

**Book Review #2**

*Indian Gaming and Tribal Sovereignty:  
The Casino Compromise*

**Steven Andrew Light & Kathryn R. L. Rand**

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Reviewed by Betty McNeal

Sovereignty, the exclusive right to exercise supreme authority over a geographic region or group of people, is the source of much controversy when applied to Native American tribes despite their centuries-old legal status as independent nations. Mention casinos as an outgrowth or privilege of Indian sovereignty and the hostility heats up.

We learn this from the able documentation of Professors Steven Light and Kathryn Rand in their book, *Indian Gaming and Tribal Sovereignty: The Casino Compromise*. They show the reactions from many segments: legislators, policy makers and the public at large who try to diminish or dismiss longstanding Indian rights and values.

*Indian Gaming and Tribal Sovereignty* is a valiant effort to replace ignorance and cross-purposes with understanding and cooperation. Early on we meet the great compromise, the erosion of tribal sovereignty through imposed gaming laws and policies from federal, state and local authorities. A major federal force to be reckoned with, the Indian Gaming Regulatory Act of 1988 takes center stage. Tribal-state compacts mandatory for Class III, Las Vegas-style gambling are discussed. State and local demands for a slice of the revenue pie figure largely, as well.

Tribal sovereignty is thoroughly explained in detail in many ways. It is drummed into the reader no doubt to dispel ugly media stories, such as the *Boston Globe's* or *Time Magazine's* flagrant attacks on Indian gaming in a series of misinformed articles. Even popular TV shows took a whack at Indian gaming, namely *The Simpson's*, *the Sopranos*, *South Park* and *Malcolm in the Middle*.

Chapter 6, Indian Gaming in Context, is most revealing. Here one gets actual quotes from the deluge of inaccurate and offensive imagery and accusations leveled at Indian gaming and the tribes. Terms, such as sleaze merchants and scam artists are hurled. Calls of dirty politics and not paying their fair share are noised about. Exaggerations, stereotypes, backlash and prejudice substitute for honest efforts to work things out.

Foxwoods, a Connecticut tribe's casino and the largest in the world comes under fire for its wealthy owners and amazing success. Smaller Indian casinos with modest earnings or on the brink of bankruptcy are criticized for not solving long-standing problems of extreme poverty, poor health care, drug and alcohol abuse and substandard education. Whether Indian gaming thrives or falters, say Light and Rand, many non-Indian Americans dislike it and its legal underpinning, tribal sovereignty.

But there must be more to it. In defending tribal sovereignty the authors tend to downplay possible shortcomings on the side of the Indians. Tribes usually keep their casino's financial affairs almost secret where commercial casinos subject to state taxes must reveal what's going on. Tribal legitimacy, membership expulsion, and the fight for federal recognition, a prerequisite for gaming, all show leaks in the dike. Allegations of corruption and shoddy regulation need to be objectively examined.

Still, tales of blatant disregard for tribal sovereignty are well taken and we are grateful for this study that summarizes much of the research on Indian gaming to date. Bold data laid out in tables reveal the economic costs and benefits, the social costs and benefits of Indian gaming and their impacts on all levels, tribal, federal, state and local. This quick but compelling tabulation may help calm the arguments and pave the way for reason and fairness.

As might be expected the authors offer solutions. Their proposals seem workable especially the suggestion that another gaming commission—the National Indian Gaming Impact Commission be appointed to grapple with the problems. But who will guarantee that the Commission’s charge will include mandates for specific data gathering and scientific analysis? Who will insert precise items in the agenda to promote respect among mutual sovereigns, uphold tribal sovereignty and advance a critical list of common interests?

This book goes a long way toward bringing balance and resolution to Indian casino dialogue and decisions. I’d call it a keeper, a handy reference to Indian gaming law and policy, and a reminder of the ongoing tug-of-war yet to be settled to the satisfaction of all parties.