquisition, non-Indigenous settlers see a discrepancy between subsidizing "poor Indians and prosperous Indians."[166] The new stereotypes of Oneida gaming success cannot trump treaty recognized rights of being self-governing people not subjects of the Settler-Colonial American state. Despite the economic success on a community wide scale, low income Oneida still exist in the community, and specially designed housing programs try to alleviate a main setback for low income members. However this program has not been without complication.

One of the Oneida social programs assist low income families with alleviating a major economic barrier: housing. The Oneida Housing Authority use gaming revenue to purchase

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[162] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 1.
[163] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 22.
[164] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 19.
[165] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 19.
[166] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 23.

homes close to that reservation and places families in these for a small portion of the cost paid to the housing authority.[167] There have been cases where Oneida families relocated into non-Indigenous suburbs did not accommodate very well or were treated harshly by neighbours. One Oneida family relocated into housing and allegedly partied and did not up keep their home until bylaw officers had to enforce property maintenance.[168] One non-Indigenous homeowner quoted in the report said "we both work full time so we can afford to live here. Now, we feel like we're being forced to leave. We're going to have to sell our house for a lot less than we could have a couple of years ago."[169] That particular family was later evicted by the Oneida Housing Authority but middle-class settler assimilation remained a problem for other families relocated. While no interviews conducted revealed "overt racism", some families had received threatening and obscure phone calls in their new homes, and the Housing Authority tries not to place families in some neighbourhoods perceived as "unsafe" for Oneida relocation.[170] The report is cautious in making sure this program is not understood as "Oneida housing segregation" or "block busting", but that the goal is to improve the lives of the less enfranchised members of the tribe with the funds from gaming prosperity.

The impact report offered me information I was not previously concerned with, but other authors in the field of scholarship had expressed concern at whose cost comes Native American gaming success? In metropolitan Green Bay, some data on Oneida Casino customers gathered in 1995 revealed that two-thirds were women, three out of five had an income under $30 000, half

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[167] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 25.
[168] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 25.
[169] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 25.
[170] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 26.

were over 60, and almost two-thirds were over 50.[171] There appears a disturbing characteristic that Oneida prosperity is coming at the expense of low income, elderly women forming the bulk of their customer base. The trend of elderly and low income customers is at first unsettling but elderly consumers frequenting the gaming facility did not specify how much money is gambled in these trips and could be "harmless" day outings. Problem gamers were another concern in Indigenous casino scholarship. For the Oneida, one half of local players interviewed play at the casino at least once a week. The median number of visits was 51 times a year but the average of those interviewed was 71 times.[172] The higher average over the median indicates that some players visit the casino much more frequently than once a week. Furthermore about 37.8% of respondents said they had reduced their savings due to gambling at Indian establishments.[173] Taking inspiration from environmental and tobacco reparations, the Oneida pre-emptively contributed $35 000 in 1996 and 1997 to the Wisconsin Council on Problem Gambling.[174] This is despite some statistics that suggest that Native gaming accounts for less than half of the problem gambling and most is dominated by state lottery and dog tracks.[175] While gambling addictions are a serious issue I think that no industry is perfect and I do not think Indigenous industries should be demonized anymore than Settler industries when it comes to social harm. The scrutiny directed at Indigenous casinos for damages to problemed gamblers to me seems misplaced and hypocritical especially in the context of "the war on drugs", environmental degradation, and globalization in the New Gilded Age. My analysis of Native American casinos is in no way an

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[171] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 14.
[172] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 17.
[173] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 17.
[174] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 18.
[175] Alesch, "The Impact of Indian Casino Gambling on Metropolitan Green Bay", 18.

exhaustive analysis to the relationship of gaming economies but does succeed in providing snapshots into some of the affluence and complications in different communities and histories.

Gaming Operations: Online Gaming

Internet poker is a fairly new frontier but, a worthwhile contemporary issue since while conducting research, a court case is underway in California. Poker Bill AB 2863 will authorize and regulate "ipoker" in the state and is widely supported by the "Poker Stars Coalition" composed of the Morongo Band of Mission Indians, San Manuel Band of Mission Indians, and the United Auburn Indian Community, as well as California's three largest card clubs: Commerce Casino, Hawaiian Gardens Casino and Bicycle Casino.[176] An opposing coalition composed of the Pechanga Band of Luiseño Indians and Agua Caliente Band of Cahuillia Indians denounce the legislation over a stipulation that would allow horse tracks to license online expansions.[177] The San Manuel Band of Mission Indians had previously opposed the bill for the same reason.[178] Indigenous groups operating casinos or online gaming do not want horse tracks to transition to internet gambling not believing it is a necessary extension of their business.[179]

The law would also "establish a regulatory framework for Internet Poker in California, create a fund to share iPoker revenues with horse tracks, institute strict standards for fairness, consumer protection and revenue to the state" as well as safeguard underage and problemed

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[176] Steve Ruddock, "Strength In Numbers? United Auburn Indian Community Joins PokerStars' CA Coalition" February 2016, http://www.onlinepokerreport.com/19732/pokerstars-california-coalition-gains-uaic-tribe/.
[177] Dave Palermo, "Tribal Meetings On California Online Poker Might Not Be Enough To Advance Bill", January 2016, http://www.onlinepokerreport.com/19211/tracks-still-online-poker-hurdle/.
[178] Ruddock, "Strength In Numbers? United Auburn Indian Community Joins PokerStars' CA Coalition".
[179] "Best Bet for Online Poker: Regulations", http://www.latimes.com/opinion/editorials/la-ed-poker-legislation-20150512-story.html May 2015.

users.[180] The state of California has a $1 billion online card room industry with no regulations and Native American tribes are arguing these card rooms deface their "sovereign rights" and "constitutional exclusivity".[181] Card rooms currently operate with "house-banked games" violating state law and tribal sovereignty, this means they "no longer rotate the bank in the play of their games and allow so-called third-party proposition players (card room partners) to maintain the bank" stated Leland Kinter, chairman of the Yocha Dehe Wintum Nation to the state Assembly committee.[182] There is no consensus between different Indigenous groups on the bill, as each community is trying to protect different business interests. For example the "Poker Stars Coalition" features internet gaming giant Poker Stars, while a third coalition was formed by the Rincon Band of Luiseño Indians who have Cesars out of Las Vegas managing their Rincon Casino.[183] This is not the only scenario where Native Americans are using, or potentially being exploited in online gaming. Gathering data on server locations, who owns websites, where they are housed—like on reservation lands—was difficult to come by. Nonetheless, this is a worthwhile case study that to the best of my knowledge is still unfolding.

The Tobacco Industry: "Smokeshakes" and Cigarette Sales

Reserves in Canada and American Indian reservations on the outskirts of cites have long lured tobacco enthusiasts with tax free and cheap cigarettes. The draw for smokers is obvious with tobacco being one of the most heavily taxed recreational drugs by Settler-Colonial states.

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[180] "Internet Poker Consumer Protection Act CA AB 2863" Introduced by Assembly Member Gray and Jones-Sawyer, February 19 2016, California Legislature. http://www.apcw.org/legal-documents/Internet-Poker-Consumer-Protection-Act_CA-AB-2863.pdf; Ruddock, "Strength In Numbers? United Auburn Indian Community Joins PokerStars' CA Coalition".
[181] Dave Palmermo, "California Tribes Score Victory In War With Card Rooms", February 26 2016, http://www.onlinepokerreport.com/19763/california-tribes-vs-card-rooms/.
[182] Palmermo, "California Tribes Score Victory In War With Card Rooms".
[183] Ruddock, "Strength In Numbers? United Auburn Indian Community Joins PokerStars' CA Coalition".

The Indigenous tobacco industry grew almost simultaneously as the gaming industry. Throughout the 70's and 80's the US Supreme Court was involved in a number of court decisions that recognized reservations as tax free zones with regards to gaming before finally passing the Indian Gaming Regulatory Act.[184] One of the early decisions was *Bryan v. Itasca County.* The 1972 case found that a Minnesota Native American man's mobile home, and the small cigarette business he operated were not eligible for taxation because they were on tribal territory.[185] After that ruling, the Oneidas of Wisconsin established smoke shops simultaneously with the bingo hall to help cover community costs. In 1978 the tribal government decided that all revenues of untaxed cigarettes would benefit "public tribal purposes."[186] The tribe negotiated with the state to secure the sale of untaxed cigarettes to tribal members but was purposely vague in selling to non-members on the reservation.[187] Similarly, Seminole tribal council chairman Howard Tommie took inspiration from other reservations and opened their first tax-free cigarette "smokeshop" in 1977.[188] The close proximity to Miami and Fort Lauderdale allowed the Seminoles to "stabilize themselves" before opening their first bingo venture two years later.[189]

Nowadays, two big producers of Native tobacco in Canada are Rainbow Tobacco Company operating in Kahnawake and Grand River Enterprise in Six Nation.[190] They are both licensed manufactures, and data on licensed—let alone unlicensed—tobacco manufacture is scarce. It is known that Rainbow employs around 2000 people as of 2010 and Grand River

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[184] Jim Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, (Toronto, Dundurn Press, 2012), 112.
[185] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 92 .
[186] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 93.
[187] Hoeft, *The Bingo Queens of Oneida: How Two Moms Started Tribal Gaming in Wisconsin*. 93.
[188] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 33.
[189] Pleasants, *Seminole Voices: Reflections on Their Changing Society, 1970-2000*, 35.
[190] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 52.

Enterprise is the second largest Indigenous employer in Ontario after Casino Rama operated by the Chippewas of Mnjikanig First Nation.[191] Grand River is expected to grow its operation with alleged German and Chinese business connections.[192] Both Six Nation and Kahnawake have a similar "smokeshake" style economic situation where tobacco products are sold as well as manufactured. Native made cigarettes can account for 30% of all cigarettes smoked in Canada, with a lost federal and provincial revenue estimated around two billion dollars.[193] This demonstrates that Indigenous tobacco is a legitimate and sizeable business against Big Tobacco. On reserves suspiciously "accustomed to poverty", cigarette factories have become the economic "heart" to some communities. "In a striking reflection of the complex relationship between non-native governments and First Nations, they are often allowed to operate with virtual impunity" commented one journalist on the issue.[194] Despite these two communities being on the northern side of the Settler-Colonial border, that international division is creating a federal nightmare, as well as economic opportunity for some.

The Tobacco Industry: "Smuggling"/ Buttleging

Settler-Colonial borders and Indigenous sovereignty are fundamentally at odds. This is particularly true regarding trade and commerce. I situate that there is no legal grey area when it comes to tobacco "smuggling" and sovereign people are exempt from customs taxes and have treaty rights for the free passage of themselves and their goods. However it is the Settler-Colonial states decision to recognize or refuse this sovereignty that is a massive place of

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[191] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 154-55.
[192] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 154-55.
[193] Tom Blackwell, "Native-Made Cigarettes are Bringing Wealth and Disapproval to Reserves" September 2010, http://news.nationalpost.com/health/native-made-cigarettes-are-bringing-wealth-and-disapproval-to-reserves.
[194] Blackwell, "Native-Made Cigarettes are Bringing Wealth and Disapproval to Reserves".

contention on the issue of tobacco trading or "smuggling". What the Settler-Colonial states see as the untaxed "smuggling" of tobacco, Indigenous participates view as their sovereign right to trade and pass borders which they predate. This frame work of analysis is heavily inspired by Audra Simpson and the politics of recognition or refusal around Indigenous sovereignties. She states "Indigenous peoples' claims to their 'Aboriginal' right to trade, upholds and reinforces the singular form of sovereignty (even where distribution in capital deterriroralizes sovereignty), and (enables) the very possibility of Indigenous participation in a contemporary trade network."[195]

Simpson draws attention to the experiences of racial profiling and colonial scrutiny when Indigenous peoples interact with the Settler-Colonial border between Canada and America.[196] The lucrative "buttlegging" trade developed in the late 70's between Mohawks who use their tax free status to purchase truckloads of cigarettes and sell them in Kahanwake smokeshops, or transport them south through Akwesasne.[197] Eventually as the trade continued cigarettes may have been purchased tax free and sold at a higher price, manufactured by a licensed or unlicensed facility using legitimate or "contraband" tobacco. One Mohawk trader in New York said "a small fish like can me make $50 000 a month working only a few hours each week. The big fish can make hundreds of thousands a week, most of which go to the Middle East in cash or trade transaction."[198] The draw to "buttlegging" is obvious, especially for young Haudenosaunee. These "mules, the young and disadvantaged" can make as much as $200 in a quick run with a boat, pickup truck, or ATV.[199] Akwesasane leader Jake Swamp stated "young people on the

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[195] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 130.
[196] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 125.
[197] Hornhung, *One Nation Under the Gun,* 22-3.
[198] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 89.
[199] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 90.

reserve are being lured into smuggling with promises of riches in exchange for very little work. Once they have a wad of bills in their pocket, its hard to tell them the concept of an honest day's work."[200] And while the young may see a quick get rich scheme that does not involve education, or job training, the prosperity that buttlegging has brought individuals is very real. One Akwesasane woman claimed that her aunt and uncle were able to move out of their mobile home and into a two-story house by charging landing fees to cigarette smugglers using their riverside property.[201] Native Americans have carved out an economic opportunity for themselves with numerous legal or illegal benefits in a trade industry that is hard to enforce.[202] Brian David of the Akwesasane band council put it best: "You've got a market that was created in Canada because of the whole tax issue, availability of supply in the United States, and an area where there is no economic development… What did they think would happen?"[203]

The problem became a Canadian media spectacle in the early 1990's. Mohawks were framed as smuggling cigarettes and "abusing the system of rights" recognized to them by Canadian law.[204] Simpson highlights that no blame was shared with tobacco companies and the US officials. It was framed as a Canadian and US cooperation as "sovereign" nations to stop "smuggling", choosing to not recognize the Mohawk and Haudenosaunee sovereignty embedded in the trade.[205] In the case of Akwesasane, it is the "'Indians' perceived misrecognition of boundaries (and the inability to contain their trafficking and economic practice) that appears to

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[200] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 90.
[201] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 128.
[202] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 90.
[203] Tom Blackwell, "Contraband Capital; The Akwesasne Mohawk Reserve is a Smuggling Conduit, Police Say", September 2010, http://news.nationalpost.com/health/contraband-capital-the-akwesasne-mohawk-reserve-is-a-smuggling-conduit-police-say.
[204] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 125.
[205] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 125.

be the issue", especially in the eyes of Settler-Colonial border or law enforcement.[206] In the Canadian media the "overemphasis" was on Indigenous activity, "important in solidifying the fragile sovereignty of a settler-nation-state—a sovereignty that… requires, along with taxation, that Indigenous sovereignties be vanquished, if not eliminated" according to Simpson.[207] The Canadian government lowered cigarette taxes in 1994 to try to deal with "smuggling" but the Indigenous tobacco manufacture industry rose in response.[208] The government slowly raised taxes and the trade resumed and continues.[209]

Infractions by "Big Tobacco" corporations were "invisible and unnoticeable" in media scrutiny of Indigenous tobacco smuggling. In contrast, Simpson states that "Iroquois nationals and, in particular Mohawk nationals"—and their sovereignty—were hypervisible.[210] It was no accident that their history that transcends and predats the Settler-Colonial borders was less visible.[211] In 2001, Big Tobacco was finally being held responsible. *Canada v RJ Reynolds* accused the company of being involved in illegal trade through wholesalers turning back product to be resold in Canada "circumventing" custom tax law.[212] The company was held responsible, recognizing Settler sovereignty and the recognition of this sovereignty by the court was simultaneously denying "Aboriginal" trade and free passage guaranteed by the 1794 Jay Treaty.[213] RJ Reynolds was found to have "injured Canadian property" upholding International revenue rule which outlines one country cannot act as an "enforcer" for the other. In this "second

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[206] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 128.
[207] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 129.
[208] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 152-3.
[209] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 152-3.
[210] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 141.
[211] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 141.
[212] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 126.
[213] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 126.

circuit" the sovereign status of foreign nations—namely the US—is recognized in what Simpson refers to as "negotiated empire."[214] Native peoples engaged in trade and trafficking are scrutinized and policed "in spite of their longevity as caretakers and sovereigns. Mohawk history, narration, and practice of this sovereignty were refracted through the prism of bourgeois (colonial) capitalism."[215] It is due to settler anxiety, and tobacco smuggling stereotypes that a heightened sense of security is placed on Indigenous traffickers that forgets their history, and presence as the original stewards of the lands and waters. The *politics of recognition* is crucial to Indigenous sovereignty and the tobacco trade. In the case of RJ Reynolds the possibility of a third, Indigenous legal system was not admitted into analysis of the case, "thus solidifying settler sovereignty as normal, natural, and ultimately just."[216]

The "buttlegging" trade of trafficking cigarettes continues. Tobacco is moved between international and state borders from low tax, to high tax states to make them an attractive commodity in new markets. Untaxed cigarettes bought in Virginia (low tax) can be moved to California, New York, or Pensilvania (high tax) to return more than double their initial cost.[217] In 2011 it was found that a trade ring from low to high tax states on the US east coast sold $21 million worth of "contraband" tobacco.[218] Fines from smuggling are extremely difficult to collect. In Akwesasane-Cornwall, unpaid fines agains smugglers under the Ontario Tobacco Tax Act had totalled $13 million dollars in late 2011.[219] The tobacco trade is a profitable and highly

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[214] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 130.
[215] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 126.
[216] Simpson, *Mohawk Interuptus: Political Life Across the Borders of Settler States*, 130.
[217] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 87.
[218] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 87.
[219] Poling, Sr. *Smoke Signals: The Native Takeback of North America's Tobacco Industry*, 89.

political (anti-)colonially charged venture. But how is this wealth distributed and who is responsible for the initial cost in these lucrative rings?

A National Post series by Tom Blackwell explored Indigenous relationships to the tobacco industry. Like Poling, he identifies Six Nation and Kahnawake as two reserves with booming tobacco manufacturing. The tax free, and often cheap product they produce is a problem for Settler-Colonial politicians as well as the "mainstream" tobacco industry.[220] These manufacturing facilities have spawned new mansions and luxury cars for some with general well being for others according to journalist Blackwell.[221] The Indigenous tobacco industry employs thousands of First Nations people and is responsible for "a new class of cigarette millionaires on chronically downtrodden reserves."[222] Jerry Montour, the CEO of Grand River Enterprise based in Six Nation is suing the federal government for more than $500 million in taxes paid since 1997 arguing that Ottawa has failed to shut down non-licensed competitors.[223] The wealth is being produced by Indigenous peoples but will it be protected by the Settler state? Employment data on tobacco manufacturing is sparse. Anywhere from 800 to 2000 Kahnawákeró:non may be employed in the cigarette factory out of the about 8000 residents.[224] Grand River Enterprise commissioned an economic impact study which found 10 000 First Nations people overall have jobs in Indigenous tobacco.[225] Like most corporate structures, the alienated labour of workers generates profit for the company. Employees may receive a wage, but they do not see the same amount of wealth that the CEO of the corporation will receive just as in other industries.

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[220] Blackwell, "Native-Made Cigarettes are Bringing Wealth and Disapproval to Reserves".
[221] Blackwell, "Native-Made Cigarettes are Bringing Wealth and Disapproval to Reserves".
[222] Blackwell, "Native-Made Cigarettes are Bringing Wealth and Disapproval to Reserves".
[223] Blackwell, "Native-Made Cigarettes are Bringing Wealth and Disapproval to Reserves".
[224] Blackwell, "Native-Made Cigarettes are Bringing Wealth and Disapproval to Reserves".
[225] Blackwell, "Native-Made Cigarettes are Bringing Wealth and Disapproval to Reserves".

So Indigenous millionaires have been created from the tobacco trade but non-Indigenous peoples also exploit the sovereign legal status of Native Americans through the use of their bodies or lands. Russian organized crime conduits are known to rent cottages or pay rental fees to coastal dwellers in Akwesasane to smuggle tobacco, as well as other items and substances between the US and Canada.[226] In a 2014 raid, 28 people were arrested, 40 000 kilos of tobacco and $450 000 in cash were seized braking up a $30 million dollar tobacco ring throughout Montreal, Kahnawake, and Akwesasne connected to the Montreal Mafia.[227] Allegedly contraband tobacco purchased in North Carolina was brought through Lacolle or Akwesasne and refined in Kahnawake.[228] Akwesasane Grand Chief Mike Mitchell recognized the problem and in an interview expressed it could have been avoided had governments listened to the alarms raised by local politicians twelve years ago and "foster more positive business development."[229] I am careful to read journalistic sources on "smuggling" recognizing that Settler media works to uphold Canadian sovereignty by simultaneously delegitimizing and slandering Indigenous protagonists and worldviews. However, the exploitation of Indigenous bodies status or the sovereignty of reservation lands in organized crime is a very new and literal definition of colonial capitalism. Taking advantage of the labour, body, land, and special legal status of Indigenous peoples is of great concern even if some Native peoples implicated gain economic opportunity.

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[226] Tom Blackwell, "Contraband Capital; The Akwesasne Mohawk Reserve is a Smuggling Conduit, Police Say", September 2010, http://news.nationalpost.com/health/contraband-capital-the-akwesasne-mohawk-reserve-is-a-smuggling-conduit-police-say.
[227] Brian Daly, "Police Break up Mob and Mohawk-Run Tobacco Smuggling Ring", April 2014, http://www.torontosun.com/2014/04/30/police-breakup-mob--and-mohawk-run-tobacco-smuggling-ring.
[228] Daly, "Police Break up Mob and Mohawk-Run Tobacco Smuggling Ring".
[229] Blackwell, "Contraband Capital; The Akwesasne Mohawk Reserve is a Smuggling Conduit, Police Say".

The Tobacco Industry: Online Sales

Like Internet poker, online tobacco sales are a fairly new and I would add risky venture. While internet sales can facilitate connections between isolated markets, the lack of face to face interaction, and the small personal scale of some operations make the potential for exploitation of Indigenous sovereign title too much of a possibility. The idea that non-Indigenous people could exploit the special legal status of Native Americans within online sales does not seem far fetched when it is known that a similar exploitation happens with tobacco smuggling. An investigation into online tobacco sales in 2004 found that of 1000 web sites searched, only 52 identified their tobacco as "American Indian cigarettes."[230] This is striking given the massive manufacturing of contraband cigarettes perhaps being sold through online means. From this, 77% of web stores were American Indian owned, and 77% were located on reservation land.[231] 60% of the total number of web sites and 78% of the American Indian owned web stores were based in New York state.[232] This is extremely important given that the New York state border is an epicentre of smuggling and contraband activity. Two other web stores were found in New Mexico, one in Nebraska and one in Oklahoma.[233] The Nebraska web site is owned by an

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[230] F S Hodge, R A G Cantrell, R Struthers, and J Casken. "RESEARCH AND PRACTICE - American Indian Internet Cigarette Sales: Another Avenue for Selling Tobacco Products", in the *American Journal of Public Health*. 94 (2), 2004, 260.
[231] Hodge, "RESEARCH AND PRACTICE - American Indian Internet Cigarette Sales: Another Avenue for Selling Tobacco Products", 260.
[232] Hodge, "RESEARCH AND PRACTICE - American Indian Internet Cigarette Sales: Another Avenue for Selling Tobacco Products", 260.
[233] Hodge, "RESEARCH AND PRACTICE - American Indian Internet Cigarette Sales: Another Avenue for Selling Tobacco Products", 260.

American Indian tribe, while the New York sites belong to individuals using tribal land to exempt them from sales and state tax.[234]

Data seems to suggest that many sites that sell "American Indian" tobacco may not be Indigenous owned. Instead using reservation territory to house servers for business to sell products exempt form taxes. Alternatively, online stores may be apprehensive to identify themselves as Indigenous fearing scrutiny from the contraband economy. With online sales the highly individualized process can lead to personal wealth accumulation which may provide economic opportunity for some but not befit the whole community's well being. The tribally owned Nebraska site is noteworthy and it would be interesting to know how the community invests their online tobacco revenue.

Conclusion

I was concerned with the wealth inequality these industries may perpetuate amongst Indigenous communities in the context of the New Gilded Age. These are important questions to ask as tobacco "smuggling" and manufacture shows no signs of slowing down, and neither does Native American gaming revenue. Since 1999 tribal gaming revenue has risen almost $17 billion from $9.8 billion to $26.7 billion in 2008 (Fig. 1).[235] The production of gross personal wealth accumulation of Indigenous entrepreneurs in the context of the New Gilded Age was one of my main points of concern. From my research it would appear that the trafficking and sale of tobacco is a largely personal enterprise which may not necessary benefit the wider community.

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[234] Hodge, "RESEARCH AND PRACTICE - American Indian Internet Cigarette Sales: Another Avenue for Selling Tobacco Products", 260.
[235] National Indian Gaming Commission (U.S.). Growth in Indian gaming. [Washington, D.C.]: National Indian Gaming Commission. http://purl.access.gpo.gov/GPO/LPS114997.

Unlike gaming operations like casinos or bingo halls which require sufficient start up costs can provide employment to several hundreds or thousand members and are often tribally sanctioned. This means revenue can be more strictly controlled for per-capita dividends, or social-economic-cultural programming. Likewise tribally owned tobacco manufacture or internet sales can also be dispersed in a more egalitarian manner. However tobacco companies can simultaneously stratify wealth upwards the corporate structure to company CEO's creating a class of "tobacco barons". Similarly, I was unable to look at the corporate structure of all the casinos presented in case study but can infer that when casinos are not tribally owned, they can engage in similar bureaucratic financial processes. Online gaming, tobacco smuggling, and online cigarette sales seem to have a risky and high potential for non-Indigenous people to extract wealth from the distinct legal status of Native Americans. This is definitively colonial-capitalistic exploitation using Indigenous sovereignty to produce wealth out of the scrutiny of the Settler-Colonial state and regulation. Online gaming is a new and unfolding frontier that is garnering a lot of attention from poker enthusiasts, politicians, and tribes on several sides of the issue. While non-Indigenous peoples can house servers on reservation territory, the different fractions on "ipoker" regulation are interesting. The decision to expand online gaming to horse tracts can take business and the "constitutional exclusivity" of Indian gaming, but at the same time the legislation does have the potential to expand Internet gaming to an unprecedented amount of exposure in the state of California.

I wish to add that Mohawk scholar Taiaiake Alfred appears skeptical of gaming development. Even with casino profit or court cases recognizing their economic sovereignty, this economic strategy fails to generate the "transformative experience that recreates people like

the spiritual-cultural resurgence can do."[236] He continues "the truly revolutionary goal is to transform disconnection and fear into connection and to transcend the colonial culture and institutions."[237] I would argue in the case of the Oneida of Wisoconsin, tribally directed gaming revenue is fuelling language revitalization for the community. Perhaps it is not an issue of how income is acquired, but what is it is used for that is a place of contention. The pathway for gaming has closely followed a trajectory permissible by the Settler-Colonial state. Few tribes broke into bingo or casinos without legal recognition from the state or its policies. The tobacco industry is largely a different case, and while some licensed manufactures exist, the trade and sale of these products continues without the formal blessing of the Settler-Colonial nation. Alfred is aware that economic power can bring "profit, increased land holdings, and political influence in wider government systems" through gaming revenue, but speculates at what spiritual cost?[238] Have Indigenous ways of being and values been guiding or consulted on this quest for "freedom and power"?[239]

Indigenous economic opportunity is scarce, and any means for Native Americans to try to alleviate systemic colonial social and economic disenfranchisement should be supported and encouraged. This is not to rid the Settler-Colonial state of cost, or in a framework of human rights and paternalistic development. Instead Indigenous peoples as self-governing, self-determining actors who best know how to navigate and live their lives must be able to develop economic opportunity for themselves whether that be through resource extraction, gaming, or tobacco manufacture or trade. These enterprises take a wide array of forms and some stratify

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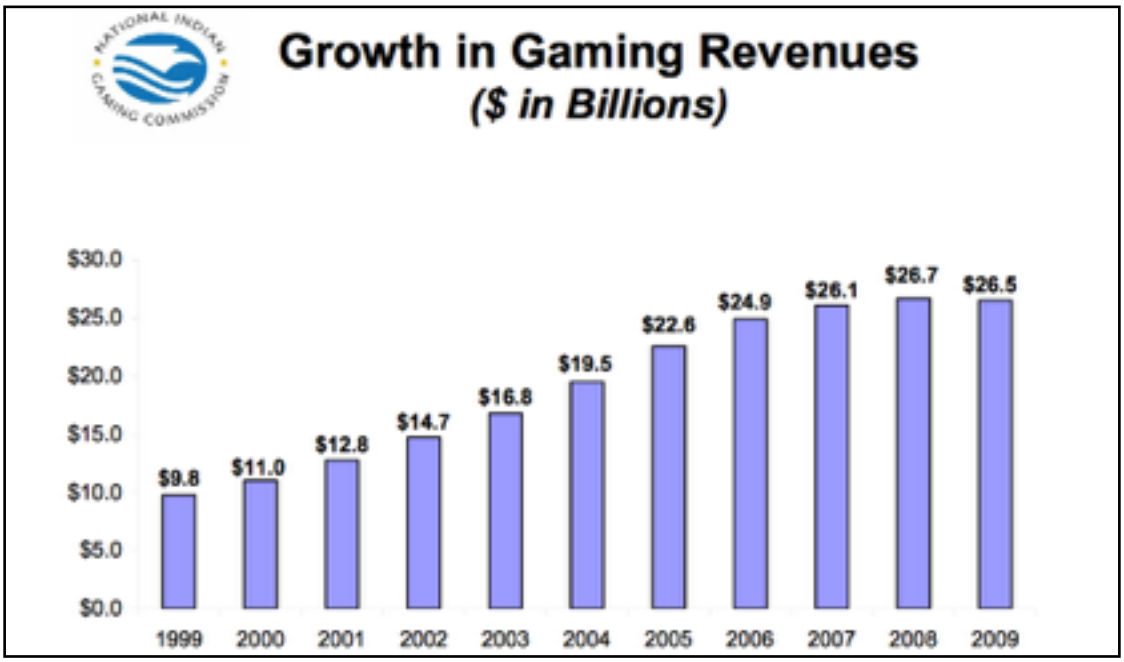
[236] Alfred, *Wasáse: Indigenous Pathways of Action and Freedom*, 23.
[237] Alfred, *Wasáse: Indigenous Pathways of Action and Freedom*, 23.
[238] Alfred, *Wasáse: Indigenous Pathways of Action and Freedom*, 211.
[239] Alfred, *Wasáse: Indigenous Pathways of Action and Freedom*, 212.

wealth in corporate structure and fuel personal capital accumulation while other revenue plans funnel funds back to community members or social, economic programs. We cannot denounce Indigenous economic development on the basis of morality.

Fig. 1



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