

The Jena Band of Choctaw Indians Cultural Shift

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Summary: Tribal gaming and tribal casinos have influenced the culture of Indian tribes all over the US. The Jena Band of Choctaw Indians were once an inward focused tribe which is shown in their history, but policies that have been enacted regarding their casino and tribal economics reflect a change in the culture of the Jena Band.

Background

The Jena Band of Choctaw Indians are one of the smallest federally recognized tribes in the US with a population just under 300 people. In the 1700's the tribe ranged from southern Mississippi to Mobile, Alabama, Biloxi, and New Orleans, Louisiana. By the Treaty of Dancing Rabbit Creek in 1830 the main population of the Choctaw relinquished all their land east of the Mississippi river. During the trial of tears the population was moved to Louisiana since those lands had been relinquished by the French to the Americans. This community historically had very little to do with outsiders and studied their customs and traditions separately from the US population due to their removal from their historic lands. The Jena Band built the first Choctaw all Indian school called the Penick Indian School in 1932 with the income they generated tanning hides and providing household services. When funding for the school disappeared the Department of Indian affairs funded the school which was the beginning to Jena Band outreach to Americans. At this point the Department of Indian affairs was attempting to relocate willing Jena Choctaw members to Federal Trust land in Mississippi. The beginning of World War II interrupted this move and it also closed the Penick School for the foreseeable future. After World War II all Indian children were allowed to attend public schools by the US. This marked the beginning of their traditional customs disappearing. The last traditional Chief for the Jena Choctaw died in 1968 and the replacement chief was elected to the position after the first tribal election in 1974. At this point the tribe was recognized by the state of Louisiana, but it wasn't until 1995 that they were federally recognized. It was at this same time of federal recognition that the planning for the Jena Choctaw Pines Casino began which would signify an economic change for the tribe, but also exposes them to policies set in place by the US State and Federal Government policies.

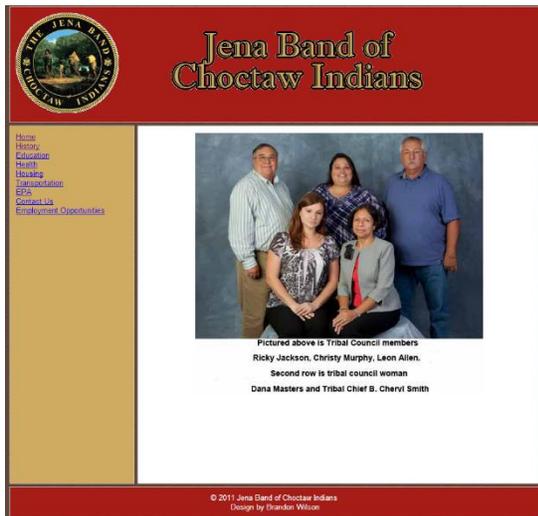
Like many other tribes the Jena Band of Choctaw Indians were affected by the policies the United States put into place in order to regulate tribal gaming. The IGRA, passed in 1988, is an important piece of legislation for both the United States government and Indian tribes across the US. This legislation gives sovereign tribes actual representation in negotiations with state governments. The IGRA defines an Indian tribe as “any Indian tribe, band, nation or other organized group” that “is recognized as possessing powers of self-government.” The Jena Band of Choctaw are recognized as a sovereign tribe and therefore possess the powers given to them by the IGRA. The IGRA effectively acts as the bridge between the state governments and the Indian tribes by giving the tribes the ability to call on the federal government for mediation in disagreements. Sovereign tribes are given tools to run their casinos without interference from the state as long as they aren’t infringing on state rules, unless there are exceptions both parties have agreed on. This freedom to run their own gaming without state oversight has led to large profits for the Indian tribes and has helped them to revitalize their nations. After seeing this success some states want to reverse agreements that were made in the IGRA, pacts that they originally supported and Indians opposed, in order to tax the profits the casinos are making. Tribal casinos have become one of the largest sources of income for the tribes and comprise a large part of their economy especially for the Jena Choctaw.

Tribal gaming appears to be a business that will not go away anytime soon. Beyond entertainment value what do casinos provide for their owners and patrons? How does a casino influence the community that surrounds it? For the Jena Band of Choctaw Indians the casino is their first venture into the world of tribal gaming. Moving from a culture built on tanning hides to a community that runs a casino is a large shift in their economy and being just 8 months old most questions about the effectiveness of the casino cannot be answered. However, the purpose

of the casino itself is clear. It was built to provide revenue for the tribe to improve on their tribe's health, education, transportation, and environmental foundation. These key aspects of their community identity require funding that the federal government is not willing to provide so the tribe must become self-sustaining. The construction of the casino in order to fund these goals shows a paradigm shift for the Jena Choctaw that has been occurring over the last 20 years. Instead of solving these issues internally the Jena Choctaw have branched out and are using surrounding communities to fund their programs.

Findings

In order for a casino to be productive it requires a player base. A tribe consisting of 300 people is not going to fill the needs required by the Jena Choctaw. Advertising the casino becomes a large part of its success. As far as being a social media mogul and having a large internet presence is concerned the Jena Band of Choctaw leave more to be desired. They do exist on the internet however, and have a website dedicated to their tribe, its culture, some of its future goals, and a look into their lifestyle and current values as a community. They don't partake in large social media efforts like Facebook and Twitter, but a fan page does exist for them online.



The website is pretty standard. A picture of their tribal council along with their name a flag of their tribe marks the banner and body of their page. Their Facebook fan page on the other hand is pretty much a direct link to their Wikipedia page. They have about 215 fans on Facebook which would make a high percentage of their population being that all their followers were part of the tribe (definitely not true since I follow them). On their main website there is a “Contact Us” link that takes you to a signup sheet for a newsletter, but I haven’t received one so it might not be actively used. The Jena Band of Choctaw definitely have a presence online, but one that is too small to have a large following of people. The casino might rely on more grassroots type of advertising or they might only advertise strongly for the local population. This lack of web presence does reflect their historical internal focus because they are not advertising themselves effectively. The casino has started this shift in culture and began exposing themselves to the outside world, but it has not required a large investment of time by the Jena Choctaw just yet.

The Jena Choctaw Pines Casino, is a class II gaming facility and their gaming floor is made mostly of electronic class II video poker machines (500nations). Under the IGRA, as long as the tribe is the only party with proprietary interest in the casino, the state should allow that level of gaming, and the Jena Choctaw thus far are experiencing that. The Jena Choctaw have not had to sign a pact with their state which means that they have complete control over their casino and have made no concession to Louisiana in order to proceed with gaming. However, in Florida the Seminole tribe was battling with the state in order to negotiate terms for gaming, a right given to them by the IGRA. When the state refused the Seminole tribe sued the state in federal court to force negotiations. After the District Court passed on dismissing the case, the US Appeals for the Eleventh Circuit reversed that decision based on the eleventh amendment and dismissed the suit. According to the Seminole tribes website the Seminoles had established their

own tribal government and received that status in 1957. That being said the US appeals court ruling goes against exactly what the IGRA said. The Seminoles were denied negotiations with the state of Florida because they were seen as dependents of Florida, even though they had achieved sovereignty many years before. Indians accepted the IGRA with the idea that it would give them the power to negotiate terms to run their own gaming operations, but after granting them that ability the federal government stripped it away from them. This is important because there has been motion by some states to regulate Indian gaming affairs. In California the Cabazon Band of Mission Indians were sued by the state arguing that high stakes bingo and poker violated state sanctions. The US Supreme Court ruled in favor of the Cabazon Indians because gambling in California was not illegal, and was even encouraged by the presence of a state lottery. In this case the tribe was protected by the federal government from California shutting down the Cabazon tribes gaming. These actions made by the state may not be in order to tax the gaming industry, but it exists in order to eliminate the competition of the state's own gaming infrastructure. There is clearly a motion by some states to either tax profits from Indian gaming, or to eliminate it entirely. This would remove a huge portion of the Indian autonomy, but would also have a large effect on their economy.

The prosperity of the people in the community is paramount to its success, regardless of tribal or not, and without a solid economic foundation their prosperity is all but doomed. One of the goals in mind for building the Jena Choctaw Pines Casino was to use the revenue to improve the lives of the tribal members. The tribe is hoping the casino will “generate enough revenue to enable the tribe to provide much-needed governmental, health, educational and cultural services for the tribal members” (Associated Press, 2012). Part of a thriving economy is diversifying the assets that are owned. The owners are looking at a second phase which “would more than double

the size of the casino building, expanding gambling and restaurant space and perhaps adding meeting space” and after that possibly expanding with a third phase adding “a hotel and entertainment venue to the property” (Associated Press 2012). Beyond their economy, some of the other issues the Jena Choctaws value are health, education, and their environment. Their website has tabs that are dedicated to these issues and expand on the position that the tribe takes. Revenue from the casino can help the tribe build a sustainable community by improving these issues.

The Jena Choctaws are in an unusual situation with respect to their casino because it is on native tribal lands which means that they didn’t need to make any compact with the state. However, they are still bound by the regulations set by the IGRA and forces them to take measures to protect players.

Discussion

The Jena Band of Choctaw Indians have a unique problem for their geographic location. The tribes that surround them in the area are significantly larger than they are. Because of this they seem to rely on the US government as a crutch. This isn’t necessarily a bad thing because it has allowed them to maintain values core to their being, such as their health and also their environment however, it shows a very different mindset for the Jena Choctaw than in their history. Whereas before they would only use their internal resources to persevere they now rely on the surrounding communities and the US government to help strengthen programs that support community values. Their venture into the world of gaming poses an interesting scenario for this group. The casino itself has the ability to employ each and every member of the Jena Band. This means that if they needed to they could restrict who is employed at the casino so that everyone has a job. With the addition of social media and having a web presence, along with

their economic vitality we see cultural practices that don't really reflect traditions the Jena Choctaw usually held. With ventures into gaming we may see a cultural shift occur even farther away than what has already occurred. If they continue this trend for the sustainability of their culture some of their traditions may fall by the wayside. Whether this is an acceptable compromise is yet to be determined, but for a tribe that is so small it seems that might be the only thing they could possibly hold onto from their past.

Tribal casinos provide an important financial opportunity for Indians. Years before the IGRA existed there was gaming happening on lands owned by the tribes. The regulations that were put in place are there to protect the traditional gaming done by the Indians, games like bingo. The states insistence on regulating these types of gambling only hurts their society which uses bingo and other types of gaming as charity for their tribe. If there is a tax put on these profits there is less incentive to host these activities, and the ability for tribes to raise money for themselves is hindered greatly. The Jena Band of Choctaw aren't currently running into these types of issues because they only have a class II casino, and Louisiana doesn't view gambling as a criminal activity. Whether or not the tribe is in danger of losing control over their own gaming there is clear precedent for states to take over even with the IGRA protecting the tribes. This creates further conflict with the state and will probably lead to more involvement of the state in Jena Choctaw affairs. History would show that the Jena Choctaw would want as little to do with the state as possible, but if they are continuing to open up to outside communities they are not likely to back away from the conflict. There are cultural aspects related to gaming in some tribes, but beyond that the economic benefits of tribal gaming cannot be ignored. The Jena Choctaw Pines casino has enough employment opportunities to give every member of the tribe a job. As the IGRA states, gaming where the sole proprietary interest is the tribe should be allowed by the

states. If the policies that have been passed are stopping Indians from owning and regulating their own gaming industry there will be large economic fall outs for the tribe.

The Jena Choctaw Indians have a very new casino and have yet to see how much of an economic benefit it will provide to the tribe. Even though those answers are not currently available the purpose for the casino is clear, to improve the lives of community members and to expand the gaming infrastructure that is now present. The way that the casino provides for the community is pretty well disguised by its size and its immaturity compared to neighboring establishments. After some time the effects that it has on the community will become more apparent and the decisions that are made now will be easily evaluated for their effectiveness. The fact that this casino does not have a pact makes it interesting because it has no extra obligation to the state. If the casino gets any larger this may change, and with laws on gambling starting to expand onto more mobile gaming, the machine focused casino may find itself up against more resistance. Regardless, the casino will hopefully provide a stable income for the tribe in order to invest into its people as well as the issues they find important.

The Jena Band of Choctaw Indians are undergoing a cultural shift because of their casino. In order to sustain the casino and to make it a profitable venture they are being forced into communication with the state of Louisiana, the US government, and also the communities that surround the tribe. Their tribal history shows them as an introverted tribe that is self-sufficient and relies only on the production of their population for prosperity. However, after the trail of tears in 1830 they had their first exposure to the US government and solving problems without someone outside their community. They were being affected by policies put in place that they had absolutely no say in. Since then they seem to be more open to outside involvement in their affairs. The building of the casino takes a lot of players, and while most of the efforts in building

it were from the tribe itself including the donation of the land, in order to avoid conflict with the state they had to at least meet with them. While there is no compact with the state of Louisiana, there still had to be negotiations from the tribe in order to get to the point they are at today. This venture into gaming shows that in order to sustain their economy the Jena Choctaw are willing to allow outside communities into their own and involve them in gaming. In order for the casino to be a success they have to take into account what people from outside the tribe want in order to attract them to their facilities. These changes that the Jena Choctaw have made show the shift away from being purely internally focused, and shows that they have accepted their surrounding communities in order to promote their tribes values. This culture shift gives vitality to the tribe, and without it they may not be where they are today.

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