

# **In Defense of Gaming**

By: The Rev Dr John K. Williams

## **Introduction**

Everybody 'knows' that the words 'Alas, poor Yorick, I knew him well!' appear in Shakespeare's Hamlet . Everybody 'knows' that Sherlock Holmes was given to saying, 'Elementary, my dear Watson'. Everybody 'knows' that Cinderella wore glass slippers to the handsome Prince's ball.

Sadly, everybody has it wrong. Shakespeare's Hamlet reads, 'Alas, poor Yorick. I knew him, Horatio.' Sherlock Holmes' alleged comment to his bumbling colleague appears not once in the four novels and 56 short stories Sir Arthur Conan Doyle penned about his famous detective. The original French text of Cinderella has it that Cinderella's slippers were made from vair (ermine), not verre (glass); the translator of the story made a mistake that condemned generations of thinking English-speaking and English-reading children to some bewilderment.

Similarly, everybody -- or at least every 'caring and socially concerned' person -- 'knows' that gaming is a Bad Thing and that Crown Casino and Tatts and Tabcorp pokies are Bad Things and that the last Victorian Labour Government in permitting in Victoria the construction of a casino and the introduction of pokies was, and the Kennett Government in tolerating the existence of such realities is, doing a Bad Thing.

But once again, 'everybody has it wrong'.

I like to believe that I am a 'caring and socially concerned' clergy person. I am, however, anything but convinced by the proposals and arguments vigorously promoted by such opponents and critics of gaming as various church bodies, high-profile clerics such as the Reverends Tim Costello and Ray Cleary, and their secular 'caring' counterparts.

Indeed, I regard the vision of a good and just society held and promoted by these people as a Very Bad Thing Indeed!

## **The 'bottom line'**

What are these people, in the final analysis, actually saying and arguing?

They are in the final analysis saying and arguing that some people who do not approve of or derive pleasure from gaming have the 'right' forcibly to prevent fellow human beings who do approve of or derive pleasure from gaming from freely engaging in a peaceable and enjoyed activity.

The critics of gaming advocate increasingly strict laws preventing or controlling

gaming. The words 'There should be a law that ...' fall frequently and easily from their lips. Yet advocating laws fettering the freedom of human beings peacefully to behave as they choose to behave is a very serious business, not to be taken lightly.

We human beings, characterised as we are by different tastes and values and preferences, can more or less peacefully and cooperatively live and work together because of agreed upon rules. The rules we call manners. The rules we call morals. The rules we call laws. The rules obtaining in voluntary associations, associations we can join if we choose or withdraw from if we choose such as Rotary or trade unions or churches.

The rules we call laws are special. They are special in that, short of emigrating, we cannot 'opt out' of these special rules. They are also special in that they are backed by sanctions. The term 'sanctions' is a 'nice' way of referring to actual or threatened violence. People who do not obey the rules called laws are, we hold, legitimately subjected to violence, actual or threatened. The noun 'violence' might be questioned, but consider the 'sanctions' backing laws. People breaking laws, if caught and found guilty in a court of so doing, may be fined (that is, their legally acquired possessions forcibly taken from them). They may be imprisoned (that is, incarcerated against their will). They may be, in some societies, subjected to corporal or capital punishment (that is, assaulted or killed). And so on. If expropriating a person's property, or incarcerating, or assaulting or killing a person does not involve 'violence', I for one am puzzled as to what the noun 'violence' signifies.

Laws -- rules backed by actual or threatened violence -- and thus governments are necessary. They are necessary if we human beings, somewhat selfish and committed to different visions of the 'good life', are peaceably to live and cooperatively work together. Indeed the justification for the existence of laws -- of rules backed by actual or threatened violence -- is that they make it possible for human beings so to live and work together. It is as though each of us rationally agrees not to initiate actual or threatened violence against our fellows on the condition that they agree not to initiate actual or threatened violence against us. To enforce that mutual agreement, we agree to grant to the State -- to government -- a monopoly right when it comes to the initiation of actual or threatened violence.

That monopoly right is properly exercised simply to prevent any one or us or group of us to initiate violence against our fellows. Murder, assault, kidnap, theft and so on are rightly forbidden by laws proscribing these activities. Again, we willingly and rationally cede to the State the right to enforce contracts. If I contract with an electrician to perform some task for an agreed upon sum of money and when the task is completed refuse to pay up, the electrician does not have to beat me up or call upon the local Mafia mob to do the job so that I keep my part of the bargain and surrender the agreed upon sum of money. Indeed laws

proscribing the initiation of actual or threatened violence by the electrician or anyone else rule out that possibility. Rather, the State moves in and laws enforcing contracts swing into action.

Now maybe each of us would like to see laws promulgated which do more than this. I would like it if laws existed which via sales taxes forcibly extracted money from people who buy books penned by Stephen King and subsidised the publication of the writings of Dostoevsky. I would like it if laws existed which forcibly extracted via taxation money from people who buy CDs featuring bands rendering the works of Johan Sebastian Here-Today-And-Gone-Tomorrow and subsidising CDs featuring the organ works of Johan Sebastian Bach. I would like it if laws existed which prevented the screening of films I find morally offensive.

More. I would like it if laws existed which ensured that people I deem 'worthy' or 'just' enjoyed incomes some people I deem 'unworthy' or 'unjust' presently enjoy, incomes ultimately born of the free choice of people to exchange goods and services in ways that lead to those people surrendering what they value less in order to acquire what they value more. It shocks me that more people value attending 'Heavy Metal' performances or football matches than attending lectures delivered by brilliant academics, and that 'Heavy Metal' performers and football players therefore enjoy incomes vastly in excess of those enjoyed by academics. I would like, via my Parliamentary representatives, forcibly to 'improve' or 'elevate', as I define 'improvement' or 'elevation', the aesthetic and indeed moral tastes and judgments of my neighbours.

### **But I dare not. For two reasons.**

First, I cherish the (in my opinion God-given) freedom of human beings to define their own vision of the 'good life' and to initiate peaceful -- non-violent -- actions which, they believe and hope, will lead to the realisation of that vision. That is what being a real human being is all about. To be a person is to be a goal-setting, 'self-moving' person.

Second, I acknowledge that if I can claim some sort of 'right' coercively to improve or elevate, by my standards, the tastes and values of my neighbours, my neighbours can claim a 'right' coercively to improve or elevate, by their standards, my tastes and values. If 'democracy' means that I, given the requisite 50.1% of the populace, am morally entitled via Government, to impose taxes upon the publication of pornography and subsidise the publication of Bibles, what, at least in theory, rules out in principled terms my secular neighbours, given the magical 50.1% majority, taxing the publication of Bibles and other allegedly 'elitist' works and subsidising the publication of 'popular' works, including pornography?

Incidentally, the noun 'democracy' was first proposed as an answer to a very specific question. Who should exercise 'political' -- that is, coercive -- power?

Plato's philosopher kings? Rousseau's intellectual elite enjoying allegedly privileged access to the dictates of the 'general will'? The High Tories aristocracy? Hitler's hierarchy of racially-chosen fuhrers, headed by The Fuhrer (who, according to the only intelligent economist defending Nazism, Sombart, received his orders 'from God, the Fuhrer of the Universe)? Marx's class-conscious 'workers' aided and abetted by a 'liberated intelligentsia'? The democrat's elected representatives of the majority?

A logically prior and more important question exists. What are the morally proper limits of political -- of coercive -- power, whomsoever exercises that power? The crude 'majoritarian' has it that these limits are determined by whatsoever the majority of the populace approves. An answer to the first question becomes an answer to the second question. And the mind and conscience boggle! If 'the majority' approves of laws discriminating against minorities defined by gender or race or religion sexual preference, such laws are allegedly 'right'. Ye gods! Mercifully, few 'democrats' go along with this grotesque conclusion.

### **But back to gaming.**

Gaming is a peaceable activity. More. Some people derive from gaming the enjoyment I derive from reading the novels of Dostoevsky, engaging in philosophical discussions and debates, and listening to my all-too-few CDs featuring the musical compositions of Johan Sebastian Bach and Mozart. I cannot objectively measure that enjoyment. But that some people do derive from gaming the enjoyment I derive in other ways is revealed by the simple fact that some of my fellow citizens choose to use their money to buy time spent utilising the computer-based or person-operated facilities provided at Crown Casino or the local Tatts outlet or Tabaret rather than to purchase the CDs I would buy could I afford them.

I regard it as little short of outrageous -- morally outrageous -- that the self-appointed guardians of public 'morality' and 'good taste' are prepared to use actual or threatened violence to impose their values and preferences upon their fellow human beings. From whence their alleged 'right' violently to 'improve' or 'elevate' the values and displayed preferences of their fellows, let alone violently to prevent their fellows from freely and peaceably acting in accordance to their tastes and values?

There is but a tiny move from the 'Nanny State' (government using its rightful and necessary monopoly power vis a vis laws -- rules backed by actual or threatened violence -- 'for the people's own moral and personal good') to the Authoritarian State and then to the Totalitarian State. Frankly, I believe that the Reverends Tim Costello and Ray Clearly and their secular counterparts have much in common with the Grand Inquisitor and with John Calvin when he decreed that the Unitarian heretic Servetus should be burned at the stake. After all, the Roman

Catholic Grand Inquisitor and the Protestant Reformer John Calvin were merely using actual or threatened violence to promote what they perceived to be 'the good' of their fellow human beings.

The Grand Inquisitor, John Calvin, Hitler, Stalin, Mao, Pol Pot et al ' all possibly 'meant well'. But good intentions are not enough! The belief that an enlightened, 'anointed', morally superior 'some' enjoy the 'right' coercively to impose their visions of the 'good life' and thus their preferences and values upon their fellow human beings, has led to untold human suffering and bloodshed.

### **Peripheral arguments**

It is argued that some people abuse gaming to their own and others' hurt. The case for so saying is, I think, decisive.

There exist people described as 'compulsive gamblers'. The best evidence as to the incidence of such 'compulsive gamblers' I have been able to identify is to be found in a study prepared by Howard J. Shaffer for the Harvard Medical School Division on Addictions. In this study (Estimating the Prevalence of Disordered Gambling Behaviour in the United States and Canada: A Meta-Analysis [1998]) information deriving from 120 studies conducted in the USA and Canada was analysed. Slightly under 1.29 percent of the sub-set of the US and Canadian populace choosing to engage in and, one assumes, deriving pleasure from gaming constituted 'problem gamblers'. A study conducted under the auspices of the Victorian Casino and Gaming Authority -- Definition and Incidence of Problem Gambling, Including the Socio-Economic Distribution of Gamblers -- came up with a comparable figure.

Does the abuse of an activity by a statistically all but insignificant few morally justify the forcible curtailment or prevention of engagement by others, in a more sensible and responsible way, in their freely chosen activity?

I have a weight problem. To misquote a line taken from a well-known Afro-American Spiritual, 'sometimes it's up, sometimes it's down; Oh yes, Lord!' To describe me, at least at times, as a 'compulsive eater' might not in some ways be far off the mark.

During my 'compulsive eating' phases, fast food outlets and restaurants are Bad News. Am I entitled to argue that fast food chains and the owners of restaurants should be subjected to 'super taxes' -- taxes over and above ordinary company taxes and a 'sales tax' vastly in excess of the average 'sales tax' -- used so that I can enrol in 'Gut Busters' or 'Weight Watchers' at no cost to myself? After all, my abuse of these enterprises hurts not only myself but the community, in that when overweight my soaring blood pressure demands tax-payer subsidised medication and regular visits to my General Practitioner.

Again, some friends of mine routinely abuse their Credit Cards. Should those of us who use our Credit Cards responsibly and at considerable convenience incur the costs of a 'super tax' the funds derived from which, after paying the salaries of those collecting and distributing the tax, are used to 'pay off' debts incurred by those who abuse this facility?

I have a further 'unease' about an allegedly 'compulsive' this, that or the other. What, during my 'compulsive eating' phases, I most yearned to hear was a kindly voice explaining that my abusive 'eating behaviour' was not my 'fault'. It was to be blamed upon the 'demand feeding' practices of my mother or the seductive advertising of restaurants and fast-food outlets or whatever. But it was only when I acknowledged that I both could and should control my own behaviour that a amiable Friar Tuck moved towards resembling a lean Ascetic!

## **Advertising**

Some opponents of gaming -- I think particularly of the Reverend Tim Costello -- typically are quick to make a leap when confronted by arguments re human liberty to engage in any freely-chosen, peaceful activity whatsoever to refer to an alleged 'lack of freedom' generated by advertising. His basic argument is borrowed without acknowledgement from the writings of John Kenneth Galbraith. That the Nobel Prize in Economics winner, Friedrich Hayek, subjected Galbraith's argument, loosely and laughingly so-called, to devastating and definitive criticism in his article "The 'Non Sequitur' of the 'Dependence Effect'" (Studies in Philosophy, Politics and Economics [Chicago: University of Chicago Press, 1967, pp. 313-7]) goes unnoted by the Reverend Tim Costello and like-minded souls.

Where to start? Advertising by Crown Casino, Tabcorp, Tatts, and similar gaming outlets should, we are informed, occasionally highlight 'losers' who have gambled beyond their means and reduced their families to destitution rather than 'winners rejoicing'. Should, if this apology for an argument holds, advertisements by fast food outlets and restaurants by parity of reasoning feature obese, compulsively-eating men and women suffering heart attacks or strokes under the Golden Arches or, to be vulgar, 'throwing up' over a plastic statue of Ronald MacDonald? If not, why not?

Advertising serves a very useful function. You are, let us say, the owner of a cattle ranch. You decide, after considering what many people value, to run 'Beefallo' rather than ordinary cattle on your property (the 'Beefallo' is a hybrid born of ordinary cattle and the US buffalo -- its flesh is all but fatless and it exists on 'low-level' vegetation ordinary beef cattle find inedible). You must convey, if your enterprise is to be successful, information re 'Beefallo Steaks' to customers patronising restaurants to which you supply steaks. But more. You must somehow 'lure' or 'entice' notoriously conservative customers into trying something 'different', something that you believe will satisfy existing (not a

somehow 'created') want s-- namely to consume food the consumption of which is both enjoyable and health-promoting. Having done that, you have reached your 'advertising end'. No advertisement, however clever, will sell and continue to sell food that is inedible, drinks that are distasteful, clothes that are unwearable, and activities that are not enjoyable.

Advertisements for gaming bring to people's attention and lure them to try an activity from which pleasure can, for some people, be derived. The condemnation of such advertising ultimately turns upon the conviction that gaming is a somehow 'unworthy' activity from which to derive enjoyment. There are 'better' ways to enjoy oneself -- at least according to gaming's critics.

Actually, I agree with gaming's critics. I would find sitting for hours in front of a computerised machine featuring spinning wheels -- a machine which I know is so programmed that, if I keep playing long enough, will sooner or later show that I possess zero credits -- intolerably boring. The 'cost' of so doing -- measured in terms of books the money I poured into the wretched machine could have purchased and the time I spent so doing that could alternatively have been used -- would be for me excessive.

But I revert to a point already made. From whence my 'right' to impose my tastes and preferences upon my neighbours, even if I am convinced that by so doing I am 'improving' or 'elevating' those people's tastes and preferences? From whence my 'right' to in effect 'fine' via unusually high taxation these people, forcing them to surrender considerable monies to be used in ways I deem desirable if they are to be permitted to engage in an activity from which they derive pleasure?

### **Are innocent victims involved?**

That some people abuse gaming cannot, I repeat, be denied. Not can it be denied that 'innocent' people sometimes suffer the undesirable consequences of this abuse. Rent or interest due on a mortgage is not paid and food is not purchased and valued possessions are sold because excessive sums of money have been irresponsibly gambled on the turn of a card or poured into a 'Pokie'. Secondary School, and even Primary School, teachers can relate horror stories of children going hungry because a single parent is or two parents are caught up in a love affair with Lady Luck at Crown Casino or the local Tabaret or Tatts outlet. Marriage counselors, clergy, social workers and psychologists can testify to marriages destroyed and families shattered solely or largely because of undisciplined, irresponsible, and -- according at least to some of these people -- 'compulsive' gambling.

Primarily for that reason, not a few people, including a number of 'high profile' clerics, have argued and many men and women of undoubted goodwill have agreed that gaming is properly taxed at a level -- at present in Victoria 42% on a

wholesale sales tax basis -- not widely applicable elsewhere. Indeed, some have argued that the level should be increased.

Let us, however, get back to basics

Some activities necessarily involve a victim . A murderer murders someone . A person who engages in assault or kidnap assaults or kidnaps someone . A thief steals from someone . The verbs 'to murder', 'to assault', 'to kidnap' or 'to steal' demand what one might pretentiously call a 'tautological accusative'. The actions entail a demanded, logically entailed, 'victim'.

Other people who are not 'victims' in this sense might be negatively affected by a particular person's actions. If I were, for example, to murder someone my actions would negatively affect many people over and above my murdered victim. My law-abiding parents would be ashamed of and hurt by my actions. The relatives and dependents of my victim would suffer. If caught, tried, found guilty and imprisoned, my dependents would suffer. But a clear distinction exists between these people hurt in ways they would not choose by my action and my 'victim'.

In the strict sense of the word, gaming does not involve a 'victim'. A kills B. A assaults B. A kidnaps B. A steals from B. A gambles -- there is no 'B'. To be sure, should A gamble with monies that 'should' be used to purchase food or pay off the mortgage A's gambling might hurt innocent people in various ways related to A. But this is so should A use monies that 'should' otherwise be used for any alternative purposes. I think, for example, of a family known to me reduced to destitution because one member of the family spent enormous sums of money purchasing Bibles and printing religious tracts which he distributed to all and sundry.

### **Skewing language**

The words we humans use often enshrine attitudes and values. The words 'violin' and 'fiddle' refer to the same physical object. Yet we associate 'violins' with esteemed concert performers and 'fiddles' with gypsies. Differing associations are brought to mind by the words. The words 'crowd' or 'mob' could be used to refer to the same collection of people. Yet a 'mob' is allegedly threatening or dangerous in a way that a 'crowd' is not.

The opponents of gaming refer to money 'lost' at a Casino or Pokie outlet. They refer to money 'spent' at a Supermarket or Cinema. The difference is significant.

Whether money is surrendered to procure groceries or the pleasure deriving from watching a film or playing the pokies makes no difference whatsoever to the nature of the exchange taking place. A person surrenders what he or she values less -- money or alternative uses of that money -- to acquire what he or she values more. That some exchanges -- say in a Supermarket -- result in the

possession of material goods and other exchanges -- say in a Cinema or Casino -- result in simple enjoyment or pleasure, is beside the point.

Once again, the hidden assumption of those who speak of people 'losing' money when gaming is that gaming is an 'inappropriate' or 'unworthy' activity from which to derive pleasure. Bluntly, the critics and opponents of gaming are elitists, snobs, a self-appointed 'anointed' more than willing coercively to impose their tastes and preferences upon their fellows.

## **Conclusion**

I am not a gambler. I occasionally enjoy playing the Pokies and visiting the Casino and participating in a game of Blackjack and taking out a ticket in lotto. I have been known to visit my local TAB and take out a Trifecta or even a Quadrella. But that's it.

But I cherish human liberty, human freedom.

If some people derive pleasure from playing the Pokies or backing horses or engaging in a game of Blackjack in a Casino environment, that is their business, and theirs alone. I will attempt to persuade them to explore avenues of pleasure and enjoyment I prefer to gaming. But 'persuasion' is the appropriate noun. Violence, actual or threatened, simply is not on.

Oh that men and women self-righteously attempting to impose, by actual or threatened violence, their values and preferences upon their fellows agreed! Truly, they 'mean well'. But the damage done by men and women who, 'meaning well', impose their beliefs, values and preferences upon their fellows by actual or threatened violence is horrendous. When I die, I care little about what epitaph is inscribed upon my tombstone. I hope and pray, however, for something other than 'He meant well'.