

# GETTING A GRIP

BY MICHAEL I. NIMAN

## Casinos, Canadians and Indians

*It's not the Seneca's fault that we keep electing terminally unimaginative leaders*



Anti-sovereignty supporter displays sign down the road from a shuttered Cayuga casino in Union Springs, New York.

As the casino argument heats up in Buffalo this spring, it's important for us to look at the big picture when organizing our opposition to gaming establishments that prey on poor and addicted gamblers. The casino story is being played out in three sovereign nations—the United States, Canada and the Seneca Nation. Two of those nations have casinos. We live in the third.

### O Canada: Why?

There is strong merit to the anti-casino argument, with recent developments proving that some of the opposition's most dire predictions were accurate. There's nothing like a casino to prove the merits of the anti-casino movement. What's odd about this local anti-casino movement, however, is its focus on only one of the two casino-operating nations. The Senecas are in the crosshairs while the Canadians walk.

By most accounts, however, it's the Canadian casinos that are the nastiest. The Canadian casino management clearly understands how casinos disproportionately victimize the poor—people who can't afford to take a loss and hence parlay themselves into financial ruin when they are down. Government-run Canadian casinos bought billboards in inner-city Buffalo neighborhoods and ran shuttle buses from urban K-Mart parking lots and other such locations, putting their casinos in easy reach even for those without cars—making their casinos the only Canadian destinations easily accessible from Buffalo neighborhoods by mass transit.

O Canada, why aren't we as welcome at your beaches or museums?

### The Canadian barfatorium

The Canadian casinos are often aided and abetted by American businesses that actively promote them, yet no such businesses are actively targeted by anti-casino groups. The Canadian Casino Niagara is a glorified barfatorium. Employees are forced to sign a non-disclosure pact, forbidding them from talking to the press about what they see at work. They still talk, however, despite threats of recrimination. They tell of adult diapers regularly shoved into crevices around gaming machines by slot junkies who wear them and wiggle out of them to avoid leaving machines they believe are overdue for a payout. And there are stories of patrons defecating on the floors of restrooms when all the

stalls were full, so they could get back to their gaming tables quickly, lest they be dealt out of their winning hands.

But for all the self-deprecating antics, the big payouts are few and far between. In their place there are lives ruined by credit cards maxed out on the casino floor and, in extreme cases, suicides by ruined gamblers who couldn't face their families.

Closer to Buffalo, another Ontario government operation, the Fort Erie Racetrack Slots, a sort of maxi-mini casino, pulls, according to the *Buffalo News*, \$60 million to \$80 million per year out of the Buffalo-area economy.

The Seneca casinos are vile in their own right. They specialize in catering to multiple addictions, creating easy spaces for addicts to indulge in overeating, overgambling and chain-smoking. The idea of the impoverished city of Buffalo forking over \$6 million to build infrastructure for such a pit is insane.

### Indian wars

But let's look at these two nations. The Canadian casinos are fueled by pure greed, owned by a government that keeps taxes down by soaking addicted gamblers for revenue—much like the New York State Lottery, which is also mostly ignored by anti-casino groups. We can add church bingo parlors that prey on inner-city communities to that list as well.

For the Seneca, by contrast, this is war. Casinos provide a tactical weapon for regaining control of contested territory and rebuilding their stolen land-base. Let's not forget that both the Senecas and the Americans claim the former Buffalo Creek Reservation territory, site of the proposed Buffalo casino, as their own. Casinos provide money, and for money Americans will sell anything—even their own ports or their own sovereign territory. With casino money, the Oneida Nation was able to recreate a reservation where there was only a memory of a land-base. Casino money, dirty as it is, built a cultural center and schooled their children.

Casinos are the nectar in the flytrap. Americans collectively line up to fork their money over to the Senecas, then line up to sell their land to the Senecas for the money they forked over. You've got to admit, for the Senecas it's not a bad deal—sort of like history running in reverse, but without the genocide.

### Invade Canada?

Some anti-casino activists have crossed the boundary from anti-casino to anti-Indian. They display little understanding of or respect for sovereignty as they lobby state and federal governments to shut down native casinos by any means necessary. By the same measure, however, they've never called for invading Canada to shut down Canadian casinos. Sure, the idea is ludicrous. But why isn't it just as ludicrous to ask the New York and United States governments to do exactly that to the Senecas? Is it acceptable just because it's possible? Because we're strong and they're weak? Because we've done it so many times before it's become second nature?

Recently anti-casinos activists were cheering like hyenas over federal court decisions in Central New York stripping Native Americans of their sovereign rights. Viewed objectively, however, such federal court decisions are nothing more than an obscene display of arrogance by a powerful nation demanding the unilateral right to adjudicate disputes between itself and another sovereign nation without any independent arbitration. Logically such a ruling would have no more weight than if the Seneca sued the United States in their own Peacemaker's Court, and then claimed all of New York State as its booty. The only difference is that we have all the guns. So we get to decide unilaterally all such international disputes in our own courts.

In the Central New York Case, the state chose to sue the Senecas in our federal court instead of their Peacemaker's Court or a neutral Inter-American Court. The federal court ruled in favor of the American plaintiffs and, among the results of that ruling, two Cayuga casinos were forced to close. Casino opponents in Central New York associated with the oxymoronically named Upstate Citizens for Equality are now calling for imposing New York State taxes on Indian businesses and for not recognizing the Cayuga's right to a sovereign reservation. For these casino opponents, it's more about rolling back native rights back to the days of the Sullivan campaign—the military campaign that destroyed all Cayuga villages and drove the Cayuga off of their land—than it is about casinos.

### Terminally unimaginative

Yes, it's pretty pathetic how the city of Buffalo's only development plan is to carve a chunk out of the heart of the city and sell it to a foreign nation, hoping that they have better luck with it than we did. But that's exactly what we did. And it's not the Seneca's fault that we keep electing terminally unimaginative leaders. You can't fault them for recapturing contested land when the opportunity presented itself.

Now, suddenly, we have American politicians coming out of the woodwork crying foul. Former US Representative John LaFalce, for example, the man who authored the federal legislation allowing the Senecas to rebuild their land-base through purchases, insists this isn't what he meant—but it's what he wrote and what the Congress passed into law. Sorry, John. A deal's a deal. A treaty's a treaty and sovereignty's sovereignty. Like it or not.

You've got to admit—the notion of American politicians standing around in business suits and calling press conferences to bitch that Indians cheated them out of their sovereignty is a hoot.

If Western New York's casino opponents are truly anti-casino and not anti-Indian, they need to devise a campaign that opposes casinos while respecting native sovereignty and proposes solutions to longstanding land claims such as the Seneca claim to Buffalo Creek. Perhaps what we need is a true ceasefire, one that would equitably solve the land claims issue and provide real economic security to the Seneca Nation. If we had true social justice, the Seneca wouldn't need a casino.

Michael I. Niman's previous columns are archived at [mediastudy.com](http://mediastudy.com).

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