



CHICAGO JOURNALS

The
Wenner-Gren
Foundation

For Anthropological Research, Inc.

“One Hamburger at a Time”: Revisiting the State–Society Divide with the Seminole Tribe of Florida and Hard Rock international: with CA comments by Thabo Mokgatlha and Kgosi Leruo Molotlegi

Author(s): Jessica R. Cattelino

Source: *Current Anthropology*, Vol. 52, No. S3, Corporate Lives: New Perspectives on the Social Life of the Corporate Form: Edited by Damani J. Partridge, Marina Welker, and Rebecca Hardin (Supplement to April 2011), pp. S137–S149

Published by: [The University of Chicago Press](#) on behalf of [Wenner-Gren Foundation for Anthropological Research](#)

Stable URL: <http://www.jstor.org/stable/10.1086/656556>

Accessed: 22/04/2011 15:01

Your use of the JSTOR archive indicates your acceptance of JSTOR's Terms and Conditions of Use, available at <http://www.jstor.org/page/info/about/policies/terms.jsp>. JSTOR's Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the JSTOR archive only for your personal, non-commercial use.

Please contact the publisher regarding any further use of this work. Publisher contact information may be obtained at <http://www.jstor.org/action/showPublisher?publisherCode=ucpress>.

Each copy of any part of a JSTOR transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.



The University of Chicago Press and Wenner-Gren Foundation for Anthropological Research are collaborating with JSTOR to digitize, preserve and extend access to *Current Anthropology*.

<http://www.jstor.org>

“One Hamburger at a Time”

Revisiting the State-Society Divide with the Seminole Tribe of Florida and Hard Rock International

by Jessica R. Cattelino

This article examines Florida Seminole corporations and tribal government gaming together as a case study of the production of the state-society divide. In 2007, the Seminole Tribe of Florida acquired Hard Rock International, a major corporation with cafés, hotels, and casinos around the globe. This \$965-million deal, which remains the largest purchase of a corporation by an indigenous nation, created a media storm and extended Seminoles' geographical and financial reach far beyond reservation borders. Like Seminole casino gaming, which is possible only because of tribal sovereignty, the Hard Rock deal called attention to the fuzzy boundaries of indigenous corporate and national forms. This has been the case insofar as Seminoles' governmental statuses as a sovereign undergirds some of their economic activities while impeding others. Seminole corporations and tribal gaming show the project of differentiating economy from government and family to be a cultural and historical one that creates distinct yet broadly relevant dilemmas for indigenous peoples in the United States.

On December 6, 2006, the Seminole Tribe of Florida shocked the business world by announcing an agreement to acquire Hard Rock International, a multinational corporation, for approximately \$965 million. Yet this was not the first groundbreaking business news to come from Seminole country: in December 1979, Seminoles opened Hollywood Seminole Bingo, the first tribally run high-stakes bingo hall in Native North America. That act launched a rapid transition from endemic poverty to economic comfort on Seminoles' (population approximately 3,500) six South Florida reservations, and it paved the way for other tribal nations to follow suit in what would become a tribal gaming revolution. Indeed, when I phoned to learn more about the Hard Rock acquisition from tribal counsel Jim Shore, the first Seminole to become a lawyer, he mentioned having encouraged press release drafters to compare the deal with bingo's launch. Both instances, he said, showed the Seminole Tribe to be a “pioneer” in business (December 12, 2006, interview).¹

In one respect, acquiring Hard Rock was a very different proposition than opening Hollywood Seminole Bingo: the latter was a governmental operation on reservation lands that was permissible because of and protected by tribal sovereignty. As sovereigns, American Indian nations have the right to

operate and regulate reservation economic activities, which are not taxable by other sovereigns such as states or the federal government. By contrast, Hard Rock would remain a wholly owned private corporation subject to taxation and regulation just like any other company. Still, what brings together these two forms of economic organization and what also ties them to the earlier 1957 adoption of a charter to form a Seminole economic development corporation is that each marked an innovation in the relationship between governance and economy for American Indian tribal nations.

This article examines Seminoles' ownership of Hard Rock as a case study in the blurry boundaries between indigenous corporate and national forms and as a broader exploration of the analytical and political stakes of efforts to segregate the economic sphere from government and family. This work extends previous ethnographic fieldwork (12 months in 2000–2001 and numerous shorter periods thereafter) on Seminole gaming and sovereignty conducted on the Tribe's six rural and urban reservations with tribal council permission (Cattelino 2008). Seminole Hard Rock raises classic questions of how and with what effects law, social theory, and popular ideology draw—and struggle over—distinctions between state and society, with uneven consequences for different populations and peoples. These questions, which apply broadly to the social scientific study of corporations, go back at least to Karl Polanyi's (2001 [1944]) historical and cross-cultural

Jessica R. Cattelino is Associate Professor in the Department of Anthropology, University of California, Los Angeles (375 Portola Plaza, 341 Haines Hall, Box 951553, Los Angeles, California 90095, U.S.A. [jesscatt@anthro.ucla.edu]).

1. Dates refer to interviews or observations, all direct and in person unless otherwise indicated (as in this case).

(Polanyi 1957) examinations of the institutions that shape economic processes and political scientist Timothy Mitchell's (1999, 2002) explorations of how the seemingly autonomous sphere of "the economy" emerged through political and representational processes inseparable from the nation-state and colonialism. Yet the wide scope and historical depth of these issues do not obviate analysis of the cultural specificity of Seminole economic organization. To the contrary, the seemingly exceptional characteristics of indigenous corporations bring to the fore matters of culture, kinship, and local governance that too often are ignored in the study of corporations. Seminoles' acquisition of Hard Rock shows the project of differentiating economy, government, and family to be a cultural and historical one that creates dilemmas for indigenous peoples in the United States, peoples whose governmental status often undergirds their economic activities.

John and Jean Comaroff (2009) recently wrote about the global salience of what they call "Ethnicity, Inc." It is a process, they argue, that entails a dialectic: "One element of that process lies in the incorporation of identity, the rendering of ethnicized populations into corporations of one kind or another; the second, in the creeping commodification of their cultural products and practices" (21). That is, ethnicity and the corporation merge when groups consolidate by virtue of their business projects (they cite American Indian tribal gaming by groups that previously were not federally recognized) or when ethnic groups such as San in South Africa market their culture. In this dialectic between the incorporation of identity and the commodification of culture, they further argue, each seeks to complete itself in the other (Comaroff and Comaroff 2009:116). For American Indians, the corporate form has been available and utilized for governance ever since the modern business corporation became widespread in the early twentieth century. Indigenous corporations have taken many twists and turns, some of which better fit the Comaroff model than others. As such, a historical and ethnographic perspective is required. As we shall see, federal-government-promoted indigenous incorporation sometimes erodes traditional tribal governments and at other times reinforces and restructures them. Indigenous-initiated corporations, on the other hand, generally are the by-product of sovereignty assertions. Tribal sovereignty sometimes has afforded American Indians the space to experiment with corporate forms that reinforce social and cultural ties in different ways from the examples cited by Comaroff and Comaroff. At the same time, tribal corporations' need to be interpretable to outside economic actors (such as credit rating agencies and investors) encourages the practical and ideological separation of business from politics, culture, and family. The modernist project of separating economic spheres from political ones is vast, and Seminole corporations contribute to its social scientific analysis an example of the real-time production of the state-society divide.

Hard Rock Rising

Seminoles' Hard Rock acquisition points to the openings and barriers that arise when indigenous governance intersects with the corporate form on a large scale. The Tribe compiled a DVD of breathless media accounts such as this from CNN's Anderson Cooper show: "But the Seminoles aren't just buying a piece of history; they're also making history. This is the first major purchase of an international company by a Native American tribe."² Gary Bitner, the Tribe's public relations point person, hired six European public relations firms to explain tribal sovereignty to the international media (February 11, 2007, interview). The main press conference was staged at the Hard Rock Cafe in New York City's Times Square. There, medicine expert Bobby Henry led a blessing in the Mikasuki language while dressed in a red long shirt, leggings, and feathered turban. Several female kin stood on stage wearing Seminoles' distinctive patchwork skirts and capes. The CEO of Hard Rock International presented tribal council representatives with a guitar previously owned by Hank Williams Sr. and *Sopranos* actor and E Street Band musician "Little Steven" Van Zandt lauded the acquisition's benefits for rock and roll and planet Earth. Seminoles then posed for photographs atop the Hard Rock marquee.

The acquisition of Hard Rock followed—and quickly became iconic of—an emergent pattern in Indian Country whereby tribal governments sought economic diversification beyond gaming. Gaming has been lucrative on reservations located near major consumer markets, but the exigencies of legal wrangling, market saturation, and non-Indian gaming expansion push toward diversification. Before buying Hard Rock, as discussed in my book about Seminole gaming (Cattellino 2008), Seminoles attempted diversification with cattle, citrus, cultural tourism, convenience stores, and more. Hard Rock dwarfed those efforts: when the deal closed in March 2007, the Seminole Tribe held business interests in 45 countries through a network of 124 Hard Rock Cafes, several Hard Rock Live performance venues, and hotels and commercial casinos. Seminoles owned the world's largest rock memorabilia collection, featuring Madonna's classic bustier, guitars signed by rock and roll greats, and even the Village People's "Indian" headdress.

The organizational structure of the new Seminole Hard Rock resembles in some ways private enterprise and in other ways nationalized industry. The Seminole Tribe of Florida, a governmental entity, wholly owns Seminole Hard Rock Entertainment and Seminole Hard Rock International, the parent companies of Hard Rock International. A shell company above these parent companies, Seminole Hard Rock Holdings, is incorporated in the U.S. Virgin Islands and is a taxable entity outside of the Tribe's sovereignty but not outside of

2. Quotes taken from *What the world is saying: Hard Rock acquisition* DVD from Seminole Hard Rock Entertainment (2007).

their ownership. Seminole Hard Rock Entertainment is managed by a board of directors, with members appointed by the Seminole tribal council. After acquiring Hard Rock, the Seminole Tribe retained most of the corporation's management. The chairman of the seven-member board of directors of Seminole Hard Rock Entertainment is Jim Allen, a non-Seminole who is also CEO of Seminole Gaming. Three tribal members and several non-Seminole gaming experts currently sit on the board.

The tribal council holds Seminole Hard Rock's shares as a representative body of the Seminole people. The tribal council consists of five elected representatives, including one each from the three highest-population reservations, elected every two years; the chairman, elected at large by all tribal citizens every four years; and the vice chairman (*ex officio*), who is the at-large elected president of the board of directors of the Seminole Tribe of Florida, Inc. Electoral participation is high, and most tribal citizens know their elected officials on a personal basis. The tribal council operates tribal gaming, Hard Rock, and various other tribal enterprises; the elected board of the Seminole Tribe of Florida, Inc., runs other economic ventures (for more on that body, see below).

The Hard Rock deal was complex. The Seminole Tribe of Florida purchased Hard Rock from a British company, the Rank Group. Merrill Lynch conducted the sale on behalf of Rank, and the Tribe worked with Merrill Lynch to secure bond financing and with other financial and legal firms to structure the deal. James Allen, the CEO of Seminole Gaming, spearheaded the Tribe's efforts to acquire Hard Rock in consultation with the legal department and the tribal council. Seminoles were able to win the bid in a private auction partly because, remarkably, at that time, more than 25% of Hard Rock's revenues came from licensing fees paid by the Seminole Tribe for already-existing casino resorts on the Hollywood and Tampa reservations. The \$965-million purchase was financed through a \$525-million bond issuance by a new Hard Rock operating company and \$500 million in equity from the Tribe's gaming division capital structures. As *MarketWatch* reported, the deal highlighted "the growth and increased sophistication of stock and debt issuances by Native American nations" (Wines 2006); the *South Florida Sun-Sentinel* reported financial analysts and Indian experts saying that the Seminole Tribe of Florida had "suddenly become a symbol of American Indian financial power and a blueprint for its future" (Holland, Blum, and Stieghorst 2006). The Native American Finance Officers Association (NAFOA) designated this as the "Deal of the Year" in 2007, and during NAFOA's annual conference, Richard Bowers of the Seminole Tribe joined other Indian leaders as the first Native Americans ever to ring the bell at a global financial exchange, the New York Mercantile Exchange.

Deals of this scale require access to credit, which long has been a challenge in Indian Country. As anthropologists and others from Marcel Mauss (1990 [1950]) to Janet Roitman (2005) and Julia Elyachar (2005) have shown, credit makes

visible and produces relations of obligation and recognition between actors. As of late 2008, the Seminole Tribe was the only gaming company (including commercial gaming) to enjoy an investment-grade credit rating (BBB-) from the major Wall Street rating agencies. That they had a credit rating in the first place reflects change. Increasingly, Indian nations are turning to Wall Street for capital, but, for several reasons, Wall Street has taken a while to adjust. First, as discussed in the newspaper *Indian Country Today*, "Along with the technical analysis, the raters confronted the major issue in tribal credit: sovereignty" (Adams 2005). American Indian governments are sovereigns, not private actors, and, because of this, lenders cannot presume that specific legal protections and regulations apply within indigenous territories. Although rating agencies treat tribal nations as sovereigns, securing a high rating may in fact compromise tribal sovereignty and the practical ability to govern. For example, agencies look favorably on set-aside mechanisms whereby "general governmental expenditures" are "clearly and enforceably subordinated" to debt service. This means that tribal nations agree to prioritize repaying investors over providing for the welfare of their citizenry. Moreover, agencies expect tribes to issue waivers of sovereign immunity when entering into business transactions; Fitch, at least, "takes added comfort by those tribes that submit to state jurisdiction."³ Second, tribes face legal limits to bond issuance, which include the IRS stipulation that tax-exempt tribal bonds can be issued only for essential government purposes. Legal scholar Gavin Clarkson (2007) considers this to be discriminatory when compared with looser regulations for non-Indian governments that allow financing for projects such as sports stadiums.⁴

Access to credit is governed less by law or abstract economic principle than by corporate custom and its extralegal regulatory force. As Karen Ho (2009) has argued, social scientists pay too little attention to the culture and customs that fuel Wall Street transactions. Although the Seminole Tribe is not subject to U.S. Securities and Exchange Commission regulation, Seminole officials act as if they are, according to general counsel Jim Shore, so that their data will be interpretable by Wall Street credit rating agencies. A spokesperson for the Southern Ute Nation in Colorado, which is "worth" \$4 billion because of its energy resources and which is the only American Indian nation to boast a triple-A bond rating, recalled the difficulty of gaining initial access to credit and the snowball effect of getting on the inside: "Before we closed our first deal with Conoco and got in trade publications nobody believed we were credible. Now, with substantial assets and a triple-A credit rating, everybody wants to be our friend" (Moran 2007). As one reporter put it, the doors to Wall Street are

3. FitchRatings, "Tribal governments in the bond market," <http://nafoa.org/pdf/BondMarkets.pdf> (accessed February 4, 2004).

4. Seminoles were stung by this distinction: they originally sold \$560 million in tax-free municipal bonds to finance the Hollywood and Tampa Hard Rock casino resorts only to face a subsequent IRS ruling that tribal casinos did not qualify for tax-exempt bonds.

opening, “and tribes and financial gatekeepers like the rating agencies are beginning to learn each other’s mysterious ways” (Adams 2005). They do so by building trust and familiarity; for example, Seminole representatives meet repeatedly with the same analysts from credit rating agencies.

The success of the Hard Rock deal also depended on its being interpretable within the Seminole polity. Seminoles marked the deal’s closing with a ceremonial signing in Hollywood that was attended by more than 300 people. The event took place under the Council Oak, a majestic tree under which Seminoles held midcentury political meetings. The ceremony, as reported in a regional newspaper, was typical (including when the press is not present) in blending appreciation for present prosperity with humorous recollections of past struggles (see also Cattelino 2010): “Small kids howled the Pledge of Allegiance [JC: to the US and Seminole flags] in tribal garb and T-shirts. Tribal council members took turns on stage talking about the struggles of the Seminoles to defend their rights against the federal and state governments. They also recalled how poor they grew up in the 1950s, decades before gaming filled the tribe’s coffers” (Huettel 2007). Tribal chairman Mitchell Cypress recalled childhood rides in cattle trailers to the dirt playground that had since become the bingo hall, and council representative Max Osceola Jr., a frequent spokesperson, remarked that Seminoles knew the natural kind of hard rocks, the kind his mother used for doing laundry in drainage ditches (Huettel 2007). Although a novel piece of history, then, the acquisition also had its own history: in commemorating that history, Seminoles combined political critique of past poverty and federal dependency with a celebration of cultural resistance and new economic prosperity. The turning point was tribal gaming.

Gaming “Pioneers”

When I ask Seminoles about Hard Rock, many refer not to the 2007 acquisition but rather to an earlier moment: the Tribe’s 2001 contract with Hard Rock to license the name and build Hard Rock casinos, hotels, and resorts on the Hollywood and Tampa reservations. The earlier moment did not make global business headlines, but it had a more dramatic local effect: when Seminoles expanded previously modest casinos into glitzy resorts, it altered the reservations’ traffic patterns, employment opportunities, entertainment and dining venues, and overall feel. And it yielded revenues of unprecedented scale. The Hollywood and Tampa Hard Rock operations feature hotels, pools, spas, and restaurants, and the Hollywood facility received unanticipated publicity when tabloid darling Anna Nicole Smith passed away in her hotel room. Many tribal members are eager to stay in the hotels, angling to convince an elected official to give them a discount, and the hotels have a reunion atmosphere during important events such as the Miss Seminole pageant or the tribal fair.

The distinction between Hard Rock ownership and tribal gaming raises questions about the cultural processes by which

activities come to be categorized as political or economic. Although perhaps confusing, it is important to distinguish between Seminoles’ ownership of Hard Rock International, a corporate entity subject to the same taxation and litigation as any other, and the operation of the Hollywood and Tampa facilities by Seminole Gaming, which is an arm of the tribal government. American Indian tribal gaming is protected by the various tribal nations’ sovereign immunity, and it is enabled by their sovereign authority to operate and regulate on-reservation business (Light and Rand 2005; Rand and Light 2006). Since the 1988 Indian Gaming Regulatory Act, tribal gaming is subject to regulation by the National Indian Gaming Commission. Tribal government operations will enjoy a market advantage wherever economic activities (e.g., gambling, tobacco and gasoline sales) are highly taxed and regulated by surrounding governments. The Seminole Tribe operates seven casinos on federal trust lands, ranging in size from the Hard Rocks to a tent with a few slot machines on the rural Big Cypress reservation. By the mid-2000s, gaming industry experts estimated Seminoles’ annual earnings from gaming to have exceeded \$1 billion (Meister 2006–2007), and Seminole casinos ranked behind only MGM Mirage and Harrah’s of Las Vegas in total cash flow for 2005 (Holland, Blum, and Stieghorst 2006). Generally, Seminoles have allocated casino revenues in ways that reinforce their sovereignty and cultural distinctiveness (Cattelino 2008).⁵

Tribal nations are unique because of their small scale and their complex relationships with the United States, but in other ways they exemplify the fiscal dilemmas facing all sovereigns. Enterprises such as casinos are attractive because it is otherwise difficult for tribal nations to obtain revenues necessary for governance. The obstacles are many: American Indian reservation lands are inalienable and nontaxable (because they are federal trust lands), poverty makes it impossible for many tribal governments to tax their citizens (who are subject to federal taxation), and private lenders historically have been wary to invest on reservations for reasons ranging from racism to uncertainty about credit security under tribes’ sovereign immunity.

The initial decision to go into business with Hard Rock was not an easy one for the Seminole Tribe. It became entangled with criticisms of patronage politics in the tribal administration at the time, concern that non-Indian employees were dictating and profiting from tribal government policy, worry that indebtedness would threaten tribal social services and per capita distributions, and even a rumor that casino construction would destroy the First Seminole Baptist

5. For example, they have bought back federal programs (e.g., housing) from the Bureau of Indian Affairs, and they have funded expanded tribal social services (clinics and universal health care, schools and lifelong tuition benefits, elder care), cultural projects (a museum, fairs and festivals, language preservation), and economic development projects. The tribal government issues per capita distributions biweekly to each tribal citizen.

Church.⁶ Seminoles rely in large part on non-Seminole staff to evaluate and negotiate commercial transactions, and during the early 2000s, it was not uncommon for non-Indians seeking investors to request financial backing from the tribal council for everything from movie scripts to new inventions. As such, tribal citizens struggled to assess the trustworthiness of outsiders' queries and staff members' recommendations. At a special tribal council meeting to approve financing for the Hard Rock facilities, a tense debate over internal control and accountability ensued before the tribal council voted to borrow more than \$500 million. The Seminole Tribe would pay licensure and development fees but would manage the facilities (February 9, 2001, observation). A subsequent lawsuit between the tribal government and the developer drew outside media attention, but tribal members debated whether to prioritize long-term economic development over day-to-day reservation social services and economic security. Underlying these debates were fundamental questions about the relationship between governance and economy, questions that would arise once more with the Hard Rock acquisition.

Separating Spheres

I was surprised to learn that the Seminole Tribe bought Hard Rock, but I was not alone. The tribal council had authorized gaming officers to pursue the venture, but few Seminoles knew anything about it until they heard about it at a last-minute tribal council meeting held to approve the final terms or on the news. The deal followed months of competitive bidding by major private equity groups, and all were bound by confidentiality agreements. As the Seminole Gaming CEO and chairman of the board of Hard Rock International, Jim Allen, explained, "The only way you can make this decision is to do it under the context of confidentiality" (July 16, 2008, interview). If the tribal council would have held a meeting and told tribal citizens what they were going to pay for Hard Rock, he predicted, "I would tell you we would've been excluded from the bidding process immediately. . . . It has nothing to do with Hard Rock or the Tribe. That is basic commerce business practice anywhere around the world" (July 16, 2008, interview). Jim Shore, general counsel, admitted that confidentiality agreements put pressure on tribal members' expectations for information: "We have a confidentiality agreement. We always told the other side [in a business deal] that we have to report to the Tribal Council, who needs to approve these things"; nonetheless, tribal citizens on the "street level" questioned the council's motives until the council satisfactorily explained that "we're in a different ball game, and we need to respect some of these things" (July 16, 2008, interview). Navigations of confidentiality in the Hard Rock acquisition reflected a structural tension between Seminoles' growing corporate power and their tribal governance

norms. As tribally owned businesses expand, it is unclear how Seminoles will balance a long-standing commitment to distributed power and knowledge within the tribal polity (Kersey 1996; Skafte 1969) against corporate requirements for information control.

Beyond the question of representative government—the relationship of citizens to elected officials raised by Jim Shore—the Hard Rock acquisition has widened the practical and ideological separation of Seminole governance from business. It therefore offers a window into how the state-society divide is established and reinforced in practice. This point builds on social science showing that economic life in the United States is embedded in social and political relations (e.g., Granovetter 1985; Zaloom 2006; Zelizer 2009). More specifically, I aim to show how the separate spheres are produced, what hierarchical effects this generates, and how the very undertaking enacts politics of indigeneity.

When I asked board chairman Jim Allen what potential investors or partners want to know about Seminole Hard Rock, he responded, "The first question is ownership; the second question is control; the third question is . . . frankly, after that, the questions become very short because the Tribe has empowered myself and the board to run the business" (July 16, 2008, interview). That is, investors seek assurance that business managers, not politicians, are at the corporate helm. For Seminole Hard Rock, a wholly owned corporation that is not protected by tribal sovereignty, it is clear that managerial separation of tribal government from business must be maintained. Seminole Gaming, on the other hand, is and must be part of the Seminole Tribe of Florida and under its sovereignty.

Growing numbers of financial consultants serve Indian Country, and common advice is to separate government from business, essentially to deepen the state-society divide. A driving force is the Harvard Project on American Indian Economic Development (HPAIED) in the Kennedy School of Government. HPAIED scholars Steven Cornell and Joseph Kalt, who argue for a "nation-building" approach that sees development as a political problem, nonetheless have advocated the separation of politics from business management. As they write, "Businesses cannot compete successfully when the decisions are being made according to political instead of business criteria" (Cornell and Kalt 1998:199). Similarly, authors of the important federal *Tribal Business Structure Handbook* recognize that tribal sovereignty is the basis for tribal enterprises, but they advise that the first "key factor" to consider when trying to determine "the best structure for a particular activity" is "segregate politics from business" (Atkinson and Nilles 2008:I-3).

To segregate Seminole politics from business reorients long-standing practices and values that integrate the two. These include the historical (and, to some extent, ongoing) organization of economic and political life by the matrilineal clan family and the prevalent comparison of political leaders with hunters who gather resources and redistribute them. This

6. Some Seminoles are Baptist, others observe "traditional" religion, and others draw on both.

model of redistribution, whereby political legitimacy is gained through redistribution and giving, not accumulation, is ritually enacted each year at the Green Corn Dance (Cattellino 2009; Sturtevant 1954).⁷ Richard Bowers, president of the board of directors of the tribal economic development corporation, emphasized to me that the Seminole Tribe has to “keep economics and government together” (February 14, 2009, interview). Others, including former chairman James Billie, deploy images of “old-time hunters” to describe politicians (April 13, 2001, interview).

Beyond the question of whether segregating business from politics accords with Seminole values, it is worth noting that segregation is rarely an equal proposition. What is being protected from what? As Timothy Mitchell (1999) wrote, “The appearance that state and society or economy are separate things is part of the way a given financial and economic order is maintained” (84). Much of the research and consulting literature emphasizes the potential of politics to jeopardize good business, not the other way around. The concern is that tribal politics interferes with market efficiency and casts investor doubt on credibility. The aforementioned handbook for tribal governments, for example, frequently mentions the necessity to create a safe environment for investors by isolating business from politics. James Penrose, general counsel and managing partner of Standard and Poor’s, a leading credit rating agency, cited Seminoles’ weak internal controls and alleged governmental impropriety as reasons for their 2005 BB bond rating despite their strong financial position and good market conditions (Adams 2005). In 2010, the Seminole Tribe lost its investment-grade rating after tribal council members became targets of a federal investigation for improper spending of casino revenues. Previously, general counsel Jim Shore described one aspect of his task as maintaining the split: “I always thought my job was to keep government out of gaming” (July 16, 2008, interview). He went on to say that it is a bit different with Hard Rock, because the tribal council owns the corporation, “so they have to have some involvement. But they need to know where their line is. Because they are a government, they’re not business people. . . . A good politician just leaves the business people alone to do a good job, and they can use that for their politics back home” (July 16, 2008, interview). Shore cast the messiness of politics as a one-way danger to economic life. On the other hand, when I asked him what should be the relationship between the tribal council and the Seminole economic development corporation, he emphasized that money makers should always be at the service of the government.

The project of protecting business from the polluting forces of governance obscures two issues of special importance for indigenous peoples. First, one could flip the terms and worry

7. Too often, anthropologists assume rather than analyze the relationship between indigenous capitalism and redistribution. For an example of overreaching presumptions regarding elite class formation, see Schröder (2003).

that standard business practice pollutes tribal governance and thereby endangers indigenous forms of political legitimacy when, for example, profit motives conflict with political values of redistribution. Second, many businesses—including all gaming enterprises—are built on indigenous peoples’ status as nations, which in turn often is key to indigenous identity. Tribal government businesses are distinctive, yet they illustrate the broader inseparability of governance from economy that so often is masked by free-market ideologies. As economic historian Karl Polanyi famously argued, the creation of a separate market sphere based on economic motives was a historically specific and ultimately impossible “utopian endeavor” made possible only by political action, and it must be understood against the backdrop of societies in which economy is understood to be “submerged” in a variety of social relationships (Polanyi 1957, 2001 [1944]:31, 48–49). The theme of separating politics from business runs deep in American discourse, and political theorist Scott Bowman (1996) has written that “in American political thought and political science alike, most conceptions of corporate power are based on the traditional liberal distinction between the state or politics (the public realm) and the marketplace or society (the private realm)” (27). Bowman goes on to note that this analytical distinction carries normative weight. Scholars are hardly innocent. As Gibson-Graham (2006 [1996]) writes, theories of capitalism are “generating a representation of the social world and endowing it with performative force” (xl). That is, our theories of the world can help to (re)create the world as we know it. In the Seminole case, this obscures the centrality of tribal sovereignty to the very possibility of indigenous economic action. Moreover, it sidesteps a third dimension of Seminole economic life: family and kinship.

Family Business

Seminoles rarely characterize gaming as a uniquely or culturally Seminole activity, and the casinos have relatively few touches of Seminole décor. This cultural indifference is also true of Hard Rock. Whereas most analysts of indigenous corporations (e.g., Comaroff and Comaroff 2009) focus on cases where identity and commoditization are closely intertwined, the Seminole Hard Rock acquisition is differently configured as the competitive purchase of a corporation by an American Indian nation, with relatively little sale of culture or culturalization of business. If the ethnic corporation model is too narrow to describe Seminole economic organization, another can offer insight: the family business.

Seminoles commonly refer to their collective as a family. For example, when Max Osceola Jr. explained to a reporter why he would like to see a Seminole as director of every department, he did not turn to race or ethnicity but rather family: “Eventually, we would love to have a Seminole at the head of every department, because this is a family business, and who else is going to want a business to be more successful

than the owners and the family?” (Suarez 2007). John Fontana, the non-Seminole general manager of the Tampa Hard Rock casino, spoke of his loyalty by saying that despite its size, the Tribe feels like a family business (August 24, 2005, interview).

Naming Seminole Gaming a family business achieves multiple effects: it familiarizes and deracializes group boundaries through use of an all-American metaphor, it underlines the locality and nontransferability of the business, and at times it is a self-critical explanation for inefficiency and conflict. Gloria Wilson, an elected representative on the board of directors of the Seminole economic development corporation, explained that it is organized differently from most corporations because shares are distributed to Seminoles at birth, they disappear at death, they cannot be transferred, and no one can hold a shareholder’s proxy. I asked a leading question about family business, and after Wilson responded that “that’s basically what it is: it’s a family corporation” (July 10, 2008, interview), she began to laugh. What is humorous about a family business? Sometimes Seminoles rolled their eyes or chuckled when talking about the Tribe as a family, saying that being Seminole came with all of the troubles and unavoidable bad characters that any family has. Others spoke with pride about being a tight group, held together by deeper ties than are most businesses. Still others worried that the tribal government structure was replacing the family as a locus of financial resources and cultural knowledge.⁸ Being a family business also has implications for employees. Some, like John Fontana, become loyal, but others feel excluded and resent nepotism in hiring and promotion.

Anthropologists long have labeled kin groups in corporate terms, and the practical and the conceptual ties between the American corporation and the family run deep (Marcus and Dobkin Hall 1992). Kinship theorist Susan McKinnon (2005) argued that Euro-American assessments of families as corporate units contributed to neoliberal theories of genetic maximization and self-interested reproduction. Comaroff and Comaroff (2009:54) cite Meyer Fortes’s (1953) exposition of the corporate lineage, which they see in operation today, albeit no longer as an analogy but rather as the materialization of genealogical relations (cast as blood and biology) in indigenous corporations.⁹ The most extended anthropological discussion of kinship and corporation is Sylvia Yanagisako’s (2002) treatment of family firms in northern Italy. Yanagisako

examines the relationship between family and business (and locates their separation in bourgeois ideology) as part of a larger exploration of how capitalists and their desires come into being and of the “cultural sentiments, meanings, and subjectivities” of entrepreneurial action (xi). If we cannot take capitalist desire for granted but instead understand it to be culturally produced by people in social relations, this raises the question of how Seminole capitalism intersects with everyday kinship practices.

Unlike Yanagisako, I cannot draw an analytical link between Seminole ideologies of gender and family and the organization of their firms.¹⁰ Still, when employees and tribal members deploy the language of family business, they particularize Seminole businesses. Meanwhile, when top management personnel avoid the language of family, they appeal to Wall Street’s desire for businesses to look just like any other, to be devoid of meaningful difference that could interfere with best practices and good credit risk. The ideology that family pollutes business and that commercial relations are distinct from intimate ones persists despite the fact that more than 90% of all business enterprises in the United States are family owned and nearly 35% of *Fortune* 500 companies are family firms.¹¹

For American Indians, there is particular irony in present-day efforts to segregate business from kinship and government. As I discuss elsewhere, modern theories of property, money, and governance since at least John Locke (1980 [1690]) and through the anthropology of Lewis Henry Morgan (1964 [1877]) separated Native Americans’ alleged pre-political society, organized by kinship and characterized by the absence of private property and money, from civilized society, organized by politics based on property and territory.¹² For Seminoles, it is novel to work through the interrelations of family, business, and government in contexts such as Wall Street meetings with credit raters. Not new at all, however, is nonnative anxiety about the relationship of indigenous business to other forms of collectivity, especially family and polity.

Federal Indian Policy and the Shifting Sands of Economic Organization

Tribal ownership of corporate enterprises did not begin with Seminoles’ acquisition of Hard Rock, and the range of available structures for tribal businesses is wide. Some tribal nations have corporation codes and charter tribal corporations: the holding company Ho-Chunk, Inc., for example,

8. Richard Henry from Tampa saw the downside for family solidarity of increased tribal government consolidation: “Families used to be real tight without the Tribe when everybody depended on one another. We’re still tight as a family but not as tight as it used to be” (August 25, 2005, interview).

9. As Comaroff and Comaroff would predict, Seminole community borders are drawn in part by biology: an individual is enrolled in the Seminole Tribe of Florida by virtue of proving a one-fourth blood quantum and also being sponsored by a relative and approved by the tribal council. Biology is necessary, but it is not sufficient, nor has it become more prominent as a marker of Seminole belonging since the gaming era began.

10. The most I can point to is my untested impression that there is a relatively high rate of matrilineal inheritance, including of private businesses, and some men bring their sisters’ sons (of the same clan) rather than their own sons (of a different clan) into business partnerships.

11. Web site of the Family Business Forum at the University of North Carolina, Asheville, <http://www.unca.edu/fbf/statistics.html> (accessed February 26, 2008).

12. J. R. Cattelino, “No such thing as money was any where known”: notes on Enlightenment money and the politics of indigeneity,” unpublished manuscript, 2008.

operates a number of businesses and is chartered under the laws of the Ho-Chunk Nation. In other cases, such as the Mohegan Tribal Gaming Authority, unincorporated tribal instrumentalities are created by tribal ordinance and controlled by a management board consisting of tribal council members. The evolving structure of tribal businesses is an active area in finance and law, and efforts are under way to standardize tribal corporation laws under a tribal nations version of the Uniform Commercial Code.¹³ Growing attention to current trends in tribal business organization, however, too often overlooks historical antecedents that illuminate the tensions among government, corporation, culture, and family as models of collectivity. The cultural significance of indigenous corporations has shifted alongside changes in federal Indian policy, illustrating the extent to which business is cultural and political in the United States.¹⁴

In 1934, Congress passed the Indian Reorganization Act (IRA), the focal point of the Indian New Deal and a partial reversal of prior federal assimilation efforts (Biolsi 1992; Deloria and Lytle 1984; Philp 1999). Commissioner of Indian Affairs John Collier, an IRA architect, had leftist leanings and was attracted to cooperatives and other forms of collective economic organization. The IRA supported tribal constitutionalism, albeit based on boilerplate models, and under Section 17, tribes could supplement their constitutional governments with federally chartered corporations. The story of Seminoles' IRA adoption is long and twisting (Kersey 1989), so for now it must suffice to say that some Seminoles adopted it on paper in the 1930s and the "modern" Seminole government reorganized under its terms in 1957. With the encouragement of Bureau of Indian Affairs (BIA) officials, Seminoles were the only tribe to organize originally under both a tribal council government and a Section 17 federally chartered corporation (Kersey 1996:61). These are, respectively, the Seminole Tribe of Florida and the Seminole Tribe of Florida, Inc. (known locally as "the board"). The board has five members: three elected every two years to represent the largest population reservations; the president, elected at large by all tribal citizens to a four-year term; and the vice president, an ex officio member who is the elected chairman of the tribal council.

The board's purpose was "to further the economic development of the Seminole Tribe of Florida by conferring on said tribe certain corporate rights, powers, privileges, and immunities; to secure for the members of the tribe an assured economic independence; and to provide for the proper ex-

ercise by the tribe of various functions heretofore performed by the Department of the Interior."¹⁵ Originally, the board could sue and be sued, but in 1996 the charter was amended to extend sovereign immunity to the corporation. Projects have included the twelfth-largest cattle business in the United States, citrus and sugarcane, smoke shops, the Okalee Village cultural tourism establishment, and a shell mine. In 2008, the board entered into joint agreements with other tribal governments and the Department of the Interior to form a buying consortium that would circulate goods and services within Indian Country (Native American Group 2008).

IRA architects responded to an early-twentieth-century world in which the corporate form was increasingly salient, and no doubt this organizational structure was more appealing to Congress than nationalized industries or cooperatives. By chartering the corporation at the federal level (i.e., not under the tribal council), however, the IRA authorized a kind of two-body government, and until the 1970s the board held more local power than the tribal council (Kersey 1996). Jacob Osceola, a former board representative, speculated that the copresence of the board and the tribal council resulted from a federal conspiracy to keep Indians fighting among themselves rather than against the federal government (November 29, 2000, interview). He later recalled participating in a 1980s effort to abolish the board only to learn from the BIA that the Tribe had no power to do so: it would take an act of Congress. One of the few literate elected officials at the time, he despaired of meeting the technical challenges and gave up (July 10, 2008, interview).

Seminoles are at once citizens of a tribal nation and, simultaneously, shareholders of a tribal corporation. This structure enshrines the distinction between government and economy even as it undermines that very distinction insofar as the board holds political power and the council operates business enterprises. Gloria Wilson, then the Hollywood board representative, was frustrated with the widespread perception by Seminoles and outsiders alike that the Seminole Tribe has two governments. "We don't have two governments. That's what a lot of people don't understand, is that we're a corporation . . . we don't govern anything" (July 10, 2008, interview). She explained that a government looks out for health, education, and welfare, whereas a corporation is profit motivated. Yet, despite their distinct missions, board representatives act as typical politicians, and the council pursues economic development. Board representatives run for office with campaign dinners and platforms, make ceremonial appearances at holidays and parades, fly the board flag (which resembles the tribal council flag), sponsor fishing tournaments and other events, and deliver speeches. Council representatives, meanwhile, undertake economic development projects including Hard Rock, Seminole Gaming, and smoke shops,

13. Committee on Liaison with Native American Tribes of the National Conference of Commissioners on Uniform State Laws, background of committee and project, <http://thorpe.ou.edu/TribalUCC/NCCUSL%20Background%20Paper1.pdf> (accessed May 10, 2008).

14. It is hardly a new claim that corporations are cultural, and U.S. corporations themselves have undertaken the study of corporate culture (Marcus 1998). The claim here is different, that the corporate form has been understood by policy makers and others as sometimes reinforcing and at other times corroding indigenous cultural distinctiveness.

15. Seminole Tribe of Florida, Inc., 2002 (1957), Amended corporate charter of the Seminole Tribe of Florida, Inc., art. II, sec. 1.

and today the council subsidizes board projects.¹⁶ That tribal members and outsiders struggle to distinguish the two bodies' powers is hardly surprising. More importantly, as noted above, many Seminoles are comfortable with the inseparability of government from economics.

If the IRA promoted the corporate form in an effort to reinforce indigenous collectivity, postwar federal Indian policy, by contrast, took a conservative turn toward small government with the infamous 1950s termination policy whereby the governmental status of some American Indian tribes was severed under federal law. At that time, federal officials once again encouraged Seminoles, who were slated for termination, to form a corporation, only now the private corporation would serve as a bridge to dissolving their collective governmental status and reinforcing individual citizenship (see Cattelino 2010). During Seminole termination hearings, federal lawmakers held forth the possibility of converting common lands to assets in a private corporation, but they insisted that in the federal government's eyes, Seminoles henceforth would be treated as individual citizens, not a tribal entity (U.S. Congress 1954:1058). Seminoles avoided termination, and this led to their retroactive reorganization under the IRA.

These shifts in federal Indian policy tracked broader developments in the political history of American corporations. In the early decades of the twentieth century, corporations often were seen as safeguards against the rampant individualism of the late-nineteenth-century industrial giants. In the postwar period, corporations increasingly came to be understood as antistate institutions (Bowman 1996). Experimentation with indigenous corporations would continue at the federal level, most importantly with the Alaska Native Claims Settlement Act of 1971. Native Alaskans were granted title to more than 40 million acres of land and were awarded almost \$1 billion in return for the extinguishment of their claims to Alaska lands. In lieu of indigenous governments, village and regional corporations were established to manage the settlements (Berger 1995 [1985]; Dombrowski 2001; Hirschfeld 1992). Even as the cultural significance of the corporation has shifted in federal policy, indigenous nations have experimented with the corporate form.¹⁷

This leads back to *Ethnicity, Inc.* Comaroff and Comaroff (2009) point to the ways that "Ethnicity, Inc." can be "a

projection of the entrepreneurial subject of neoliberalism onto the plane of collective existence" (140). In the Seminole case, however, collectivity structures, limits, and calls into being the corporation most often through processes other than commodification. One difference, no doubt, is historical: Seminole corporations do not follow the intellectual property model that Comaroff and Comaroff describe for some other groups who market their culture, nor is this a situation in which incorporation has been necessary for the consolidation of indigenous identity.¹⁸ Instead, Seminoles understand their corporations to be arms of tribal government even as corporate speak increasingly creeps into governance. I point to these differences not to issue a blanket apology for the corporate turn in indigenous economic organization. Instead, the Seminole case suggests that understanding indigenous incorporation demands a historicized analysis of indigenous communities' expectations for collectivity, as well as of the expectations that settler governments and publics bring to indigenous economic and political life.

The Sun Will Always Shine

The most widely cited comment from the Times Square press conference was made by Max Osceola Jr.: "Our ancestors sold Manhattan for trinkets. Today, with the acquisition of the Hard Rock Cafe, we're going to buy Manhattan back one hamburger at a time." His joke reconfigured an oft-told tale of indigenous financial naïveté (and settler swindling) as a comeback story of business-savvy repossession by indigenous peoples. That day and since, Osceola has signaled that Seminoles' aspirations are expansive: "And so to provide for the Tribe, we're looking beyond the borders, the four square borders of our reservations. We're looking not just in the United States, we're looking in the world."¹⁹ He told the *South Florida CEO*, "When the British had colonies all around the world they used to say, 'the sun will always shine on the union jack.' Well the sun will always shine on the Seminole Hard Rock. . . . We are in 45 countries now" (Suarez 2007).

For Max Osceola Jr.—who majored in political science and was one of the first Seminoles to earn a bachelor's degree—to compare the Seminole Tribe with the British Empire represents more than ambition: it exemplifies his and other Seminoles' keen sense of irony and their ongoing insistence on contextualizing current wealth and power within a history of

16. Explanations vary for why the council, rather than the board, has operated gaming since 1979. Some Seminoles attribute it to the fact that in 1979, the council but not the board had sovereignty immunity, whereas others cite the nitty-gritty politics of who held power at the time. Since Indian Gaming Regulation Act's 1988 passage, only the council can license tribal government gaming.

17. In the nineteenth century, Cherokee and Creek nations tried to form railroad companies as a means of controlling the development of railroads through Indian territory (Flanders 1989:301). In the 1920s, the Klamath Tribe wanted to terminate their trust relationship with the federal government and charter a company to manage their assets (Deloria and Lytle 1984:48–52). When the Menominee Tribe was terminated by federal policy, they maintained collectivity by operating a lumber business and also forming a county within the state of Wisconsin (Hosmer 1999).

18. Like other anthropologists who examine bioprospecting or court cases over indigenous symbols, Comaroff and Comaroff focus on the increasing tendency of indigenous and ethnic groups to brand themselves as cultures (see also Brown 2003; Christen 2005). Those cases draw attention to the reconfiguration of identity as property, whereas Seminole Gaming and related corporate ventures—which do not market identity-linked commodities—point less to an analysis of property than one of indigenous governance and its historical relationship to economic organization.

19. Quotes taken from untitled promotional video by Seminole Hard Rock Entertainment (2006), <http://www.seminolerocks.com> (accessed December 20, 2006).

dispossession by (settler) colonial powers. When I first read this comment, it reminded me of a 2000 conversation we had in the tribal headquarters lobby while awaiting a tribal council meeting. Osceola emphasized that Seminoles had government long before white people came, that Seminoles had laws and ways to judge and punish people. He compared the Seminole situation with that of nations colonized by Britain (India, Ireland, African countries), but he noted that American Indian tribes have not been able to reclaim full sovereignty because they are economically and politically dependent on the United States (December 18, 2000, interview).

Recalling this conversation reinforced a political reading of Osceola's subsequent public statements: not only were Seminoles overcoming past colonization by extending a business empire around the globe but also they were doing so despite limitations on indigenous governance that resulted from their ongoing neocolonial position within the United States. Seminoles' varied experiments with economic organization—purchasing a major multinational corporation, pioneering sovereignty-based government gaming businesses, running a federally chartered tribal economic development corporation—demonstrate the stakes for indigenous peoples of balancing their own and others' sometimes divergent and often shifting expectations of the proper alignments of government, economy, family, and culture. These expectations live in the minutia of corporate bond ratings, in allegations of nepotism, in advice to separate politics from business, in metaphors of family business, in the ways that economic life is formally organized, and in narratives of economic prosperity and past dispossession. The blurriness of the boundaries among American Indian corporate, national, and kinship forms may be especially striking by comparison with other groups, all the more so because tribal sovereignty enables some breaks from the corporate form while also drawing tribal nations to it. Rather than rendering Seminole business a narrow case, however, this simultaneously suggests the importance of identifying how and why the state-society distinction produces systematic dilemmas for indigenous peoples and also facilitates analysis of the cultural politics of corporations beyond indigenous contexts. It is not enough for anthropologists to continue the long disciplinary tradition of proving the state-society divide to be contingent and an ideological project. Instead, we can show its production in practice and its uneven effects in history, especially but not only for indigenous peoples.

Acknowledgments

Research for this paper was funded by the Lichtstern Fund in the Department of Anthropology, University of Chicago. I am grateful for feedback from the participants in the School for Advanced Research and Wenner-Gren seminar, Corporate Lives; members and faculty at the Institute for Advanced Study in Princeton; audience members from talks at the

Princeton University Department of Anthropology, the Newberry Library, and the Department of Ethnic Studies at the University of California, Berkeley; John Comaroff; and anonymous reviewers. Thanks to this volume's editors for inviting my participation and especially to Marina Welker for her editorial engagement and patience. I am thankful to citizens and staff of the Seminole Tribe of Florida for permission to conduct this research and for their participation. Noah Zatz made this possible at a particularly difficult time.

Comments

Thabo Mokgatla

Treasury Executive, Royal Bafokeng Nation, P.O. Box 1, Phokeng 0335, South Africa (thabo@bafokeng.com).

When I was being trained as an accountant, I remember being struck by the fact that a major part of what I was learning was a language of expertise. This language, in combination with certain concrete quantitative skills, would make me valuable to others and to their projects.

Being in dialogue with a group of academic anthropologists on this project has, of course, awakened me to a very different set of expert languages. It has been more than entertaining to see them try to translate words such as "hegemony" and "praxis" (which is related to but not the same as "practice") for the benefit of myself and other practitioners around the Corporate Lives table. It has also, of course, been interesting to see those of us around the table with backgrounds in financial planning attempt to narrate clearly the underlying causes of the current financial crisis, for example. This project has been one of translation and communication across expert communities.

Reading Jessica Cattelino's paper, I am struck that the Royal Bafokeng Nation and the Seminoles, despite their dramatic differences, are being constructed here as a common expert community—"native" groups who have successfully crafted relationships to capital that are not mediated by states, NGOs, or others. More than that, we have each become capitalists in addition to remaining "natives." Here, too, are translational challenges. And certainly, I expect that members of the Royal Bafokeng community would consider that journey to increasingly successful capitalism analogous to the learning of a foreign language—one that unlocks many doors but comes with its own particular rules and conventions.

I have played a kind of translational role within the Royal Bafokeng structures, helping them to better understand and plan for risks in their financial strategies and to better invest their capital in a rapidly changing world without losing sight of how to keep their own financial house in order. These are enormous challenges, and they resonate with what Cattelino terms in her paper the "interpretability of data," evoking a

politics of compliance with conventions of capital not based on de facto obligation.

Like Jim Allen, the CEO of Seminole Gaming, I am an outsider to the Royal Bafokeng Nation—a hired gun, an advocate and watchdog, someone trusted to be and to remain enough outside structural political tensions that characterize the group’s internal dynamics as to protect its interests from outside forces beyond its control.

Of course, for Bafokeng as for Seminoles, the idea of utterly separate spheres of business and politics belies much of their history. Kinship, and indeed fictive kinship with non-Tswana allies, has always been constitutive of economic leadership within the group, as, perhaps, they have been for others around the Corporate Lives table. One commentator who shall remain unnamed shared with mixed pride and shame the size of the assets (and properties, including an entire island) that became his upon his marriage to a fortunate daughter. It is perhaps no coincidence that as we went around the table speaking of what corporations “are to us,” his vision was one of building dreams, community, and family through shared enterprise.

My point is that both the Bafokeng and the Seminole seem titillating examples of “natives made good” in modern integrated global economies. And yet, is what they are doing so different from what others do and have long done and from what they themselves have done in the past? I am not disagreeing with the creep of corporate forms, what Cattelino quotes the Comaroffs as calling a dialectic of both extension of the valence of ethnic identities and reduction of them to commodities. I saw as much in my previous job, when I worked for the North West Parks and Tourism Board in South Africa. There I saw firsthand the South African iterations of tensions here tackled by Hardin’s article and Sanderson’s commentary. The privatization of parks, the corporatization of tribes—is nothing sacred?

And yet, it seems to me that this vision of particularly vulnerable or violent conversions of the public or the community to the market misses much of the nuance of actual translation and learning processes. It also marks groups such as ours as “special” and hence in some ways even more accountable for the inevitable ills of capital; how can the Seminoles sleep at night when they profit from sectors such as casinos and clubs that are part of the fiscal and physical challenges that many Native Americans face? And yes, the Royal Bafokeng Nation portfolio includes mining interests elsewhere in the world, even as we struggle to diversify away from dependence on that sector in our own territory and to improve the social and ecological footprint of mining on our communities and economies. The notion of diversification used by Cattelino captures nicely several registers of what is happening in such processes, as it evokes both the struggle toward economic security and the proliferation of self-images that such processes entail.

It is no wonder that the most astute and supportive of observers remain flummoxed by such complexity, and I com-

mend Cattelino for her grasp of both financial categories and Seminole perspectives and strategies. Their experiments are extremely differently structured from those of the Royal Bafokeng Nation, where the nation as a collective stands behind each transaction and there are central distributive mechanisms. In that sense we are each points on a kind of spectrum of economic experiments; the differences emanate from different political and historical legacies, but they also shape different social realities in the present and for the future.

Kgosi Leruo Molotlegi

King, Royal Bafokeng Nation (South Africa), P.O. Box 1, Phokeng 0335, South Africa (kgosi@bafokeng.com).

Reading Jessica Cattelino’s paper is like looking through a window into the future. Despite our geographic distance from one another, the similarities between the Florida Seminoles’ acquisition of Hard Rock International (and the circumstances that led to and from that deal) and the young holdings company wholly owned by my community, the Royal Bafokeng Nation, are striking.

The story of the Seminoles and their ascendancy in the business world is essentially one of using the forces of the free market to decolonize an indigenous community that had previously (and maybe still does) suffered violence, discrimination, and economic isolation at the hands of a colonial oppressor. And now those very oppressors, or their descendants, are the business partners, investors, advisors, and employees of the Seminoles.

As a black African community previously dispossessed of its land, subjected to cruel forms of discrimination and exploitation under apartheid, and reduced to an underdeveloped and undereducated population with little belief in its own potential, the Royal Bafokeng Nation has espoused some of the same strategies to “buy Manhattan back one hamburger at a time.” Except in our case, we’re now starting to control the supply of platinum to the commodity-hungry car manufacturers in Detroit and Tokyo—reclaiming our dignity one catalytic converter at a time.

Cattelino’s account of the discomfort that arose for the Seminoles when faced with the decision of going into business for the long term or prioritizing the more immediate needs of the community also hit home for me. Our population is affected by poverty, AIDS, unemployment, alcohol abuse, and generational divides. To enter into investment deals that involve the levels of risk, confidentiality, and financial expertise such as the Hard Rock deal is a situation we in the Bafokeng Nation can relate to. What we have found is that it is unrealistic to expect that each and every community member will understand the exact strategies and mechanisms of long-term sustainable economic diversification and investment. If there is a basic foundation of trust in the good intentions of the leadership, however, the community can take a leap of

faith—or just trust in the family spirit, as Cattelino suggests—and go with the leader’s vision. As we try to make quantum leaps in the development of our community, it is that trust, perhaps even more than shared information, that has allowed us to move forward.

As for the artificial divide between business and governance, I appreciate the academic argument that these are overlapping spheres that constitute each other in many ways. And I do not buy into the idea that business trumps politics when it comes to reputation and stature. But to a certain extent, the Bafokeng have also consciously decided to keep the two spheres separate. In recent debates held in Phokeng about what to name some of our subsidiary businesses (our Premier League soccer team, our new five-star hotel, our about-to-be-listed platinum mine), I have avoided naming everything “Bafokeng This” and “Bafokeng That.” And that is because commercial enterprise carries certain risks—risks of failure, of being bought/sold, or merging with other commercial entities and brands. The name of our community should not be subjected to such risks because it’s our family name, our identity, and it should not be commercialized no matter how much recognition or brand appeal it carries. This is just one example of where I believe it’s important to keep some autonomy for governance/politics with respect to business and finance.

The Royal Bafokeng Nation has recently served as the first rural community ever to host FIFA World Cup soccer. This was a huge opportunity for us and a great honor. It placed our community and our people on the global map as never before. I imagine that the feeling we felt when England played the United States in our stadium on June 12, 2010, was a little bit like what the Seminoles felt when they celebrated the launch of the Hard Rock acquisition: nervous, exhilarated, like the dawn of a new era in the life of the community. It’s comforting to know that other communities have embraced change with such vision and courage and explored new ways of thinking about economy, governance, family, and identity without any certainty of what lies ahead. It’s good to look through the window and see the Florida Seminoles blazing their path into the future. We will watch carefully and learn from our Seminole friends.

References Cited

- Adams, Jim. 2005. Wall Street bond raters skeptical on sovereignty. *Indian Country Today*, September 6. <http://www.indiancountry.com/archive/28163199.html>.
- Atkinson, Karen J., and Kathleen M. Nilles. 2008. *Tribal business structure handbook*. Washington, DC: Office of the Assistant Secretary, Indian Affairs.
- Berger, Thomas R. 1995 (1985). *Village journey: the report of the Alaska Native Review Commission*. New York: Hill & Wang.
- Biolsi, Thomas. 1992. *Organizing the Lakota: the political economy of the New Deal on the Pine Ridge and Rosebud reservations*. Tucson: University of Arizona Press.
- Bowman, Scott R. 1996. *The modern corporation and American political thought: law, power, and ideology*. University Park: Pennsylvania State University Press.
- Brown, Michael F. 2003. *Who owns native culture?* Cambridge, MA: Harvard University Press.
- Cattelino, Jessica R. 2008. *High stakes: Florida Seminole gaming and sovereignty*. Durham, NC: Duke University Press.
- . 2009. Fungibility: Florida Seminole casino dividends and the fiscal politics of indigeneity. *American Anthropologist* 111(2):190–200.
- . 2010. The double bind of American Indian need-based sovereignty. *Cultural Anthropology* 25(2):235–262.
- Christen, Kimberly. 2005. Gone digital: Aboriginal remix and the cultural commons. *International Journal of Cultural Property* 12: 315–345.
- Clarkson, Gavin. 2007. Tribal bonds: statutory shackles and regulatory restraints on tribal economic development. *North Carolina Law Review* 85:1009–1086.
- Comaroff, John L., and Jean Comaroff. 2009. *Ethnicity, Inc.* Chicago: University of Chicago Press.
- Cornell, Steven E., and Joseph P. Kalt. 1998. Sovereignty and nation-building: the development challenge in Indian Country today. *American Indian Culture and Research Journal* 22(3):198–214.
- Deloria, Vine, Jr., and Clifford M. Lytle. 1984. *The nations within: the past and future of American Indian sovereignty*. New York: Pantheon.
- Dombrowski, Kirk. 2001. *Against culture: development, politics, and religion in Indian Alaska*. Lincoln: University of Nebraska Press.
- Elyachar, Julia. 2005. *Markets of dispossession: NGOs, economic development, and the state in Cairo*. Durham, NC: Duke University Press.
- Flanders, Nicholas E. 1989. The Alaska Native corporation as conglomerate: the problem of profitability. *Human Organization* 48(4): 299–311.
- Fortes, Meyer. 1953. The structure of unilineal descent groups. *American Anthropologist* 55(1):17–41.
- Gibson-Graham, J. K. 2006 (1996). *The end of capitalism (as we knew it)*. Minneapolis: University of Minnesota Press.
- Granovetter, Mark. 1985. Economic action and social structure: the problem of embeddedness. *American Journal of Sociology* 91(3): 481–510.
- Hirschfield, Martha. 1992. The Alaska Native Claims Settlement Act: tribal sovereignty and the corporate form. *Yale Law Journal* 101(6): 1331–1355.
- Ho, Karen. 2009. *Liquidated: an ethnography of Wall Street*. Durham, NC: Duke University Press.
- Holland, John, Vanessa Blum, and Tom Stieghorst. 2006. Tribes betting on big deals beyond casinos for a rich future. *South Florida Sun-Sentinel*, December 9, local sec. http://articles.sun-sentinel.com/2006-12-09/news/0612080680_1_tribe-seminole-gaming-mission-indians (accessed December 9, 2006).
- Hosmer, Brian C. 1999. *American Indians in the marketplace: persistence and innovation among the Menominees and Metlakatlans, 1870–1920*. Lawrence: University Press of Kansas.
- Huettel, Steve. 2007. Seminoles seal the deal for Hard Rock. *St. Petersburg Times*, March 6. http://www.sptimes.com/2007/03/06/Business/Seminole_seal_the_de.shtml (accessed March 11, 2007).
- Kersey, Harry A., Jr. 1989. *The Florida Seminoles and the New Deal, 1933–1942*. Boca Raton: Florida Atlantic University Press.
- . 1996. *An assumption of sovereignty: social and political transformation among the Florida Seminoles, 1953–1979*. Lincoln: University of Nebraska Press.
- Light, Steven Andrew, and Kathryn R. L. Rand. 2005. *Indian gaming and tribal sovereignty: the casino compromise*. Lawrence: University Press of Kansas.
- Locke, John. 1980 (1690). *Second treatise of government*. C. B. Macpherson, ed. Indianapolis: Hackett.

- Marcus, George E., ed. 1998. *Corporate futures: the diffusion of the culturally sensitive corporate form*. Chicago: University of Chicago Press.
- Marcus, George E., and Peter Dobkin Hall. 1992. *Lives in trust: the fortunes of dynastic families in late twentieth-century America*. Boulder, CO: Westview.
- Mauss, Marcel. 1990 (1950). *The gift: the form and reason for exchange in archaic societies*. New York: Norton.
- McKinnon, Susan. 2005. *Neo-liberal genetics: the myths and moral tales of evolutionary psychology*. Chicago: Prickly Paradigm.
- Meister, Alan. 2006–2007. *Indian gaming industry report*. Newton, MA: Casino City.
- Mitchell, Timothy. 1999. Society, economy, and the state effect. In *State/culture: state formation after the cultural turn*. G. Steinmetz, ed. Pp. 76–97. Ithaca, NY: Cornell University Press.
- . 2002. *Rule of experts: Egypt, techno-politics, modernity*. Berkeley: University of California Press.
- Moran, Susan. 2007. Indian tribe becomes force in West's energy boom. *New York Times*, July 24. <http://www.nytimes.com/2007/07/24/business/24tribe.html> (accessed July 26, 2007).
- Morgan, Lewis H. 1964 (1877). *Ancient society*. L. White, ed. Cambridge, MA: Harvard University Press.
- Native American Group. 2008. Economic consortium of Indian tribes launched: the Native American Group to buy from and sell to member tribes. *Business Wire*, September 24.
- Philp, Kenneth R. 1999. *Termination revisited: American Indians on the trail to self-determination, 1933–1953*. Lincoln: University of Nebraska Press.
- Polanyi, Karl. 1957. The economy as instituted process. In *Trade and market in the early empires: economies in history and theory*. K. Polanyi, C. M. Arensberg, and H. W. Pearson, eds. Pp. 243–270. Glencoe, IL: Free Press.
- . 2001 (1944). *The great transformation: the political and economic origins of our time*. Boston: Beacon.
- Rand, Kathryn R. L., and Steven Andrew Light. 2006. *Indian gaming law and policy*. Durham, NC: Carolina Academic Press.
- Roitman, Janet. 2005. *Fiscal disobedience: an anthropology of economic regulation in Central Africa*. Princeton, NJ: Princeton University Press.
- Schröder, Ingo W. 2003. The political economy of tribalism in North America: neotribal capitalism? *Anthropological Theory* 3(4):435–456.
- Skafté, Peter. 1969. Conflict and tacit agreement: a study of Seminole social interaction. MA thesis, University of Florida, Gainesville.
- Sturtevant, William C. 1954. The medicine bundles and busks of the Florida Seminole. *Florida Anthropologist* 7:31–70.
- Suarez, Yeleny. 2007. Ready to rock. *South Florida CEO*. <http://www.southfloridaceo.com> (accessed April 6, 2007).
- U.S. Congress. 1954. *Termination of federal supervision over certain tribes of Indians: joint hearings before the subcommittees of the committees on Interior and Insular Affairs, Congress of the United States, Eighty-third Congress of the United States*. Washington, DC: U.S. Government Printing Office.
- Wines, Leslie. 2006. New deal underscores Native American debt growth: Hard Rock purchase could lead to largest tribal-bond offering. *MarketWatch*, December 7. <http://www.marketwatch.com/story/hard-rock-deal-highlights-growth-of-native-american-bonds> (accessed December 8, 2006).
- Yanagisako, Sylvia Junko. 2002. *Producing culture and capital: family firms in Italy*. Princeton, NJ: Princeton University Press.
- Zaloom, Caitlin. 2006. *Out of the pits: traders and technology from Chicago to London*. Chicago: University of Chicago Press.
- Zelizer, Viviana. 2009. Intimacy in economic organizations. In *Economic sociology of work*. Nina Bandelj, ed. Pp. 23–55. Bingley, UK: Emerald.