



Casinos in The Wild Settler Colonialism, Provincial Hegemony, and the Indigenous Challenge of Pursuing Economic Sovereignty

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Disclosure of Potential Conflict of Interest

- We have no potential conflicts of interest for my presentation
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*Indigenous Gaming in Canada:
Past Present Future*

(forthcoming)



Context

- Research re: First Nations casinos & provincial policy has explored:
 - economic development, health, neoliberalism, law, self-government & intergovernmental relations.
- No one has asked/examined this simple question:
 - *Why do provinces restrict First Nations casino operations to reserve communities?*
- A fixed/universal element of all provincial First Nations gaming policies (BC, AB, SK, MB, ON).

The Questions

- No formal declaration or policy discussion elaborating on provincial preference for First Nations casino placement (assumed).
- Implications for contemporary research / analyses.
- We seek to elaborate on the following questions:
 - What was the state (Alberta) rationale for restricting First Nations casino development to reserve communities?
 - Despite operating in unique political and cultural contexts, how/why did each province implement similar policies restricting First Nations casino operations to reserves?

Analytical Frames

- *Indigeneity* (Maaka & Fleras)
 - Strategy of developing personalized terms of belonging within the nation-state.
- *Settler Colonialism* (Veracini)
 - “... an inherent drive towards suppression” (33); anxiety.
- *Incertitude* (Stirling)
 - A property of relations between what is known and who is doing the unknowing based on how we understand, frame, and construct possible (albeit unknown) futures.
- *Recognition* (Coulthard)
 - Acknowledgement of Indigenous identity, instead “reproduce the very configurations of colonialist, racist, patriarchal state power that Indigenous peoples' demands for recognition have historically sought to transcend” (3).
- *Historical Institutionalism* (Thelen)
 - Punctuated equilibrium; critical junctures; path dependency; incremental change.
- *Critical Discourse Analysis* (van Dijk)
 - Aims to increase awareness of power within discourse (e.g., maintain status quo); and how it is used and reproduced.

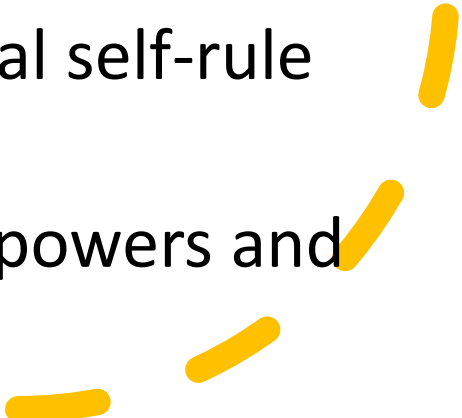
Uncertainty & the State

- Risk & Uncertainty:
 - Risk: we tend to know the possible outcomes, appraise probabilities.
 - **Uncertainty**: we are unsure of outcomes, so we pretend to know the probabilities (Stirling 2008).
- Uncertainties are socially constructed:
 - A property of relations between what is known and who is doing the unknowing based on how we understand, frame, and construct possible futures.
- Uncertainties have concrete, material frames & origins / effects; they are not experienced the same way by different people.
- To admit uncertainties are not under control opens the door to public criticism & the erosion of trust.
- **The state needs to ensure uncertainty is under control to maintain the public's confidence.**

Alberta as Exemplar

- The First Nations license applications = exogenous shock interrupting provincial institutional stability.
- Punctuated equilibrium inaugurated an 8-year period of provincial uncertainty (1993-2001).
- Characterized by provincial officials engaging in an extended discussion about:
 - The nature of Canadian federalism in relation to provincial self-rule over gambling regulation.
 - Alberta's political and economic relationships with First Nations.
- Super-bingo license applications triggered a sense of settler colonial anxiety (**proactive**).
- Veracini (2010): anxiety's common to SC populations resisting Indigenous political autonomy & attempts to reestablish territorial sovereignty (**reactive**).

Uncertainties in Alberta 1993-2001

- Did First Nations possess an inherent right to regulate casino operations?
 - High-stakes casino construction could begin on federal reserves & operate *ultra vires* (outside) provincial regulation.
 - How would this impact the nascent gaming market's economic potential provincial officials were looking to capitalize?
 - Would enhanced FN autonomy result from improved local economic stability?
 - If so, could FN challenge provincial self-rule within Canadian federalism?
 - Or ... even undermine provincial powers and autonomy?
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Uncertainties Challenged by the State

- Uncertainty materialized in response to FN inherent rights claims:
 - They challenged provincial officials' historic beliefs that federally delegated authority to regulate gaming extended to First Nations lands.
- Alberta sought to retain sovereign control over gambling.
- Uncertainty exploited to rationalize provincial policies to avoid ceding hegemony to provide for enhanced FN shared-rule space.
 - Instill fear to assert greater control.
- Rather than establish intergovernmental relations to co-produce a mutually beneficial provincial policy uncertainty *demand*ed a return to certainty:
 - Resurrection of civilization-era ideas restricting FN peoples & economic projects to reserves.

Outcomes

- Provincial officials burdened w/ uncertainty exploited incertitude to rationalize policies to mitigate against uncertainty's unpredictability.
 - SC's mimetic character evident : "... a recurrent need to disavow produces a circumstance where the actual operation of settler colonial practices is concealed behind other occurrences" (Veracini, 14).
- The goal: re-establish pre-licence application institutional familiarity / stability.
- Alberta est. the First Nations Gambling Policy (FNGP) and the First Nations Development Fund (FNDF) with a value-added modification:
 - Policy reach & influence over FNs economic and political decision making extended into previously restricted Indigenous (federal) domains.

Theoretical Applications

Explanatory Value (examples)

- Reserve casino = fixed/universal element of all provincial First Nations gaming policies.
 - Helps explain continuity of provincial policy from inter- and intra-state perspectives.
 - Helps us understand why some provinces refuse to embrace FN casinos.
 - Explains deliberate FN approach in BC (co-production; autonomy).
 - Explains why AFN seek S.207 Criminal Code of Canada changes to remove provincial influence over decision making re: reserve casinos.



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