

# Mashpee wampanoag casino deal



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## **Introduction**

Federal law allows the tribes that are federally recognized to organize tribal gambling as a means of their self-support. States are not allowed to tax the profits received through tribal gambling. However, tribes may exchange their trade revenue for something of practical value from the state. Those are usually exclusive zones to conduct a gambling business that is free from competition from commercial casinos (Arsenault).

Around 2007, the Mashpee tribe (Massachusetts) stated that it would use the Indian Gaming and Regulatory Act to open a casino. Fearing that it would not be able to keep control over the tribe or its profits, the state called the tribe to apply for a casino license from the state (Mashpee Wampanoag Tribe).

Interest in the issue

Going back to history may help to understand the whole deal. The first contact of the Mashpee with Europeans dates back to 1616. It was then that yellow fever was brought to the territory of modern Massachusetts, wiping out two thirds of the Wampanoag nation, which consisted of 69 tribes. In 1660, Mashpee, named after a tribe, becomes a tribal village with the largest population of those who remained of the Wampanoag people. In 1685 Plymouth Court confirmed the right of the Mashpees to the entailment of all their lands. By the state of Massachusetts decree in 1870, all the Mashpees became the U. S. citizens. In 2007, the Mashpee Wampanoag tribe was acknowledged as a sovereign nation (Mashpee Wampanoag Tribe)

As a federally recognized tribe, the Mashpees decided to found a casino to produce of source of self-support. Following the negotiations, an agreement, known under federal law as a gaming compact, was reached. Deval Patrick, Governor of Massachusetts, and the Mashpee tribe agreed that 21.5 percent of gross gaming profits would go to the state (Arsenault). The project implementation promised economic development and job creation in the town of Taunton and in the southeastern part of Massachusetts (Larocque).

At the same time there was a strong feeling among the local population that gambling would cause serious financial problems and that problem gamblers would be driven to crime (Middlebore Remembers). Casino opponents say that when gamblers are jailed, they lose jobs, and get separated from their families. Further they insist that gambling leads to bankruptcy and unemployment.

As the events progressed, Taunton received its first share of the casino money of \$1.5 million. The initial payment was a part of the tribe's agreement with the state government to be followed by annual payments of 2.05% of the casino's revenue received from electronic games. Mayor Thomas Hoyer said the money would be used for present and future projects in the town.

The latest development of this situation was as follows - the US Department of Interior rejected an agreement for opening a casino, which was made between Gov. Deval Patrick and the Mashpees, stating that the deal took an unfair advantage of the tribe (Arsenault) and, besides, several provisions were not in compliance with the law.

In tune with the above decision, the Massachusetts Gaming Commission said it couldn't give the Mashpee tribe the permission to open a casino, which is worth \$500 million (Brennan). The agreement was rejected by the federal Bureau of Indian Affairs last Friday and Deval Patrick and tribe leaders were given time in order to renegotiate the compact.

The rejection of the plans to open a casino in Tounton may be a good chance for the Mashpee tribe leaders to rethink their decision. They may come up with other investment projects that can attract large amounts of money and would not cause controversies between the local population and the representatives of the big business.

### Conclusion

As it can be seen from the situation, economic development of the area should not depend on such risky and controversial projects as opening casinos. While producing income for a small group of population, it creates problems for many people.