

The Impact of Gambling to the Society from the Ethical Point of View

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Abstract – Gambling is one of the moral issues raising a lot of debate. Some of the questions raised include these; why do people gamble? Is there a relationship between crime and gambling? What impact does it have to the society and the individual? Is it ethical in the first place? Austin Fagothey while dealing with the contracts of chance stressed that, though gambling is not in itself morally wrong, it is so open to serious abuse and so it should be strictly regulated. It is within this view that the author will answer some of the raised questions about gambling and then argue that gambling, if not restricted, has a severe impact to the society and to the individual.

Keywords: Impact, Gambling, Society, Ethical, Point, View

Introduction

In this chapter, the author bases on the questions raised about gambling to explore its meaning. We shall discuss the reasons for gambling. This will be followed by the arguments on the relationship between crime and gambling. The author will consider too, the impact of gambling to the society and to the individual. For those at the pathological stage of gambling, the research will suggest some solutions. Lastly, expounding on the ethical views on gambling is intended to establish the moral standard of gambling.

1.1. Gambling

Many authors have attributed 'gambling' to numerous definitions. One of the very general definition was given by a United Kingdom Government Royal Commission in 1978, which states that; 'gambling means buying the chance of making money; taking a calculated risk because of the potential reward; engaging in an action or series of actions resulting in a favourable, unfavourable or neutral outcome'¹ For some, gambling refers to the games of chance. The operators of such games enable purchasers of tickets to participate in these games with the hope of winning.

Austin Fagothey while talking about property contracts, classified gambling under contracts of chance. So for him contracts of chance have to do with some uncertain event whose outcome is due to luck or skill or a combination of the two. The chief forms are betting, gaming, and lottery, to which we must add insurance and market speculations. Gambling in the narrow sense is the same as gaming, but is often used to cover the first three or even all forms of venture.²

So what is common to all forms of gambling is that, the participant provides the operator of the game with consideration in the form of a stake. The operator provides in return the chance that a sum of money or another prize may be won through a lottery, or another method of determining an outcome by chance. Once that outcome is known, the operator either provides the participant with the winnings they are entitled to, or nothing. Regardless of whether the participant wins any prize, participants pay and play for the chance of winning a particular prize.³

1.2. Reasons for Gambling

¹Alan. Littler, Cyrille. Fijnaut, *The Regulation of Gambling: European and National Perspectives*. (Leiden / Boston 2007.) PP. 17.

²Austin Fagothey, S.J. *Right and Reason. Ethics in Theory and Practice*. (Tan Books Charlotte, North Carolina.1959.) p. 315.

³Alan. Littler, Cyrille. Fijnaut, *Op. Cit.*, p. 18.

For some people like Toine Spapens, gambling has long been in disrepute. He adds that, if not because political elites thought it morally bad to earn money without having to work or unacceptable to lose money through gambling, then because they believed that taking part in gambling activities was a route for trouble, since it encourages all kinds of crime and addiction problems.⁴ Despite this fact, however, different governments have permitted the organization of gambling basing on the argument that the revenues generated by the organization of gambling benefit institutions that serve the public interest or that raise money for charitable causes.

For Bowden-Jones the reasons for gambling ranges from; gambling being a source of income, gambling as a means of recreation or fun, peer influence and hoping to make money. 'The dream of winning' was identified as the leading reason. In South Africa some of the reasons for gambling among women in rural poor areas of Mpumalanga, North West and Limpopo province is to raise subsistence money for their households. In these rural areas most gamblers are unemployed with few full time employed, while others are self-employed and the rest do part-time jobs. So majority depend on gambling to support their families, feed and dress themselves.⁵

1.3. The Relationship between Crime and Gambling

There are several possible ways in which these two phenomena are linked. The first one is that gambling activities may be offered illegally. This possibility arises when legal operators are not permitted to enter the market because they are legally barred from doing so. Alternatively, illegal gambling operators may focus on niche areas in the market where legal forms of gambling are not available. Whatever the case, it is important to note that whoever participates in illegal practices is nothing but a criminal.

Secondly, criminal organizations may attempt to penetrate the legal betting and gaming sector. The activities of the Italian-American mafia in Las Vegas are one example of this.⁶ When the operation of gambling comes under the control of criminals, they can seize the opportunity to launder money and also use the proceeds to fund other illegal activities. Using gambling to launder money is only possible when legal gambling channels are used. Money however, which one wins through illegal gambling is not all that clean.

Thirdly, criminals can also try to make improper use of legal forms of gambling. One possible way is by fixing matches in organized sports and then placing bets in legal betting shops. Legal gambling channels can also be used for money laundering. Another option is for criminals to try and cheat legal gambling operators.

Predatory crime, cheating is not the sole preserve of gambling operators: gamblers themselves can also try to improve their chances of winning, or resort to other forms of fraud.⁷ Consequently, there is a link between gambling addiction and crime. In order to carry on gambling or pay off their gambling debts, addicted gamblers may commit acquisition crime to fund their habit.

1.4. The Impact of Gambling to the Society and to the Individual

Apart from considering whether there is evidence of crime committed by gambling addicts, there is a need to establish first whether someone is a pathological gambler. The South Oaks gambling screen which was developed in 1987 is one of the most commonly used measuring instrument. Like any other instrument this one is not immune from scientific criticism but despite this, the method is efficient and has created some basis for comparison. It consists of twenty questions to which respondents can answer either 'yes' or 'no'. On the basis of this, the scale score is worked out. A score of 0–2 is classified as 'recreational gambler'. Someone with a score of 3 or 4 is designated a 'risk gambler'. Respondents with a score of 5 or more are generally defined as 'pathological

⁴Toine. Spapens, Alan. Littler, Cyrille. Fijnaut, *Crime, Addiction and the Regulation of Gambling*. (Leiden: Boston. 2008.) P. 1

⁵Henrietta, Bowden-Jones. & Fulvia. Prever, *Gambling Disorders in Women. An International Female Perspective and Research*. (Routledge: New York. 2017.) pp. 21-23.

⁶Toine. Spapens, *Op. Cit.*, p. 19.

⁷*Ibid.* p.43.

gamblers'.⁸ Normally most of the people who are addicted to gambling fall under the last group which sometimes is referred to as problem gambling.

Emma Casey states that, the study of gambling has often explored the state of mind of the gambler, and has attempted to understand pathological or problem gambling. For her some of the most detailed and extensive research conducted on the National Lottery has focused on the addictive qualities of Lottery tickets and scratch cards. In attempting to provide a definition of problem gambling, she refers to Lesieur and Rosenthal who argue that: A small minority of people gamble in a way that compromises, disrupts or damages family, personal or recreational pursuits.⁹

Apart from drug addiction or alcoholism, addiction to gambling too can have severe problems. The recent rise in popularity of casino gambling, online gambling and gambling to raise funds for charitable organizations poses many social and ethical issues. Gambling and the availability of gambling opportunities in the community triggers the problems for someone struggling with the addiction.

Gambling often leads to serious fights and breaks of the peace. This is usually caused by the optimistic nature of the gamblers which makes it very hard for them to accept the losses. It should be noted also that the money gambled away by these people in most cases is not used for other purposes deemed more useful but just for their selfish desires.

As mentioned earlier, compulsive gambling may lead to devastating circumstances for the gambler and their family. They usually experience the same withdrawals as any other addict. The pathological gamblers sometimes experiences illusion fantasies which involve unrealistic winnings. This keeps them absent minded most of the times until they fulfil their plans of gambling. Due to this stress of addiction, the victims are usually physically, and emotionally abusive. Such tension within the family without doubt affect the family in a variety of ways.

Gambling leads to poverty, in most cases the money taken for this activity is not from the surplus income, but rather from that which is meant for the basic necessities of the home and by doing so the family members or the society at large can end up going without food, shelter, medical bills, to mention but a few. Such families end up surviving on debts, the financial future of the family becomes severely threatened. Besides poverty such a situation can lead to depression of the family members and some if not helped can commit suicide.

Apart from those concerns, Griffiths too lists the often devastating consequences of compulsive gambling, including constant cravings for further gambling, severe mood modification, increased tolerance and therefore a need to engage in increasingly extreme forms of gambling behaviour, withdrawal symptoms, conflict and finally, a tendency to relapse into old behaviour patterns.¹⁰ The relaxation of gambling laws to allow for a 'fair' playing field with the National lottery, will most likely rise the incidents of problem gambling.

Mental disorders according to Henrietta are directly associated with problem gambling – a significant difference was found in the mean scores between Brief Biosocial Gambling Screen for problem gambling and alcohol consumption, and mental disorder, with sixty seven percent and sixty four percent of problem gamblers likely to have moderate and severe mental disorders respectively. Seventy-three per cent of gamblers with severe mental disorders were males compared to only seventeen percent of females.¹¹

1.5. Solutions to Pathological Gambling

Pathological gambling is defined as persistent and recurrent maladaptive gambling that interferes with personal, family, or occupational functioning. Pathological gambling is characterized by a loss of control over gambling, deception about the extent of involvement with gambling, family and job disruption, theft, and chasing losses.¹²

⁸ J. Marshall and A. Marshall, 'Gambling Crime in South Australia', in: Independent Gambling Authority, Study into the Relationship between Crime and Problem Gambling, Report to the Minister, (Adelaide, Office of Crime Statistics and Research, 2003), pp. 22-24.

⁹ Emma Casey *Women, Pleasure and the Gambling Experience*. (University of Kingston, UK. 2008.) P. 24.

¹⁰ Emma Casey, *Op. Cit.*, p. 24.

¹¹ Henrietta, Bowden-Jones. & Fulvia. Prever, *Op. Cit.*, p. 23.

¹² Robert Ladouceur & Stella Lachance. *Overcoming Pathological Gambling. Therapist Guide*.

Despite its high prevalence, this psychiatric disorder often remains untreated. Looking back at the impact of gambling, it is evident that the effects are mainly associated with pathological gambling.

Before taking a step of helping a pathological gambler, one must undertake a complete evaluation of different variables, such as the extent of the gambling problem, the repercussions of the excessive gambling habits on the gambler's life, that is, financial, social, psychological, and familial, the presence of other mental disorders and addictions, plus the risk of suicide. Certain life situations can represent high-risk situations for gamblers. In order to help the victim of gambling to regain control over his or her life, the risky situations unique to the gambler should be identified earlier. From that it is good to specify the gambler's goals and his or her motivation to stop gambling. This step is important in order to know whether the individual is ready to overcome his or her gambling addiction.

Another important step is to identify the thoughts that render the gambler vulnerable to games of chance. This may sound strange but once such people are given ample time, they develop trust and they can share freely. The more the gambler holds erroneous ideas concerning his or her chances of winning or "beating the system," the more he or she is vulnerable to continue gambling. Guiding the gambler on how to replace his or her erroneous ideas with appropriate ones, is a way which can help him or her to attain his goal of giving up gambling.¹³

Many addicts of gambling believe that they can control the outcome by adopting different strategies. According to Robert Ladouceur, they behave as if gambling can be considered as a game of skills, such as chess or golf. But the main difference between a recreational and a pathological gambler is that the latter is "strongly convinced" that he or she can control the outcomes. So it is important to emphasize that gambling is not a game of skill. Since this action is specifically designed for games of chance, it should be everyone's responsibility to help the gambler to understand the notion of chance. Most pathological gamblers have an erroneous understanding of chance and this feeds their desire to gamble. Once the gamblers are able to understand the concept of chance and to distinguish between games of skill and games of chance, it becomes easier to rid themselves of the illusions created by gambling.

Although we have explored these solutions, it is important to note that experimental reality is more difficult or different than what one anticipates, and that the treatment of pathological gambling is not exceptional. Some situations or behaviors can be perplexing to the analyst. This leads us to consider the ethical views on gambling.

1.6. The Ethical Views on Gambling

1.6.1 Austin Fagothey's Views on Gambling

According to Fagothey, none of the forms of gambling is wrong in itself. However, contracts of chance, besides conforming to the requirements of contracts in general, must observe some special conditions of their own if they are to be conducted on a moral plane. The following are some of the conditions:

- One must wager only what belongs to oneself and is not needed for satisfying other obligations, such as paying creditors or supporting one's family.¹⁴ Usually the gamblers do not put this into consideration.
- The matter of the contract must be something lawful in itself and understood in the same sense by all parties. Equality is not necessary but inequalities should be made known. Odds and handicaps should be offered by the favored side, but may be waived by the other side. What is emphasized here is that terms should be clearly explained to both parties so that non acts out of ignorance.
- The outcome should be objectively uncertain and not a sure thing, if it is to be truly a contract of chance. Each may feel subjectively certain that he will win, but must not have so manipulated the matter beforehand as to cut out the other's chance. If one insists on betting against another's protestation of certainty, he is making a gift, not placing a bet.¹⁵

(Oxford: New York 2007.) p. 4.

¹³*Ibid.* p. 3.

¹⁴Austin Fagothey, S.J. *Right and Reason. Ethics in Theory and Practice.* (Tan Books Charlotte, North Carolina.1959.) p. 315.

¹⁵*Ibid.*

- There must be no cheating, either by fixing the outcome beforehand, or by an illegitimate style of play. What constitutes cheating depends on the conventions accepted in that kind of bet or game. Winnings through cheating are fraudulently acquired and must be refunded. Generally it is not common to hear that a victim of gambling has been refunded yet the victims of this are many.
- The loser must pay. This is evident from the whole supposition of the contract. One would have no right to take the winnings unless he is prepared to stand the losses, since this is the obligation he imposes on the other party and the obligation is mutual.¹⁶

Consequently, he affirms as already mentioned that, though gambling is not in itself morally wrong, it is so open to serious abuse that it should be strictly regulated. He believes that some people get gambling in their blood and cannot stop until they have brought about their own and their family's ruin. For them gambling becomes a vice leading to many others. So he suggests that, just as some must practice total abstinence regarding drink, others must stay completely away from all forms of gambling, not because it is objectively wrong, but because of the subjective danger of excess in certain persons. Besides, professional gambling is conducted in such an atmosphere of general moral laxity as to provide many temptations beyond those of gambling itself.

1.6.2 McCloskey's views on Gambling

For McCloskey gambling is morally wrong and he considers it everyone's responsibility to help gamblers since they do not look at it from this angle. He mentions that if gambling is successful, it is a means of gaining undeserved wealth; and it is a means which leads to the developing of such bad character traits as greed, undue preoccupation with money, insensitivity towards the misfortunes of those whose money is won, laziness, and others'.¹⁷ So for him, and I echo the same that, there would be no absurdity nor logical impropriety in members of an antigambling league visiting betting shops and race courses and seeking to offer such advice to gamblers.

1.6.3 Aristotle's Virtue Ethics

Aristotle identified two virtues concerning wealth, these are liberality and magnificence. I think these two virtues based on Aristotle's explanation can be of benefit to the issue of gambling especially for the gamblers who claim they do so to get money for their subsistence and for charitable activities.

Liberality according to Aristotle is the mean with regard to wealth; for the liberal man is praised not in respect of military matters, nor of those in respect of which the temperate man is praised, but with regard to the giving and taking of wealth, and especially in respect of giving. Further, prodigality and meanness are excesses and defects with regard to wealth. Meanness is attributed to those who care more than they ought for wealth. Then those men who are incontinent and spend money on self-indulgence are the ones called prodigals.¹⁸ Riches, therefore, will be used best by the man who has the virtue concerned with wealth; and this is the liberal man. Aristotle adds on that, virtuous actions are noble and done for the sake of the noble. So from Aristotle's perspective the gamblers ought to ask themselves the real goal of this activity. Is it for noble causes? Or for self-indulgence?

Consequently the liberal man, like other virtuous men, will give for the sake of the noble, and rightly; for he will give to the right people, the right amounts, and at the right time. But he who gives to the wrong people or not for the sake of the noble but for some other cause, will not be called liberal but by some other name. Liberality, then, being a mean with regard to giving and taking of wealth, the liberal man will both give and spend the right amounts and on the right objects, alike in small things and in great, and that with pleasure; he will also take the right amounts and from the right sources. With this I think it is appropriate to consider too the sources of the money used in gambling, is it from right and genuine sources?

When it comes to magnificence he asserts that this too is a virtue concerned with wealth, however, it does not extend to all the actions that are concerned with wealth, like liberality but only to those that involve expenditure

¹⁶Austin Fagothey *Op. Cit.*, pp. 315-316.

¹⁷H. J. McCloskey *Meta-Ethics and Normative Ethics*. (Martnus Nijhoff: the Hague.1969.) P. 89.

¹⁸ Aristotle, *Ethica Nicomachea*, The Basic Works of Aristotle. Ed. Richard, McKeon, Trans. W. D. Ross. (The Modern Library: New York 1941), 1120a.

and it is because of this that it surpasses liberality in scale. As its name suggests, it is a fitting expenditure involving largeness of scale. The magnificent man is like an artist; for he can see what is fitting and spend large sums tastefully. Magnificence is an attribute of expenditures of the kind which is called honorable, for example, those connected with the gods and similarly with any form of religious worship, and all those that are proper objects of public-spirited ambition. But in all cases, we have regard to the agent as well and ask who he is and what means he has; for the expenditure should be worthy of his means, and suit not only the result but also the producer. It is right expenditure that is virtuous. Nevertheless, great expenditure is becoming to those who have suitable means, for example, acquired by their own efforts or from ancestors and to people of high birth or reputation, and so on; for all these things bring with them greatness and prestige. Thus magnificence is shown in expenditures of this sort. ¹⁹ The man who goes to excess and is vulgar exceeds, by spending beyond what is right. And all such things he will do not for honour's sake but to show off his wealth. In short gambling cannot fit the standards of these two virtues concerning wealth and so basing on virtue ethics gambling practice is unethical.

1.7. Conclusion

Generally, after looking at the reasons for gambling, the link between gambling and crime, the impact of gambling to the society and the individual, the solutions which are usually taken for granted by those addicted to gambling, the ethical views on gambling, I can say that gambling is causing more harm than good and so it is necessary to be restricted by those in authority and also I appeal to those pathological gamblers to take an initiative and personal responsibility to get rid of it.

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¹⁹Ibid. 1123a.