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American Indian Land Rights, Rich Indian Racism, and Newspaper Coverage in New York State, 1988–2008

Anne F. Boxberger Flaherty

In October 1999, presidential candidate George Bush campaigned in central New York and was asked his position on American Indian land claims, a controversial local issue. The local newspaper, the *Syracuse Post-Standard*, reported that “while admitting he knew little about Indian land claims in New York, Bush had this to say during a campaign stop Monday in Syracuse: “My view is that state law reigns supreme when it comes to the Indians, whether it be gambling or any other issue.”¹

Bush’s statement touches on several areas of concern and contention related to American Indian politics. He supports the misperception that American Indian governments are subject to all state laws, rather than being sovereign nations that have a primary relationship with the federal government. Bush speaks of “the Indians” as a unit, rather than recognizing the sovereignty and independence of the many Indian nations in the country. And finally, although Bush was asked about land claims, his answer instead refers specifically to gambling. Since the passage of the Indian Gaming Regulatory Act (IGRA) in 1988, there has been growing attention to American Indian gaming by politicians and media outlets.

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A popular fascination with American Indian gaming may have important consequences for the way that all American Indian nations' political goals are understood and evaluated.² This is particularly true as many Americans have little background knowledge of American Indian history or rights to sovereignty.³ One way to understand the effects of the focus on gaming is through the lens of "rich Indian racism," a term introduced by Katherine Spilde. The "rich Indian" stereotype is based on a strong public association of American Indians with gaming. Central to rich Indian racism is the popular perception that all Indians are rich in the wake of gaming. Spilde argues that this image of Indians as wealthy calls "into question the economic need of American Indian governments," because they are now viewed as too rich to deserve their federally promised resources.⁴ The rich Indian image ties to the idea that "Indian nations do not deserve sovereign rights because they are not really Indian anymore."⁵ The perception behind this is that "real" Indians are poor Indians, and they only deserve "special" services from the government when they are poor. This is a gross misunderstanding of identity, tribal sovereignty, and federal responsibility.

The trust relationship between the federal government and American Indian nations involves "federal responsibility to protect or enhance tribal assets" through its policies.⁶ As part of this relationship, the federal government holds formal title to reservation and other land promised in treaties and agreements on behalf of American Indian nations. This relationship is a legal one, created through the agreements and actions of the governments involved. Rich Indian racist perspectives ignore the fact that the trust relationship is in no way based on the financial situation of the tribes.

The power of the rich Indian stereotype and the sorts of political decisions that it justifies may have significant consequences for American Indian nations. As Jeff Corntassel and Richard C. Witmer write:

Policymakers invoking rich Indian racist attitudes contend that indigenous peoples do not *need* what they used to. According to this logic, gaming has magically provided indigenous nations with a surplus of economic wealth, which should be heavily regulated and taxed by state governments. It follows from this reasoning that treaty-based rights, such as hunting and fishing, and homeland claims are no longer considered necessary for the survival of these entrepreneurial indigenous nations.⁷

Rich Indian racism is argued to be "created and propagated by governmental and media entities."⁸ In *Forced Federalism* Corntassel and Witmer offer an excellent study of how rich Indian racism operates in the changing dynamics between states, local governments, and American Indian nations. While the trust relationship was established as a federal relationship, political decisions over time

have brought tribes into increased contact with state and local governments. This has changed perceptions among the public and policymakers about how American Indian nations should be connected to state governments.

In the course of their work, Corntassel and Witmer cite a public opinion study in 2000 from *Indian Country Today*. Of 450 community leaders who responded, 76 percent claimed that there is a “growing anti-Indian sentiment in the country,” with 45 percent of respondents agreeing that media stereotypes were at the root of this negative sentiment.⁹ For most Americans, with little background knowledge and without personal contact with tribal members or governments, the mainstream news media play a primary role in disseminating information about American Indian nations.¹⁰ As Ronald Smith writes, “The media, while not necessarily telling their audiences *what to think*, can be quite successful in telling them *what to think about*.”¹¹

Media coverage of American Indian nations that continually refers to gaming, regardless of the initial issue proposed or discussed, reinforces the public and political concept that gaming is the central and appropriate frame for understanding all American Indian nations’ political concerns. This article further develops the hypothesis of rich Indian racism through an analysis of media coverage of American Indian land claims. The theory of rich Indian racism claims that gaming has become the central frame for media portrayals of American Indian politics. If this is true, media coverage on land claims will be increasingly tied to gaming and may also portray American Indians and American Indian nations as wealthy and their claims to sovereign rights as unfair or unnecessary.

This work tests these hypotheses with a multi-method analysis of newspaper coverage on American Indian land claims, both nationally and in central New York, between 1988 and 2008. The data show that the media do indeed focus on gaming, even in coverage on land claims. Further, there is a frequent use of language that invokes negative stereotypes of American Indian nations and their claims to sovereign rights.

RACE AND RICH INDIAN RACISM

The use of the terms *race* and *racism* in regard to American Indian identity is challenging. The very idea of race is contested; as a socially constructed and heavily politicized marker of identity, race is a powerful, if biologically mistaken, idea. The distinct experiences of American Indian nations through colonization and the expansion of the American state are different than those of other racial and ethnic minorities in the United States.¹² As Wilkins asserts so strongly, American Indian tribes are nations, not minorities.¹³ American

Indian nations' sovereignty, political experience, relationship with the federal government, and goals all set them apart from other minority groups in the United States.

American Indian nations are distinct political entities, with their own historical, political, and cultural identities. The political sovereignty of American Indian nations predates the United States and any colonial settlement. Sovereignty is "the ability to govern oneself, exercising national power in the interest of the nation and its peoples" and jurisdiction over land is central to this.¹⁴ Early political decisions and documents such as treaty arrangements between the British (and later Americans) and American Indians, the Constitution, and eighteenth- and early nineteenth-century laws in the United States recognized the legal status of American Indian nations.

Despite these laws and treaty arrangements, the United States sought to suppress the rights of American Indian nations to self-government in the nineteenth century. Widespread perceptions of a single "race" of American Indians were incorporated into national policies that sought to deal with all American Indian nations similarly. These broad policy shifts focused on the dissolution of American Indian nations' control over territory. One particularly damaging law, the General Allotment Act (or Dawes Act) of 1887 broke up communally held reservations into individually owned parcels of land to create individual farms.¹⁵ This had the dual effects of freeing up "surplus" land for both outside interests and the states and reducing the services that the federal government offered. When the Allotment period ended in 1934 over ninety million acres of American Indian land had been lost.¹⁶

As Harmon notes of the Allotment era in the late nineteenth and early twentieth centuries, "many Americans . . . conceived of race as a biological category that entailed character traits, including economic tendencies and abilities."¹⁷ Even today, federal treatment continues to portray American Indians as a distinct racial "other," such as in the census, which continues to count "American Indian" as a specific race.¹⁸ This contributes to the dominant belief that what is true for one American Indian is true for all. The idea of American Indians as a race is historically, politically, and biologically inaccurate, but it is also a powerful and pervasive reality.¹⁹ This persistent categorization of American Indians as a race throughout American history has contributed to racism that has been used to justify targeted policies toward and support beliefs about American Indians for much of their experience within the United States.

Popular media coverage has the potential to contribute to the phenomenon of rich Indian racism in several ways. First, coverage can often convey the idea that American Indians are a homogenous group, reinforcing the concept of race and downplaying the reality of separate sovereign nations.

Second, a focus on gaming as a topic and the inclusion of references to gaming even when other aspects of politics or economies are discussed supports the notion that gaming is always the appropriate frame for discussing American Indian politics. Further, the way that nations, individuals, or political activities are characterized and described has effects, as this may inform and color what nonindigenous people and politicians understand about American Indian nations.

AMERICAN INDIAN GAMING

The issue of American Indian gaming has been a relatively recent phenomenon. As part of a push to reassert their sovereign rights and to seek economic development, a handful of American Indian nations across the country began to explore high-stakes bingo in the 1970s.²⁰ The development and eventual legal acceptance of American Indian gaming was influenced by legal disputes that erupted in Florida and California. In both cases the federal courts supported the rights of American Indian nations to operate gaming facilities on tribal property outside of the regulation of state authorities.²¹ The 1988 Indian Gaming Regulatory Act (IGRA) formally codified tribal gaming, created a National Indian Gaming Commission (NIGC) to provide oversight, and laid out the roles of the federal and state governments.²² By 2008, 223 American Indian nations (about 40 percent of the total) in twenty-eight states operated over 400 gaming facilities that range from small-scale bingo operations in rural areas to vast Las Vegas-style casinos.

There have been economic benefits from gaming, although the benefits have been unevenly distributed among American Indian nations. American Indian gaming operations produced revenue of approximately twenty-six billion dollars in 2008, created hundreds of thousands of jobs, and helped to support a variety of programs.²³ The bulk of the revenue from American Indian gaming facilities came from a select few casinos: out of 405 gaming operations, only twenty earned more than \$250 million each in 2008. Although they represent only 5.7 percent of all American Indian gaming operations, these facilities earned more than 40 percent of the total revenues. Over half (217) of American Indian gaming enterprises earned less than \$25 million each, with their combined profits accounting for only 7.1 percent of total revenues.²⁴

Public attention often centers on the top-earning casinos, although the vast majority of American Indian gaming enterprises are far more humble. This is exacerbated by the public misperception that all American Indians are a single political entity, rather than distinct nations. And, of course, this characterization ignores the fact that 60 percent of American Indian nations do not have

gaming facilities at all. Further, poverty remains a problem for most American Indian populations. In 2000, on-reservation per capita income was still an alarming one-third of the US average. Gaming areas did have a slightly higher average per capita income, but it remained a mere 45 percent of the average American in 2000.²⁵ Still, as Patty Loew writes:

Indian casinos have inspired a new stereotype: the Rich Indian. Many mainstream Americans believe that all Indian nations have prospered because of gaming, when in reality just one-third of Indian tribes host high stakes gambling and only a handful make what can be described as serious money from it.²⁶

Another dangerous underlying belief is that gaming revenues for American Indian gaming corporations are somehow undeserved—that the business owners themselves have somehow “won the lottery,” rather than being legitimate entrepreneurs. Harmon, for example, discusses the public willingness to disparage Osage oil wealth or the Mashantucket Pequots’ gaming success as “unearned” and therefore illegitimate.²⁷ A further complication is the public belief that gaming has fundamentally changed the entirety of the Indian way of life and culture, rather than being understood as a business venture only.²⁸ The effects of rich Indian racist beliefs can be seen in the argument that American Indian nations are acting in “un-Indian” ways when they operate successful gaming enterprises, and therefore are not “real” Indians. In this vein of thought, gaming and wealth have somehow invalidated the requirement for sovereign recognition. According to this perspective, if American Indian nations are rich (because real Indians are poor), they no longer need or deserve group specific rights or federal supports.²⁹

NATIONAL NEWSPAPER COVERAGE

This work offers an analysis of newspaper coverage of American Indian land claims to test if gaming has become a central frame for all media reporting on American Indian issues. Land rights have been an ongoing concern for nearly all American Indian nations. Control over territory is key to sovereignty and many tribes have sought claims to assert control over land. These claims are particularly contentious, as they often advocate the transfer of land from public or private ownership into the control of American Indian nations. Land claims, therefore, have been salient both over time and across the country, and have had more consistent media attention than many other claims.

The premise of the theory of rich Indian racism is that gaming pervades portrayals of all American Indian claims; if this is the case, gaming will certainly shape media coverage on land claims. To test this, an original dataset was

created from newspaper coverage on American Indian land claims. Data was gathered from available “US Newspaper and Wire Reports” on the LexisNexis Academic search engine in the spring of 2010. The national sample of articles was searched with the terms “Indian” and “land claim,” “Indian land claim,” and “Indian gaming,” and the articles returned through those searches were initially compiled and counted on an annual basis ranging from January 1 to December 31 each year between 1970 and 2008.³⁰ The national sample provides a basic quantitative overview of newspaper articles with language on land claims and how this coverage overlaps with content on gaming (see endnote for a discussion of the choice of search terms).³¹ A qualitative content analysis explores the way that land claims, American Indian nations, and individuals were portrayed in local media coverage in New York and is presented in a second analysis and discussion below.

National Overview

The broad quantitative analysis offers an overview of the volume of nationwide newspaper coverage referencing American Indian gaming. Figure 1 shows the volume of nationwide newspaper and wire reporting between 1970 and 2008, based on the three key word searches identified above.

There is an expected and rapid increase in coverage on Indian gaming throughout the early 1990s. This is not a surprise; the coverage on gaming corresponds to the early effects of IGRA in 1988. While it took a few years for federal regulations to be fully institutionalized, by the early 1990s a number

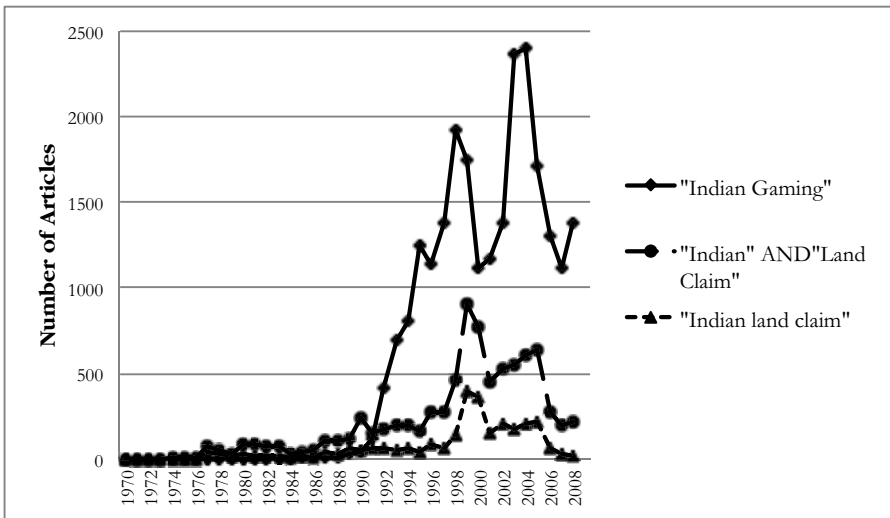


FIGURE 1. Newspaper coverage of American Indian gaming and land claims by year and search term.

of American Indian nations interested in gaming operations were beginning to negotiate with states across the country. Coverage of gaming spikes again around 2003 and 2004 before falling.

There is a much lower volume of coverage on land claims. The number of articles that refer to land claims remains lower throughout the period, although it does rise in the late 1990s and again in the mid 2000s. This national increase in the 2000s may be related to the escalation of legal action in the Oneida Indian Nation's claims in New York. In September of 2000 the Oneida Nation threatened to involve 20,000 landowners in their suit, causing an escalation of tension and a surge of media coverage.³² As will be seen in the local analysis, the volume of newspaper coverage from central New York is proportionally very high in the national sample.

The data presented in figure 1 begin to show support for the idea that the mainstream media are increasingly giving attention to American Indian gaming. This is particularly striking, as the volume of coverage is so much higher than the coverage on land claims. If the public and politicians gather their understanding and perceptions of American Indian nations and politics from what the media present, this level of coverage certainly promotes gaming as the most salient issue.

The national quantitative data is further analyzed to reveal cross-coverage. To determine whether the media also connects gaming coverage to land claims, we begin with the counter claim: is all coverage of gaming being related to land

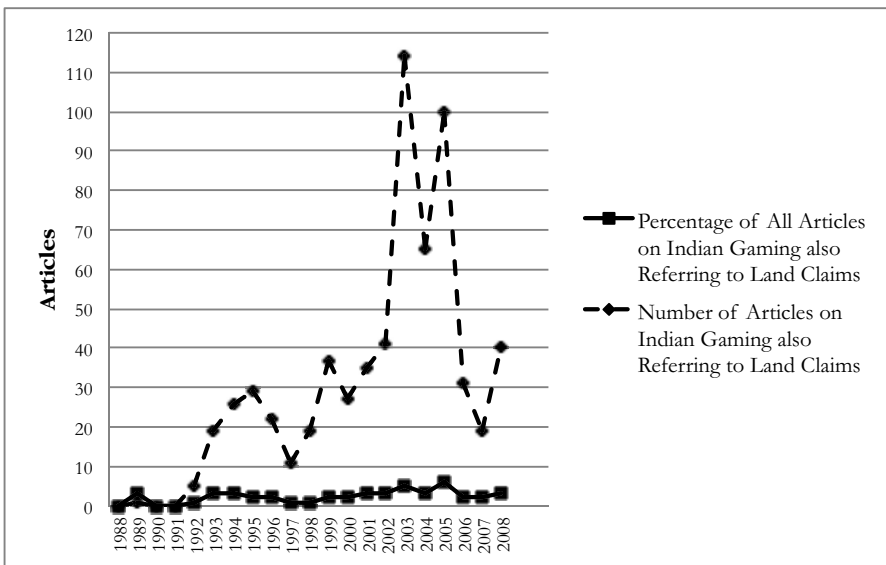


FIGURE 2. Articles on Indian gaming that also refer to land claims.

claims? To test this, all articles on “Indian gaming” were also searched for the term “land claim.” The results are displayed below in figure 2, indicating both the raw volume of articles with both terms and the percentage of all articles on Indian gaming that also contain references to land claims.

Throughout the time period 1988–2008, the percentage of articles with content on Indian gaming that also mention land claims is very low, ranging from zero to a peak of 6 percent in 2005. In many years the percentage is near zero and the number of articles is extremely low. The media’s coverage in stories that mention Indian gaming also infrequently conveys information about land claims. Indian gaming is *not* generally presented in the context of land claims.

There are very different results when the articles that were returned in a search on “Indian land claim” are inspected to see whether or not they also mention gaming. The articles initially returned were searched for the term “Indian gaming.”

Figure 3 presents the data on the percentage of stories on Indian land claims that include language on gaming. The percentages are fairly low at the beginning of the data series, with well under 10 percent of the articles. After 1992 (when Indian gaming enterprises began increasing in number) the percentage rises, jumping to peaks of 40 percent in 1994 and about 70 percent in 2005. After 1992 the percentage always remains at or above 20 percent, and after 2002 the percentage remains at or above about 40 percent. It is clear that, in coverage on land claims, gaming is regularly invoked as part of the discussion. These numbers are a cause of concern because this frequent association

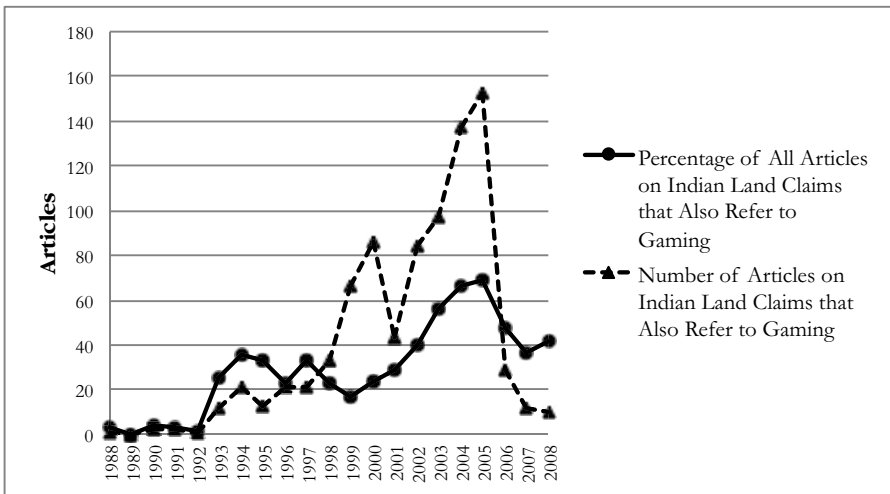


FIGURE 3. Articles on Indian land claims that also refer to gaming.

may lead to public conclusions that land claims, regardless of basis or intent, are frequently or even necessarily related to gaming operations. We obviously expect to see an increase after the full implementation of IGRA—after all, why would early reports on land claims mention gaming when it was not a widespread possibility?—but the size of the increase and the extent of the language referring to gaming, particularly in the 2000s, is striking.

The national analysis supports the idea that the media uses gaming to offer context in coverage on land claims. The quantitative analysis does not reveal the intent of the cross-coverage or how American Indian nations, individuals, or their claims are portrayed. The use of search terms to identify stories “on” a specific topic may also be insufficient to understand what these newspaper stories are actually covering. Even with these limitations, the analysis does show a trend in media coverage on Indian land claims to incorporate language on gaming. The theory of rich Indian racism argues that gaming is becoming the way that all other aspects of American Indian politics are understood; the data presented in this section support this allegation.

The next section of work offers insights into how gaming and land claims are covered by the popular media through an in-depth look at central New York. A qualitative content analysis of land claims coverage in the *Syracuse Post-Standard* offers a deeper understanding of the negative and positive language used to describe land claims and the nations that are pursuing them. This coverage in turn serves to inform the general public in central New York about American Indian nations and claims.

DYNAMICS OF A CONFLICT: MAINSTREAM MEDIA, AMERICAN INDIAN CLAIMS AND GAMING IN CENTRAL NEW YORK, 1988–2008

Conflict over American Indian rights in the central New York region has persisted since the Revolutionary War. Centuries later, American Indian nations in the region continue to pursue their sovereign rights and engage in political conflicts with the state and federal authorities. At the same time, the majority (non-American Indian) population continues to express a lack of knowledge about the nations’ histories, rights, and claims.³³ The political saliency of American Indian rights in central New York offers the opportunity to study the question of media coverage and how attention to gaming may influence the coverage of other claims.

While attention to American Indian gaming in central New York is relatively recent, starting in the 1970s, the conflict over land rights has been an issue since the birth of the country.³⁴ The region is the historical home of

the Haudenosaunee, a league of six tribes (the Cayuga, Mohawk, Oneida, Onondaga, Seneca, and Tuscarora). The Cayuga, Mohawk, Oneida, Onondaga, and Seneca nations have all sought land claims. The Mohawk, Oneida, and Seneca currently operate gaming facilities. The Cayuga and Oneida have both pursued gaming and land rights. The Oneida and Cayuga claims have also been complicated by the claims made by out-of-state tribes with historic ties to New York State. The Onondaga Nation recently initiated a very large land claim, and its leaders have publicly stated that they are not interested in gaming. These contrasts and the persistence of media attention to American Indian rights in this region offer an interesting opportunity for a content analysis of newspaper coverage.

Resource Rights and Rich Indian Racism

The 1970s and 1980s brought legal and political shifts at a federal level that encouraged American Indian sovereignty and economic independence across the country. Gaming was one aspect, but other sovereign rights were also being reasserted. Judicial decisions were central to the recognition of American Indian nations' rights to treaty-promised land and resources. Conflicts that erupted in Washington, Wisconsin, and Minnesota over fishing rights, for example, were ultimately resolved in the courts.³⁵ Similar debates about American Indian nations' rights to natural resources around the United States drew public and political attention to the question of rights specific to identity-based groups. Opponents to American Indian sovereignty questioned the legitimacy of group-based rights and the authenticity of tribal identities, and attacked those who exercised their rights in seemingly "untraditional ways" (such as using motor boats or modern equipment for fishing). Many of these criticisms were reiterated in opposition to other claims for the exercise of sovereign rights, particularly claims to territory.

The question of whether or not Indian nations can be "rich" is brought up in the Supreme Court's review of the Washington fishing rights case. In 1979 the Supreme Court upheld the state court justice's decision, but offered additional comments that altered the strength of the original decision. The Supreme Court argued that the Native nations' 50 percent share of the catch that was originally set by Justice Boldt was an upper limit that could be reduced as long as the tribes involved could make a "moderate living," although this was not defined or given precise standards. The Supreme Court opinion also seemed "to assume that tribal fishing will have a cooperative and redistributive character i.e. that the welfare of the individual tribal members will be tied to the welfare of the tribe."³⁶ In this argument, political perceptions of authentic

Indian identity remained focused on defining a particular economic image: one that did not include economic wealth.

As American Indian nations began to win legal claims against the government, gain control of valuable resources, or engage in successful economic activities, the recognition of their additional rights came under scrutiny for being “unnecessary.” According to the theory of rich Indian racism, there is a conception that “real” Indians are poor victims, and therefore economic gains or displays of political or economic strengths diminish the federal reasons for enforcing or supporting their sovereign rights. The false concept of a causal relationship between poverty and American Indian rights is in stark contrast to the nature of these rights as inherent aspects of sovereignty, but it has been powerful. Senator Slade Gorton of Washington, one infamous opponent of indigenous rights, repeatedly called for the need to cut any federal funding for nations that were economically successful—regardless of the nature or origin of the financial relationship.³⁷

Land Rights

American Indian nations’ pursuit of rights has frequently centered on the pursuit of control over historical territories.³⁸ As activism and the push for the federal recognition of sovereign rights grew, in the 1970s and 1980s several American Indian nations in the northeast began to file lawsuits related to land claims. The Oneida Indian Nation of New York has been one of the most active in attempting to reclaim control over territory. The Oneida Indian Nation had managed to retain a reservation of thirty-two acres in New York while continuing to protest the ongoing loss of the remainder of their treaty-promised land. The nation did file a claim with the Indian Claims Commission, created by the national government to resolve American Indian claims, but later rescinded their complaint for fear of being forced to accept monetary compensation without actual territory.³⁹

In 1970 the Oneida Indian Nation filed a test case in federal court alleging that New York State had violated the Trade and Intercourse Acts by allowing Oneida land to be disbursed without federal approval. The 1974 Supreme Court decision found that the Trade and Intercourse Acts were applicable to the Indian nations in the original thirteen colonies and supported their right to sue the state under federal law.⁴⁰ Bolstered by this ruling, as well as by legal decisions supporting American Indian land rights in Maine, the Oneida Indian Nation filed a second suit for the restoration of more than 250,000 acres of land in central New York in 1974. The Supreme Court again ruled in support of the Oneida Indian Nation’s standing to sue over land rights in 1985, further supporting and encouraging land claims. Several other American

Indian nations in the original thirteen colonies also began to file lawsuits over land. In New York, following the Oneida Indian Nation's initial legal success in 1974 the four other Haudenosaunee members with unextinguished claims filed land claims against the state.⁴¹

New York State

In central New York, the restoration of land was a central concern. The Oneida Indian Nation filed several claims, with the two strongest being the 1974 claim for 250,000 acres of land and a 1978 claim for five million acres.⁴² The Cayuga Nation began legal proceedings for 64,000 acres in 1978.⁴³ The Mohawk Nation Council of Chiefs (the traditional tribal government) initially filed a suit for 14,000 acres, and was later joined by the elected tribal governments (the St. Regis Mohawk Tribe and the Mohawk Council of Akwesasne) to pursue a joint claim.⁴⁴ In 1993 the Seneca Nation of Indians brought suits for two plots of land, fifty-one acres and 1,900 acres.⁴⁵ The Onondaga Nation's formal suit for about 4,000 acres came much later, in 2005.⁴⁶ Litigation and court appeals in the state have been virtually ongoing. At points, both the Cayuga and Oneida land suits were altered to include private landowners as well as state and county governments. The state and federal government were pitted against each other, with legal decisions pushing the federal Department of Justice to support the American Indian claims.

After 2005 the legal position of land claims in New York and the eastern seaboard changed dramatically. The Oneida Indian Nation was again in the Supreme Court because of its attempts to reestablish trust land on former territory that it had purchased. In large part the financial resources for the Oneida Indian Nation's land purchases came from gaming revenues. The Supreme Court decision in *City of Sherrill v. Oneida Indian Nation* argued that the Oneida Indian Nation had "waited too long to try to reclaim its sovereignty and that to grant that sovereignty now would be too disruptive to non-Indian landowners."⁴⁷ The same argument was then used in the second circuit court of appeals, which dismissed the lower court's ruling in support of the Cayuga Nation's land claim (the 2001 decision had included a \$248 million settlement).

Both decisions were interpreted by New York state and federal officials to mean that the passage of time invalidated all American Indian land claims in the state. Several nations have since reasserted their claims with modified arguments. In 2010 an appeals court rejected the Oneida Indian Nation's claim for both land restoration and the right to compensation.⁴⁸ In 2011 the Supreme Court refused to reconsider the Oneida Indian Nation's new case, as

it had with the Cayuga Nation's appeal of the 2005 decision, effectively halting the trajectory of land claims in New York.

Gaming began to develop as a political and economic goal for American Indian nations in New York in the 1970s. The Oneida Indian Nation and St. Regis Mohawk Tribe had both experimented with bingo in the 1970s at the same time as it was being tried in California and Florida. This was not an easy experiment; tensions over gaming exacerbated conflicts within the nations and in both cases resulted in deep political rifts, property damage, and even violence into the 1980s and 1990s.⁴⁹ After IGRA passed in 1988, the St. Regis Mohawk Tribe continued bingo operations (they now operate two facilities, the Mohawk Bingo Palace and Akwesasne Mohawk Casino).⁵⁰ The Oneida Indian Nation's Turning Stone Resort and Casino opened in 1993 and is still in operation. The Seneca Nation of Indians now has an extensive gaming enterprise that includes the Seneca Niagara Casino in Niagara Falls, the Seneca Allegany Casino, and the Seneca Buffalo Casino in Buffalo. The Cayuga Nation has engaged in discussions over gaming, but do not have a facility. The Onondaga Nation's leaders have repeatedly stressed that they are not interested in operating gaming facilities.

In the early 2000s, the idea that there was a set number of gaming compacts for the state and that Native nations could "exchange" their land claims for the rights to operate gaming facilities became widespread and publicized in the media.⁵¹ This understanding increased the political conflict over resolving claims and solidified the public idea of a connection between land claims and gaming rights.

LOCAL NEWSPAPER COVERAGE ANALYSIS

The national analysis revealed that newspaper coverage of land claims often includes language on gaming. This supports the conclusion that American Indian issues may be increasingly connected to gaming in the public eye, regardless of the appropriateness of this connection. This second stage of work incorporates a qualitative content analysis to explore the theory of rich Indian racism further.

The national sample was drawn from the available news and wire reports published on the LexisNexis Academic database using search terms related to American Indian land claims. For the quantitative analysis, the search results for "Indian land claim" were then limited to sources from New York State between 1988 and 2008.⁵² These were heavily dominated by coverage from the *Syracuse Post-Standard*, with few articles from other sources. In fact, the other sources had so few results that to compare them would have been statistically

challenging; therefore, only the 1,390 articles that the search produced from the *Syracuse Post-Standard* were chosen for qualitative analysis. The selection of only one newspaper limits some of the broader conclusions that can be made in interpreting the data, but also allows for greater consistency and clarity in the work, as potential variables such as editorial policies and regional preferences are held constant.

The *Syracuse Post-Standard* is the major newspaper for the greater Syracuse region, which is the largest metropolitan region in central New York State. In 2001 the alternate local newspaper, the *Herald-Journal*, folded, leaving the *Post-Standard* as the only major newspaper serving the area. The paper is owned by Advance Publications, which also publishes several other newspapers.⁵³ A study done by students and professors in the Communications Department at Buffalo State College on the collection of state cigarette taxes on Indian reservations found that of the New York newspapers studied (in Albany, Buffalo, Rochester, Syracuse, and Watertown), only the Watertown paper had a stance that leaned pro-Indian. The other papers, including the *Syracuse Post-Standard*, “more consistently adopted a pro-state, anti-Indian perspective on the taxation issue.”⁵⁴ In research on newspaper coverage of the *City of Sherrill v. Oneida Indian Nation* lawsuit that examined the *Syracuse Post-Standard* and a nearby paper in Utica, Tom Wanamaker concludes that “The language that they use, the sources that they consult, and the way in which they construct their stories can frame Indian-related news . . . in ways that promote public misperception.”⁵⁵ There is some effort to present an alternative voice: opinions are occasionally published from those representing Indian nations or Indian voices, such as Douglas George-Kanentiio and Joanne Shenandoah.

There are several reasons for beginning the local analysis in 1988. There is relatively limited national and local newspaper coverage on land claims prior to 1988, and therefore very little data to analyze. Further, the first full year that LexisNexis Academic had access to digitized articles from the *Syracuse Post-Standard* was 1987. The development of rich Indian racism is alleged to have followed the national institutionalization of American Indian gaming with the 1988 passage of IGRA. If this is the case, after the passage of the act there should be an increasing use of language that invokes rich Indian racism. As the government mechanics of implementing IGRA were not fully operational until the early 1990s, even the coverage in the late 1980s is sparse. Ideally, the research would offer an analysis of coverage before 1988 to contrast to the post-IGRA coverage; realistically, there is not enough volume for a comprehensive pre-1988 analysis.

Figure 4 compares the volume of the *Syracuse Post-Standard* sample with the national sample.

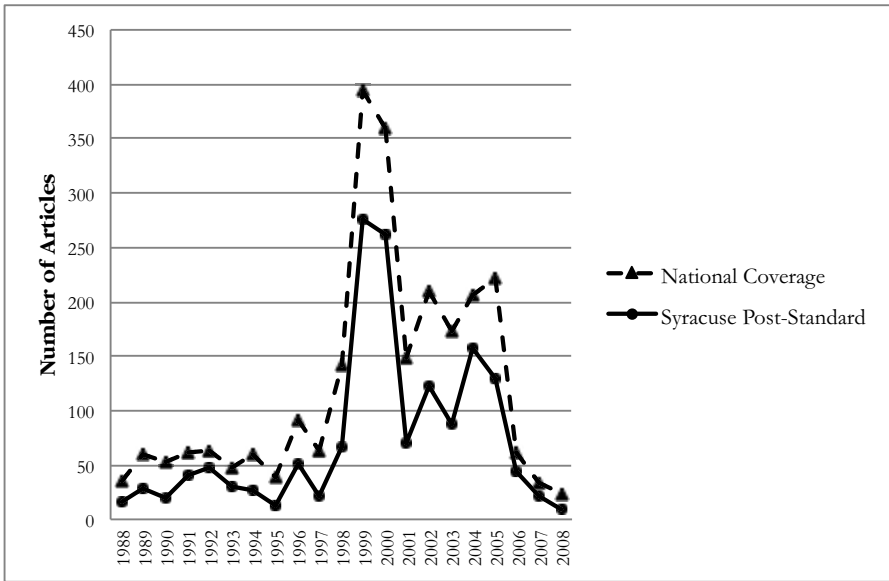


FIGURE 4. Newspaper coverage of Indian land claims: number of articles by year and source.

The results are certainly consistent in scale over time. When the percentage of articles for the search “Indian land claim” are modified for those that also refer to gaming, again the results for the national sample and the sample from the *Syracuse Post-Standard* are very similar (see fig. 5).

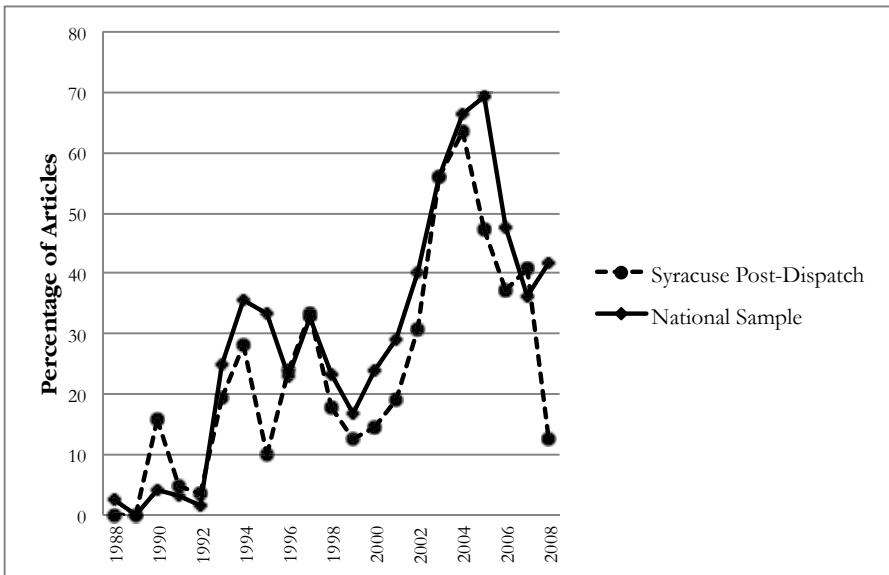


FIGURE 5. Percentage of articles on Indian land claims that also refer to gaming by source and year.

To ensure that each article identified in the *Syracuse Post-Standard* sample did have coverage of American Indian land claims, all were initially reviewed by the principal investigator. The sample of 1,390 separate news items included 1,280 articles, announcements, and other pieces, and 110 editorial opinions or letters to the editor. Certainly, one might argue that editorials and articles are not received or read the same way by consumers. However, the goal of this research is to offer an overview of all newspaper coverage to determine broadly whether it supports the theory of rich Indian racism, and therefore all sources have been analyzed and presented as one unit. Notably, if the editorial page pieces are taken out of the sample, the general results of the analysis are not altered.

The sources were individually coded for over one hundred different variables using the qualitative software NVivo8. The flexibility of the software made it ideal for such a project. While some data were straightforward to code, such as the year of publication or the use of a tribe or county name, other variables often involved different words or chains of words. A description of a tribe or individual as greedy, for example, may involve the word “greedy,” or it might read “hungry for more,” or “wanting more than they need,” or similar wording. NVivo allows the researcher to select or highlight words or equivalent phrases and code them to a specific variable. While certain words and phrases were identified for each variable at the start of coding, others were added as the project went on to accommodate the variety of the language used. A subset of articles was coded by a research assistant in fall 2012 to verify inter-coder reliability and the accuracy of the original measurements.⁵⁶

The wide range of qualitative, descriptive variables was developed based on the common frames, stereotypes, and descriptions of American Indian tribes, individuals, and political activities that have been identified in a range of scholarship on news media, entertainment, legal and political decisions, and public opinion.⁵⁷ The variables that specifically relate to the facets of rich Indian racism were of particular interest for this analysis. The qualitative variables are nonexclusive; a single news item might have passages coded for many different variables; a single passage may also be coded for more than one variable. A list of qualitative variables is presented in table 1.

Gaming

One concern of the research is the factual accuracy of the connections between gaming and land claims. In short, is the joint coverage of gaming and land claims appropriate? The answer, as is often true, is complex. In the case of central New York, it is important to note that the increase in joint coverage of

TABLE 1. CONTENT ANALYSIS LIST OF VARIABLES CODED

American Indian Nation involved	Negative Associations with American Indian Nation or Claim			Positive Associations with Nation or Claim
	Problems of Claim or Settlement	Negative Description	Public Opposition to Claim	
<ul style="list-style-type: none"> •Cayuga •Marble Hill Oneidas •Mohawk •Mohawk Canada •Mohawk Ganienkeh •Mohawk Nation Council of Chiefs •Oneida •Oneida Canada •Oneida Wisconsin •Onondaga •Seneca •Seneca- Cayuga Tribe of Oklahoma •Stockbridge Munsee (Wisconsin based group challenging Oneida claims) 	<ul style="list-style-type: none"> •Costly court case •Crime •Drug and alcohol problems •Economic problems •General problems •General worry •Generally unfair •Land was abandoned by tribe already •Legal opposition/ invalid legal argument •Loss of tax revenue •Over hunting/ different rules •Pollution •Social problems (ie domestic violence) •Strain on law enforcement •Traffic/ infrastructure •Violence caused by conflict 	<ul style="list-style-type: none"> •“Rich Indians” who have too much already •Corrupt involvement in government/ too much lobbying influence •False identity •Greed (or tribe as greedy) •Holding landowners/ non Indians hostages •Illegal activities of tribes •Internal disagreement/ conflict within the tribe •Invisible/ not a group •Land as leverage only sought to be traded for casinos •Not a recognized tribe •Primitive/ Primordial identity •Racist depictions (actually uses word “racist” or “racism”) •Threatening or hostile group 	<ul style="list-style-type: none"> •Landowners- property rights threatened •General protest/ frustration •SPECIFIC GROUPS •American Citizens Alliance •American Land Rights Coalition •Citizens for Equal Rights •Fair Application of Cigarette Taxes Alliance •Madison-Oneida Landowners, Inc •Upstate Citizens for Equality 	Positive Description of Tribe
				<ul style="list-style-type: none"> •Brave/ “noble savage” •Moral right to land •Non-confrontational
				Public Support for Claim
				<ul style="list-style-type: none"> •General support SPECIFIC GROUPS •SHARE: Strengthening Haudenosaunee American Relations through Education
				Benefits of Claim or Settlement
				<ul style="list-style-type: none"> •Economic growth •Environmental stewardship •Justice •Land connected to culture •Land was stolen •Legally valid claim •Religious connection to land •Self-sufficiency

Each article was also coded for additional variables, including the year it was published, the county or counties mentioned, whether or not it was an editorial opinion, and whether or not it made explicit reference to gaming.

land claims and gaming follows the development of Turning Stone Casino in 1993. Also, the casino is geographically closest to Syracuse, the home of the newspaper under analysis. References to gaming increased again between 2000 and 2005, when the governor’s office was negotiating with the Native nations, both in- and out-of-state, over both land and gaming rights, and a great deal of attention was given to the idea of putting aside land claims in exchange for the extension of gaming privileges (see fig. 5). Much of the language related to this potential trade portrays American Indian nations in New York as threatening or greedy, as in this example related to a court decision: “The decision also dashes any hope by the Cayuga Indian Nation of New York and the

Seneca-Cayuga Tribe of Oklahoma of regaining the \$247.9 million judgment awarded to them in 2001. They had wanted to use that money to muscle casino deals with the state.”⁵⁸

Given the volume of the coverage in the Syracuse paper related to the national sample, the local salience likely explains the jump in cross-coverage seen in the national analysis during the 2000s. Considering the New York case in the context of contemporary events and political issues, media use of gaming as a reference point for land claims is somewhat relevant. Still, considering that the primary criterion for choosing these articles is their relevance to land claims, and not casino bids, language that refers to gaming is frequent. The dramatic decline in newspaper coverage after 2005, when the decisions in the Supreme Court and circuit court effectively ended the Oneida and Cayuga land claims, is also striking. The trend may point to the decline of public attention to American Indian nations when state or federal government decisions appear to oppose Indian claims and there is a reduced perception of threat to non-Indian interests and property owners.

Stories and editorials related to opposition to American Indian rights continually reference gaming:

School officials join some local government officials in worrying that the Cayugas might use the land to expand their gambling operations;⁵⁹

Ultimately we believe Congress needs to grapple with the issue of Indian sovereignty, tribal sovereignty . . . it’s not healthy for the country to encourage the proliferation of tiny sovereignties, all of those that can manage it having their own casinos [from the representative of an interest group opposed to American Indian sovereignty and rights];⁶⁰

The Oneidas have used profits to buy back thousands of acres, raising questions about gaming rights, police powers, sales taxes, property rights, zoning, and the environment.⁶¹

The frequent connection to gaming is not coincidental, but central. The substantive coverage, the language chosen for quotations in articles, opinions expressed in editorials, and the choices of the editorial staff all reinforce the concept that American Indian claims and politics are best understood in the context of gaming.

Concerns about the relationship between gaming and land rights abound. Both articles and opinion pieces support the misperception that gaming rights are being traded as an apology and settlement for land claims. This confusion was encouraged by former Governor George E. Pataki’s proposal that American Indian nations would end their land claims if the nations agreed to gaming compacts instead. This also illustrates another key element of rich

Indian racism: because of the real or perceived economic advantages of gaming, American Indian nations are seen as no longer needing, or deserving, their sovereign rights—in this case, rights to a self-governed territory.

Language and Stereotypes

The qualitative analysis seeks to determine the way that American Indian nations and their claims are being described. Do negative connotations or stereotypes bias coverage? Is there an anti-Indian or anti-land claim slant in how claims and American Indian nations are being portrayed? As noted above, each of the articles was coded according to a wide range of variables (see table 1). Of particular interest for this article are those variables related to characteristics of the American Indian nation or of the land claim that fit with rich Indian racist stereotypes, such as labeling nations or claims as greedy, inauthentic, or undeserving. The articles were all coded for other aspects of negative coverage and stereotypes, such as “threatening” or “dangerous.” Positive attributes were also measured, such as language referring to “economic development,” “environmental protection and stewardship,” or claims based on a “moral right to the land.”

The dozens of single variables related to characteristics of American Indian nations and claims (see table 1) were then compiled into larger categories of “rich Indian racism,” “threatening characteristics,” “unfair,” and “positive characteristics” (see table 2). The characteristics associated with rich Indian racism have been explained above. The category related to “threat”—whether economic, social, or political—was developed to reflect the large body of scholarship on historical and modern trends that portray American Indian nations as a threat to the dominance and security of the majority population. While clearly negative and associated with the trends of rich Indian racism in some ways, nonetheless the category of “threat” remains distinct. Descriptions of claims or actions of American Indian nations as “unfair” are identified independently. Terms in this category portray land claims, gaming, or other activities as unfair for pursuing rights that non-Native Americans cannot pursue. Finally, a category of “positive characteristics” was created for those portrayals that are supportive of American Indian nations’ rights. While these characterizations may still be racist in some ways, the language that was identified by these variables does support the sovereign rights of American Indian nations.

Two measures of rich Indian racism were included. One measure includes references to gaming as a marker, while the other does not. It may be more appropriate to consider the measure that excludes gaming, which includes those other stereotypes and ideas such as American Indians and nations as being “greedy,” “fake,” and the other markers identified above. While the use of gaming as a context is central to the theory of rich Indian racism and in

TABLE 2. LANGUAGE AND CODING
CATEGORIZED UNDER EACH UMBRELLA VARIABLE

“Rich Indian Racism”	“Threatening Characteristics”	“Unfair”	“Positive Characteristics”
<ul style="list-style-type: none"> • “Rich Indians” • False Indians • Greed/ greedy • Not a recognized tribe • Racist depictions • Trade Land for casinos • Gaming 	<ul style="list-style-type: none"> • Crime • Drug and alcohol problems • Economic problems • Hold landowners hostage • Illegal activity • Loss of tax revenue • Social problems • Threatening or hostile group • Violence 	<ul style="list-style-type: none"> • Unfair 	<ul style="list-style-type: none"> • Brave/ “noble savage” • Economic growth • Environmental stewardship • Justice • Land connected to culture • Legally valid claim • Moral right to land • Non-confrontational • Religious connection to land • Self-sufficiency

perpetuating stereotypes against American Indians, it does not necessarily connote the negative images that the other terms and concepts do.

As expected, the data in figure 6 display a much higher volume for reporting that includes language on gaming without the other language or markers. Still, the volume of language invoking rich Indian racism without explicitly mentioning gaming is related to language that does include gaming; figure 6 shows an increase at the same time. More attention to gaming is accompanied by an increased use of language invoking the various negative aspects of rich Indian racism. The two measures are correlated at 51 percent. Some of the references to greed are striking, and clearly reflect the stereotypes associated with rich Indian racism. These particular quotations also highlight an issue that will be addressed later in the concluding section of

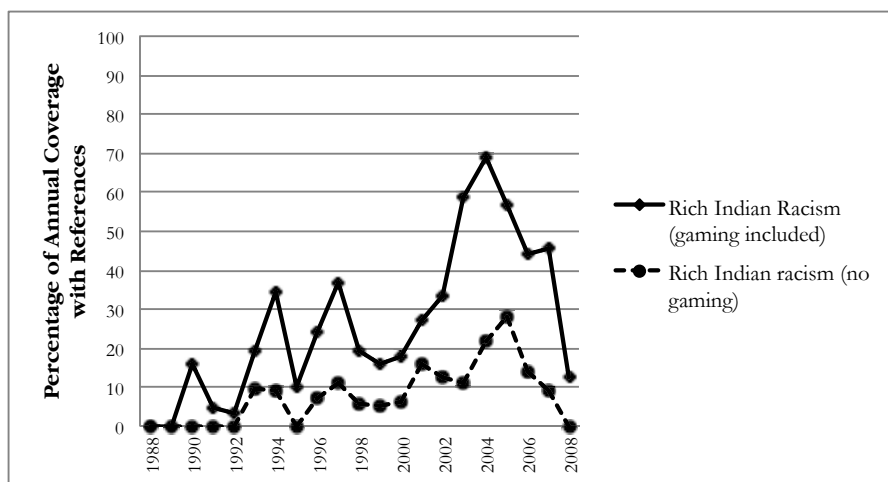


FIGURE 6. Rich Indian racism in newspaper coverage of land claims.

this article, the use of negative language that comes from Native leaders and representatives themselves:

To them (the Seneca-Cayugas), it's always about the money. . . . We're not going to sell out everything just to get a casino [Cayuga leader, Clint Halftown, referring to a competing, out-of-state tribe];⁶²

It is inconceivable that anyone in a decision-making capacity would give casino-rich tribes millions of dollars while victimizing one-third of the Oneida people by refusing to compensate them as a legitimate plaintiff [Bob Antone, a member of the Oneida of the Thames in Ontario, Canada, on the Oneida Indian Nation of New York's land claims negotiations].⁶³

The use of rich Indian racism in reporting on land claims takes various forms. Along with the variables of rich Indian racism included here, the language portraying American Indian nations or claims as “threatening” or “unfair” is also significant in understanding public perceptions of tribes. These categories tie in to rich Indian racism by portraying American Indian rights and claims as un-American, potentially dangerous, and undeserved. In short, the use of this language serves to discredit the legitimacy and appropriateness of recognizing American Indian sovereignty.

A common stereotype that has endured is the image of American Indians as threatening, whether physically, politically, socially, or economically. There are both perceptions of unfair or unequal treatment and an ongoing discomfort with the concept of group-based rights. Figure 7 below shows the percentage

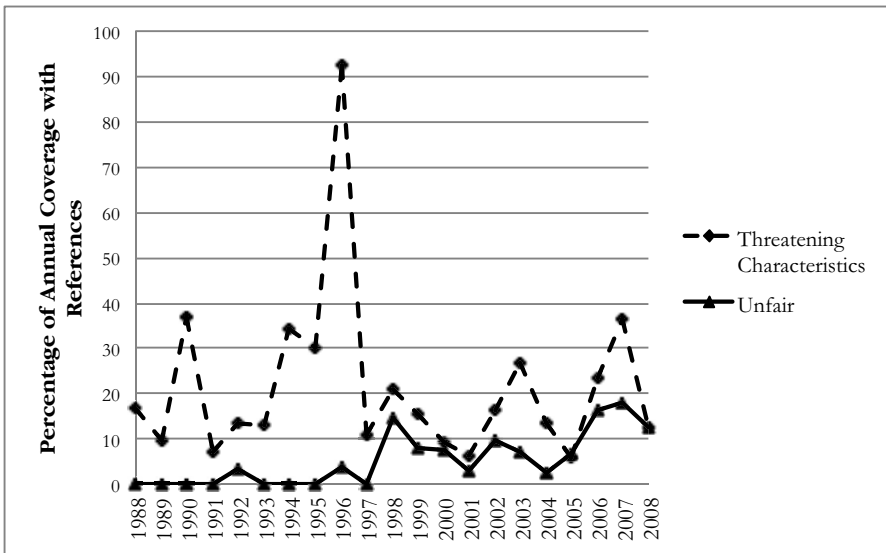


FIGURE 7. Negative characteristics of tribes or claims in newspaper coverage of land claims.

of annual coverage from the *Syracuse Post-Standard* that contains references to threatening characteristics or to claims or actions or rights as unfair.

The use of language involving Indians as “threatening” peaked in 1996, but it has been a regular aspect of coverage on claims. Common language used in coverage of land claims refers to the idea that claims are holding landowners “hostage” by potentially holding up property sales or causing concerns over the full legal ownership of property. American Indian individuals and nations themselves are portrayed as threatening, whether to the safety, livelihoods, or social norms and values of non-Indians. The coverage of American Indian nations, individuals, and/or claims can also involve more direct ideas of threat and the problems caused (or that will be caused) by a claim. Some examples:

Dorr said one faction of the Cayuga Nation has openly stated that in addition to demanding payment of \$1 billion, it intends to occupy the entire claim area, remove churches and disinter remains from all cemeteries;⁶⁴

The shooting down of a helicopter last week over the Mohawk encampment in Clinton County casts a negative light on all Indians and could harm their chances at winning their land claims with the state, a leader from the St. Regis Mohawk Reservation said Thursday;⁶⁵

Last week, the insults reached a new level with threats of execution and suicide bombing. In an anonymous letter sent to the *Utica Observer-Dispatch*, a group calling itself the United States National Freedom Fighters laid out a plan to kill one Native American every three days, starting on Thanksgiving. The letter said one non-Indian seen patronizing the casino or SavOn gas stations would be executed. The letter stated bombs would be planted and trucks filled with explosives would be driven into the casino.⁶⁶

Even when Indians are not seen as the perpetrators of violence, as in the example immediately above, their political demands—the land claims—are clearly implied as the cause of threat or violence. This association with violence and threat again carries the potential to shape local perspectives on claims.

The final category of negative coverage is the description of the claim or of sovereign rights as “unfair.” American society and political socialization place a heavy emphasis on notions of individualism and egalitarianism; according to these values all American citizens should have equal opportunities based on their own (equal) merit and rights.⁶⁷ The idea of American Indian sovereignty, with a particular group being recognized as holding group-specific rights to self-governance only available to members, violates this basic value. Any claims to group-specific rights have the potential to raise accusations about “unfairness.”⁶⁸ The use of language invoking all Indian claims as unfair is not as large in volume as the other categories, but it is consistent:

I'm a firm believer in working hard for what you get and that no group should be treated differently under the law . . . He says it isn't fair the Cayugas are allowed an unlimited statute of limitations to bring a claim, a right no one else has. It's not fair, he says, to give the 464-member nation a huge amount of money and land so it can establish a reservation that offers the Cayugas exemptions from the laws all others must obey [an opponent to the Cayuga claims];⁶⁹

We should be making a determined effort to try to get everybody assimilated, so everybody's following the same set of rules. As an employer, we're supposed to be color- and gender-blind as far as hiring. But the government that enforces the discrimination laws can turn around and say, "It's OK to put these guys over here and set them up in their own little world" [Edward Ide, Jr. a local official in Aurelius, New York];⁷⁰

There is no equality. One cannot compete with one that has no rules, regulations nor taxes [an interest group opposed to American Indian sovereignty and rights];⁷¹

I ask that the proposed legislation and treaties be rejected because two tax systems will never be equal and are inherently unfair [Cayuga County Legislator George Fearon].⁷²

A consistent stream of media coverage that invokes images of American Indian claims as "threatening" or "unfair" can reinforce the negative images of rich Indian racism. These frames disparage American Indian claims and rights by arguing that these group-specific rights are un-American, undeserved, and even dangerous. In some cases this language may be subtler and harder to pinpoint than the key words or themes identified more explicitly as rich Indian racism, such as "greed." For example, much of the "unfairness" frame relates to reservation and trust land's exemptions from state taxes. Several implications and misperceptions can be found in the common language: American Indians do not pay state taxes, so the argument can be (and often is) made that therefore they are becoming rich at the expense of the taxpayers and not contributing to public goods. This language and argument certainly discredits the legitimacy and appropriateness of American Indian claims and ties into support for the use of rich Indian racism.

All sources were also coded for language related to positive characteristics of American Indian nations and claims. This was done in part to ensure that the research was not biased toward finding negative language; if only negative language is recorded, there will obviously be no evidence of more favorable treatment. This was by far the most wide-ranging category, including language that could be seen as supportive of rights to land, gaming, sovereignty, or tribal culture and society more broadly. The results, shown in figure 8, confirm an overall negative portrayal of American Indian land claims.

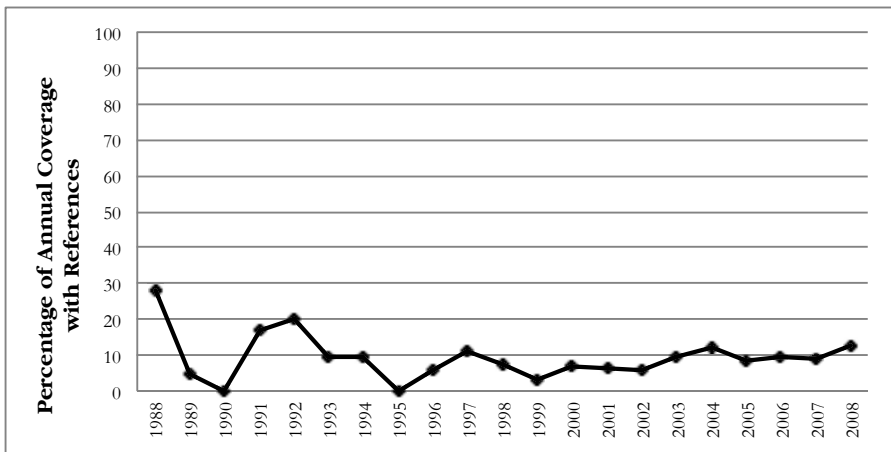


FIGURE 8. Positive characteristics of tribes or claims referenced in newspaper coverage of land claims.

After 2000 the use of positive characteristics in coverage of American Indian nations and claims has become somewhat more consistent but there are no dramatic changes.

The most striking aspect of the data shown in the figure above is that even with such a broad range of language and options, there were very low levels of positive coverage. While the percentage per year ranges between zero and 28 percent, the average over the entire time period is only about 9 percent per year. Some examples of language coded as positive coverage are given below.

Any way to drum up some business for this area. This is a depressed area. To bring people into the area is a good idea, I think, for tourism or whatever [a local resident in support of a potential bingo hall];⁷³

Land was stolen by settlers and later American governments because they made deals with “leaders” who had no right to give away what native people lived on, what they considered most sacred—their land [a letter to the editor];⁷⁴

Two films, each of which examines a history-making land claim, will be shown . . . as part of a campus-wide celebration of Native American culture and issues . . . spiritual ties to land are fundamental to the Indians’ legal battles. For American Indians, treaties are not curious artifacts from a bygone era but are living documents that guarantee land ownership and the use of the land and water.⁷⁵

DISCUSSION AND CONCLUSIONS

The research presented here offers evidence to support the pervasiveness of rich Indian racism. Newspaper coverage emphasizes the context of American Indian gaming, even when the content is ostensibly about land rights. Further, newspaper coverage in the Syracuse paper frequently portrays American Indian nations and their claims in a negative way: they are described as being greedy, threatening, and seeking unfair rights. In contrast, there is limited coverage that includes positive or supportive language. These rich Indian images and stereotypes inform public views of Indians and shape state and federal policy. If the general public and politicians begin to view American Indian sovereignty as something that should be defined by gaming rights, this may have dire consequences for the future of federal and state policies towards American Indian nations.

The analysis of this coverage does not necessarily imply that the journalists, the editorial staff, or the paper's readers are also racist or derogatory. Further, negative language very frequently comes from the quotations being used, rather than in journalists' analysis. The actual source of language is different than if it were the explicit opinions of journalists or editors. However, as Wanamaker concludes, there is indeed bias (and the potential for biasing readers) in the choice of interviewees, quotes, or informants, particularly if this tends to be one-sided.⁷⁶ In the *Syracuse Post-Standard*, the data certainly indicate a bias in privileging views negative toward American Indian nations and their claims, although it does not necessarily prove any intent.

Frequently, news outlets tailor their material to make it easier or more comfortable for their readers to consume. To do this, they rely in part on minimalist understandings and portrayals of American Indian rights and claims. The journalists or reporters themselves may also have a limited knowledge of the complex legal and historical right of American Indian nations. The research presented here makes no distinction between the dynamics of conflated coverage of land claims and gaming that is innocent or simply mistaken, nor does it set apart those stories that are making accurate connections between the two issues.

Language that labels one individual or single action as greedy is also different than broad statements about American Indian nations or American Indians in general. Oneida leader Ray Halbritter, for example, is often singled out for attacks that may be personally motivated, rather than caused by anti-Indian sentiment. Despite this, the general public may not differentiate between the individual and the group. The very function of stereotypes is to generalize and minimize the characteristics of a larger group. The inclusion—and the pervasiveness—of this sort of language or quotation, even by or about

a specific individual, has the power to shape broader understandings and images of American Indians and their claims.

Several questions remain that would be well served by future research. In particular, the selection of sources needs to be explored. Negative language describing American Indian nations and claims is often taken from language offered by American Indian leaders or representatives themselves. There are several potential explanations. It could be that information and opinions from Native sources are sought to give credibility to coverage. Without knowing the universe of the potential sources and opinions available, it is hard to know if negative quotations are more common, or if journalists and editors are consciously (or even subconsciously) selecting Native sources that confirm the stereotype of rich Indian racism. It is indeed possible that sources coming from within the group may be viewed as more credible, both by newspaper staff and by readers, which may give these negative viewpoints even more power in supporting ideas of rich Indian racism. The use of inter- and intragroup language that denigrates other groups also points toward the concern that American Indian are being pitted against one another as competitors in the current federal framework.⁷⁷

Future grounds for research in this area could involve questions related to journalistic and editorial choices in covering American Indian claims. The research offered here does not consider what stories, opinions, or ideas have been accepted or rejected for publication. Additionally, this work reveals little about the choices that journalists make in using the sources that they do, as noted above. There are also grounds for studying the many outside factors that influence what is published in a newspaper; some of the effects on coverage of American Indian issues may be caused by apparently unrelated political or business concerns.

The association of all claims with gaming, regardless of intention or even accuracy, has meant that the public and political understandings of American Indian nations' rights are centered on gaming. The Indian Gaming Regulatory Act and the policy era that has followed have changed the way that many American Indian nations seek to exercise their rights to sovereignty. Indian gaming has also changed the way that tribes and their claims are understood by the general public and politicians, and has also increased the economic and legal interaction between tribal and state governments, challenging their exercise of sovereignty.⁷⁸ The research presented here supports the idea that rich Indian racism and negative stereotypes have come to dominate media coverage of American Indian land claims in central New York. These findings raise concerns about the role of the media in serving to support and perpetuate negative images of American Indian nations and their claims.

Acknowledgments

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1. Michelle Breidenbach, "Bush's Comment Draws Comments," *Syracuse Post-Standard*, October 6, 1999.
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3. Lawrence D. Bobo and Mia Tuan, *Prejudice in Politics: Group Position, Public Opinion, and the Wisconsin Treaty Rights Dispute* (Cambridge, Massachusetts: Harvard University Press, 2006); Jeff Corntassel and Richard C. Witmer II, *Forced Federalism: Contemporary Challenges to Indigenous Nationhood* (Norman: University of Oklahoma Press, 2008); Brian W. Dippie, *The Vanishing American: White Attitudes and U.S. Indian Policy* (Middletown, CT: Wesleyan University Press, 1982); Devon A. Mihesuah, *American Indians: Stereotypes and Realities* (Atlanta, GA: Clarity Press, 1996).
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5. Ibid.
6. David E. Wilkins and K. Tsianina Lomawaima, *Uneven Ground: American Indian Sovereignty and Federal Law* (Norman: Oklahoma University Press, 2001), 65.
7. Corntassel and Witmer, *Forced Federalism*, 4.
8. Ibid.
9. "Attacks on Tribal Sovereignty: American Indian Opinion Leaders Respond," *Indian Country Today*, October 18, 2000, quoted in Corntassel and Witmer, *Forced Federalism*, 24–25.
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12. David E. Wilkins, *American Indian Politics and the American Political System* (Lanham, MD: Rowman and Littlefield, 2002); Erich Steinman, “Sovereigns and Citizens? The Contested Status of American Indian Tribal Nations and their Members,” *Citizenship Studies* 15, no. 1 (2011): 57–74.

13. Wilkins, *American Indian Politics*.

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17. Alexandra Harmon, *Rich Indians: Native People and the Problem of Wealth in American History* (Chapel Hill: University of North Carolina Press, 2010), 313n105.

18. US Census, “Overview of Race and Hispanic Origin, 2010,” <http://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf>.

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22. Mezey, “The Distribution of Wealth”; National Indian Gaming Association, www.indian-gaming.org; National Indian Gaming Commission, “Indian Gaming Regulatory Act,” http://www.nigc.gov/Laws_Regulations/Indian_Gaming_Regulatory_Act.aspx.

23. Statistics are reported for 2008 because the time period of interest for this research ends in 2008. Note that there are slight discrepancies between the numbers on revenue provided by the National Indian Gaming Association (an organization of American Indians) and the National Indian Gaming Commission (the federal body that regulates American Indian gaming). For more information, see the annual reports for 2008 offered by each at www.indiangaming.org and www.nigc.gov. In contrast to American Indian gaming revenues, Nevada’s 266 gaming locations in 2008 generated approximately \$25 billion. Nevada Gaming Commission, “Nevada Gaming Abstract 2008,” http://gaming.nv.gov/documents/pdf/2008_abstract.pdf. Following the recession beginning in 2008, gaming revenues across the country declined. By 2011 and 2012, most American Indian gaming revenues had rebounded. In July 2013 the NIGC reported the 2012 gross gaming revenue for all Indian gaming (now about 420 operations) was \$27.9 billion (nigc.gov/Media.aspx). In contrast, Nevada’s gross gaming revenue has not yet returned to 2008 levels. In 2012, 265 operations generated \$23 billion in revenue (gaming.nv.gov/modules/showdocument.aspx?documentid=7549).

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27. Harmon, *Rich Indians*, 181.

28. Cattelino, *High Stakes*, 30.

29. Spilde, "Rich Indian Racism."

30. In the LexisNexis Academic database many of the sources available for searching in the 1990s or 2000s were not available earlier. There may be some inconsistencies across time because of this, and certainly fewer hits in earlier years, although there may have been more coverage, particularly in local areas, prior to the dates for which LexisNexis Academic provides access. While this poses some concerns for the full validity of the data, there are no alternative search possibilities for a national sample that do not pose the same difficulties. As there is little scholarship that looks at questions of comprehensive coverage of American Indian issues in the national media, I am strongly convinced that the benefits of publishing even potentially incomplete data is preferable to leaving this gap in our knowledge unfilled entirely.

31. These search terms were selected as they returned the most comprehensive and accurate results. Certainly, there are valid concerns over whether Native American or American Indian is the most appropriate term (see, for example, the discussion in Paula D. McClain and Joseph Stewart Jr., *Can't We All Get Along? Racial and Ethnic Minorities in American Politics* (Boulder, CO: Westview Press, 2009). "Indian" is far more widely used in the press on a national level, however, and was therefore more appropriate for this data collection. A comparison of the search for "Indian" modified by "land claim" and the more specific "Indian land claim" were compared (along with trends of their overlap with gaming) to ensure that the smaller sample generated by "Indian land claim" would be consistent with the larger pool. It was. Gaming was selected as a search term as many tribes conduct small-scale gaming operations, such as bingo parlors, that may not be termed "casinos." For accuracy, a comparison was done using the term "casino;" the results were very similar in the volume of hits returned by "gaming." Finally, the choice to use the more specific term "Indian gaming" rather than modifying a search for "gaming" with the term "Indian" (or vice versa) was done to avoid spurious results. When a sample of hits with the broader terms was analyzed to ensure valid returns, it was found that many articles were related to gaming overseas, sports, or other topics entirely. The search results with the term "Indian gaming," on the other hand, were nearly always accurate in topic.

32. R. Patrick Corbett, "Nation: State Can No Longer Avoid Responsibility," *Utica Observer Dispatch*, September 26, 2000. http://www.uticaod.net/site_html/Oneida_nation_archive/26sept_2.htm.

33. Smith, "Two Polls Show."

34. Douglas M. George-Kanentiio, *Iroquois on Fire: A Voice from the Mohawk Nation* (Westport, CT: Praeger Press, 2006); Ester V. Hill, "The Iroquois Indians and Their Lands Since 1783," *New York State Historical Association Quarterly Journal* 11, no. 4 (1930): 335–53; Weiner, *Sins of the Fathers*.

35. A prime example is the court battle over the rights of American Indian nations to fish for salmon in Washington State in *US v. Washington*. The 1974 decision by Justice Boldt allocated American Indian nations in Washington a share of the valuable salmon catch that had been promised by treaties, exacerbating public conflict over the issue and prompting an outcry by opponents. Boldt set the Native proportion of the catch at 50 percent, although this number had never been specified in treaties. While Boldt's decision did serve to exacerbate public conflict over fishing rights, the conflict had been simmering for many years because of the commercial value of salmon and treaty-based salmon fishing rights.

An ongoing court battle in Wisconsin and Minnesota from the 1970s through the 1990s over the fishing rights of the Ojibwe (also known as Chippewa) brought up similar concerns about the recognition of treaty-based rights. Ultimately, a 1999 Supreme Court decision supported the treaty rights of the Mille Lacs Band of Ojibwe to hunt, fish and gather on their land (Bobo and Tuan, *Prejudice in Politics*). Please note that the Ojibwe are also known as the Chippewa and Anishinaabe, and are located in both the United States and Canada. The Supreme Court decision uses the identifier “Chippewa.”

36. Peter Knutsen, “The Unintended Consequences of the Boldt Decision,” *Cultural Survival Quarterly* 11, no. 2 (Summer 1987), <http://www.culturalsurvival.org/publications/cultural-survival-quarterly/united-states/unintended-consequences-boldt-decision>; Harmon, *Rich Indians*, 210.

37. Harmon, *Rich Indians*.

38. *Ibid.*, 226.

39. Brian A. Weiner, *Sins of the Parents: The Politics of National Apologies in the United States* (Philadelphia: Temple University Press, 2005), 33.

40. George-Kanentiio, *Iroquois on Fire*; Hill, “The Iroquois Indians and Their Lands since 1783;” Weiner, *Sins of the Fathers*.

41. George-Kanentiio, *Iroquois on Fire*; Sutton, *Irredeemable America*; Shattuck, *Oneida Land Claims*. The four to file claims were the Cayuga, Mohawk, Onondaga, and Seneca. The most recent members of the Haudenosaunee, the Tuscarora, migrated to New York in the eighteenth century and have a weaker basis for their land claims.

42. Weiner, *Sins of the Parents*; George-Kanentiio, *Iroquois on Fire*.

43. Harold Faber, “Indian Land Claims Put to Negotiators,” *New York Times*, January 1, 1978.

44. Denise Raymo, “Parties Seeking to Resolve Land Claims by Mohawk,” *Press Republican*, September 13, 2002, http://blog.pressrepublican.com/archive/index.php?option=com_content&view=article&id=14330:parties_seeking_to_resolve_land_claims_by_mohawks&catid=34:news-articles&Itemid=64.

45. “Seneca Nation Files Suit to Reclaim Grand Island,” *New York Times*, August 26, 1993, <http://www.nytimes.com/1993/08/26/nyregion/seneca-nation-files-suit-to-reclaim-grand-island.html>.

46. Glen Coin, “Onondaga Nation Seeks Public’s Support in Land Claim Fight,” *Syracuse Post-Standard*, February 28, 2012, http://www.syracuse.com/news/index.ssf/2012/02/onondaga_nation_seeks_public.html.

47. Coin, “Onondaga Nation Seeks Public’s Support.”

48. Glen Coin, “Appeals Court Dismisses Oneida Indians’ 40-Year-Old Land Claim,” *Syracuse Post-Standard*, August 10, 2010, http://www.syracuse.com/news/index.ssf/2010/08/appeals_court_dismisses_oneida.html.

49. George-Kanentiio, *Iroquois on Fire*.

50. New York State Racing and Wagering Board, <http://www.racing.state.ny.us/>.

51. George-Kanentiio, *Iroquois on Fire*; Scott Rapp, “Legislature Gets Plan for Land Claims,” *Syracuse Post-Standard*, February 4, 2005.

52. The more specific term “Indian land claim” was used to limit the search to a volume of articles that was realistic to code one by one; the larger search would have been prohibitive in the number of results.

53. http://www.advance.net/index.ssf/?advance_internet/newspapers.html.

54. Smith, “Two Polls Show,” 106.

55. Tom Wanamaker, “Shaping Public Opinion: Slanted Coverage in the City of Sherrill v. Oneida Indian Nation,” American Indian Policy and Media Initiative, Fall 2006, www.buffalostate.edu/communication/documents/TWOneida.pdf.

56. The initial coding of the articles was conducted in the summer of 2010. Because of the large number of articles, the process took several months. After training on the program and the variables, an undergraduate research assistant coded a sample of fifty of the articles in October and November 2012. The large number of variables in question (over one hundred) offers a challenge in determining common measures of inter-coder reliability as the two coders frequently agreed by *not* assigning a particular variable to an article. Even when the measure of inter-coder reliability was modified to only include qualitative variables of particular interest for this research (removing variables for years, for example), this still left eighty-three variables and an inter-coder agreement of 99.4 percent. While this measure is inflated by the large number of variables, there was a great deal of agreement and a verification of the legitimacy of the measurement of variables in the larger pool of articles.

57. See, for example, Tim Baylor, "Media Framing of Movement Protest: The Case of American Indian Protest," *The Social Science Journal* 33 (1996) 241–55; Bobo and Tuan, *Prejudice in Politics*; Philip J. Deloria, *Playing Indian* (New Haven: Yale University Press, 1998); Dippie, "White Attitudes and United States Indian Policy;" John Doble, Andrew L. Yarrow, Amber N. Ott and Jonathan Rochkind, "Walking a Mile: A First Step toward Mutual Understanding: A Qualitative Study Exploring How Indians and Non-Indians Think about Each Other" (2007), Public Agenda: www.publicagenda.org.; Freng, "American Indians in the News;" Mihesuah, *American Indians*; Miller, "The Press, the Boldt Decision, and Indian-White Relations."

58. Scott Rapp, "Supreme Court Rejects Land Claim," *Syracuse Post-Standard*, May 16, 2006.

59. Scott Rapp, "Concerns Delaying Auction of Land," *Syracuse Post-Standard*, August 10, 2004.

60. "Foes See Land Claim as a Hoax Without Any Sound Legal Basis," *Syracuse Post-Standard*, June 25, 2000.

61. Glenn Coin, "Constituents Press Boehlert," *Syracuse Post-Standard*, May 9, 1999.

62. Scott Rapp, "Catskills Casino Pact Reached," *Syracuse Post-Standard*, November 13, 2004.

63. Michelle Breidenbach, "Leaks Satisfy Few People," *Syracuse Post-Standard*, February 3, 2000.

64. David Shaw, "Court to Hear Land-Claim Motions," *Syracuse Post-Standard*, July 7, 1998.

65. Karen Nelis, "Iroquois, Jesuits Try to Heal Old Wound," *Syracuse Post-Standard*, April 6, 1990.

66. Michelle Breidenbach, "Oneidas' Atmosphere Invited Threats," *Syracuse Post-Standard*, November 6, 1999.

67. Desmond S. King and Rogers M. Smith, "Racial Orders in American Political Development," *American Political Science Review* 99 (2005): 75–92.

68. Mullis and Kamper, *Indian Gaming*.

69. David L. Shaw, "Land Claim Issues Rile Foe," *Syracuse Post-Standard*, July 2, 1999.

70. Dave Tobin, "Ide's Challenges Supersized," *Syracuse Post-Standard*, October 17, 2003.

71. David Shaw, "Group Places Hopes in Trial," *Syracuse Post-Standard*, September 30, 1999.

72. "In Their Own Words," *Syracuse-Post Standard*, March 17, 2005.

73. Scott Rapp, "Bingo Hall a Tough Call," *Syracuse Post-Standard*, April 7, 2004.

74. "No Dice: Don't Trade Claim for Casinos," *Syracuse Post-Standard*, June 9, 1996.

75. "Films Look at Indian Land Claims," *Syracuse Post-Standard*, September 20, 1992.

76. Wanamaker, "Shaping Public Opinion."

77. Corntassel and Witmer, *Forced Federalism*.

78. *Ibid*.