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Book Review

First Nations Gaming in Canada by Yale D. Belanger. Winnipeg: University of Manitoba Press, 2011. 308 pp. \$27.95 softcover

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The editor and primary author of this collection of essays is also the author of a major study published in 2006, *Gambling with the Future: the Evolution of Aboriginal Gaming in Canada*. This latest book provides a current view of the First Nations gambling in Canada on a number of fronts: legal, social, cultural, psychological, political, and economical. Its contributors are academics of law, psychology, social science, and public health, as well as professionals working in psychiatry, law, and community development. The book is divided into four sections: legal historical issues, socio-economic and research considerations, health, and challenges and First Nations gambling. The strength of this book lies in its multidisciplinary approach to the topic; its weakness is insufficient engagement with Indigenous knowledge about historical and contemporary facets of gambling.

The first section explores how gaming enterprises have forced legal and political redefinitions of “Aboriginal rights” in more or less empowering ways for different stakeholders. Belanger provides a very useful account of the historical construction of Indigenous gaming in law. Shifting the focus from “cultural and ceremonial significance” to “political economy,” he explains the importance of First Nations’ right to self-regulate high-stakes gambling on and off reservations. Existing arguments about the role of gambling in pre-colonial Indigenous societies on which legal decisions have largely relied do not take sufficient account of the *evolutionary* quality of gambling forms and practices. Belanger calls for further recognition of the role gambling played historically in education, diplomacy, trade, and warfare, with gambling on horse races and lacrosse being used to ameliorate conflicts and allowing goods and pre-colonial forms of currency to circulate

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between communities. This evidence that gambling was regulated within and between communities prior to colonization supports the right of First Nations to operate and self-regulate high-stakes gambling today.

Morden C Lazarus, Edwin D Monzon, and Richard B Wodnicki provide an illuminating account of how the Mohawks of Kahnawa:ke fulfil the requirements for an “Aboriginal Right” to gaming under the 1982 Constitution Act. Applying the tests of “Aboriginal rights” as established in *R. v. Sparrow* [1990] *R. v. Van Der Peet* [1996], and *R. v. Pamajewon* [1996] they demonstrate how the self-regulated operation of an internet gaming enterprise is continuous with activities conducted within the “Great Law of Peace” established through the Iroquois Confederacy. Belanger and Robert J Williams, co-author the following chapter on how internet gambling functions as “virtual sovereignty” with reference to historical treaties between European and Canadian authorities and First Nations people. Whether internet gambling enterprises are recognised as legal for First Nations hinges on the following question. Are treaties “as Canadian officials contend, simple land sales that have enabled the extension of Canadian Sovereignty, and as such federal and provincial laws, into First Nations lands? Or do they appropriately recognise First Nations’ nationhood status, which suggests that localized laws and governance objectives trump outside concerns?” (59)

The second-largest global internet gaming provider, the Kahnawa:ke Gaming Commission, established in 1996 in Quebec, asserts its sovereign right to persist with reference to a treaty with the British in 1664. The Alexander Gaming Commission was established more recently, in 2006, and cites an 1876 treaty with Britain as support for their internet venture in Alberta. In contrast to the Kahnawa:ke Gaming Commission, the Alexander Gaming Commission was forced to close on the basis that their Aboriginal rights were limited to “traditional” subsistence activities of hunting and fishing. At stake in these claims to virtual sovereignty is the power of provinces to regulate and operate gambling as a “domestic” right—on one hand—and the rights of First Nations to use internet gambling as a way to sustain themselves as separate, self-governing entities on the other.

Williams introduces the second section with a detailed methodology for assessing the socio-economic impacts of gambling. He usefully identifies the limits of cost-benefit analyses that rely on purely economic data and calls for thorough measurements of broader “social impacts” of gambling within a given jurisdiction. These can include problem gambling levels,

wealth transfers between groups, and public and private beneficiaries both within and outside the affected area. The importance of measuring changes to these indicators over time is also emphasised. Strangely, considering the topic of the book, there is no attempt to address specific issues or challenges that First Nations gambling raises for this methodology. The claim is that it can be applied to any gambling jurisdiction, yet ubiquitous “Indian casino” storylines in popular film and television attest to the role played by Aboriginal casinos in reshaping race relations in and beyond the jurisdictions where they operate. This seems important since the subjective impact (which Williams cites as significant and measurable) on non-Aboriginal people of First Nations casinos may range from: satisfaction about the economic development they generate for impoverished reserve communities; hope for increased employment and recreational opportunities; to racial resentment about “special Aboriginal rights.”

Harold Wynne addresses the lack of research on Aboriginal gambling in a context where rates of problem gambling are estimated to be three times higher than in non-Aboriginal populations. These rates, combined with a lack of social impact studies prior to establishing gambling enterprises, suggest a policy failure that qualitative, collaborative research could address. He advocates Participatory Action Research as a democratic methodology that promises to build capacity in Aboriginal communities to better understand and seek funding opportunities to ameliorate problem gambling. While Wynne’s description of a research process in which he has been actively engaged is useful as an alternative to “fly-in, fly-out” methods of studying Aboriginal social issues, I would have liked to see more engagement with Indigenous knowledge about problem gambling. In the absence of this engagement, non-Indigenous academic definitions of problem gambling appear to be culturally neutral and able to be simply “contributed” to communities experiencing negative social impacts from casinos.

Gary J Smith, Cheryl L Currie, and James Battle report on a comparative socio-economic impact pilot study undertaken prior to the Samson Cree Nation’s establishment of a casino. The authors gathered information about inter-personal, intra-personal, and community impacts of gambling, and collated this along with demographic information on age, gender, education, household income, and family and individual histories of addiction problems. On the basis of surveys applying the Canadian Problem Gambling Index, two thirds of Samson Cree Nation members were

categorised as problem gamblers with a majority being female, married, and in households earning less than \$20,000 per year. Due to a lack of treatment resources in the community, less than 11 percent had sought help for their problems. The survey also found considerable ambivalence in the community about whether the economic benefits of a casino would offset its potential social costs, and the authors recommend possible measures to prevent and reduce problem gambling after the casino is built.

Another chapter by Belanger reviews current debates over who is responsible for the economic development of urban Aboriginal people—the provinces or the First Nations with which gambling agreements are reached? Belanger considers historical reasons that “a jurisdictional void has developed in which the provinces and, gradually, more First Nation councils refuse to accept responsibility for urban Aboriginal peoples.”(150) He concludes that, since recent Supreme Court decisions have overturned discrimination against off-reserve band members—who can now vote and stand for council elections—the right of such groups to access gambling revenues looks increasingly likely, even if this paradoxically undermines First Nations’ right to self-determination.

Robert J Williams, Rhys M.G. Stevens, and Gary Nixon open the section on Aboriginal health by interpreting statistics that have been generated to compare gambling and problem gambling prevalence among Aboriginal and non-Aboriginal populations over the past decade, paying close attention to the methodologies and research instruments applied. Taking into account important differences within and between Aboriginal communities, the aggregate findings include a very significant overlap between Aboriginal and non-Aboriginal participation in, beliefs about and attitudes towards gambling, but a comparatively intense involvement and impact for Aboriginal gamblers living on reserves in particular. The authors attribute the consistently higher rates of problem gambling among Aboriginal people to bio-psychosocial factors including rates of participation, cultural beliefs, social disadvantage, a youthful population, and gambling availability.

Sharon Yanicki, David Gregory, and Bonnie Lee apply the “wheel of medicine” and sustainable development theory to their analysis of problem gambling. A critical socio-ecological perspective is advocated as an alternative research method to existing bio-psychosocial approaches, which construct certain kinds of individuals and communities as inherently “vulnerable” to problem gambling. Presenting Aboriginal gambling

behaviours in the context of broader economic and human rights struggles, they argue that, to the extent that First Nations casinos are sustainable and promote healthy gambling behaviours, they may form part of action designed to positively redress health inequities in Canada.

Belanger opens the final section on challenges with a forensic analysis of a corporate governance scandal, which saw the firing of the CEO of the Saskatchewan Indian Gaming Authority (SIGA) for misappropriation of funds. He examines SIGA's response to the damage to its corporate image and identifies unique issues posed by the self-regulation of Indian gaming within overarching structures of provincial government. Citing the findings of the 2006 Harvard Project's study of successful and unsuccessful Native American economic ventures, he uses this case to demonstrate how essential the separation of economic and political agendas is for the success of First Nations gambling enterprises.

Casino Rama is the largest single site employer of First Nations people in Canada. Darrel Manitowabi's chapter examines respective claims made by First Nations and the province of Ontario about the appropriate distribution of financial benefits from this enterprise. Rather than seeing these claims as mutually exclusive he "emphasises the political negotiations surrounding casino development and the discourse of First Nations self-determination within the context of neoliberalism in Ontario." (256) Using Richard White's concept of the "middle ground" as a means of resolving conflicts of interest by means other than force, Manitowabi concludes that a "partial middle-ground" of self-determination exists to contest provincial hegemony and neo-liberal capitalism. While the casino "provides capital used to address community local needs (272) ...the cost of this investment has been independently guided, economic self-determination." (273)

Belanger's final chapter is on the uneasy relationship between labour unions and First Nation casinos. His historical overview, of how First Nations peoples' participation in paid employment over the twentieth century was affected by government policies and everyday practices of racism, explains why Aboriginal casino owners are not automatically well-disposed to the union movement. In this context, union-busting can function as an exercise in self-government as casinos resist the encroachment of provincial regulatory powers by developing their own labour codes and defending them as deriving from treaty rights.

Overall, this book provides a valuable snapshot of the research landscape surrounding First Nations gambling in Canada, in which Belanger

clearly looms large, contributing just under half of the chapters as editor, co-author, or author. Having said this, I was disappointed that the contribution of Indigenous researchers was not more substantial. Manitowabi's contribution is the most notable exception, combining post-colonial theory, detailed historical research, and interviews to provide a rich account of the cultural politics of Casino Rama. Yanicki, Gregory, and Lee also draw on qualitative methods generated by Indigenous Knowledge to unsettle assumptions about First Nations pathologies, thus opening some new paths towards understanding the health impacts of gambling enterprises.

First Nations Gaming in Canada left me with a desire and a related question. The desire was to read more Indigenous academic writing about First Nations gaming. The question it raised for me, as a non-Indigenous academic who has researched Indigenous gaming in Australia, the US, and Canada is: what makes First Nations gambling so intriguing to non-Indigenous academics, journalists, and popular culture producers, and apparently so much less interesting to Indigenous academics?

Dr Fiona Nicoll is the author of *From Diggers to Drag Queens: Configurations of Australian National Identity* (2001), and of articles and chapters in the areas of queer theory, reconciliation, and Indigenous sovereignties and cultural studies of gambling. She is also a founding member and former vice president of the Australian Critical Race and Whiteness Studies Association (www.acrawsa.org.au).