

reservation. The Court noted that since the state of California operated its own lottery and permitted other forms of legal gambling, it could not prohibit Indians from engaging in similar activities. The Cabazons soon expanded their bingo hall and built a new casino. Gambling revenues allowed the tribe to achieve a degree of economic independence previously unimaginable: Free health care and college scholarships were made available to all tribal members. "We went from having no economic base at all," said Cabazon leader Mark Nichols, "to having a very significant economic base."

At the insistence of state governments, and over the objections of Indian leaders, Congress passed the Indian Gaming Regulatory Act (IGRA) in 1988. The act required tribes and states to negotiate agreements, or "compacts," that established guidelines for tribal gambling operations. If a state refused to negotiate, or if an agreement could not be reached, the tribes could sue the state in federal court. Within five years of the act's passage, more than seventy tribes had successfully negotiated compacts with various states. The Bureau of Indian Affairs encouraged this expansion by assisting in the financing of \$64 million worth of tribal casinos and bingo halls. "We believe in economic development," said one BIA official. "If tribes chose this method of economic development, then we support it. They are creating jobs and they are making money." State leaders, who had not expected Indian gambling to grow so rapidly or so large, urged Congress to gut or repeal the IGRA.

The largest and most successful of the new Indian casinos was operated by the Mashantucket Pequot tribe of Connecticut. Their Foxwoods Casino, near the picturesque town of Mystic, had more gaming tables and slot machines than Donald Trump's Taj Mahal, the biggest casino in Atlantic City. Bingo halls the size of airplane hangers soon appeared in the nation's heartland. The Creeks of Oklahoma built three facilities, the largest of which had seating for 1,200 bingo players. In Minnesota, the Mille Lac band of Chippewas built two giant Las Vegas-style casinos on reservation lands near the towns of Garrison and Hinckley. In an arrangement that was typical, the Chippewas contracted with a non-Indian corporation to manage the operation of their casinos.

The rapid growth of gaming enterprises became the source of intense controversy among Native Americans on many reservations. Some Indian leaders argued that gambling was an inherently unstable economic base that provided relatively few jobs for reservation resi-

dents. Traditionalists charged that large-scale commercial gambling was having a corrupting influence on tribal members and was incompatible with tribal values. A debate among the Mohawks of New York over gambling erupted into a deadly quarrel that left two Indians dead and thousands intimidated in a wave of vigilantism and gunfire. A militant Mohawk "Warrior Society" championed a multimillion-dollar casino, and a tax-free cigarette and gas smuggling enterprise, over the objections of Mohawk traditionalists. Controversies also developed over the division of the spoils from tribal gambling enterprises. Among the Creeks of Oklahoma, the operators of a tribally owned bingo hall opposed the development of rival halls operated by local tribal communities. The dispute was, in the words of one Indian observer, "an economic war between two groups for the same bingo clients."

The main controversy over Native American gaming pitted individual tribes against various state governments in a high-stakes contest over who would benefit most from America's newfound enthusiasm for gambling. The tribes defended their enterprises on the grounds not only of economic development but also of political sovereignty. The states maintained that they had a right to regulate the kind of economic activity permitted within their borders. State leaders warned that unregulated gambling on the reservations would mean a loss of revenue from state-run lotteries and would also increase the danger of organized crime.

The controversy between the states and the tribes often revolved around the size or type of gaming activities permitted. The state of Arizona, for instance, insisted that Indian gaming be limited to 250 gambling machines per tribe. Several small tribes signed compacts with the state, agreeing to these limits. But three larger tribes—the Tohono O'odhams, Pascua Yaquis, and White Mountain Apaches—sued in federal district court for the right to operate full-service casinos with thousands of gambling machines, dice games, and tables of blackjack or poker. Likewise, Washington state negotiated compacts with several tribes that limited maximum bets to \$25, set strict limits on the hours of operation, and absolutely prohibited the use of slot machines. The Colville Confederated Tribes successfully challenged these state-imposed restrictions in 1993 when a federal court declared a portion of the Indian Gaming Regulatory Act unconstitutional since it wrongly compelled states to negotiate with tribes. The following year the Spokane tribe opened its Two Rivers Resort—without benefit of a state-approved compact—and began offering twenty-four-hour, high-stakes



gambling, complete with 100 electronic and lever-pull slot machines. When Washington state officials sought an injunction to shut down the casino, Spokane tribal vice chairman John Kieffer was not surprised. "Washington state has always been an Indian fighting state," he observed. "Nothing's changed." Tribal council member Henry Sijohn saw the battle over the casino as part of a larger struggle for sovereignty rights and economic self-reliance. "We're fighting for our sovereignty, we're fighting for our people, we're fighting for our rights to regulate and govern ourselves," he said. "That's what this is all about."

Similar issues were raised in the ongoing fight over Native American gaming in California. The state attempted to limit Indian-run gambling enterprises to low-stakes bingo, poker, and horse-race betting. Republican State Attorney General Dan Lundgren claimed that an enlargement of Indian gambling would be an open invitation to organized crime, leading to an increase in money laundering, bookmaking, and loan sharking. The tribes demanded the right to operate Nevada-style casinos, offering high-stakes bingo and video slot machines, and claimed that the state's real reason for limiting Indian gambling was to protect its own state-run lottery. In 1993 a delegation of California Indian leaders came to the state capital, brandishing a "dream catcher" woven of branches and feathers. They said the dream catcher was a traditional tool used for catching and fulfilling dreams—in this case, the dream of catching sufficient gambling profits to achieve tribal self-sufficiency. "Our dream is to ensure the survival of our people and our culture," said Marshall McKay (Wintun), chairman of the California-Nevada Indian Gambling Association. "Gambling is the most effective way to accomplish tribal sovereignty. Indian gambling in the last ten years has had a more significant impact on Indian people than the last 150 years of government support."

Among those who rejected gaming as a means of economic advancement were the nation's largest tribe, the Navajo, and their Hopi neighbors. Navajo voters defeated a referendum in 1994 to allow casino gambling on their reservation, and the newly elected tribal president, Albert Hale, agreed to honor the decision and not attempt to have the issue considered again. Typical of the anti-gaming sentiment was a resolution passed by one of the reservation's units of local government: "Gambling causes loss of family and properties, respect of oneself, and countless other negative effects." The following year, Hopi voters rejected a similar proposal to build a casino on their res-

ervation. The tribe's Cultural Preservation Office circulated flyers opposing gambling as an assault on tradition. "It was a loud and clear message," said tribal chairman Ferrell Secakuku, "that culture is more important and more valuable than the money."

The issue of Indian gaming remained unresolved as federal, state, and tribal officials engaged in dozens of legal skirmishes. Democratic President Bill Clinton met with tribal leaders in April 1994 and assured them of his support in their struggle to achieve greater economic self-sufficiency. "As a former governor, I understand some of the concerns that the governors have raised about gambling," Clinton said. "But as president, I know that gaming gives you a competitive edge. My goal is this: I want the tribes to continue to benefit from gaming." Opposing the president were members of Congress from several western states who introduced legislation in 1995 to place a two-year moratorium on the opening of new Indian casinos.

Journalist Robert H. White, author of *Tribal Assets: The Rebirth of Native America* (1990), described the development of the vast array of Native American commercial enterprises in the late twentieth century as "a quiet economic revolution, which has the potential for re-establishing a Native American independence based on economic sovereignty." Although the results of this revolution were limited—only about 10 percent of the nation's Indian communities had truly gained control over their economic destiny—it was producing a new sense of pride and self-confidence throughout Indian America. The new enterprises had an enormous advantage over earlier forms of economic development: They were initiated and directed by the Indian people themselves. After decades of dependence, this was an exhilarating experience. Many Native Americans could agree with the conclusion of Cherokee Chief Wilma Mankiller: "The best solutions to our problems are within our own communities."

## RENEWED TENSIONS

While issues of economic development tended to dominate Native American affairs in the years after Wounded Knee, the political struggle for greater independence also continued. Tribal leaders and others defended the gains of the recent past and worked diligently to gain additional rights for Native people.

The more radical movement to win recognition of full tribal sovereignty shifted to the international arena where it achieved only limited