

The Ethics of Gambling: Guidelines for Players and Commercial Providers¹

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ABSTRACT *Current academic and popular debate on gambling rarely focuses on the ethics of gambling, but concentrates on narrower questions of social impact. This article suggests a philosophical foundation for the ethical provision of gambling services. It argues from a moral realist base while paying close attention to the concrete facts of present policy and practice. The article identifies certain objectively good reasons for gambling. Having established gambling is not wrong per se, it advances generic principles that gamblers and gambling providers should follow in order to act ethically. From these generic principles are derived applied principles from which, in turn, operational norms for actual gambling businesses can be articulated. The article concludes that gambling can be offered and chosen in ethically acceptable ways, but that this will require a major shift in self-conception by the gambling industry.*

Introduction

The 1990s witnessed a dramatic expansion of legalised gambling in three anglicised nations: river boat casinos and gambling on native American reserves in the US, video lottery terminals in Canada, and a marked increase in gaming machines, sports betting and casinos in Australia. Understandably, that growth has prompted sometimes fierce debate on gambling's social and economic desirability. This debate has, in our opinion, largely replaced the discussion of whether gambling itself is ethical.

The ethics of gambling goes beyond the basic question 'Should we gamble?' It also offers principles to help distinguish wrongful or unreasonable gambling from acceptable gambling, principles that are relevant to gamblers, gambling businesses and regulators. It is these principles that this article explores. The gambling industry may well be prepared to engage in ethical self-regulation (Hing, 2001). But rather than rely on public opinion or loose moralism, ethical self-regulation must be grounded on a compelling and well-reasoned philosophical basis.

An Ethical Framework

Since Lisa Newton made a preliminary investigation of the issues a decade ago (Newton, 1993) and highlighted the relative paucity of discussion (Sylvan and Sylvan, 1985), there has been little secular, analytical inquiry published on the ethics of gambling (Scriven, 1995; Stearns and Borna, 1995; Lippke, 1997). Where

there has been discussion of the ethics of gambling, it has been largely in the tradition of the public preaching of the late nineteenth and early twentieth centuries. Fervent echoes of Douglas McKenzie's classic *The Ethics of Gambling*, published by the Sunday School Union in 1899, can be found in recent populist works (McKenna, 1973), institutional tracts (Finley, 1990; Presbyterian Church of the USA, 1994) and even more academic treatments (Landman, 1967; Zweck, 1999). However, a careful analytic and philosophical treatment of gambling has not been a central concern of this tradition.

This article adopts a moral realist approach to ethics in order to explore the ethical conduct of gambling. In particular we ask the Aristotelian question 'What is humanly fulfilling for us to pursue?' And we ask the Kantian question 'Are our choices reasonable?' These philosophical traditions are set out and defended by Finnis (1983), Grisez *et al.* (1987), Ramsay (1997) and Black (2001).

The Aristotelian approach that asks what is 'humanly fulfilling?' recognises both a universal or objective dimension of choice and a contextual or subjective dimension. For example, the very nature of what it is to be human makes friendship something that is fulfilling, and so the pursuit of friendship is generally an ethically valid objective. The forms that friendship can take, however, are highly varied and culturally dependent. Following this approach, the first step in our inquiry is to identify any forms of objective human fulfilment that might be pursued in gambling activities, bearing in mind these will show variation in different social and cultural contexts. If gambling does bring human fulfilment, then gambling would be a rational activity for those pursuing it.

Followers of Kantian ethics focus not on humanly fulfilling goals, but on whether or not a choice is reasonable. Pursuing friendship may be humanly fulfilling and therefore rational; but what a Kantian wants to know is: Is our pursuit of friendship here selfish or one-sided? Does it close the door to other relationships? Does it show proper respect for all concerned? Are there any reasons to think our behaviour is not all-round reasonable? The need to distinguish between 'rational' and 'reasonable' is illustrated by Grisez *et al.*'s example of the bank robber (1987, pp. 119–21): to rob a bank is rational—an effective and well-calculated step towards personal enrichment—but, because living in a community requires fairness as a principle of reasonableness, it is not reasonable. Enriching oneself by theft is an unreasonable choice.

Exploring gambling ethics by applying Aristotelian and Kantian concepts to contemporary practice means focusing on questions of human fulfilment, the nature of gambling and the standards for reasonable conduct by all involved. We ask: Can gambling be provided to the community in ethical ways? What principles must gambling organisations follow if they are to provide gambling reasonably? When is it reasonable for individuals to participate in gambling? What principles do gambling organisations and the community need to be clear about to advance the debate? Other important ethical questions such as the relationships between gambling businesses and their employees or other businesses are well covered by more general inquiries into business ethics. Likewise, ethical questions that go to the public policy decisions of regulation or taxation, and the role of special interest groups, are covered elsewhere (Moody, 1995, pp. 51–8; Lippke, 1997; Oddo, 1997).

This article concludes that gambling can be a humanly fulfilling and ethical pursuit, so long as its conduct is reasonable in the Kantian sense. Our discussion

is informed purely by the resources of philosophy and proceeds as an exercise in reason, though we recognise that there is strong debate within Christianity and other faiths about the status and ethics of gambling.

Section 1: Humanly Enriching Activities

Are there any humanly fulfilling objectives for people to pursue by gambling? Asking the reasons why people choose to do things can reveal those objectives. We might ask a person: 'Why are you going to that bar this evening?' To which she might reply: 'To be with my friends.' Then: 'Why do you want to be with your friends?' 'Because I value my friendship with them.' If we keep on asking, we may find the person can offer no more basic reason for what she is doing than the pursuit of friendship itself. This basic reason is a worthwhile objective that renders the decision to act rational. It is worthwhile as it contributes directly to human fulfilment or enrichment. Therefore, in this example we have discovered that the pursuit of friendship is both a basic reason that can be used to justify the rationality of a choice and something that contributes to our fulfilment as humans.

We can build up a substantial picture of the basic reasons for human choices and what fulfils a human and enriches human life by asking why people do what they do across a wide range of activities. Sabina Alkire surveys and reconciles the leading work in philosophy, psychology and anthropology into the linked questions of what justifies choices and what people find humanly fulfilling (Alkire, 2000, pp. 73–110).

Before asking about the humanly fulfilling reasons to gamble, we need to make two distinctions. First, we need to distinguish between the *reasons* why people gamble and their *motivation* for gambling. A person might say: 'I gamble because I enjoy being with friends while I play the game.' In this case, the *reason* why the person gambles is to be with her friends—this is what rationally justifies her action—but her *motivation* for gambling is the enjoyment she receives from actually being with them (Grisez *et al.*, 1987, pp. 104–5).

As an ethical inquiry, our interest is in whether a person's gambling is rational and reasonable, rather than in their motivations. Since people can have coherent reasons for gambling, we can at least establish that it is a rational activity. Gambling simply for some emotional motivation, such as 'I just feel like it' or 'I just enjoy it', does not make it rational. Whether rational gambling is also reasonable, and so potentially ethical, is the question we discuss in Section 2.

Second, we need to distinguish between *instrumental reasons* for doing something—'I am pursuing this activity in order to achieve some other objective'—and *intrinsic reasons* for doing something—'I am pursuing this activity because it is valuable in itself.' For example, a person who gambles as a way of participating in or developing her friendship with others is offering an intrinsic reason for what she is doing—her reason for gambling is not to achieve *something else*, it requires no further explanation. But a person who says 'I gamble in order to win' is offering an instrumental reason for gambling. Even if winning is her objective, she is unlikely to want just to win for its own sake, but rather to win money so as to be able to do something else. Although possible, it is unlikely that winning is the end itself—winning is most likely a means of getting the money to do the things that justify the attempt to win the money.

Reasons for Gambling

What then are the possible reasons for gambling? The Australian Productivity Commission's recent *Report into Australia's Gambling Industry Inquiry Report* (1999) records one of the most extensive inquiries into gambling ever conducted. The Commission reviewed recent Australian research and the wide-ranging submissions made to it (Productivity Commission, 1999). The Commission's Report summarised people's reasons for gambling as hoping and dreaming, making money, social interaction, recreation, and charity.

Hoping and dreaming. The leading reason why people gamble was identified as 'the dream of winning' (Productivity Commission, 1999, ss. 5.6–5.9). This is a more complex and interesting reason for gambling than it might appear. To understand it, we need to distinguish between gambling where the primary reason for doing so is to *dream* about winning, from gambling where the primary reason is *winning* to make money. These are ethically very different reasons.

Dreaming about winning appears to sustain the psychologically vital and ethically enriching quality of hope. A person gambles not because she *expects to win*, the case when people gamble for the purpose of winning, but because she *hopes to win*. Entertaining hope helps develop the balanced states of mind and emotion that enrich our lives, compensating for forces that tend to unbalance us. Buying a lottery ticket, for example, grants a week-long opportunity to imagine a dramatically better material life. The act of gambling, and so the granting of hope, extends from the purchase of the ticket to the moment when the draw is concluded.

In a substantial book-length argument, Brenner and Brenner (1990) examined the history of gambling to conclude that gambling has always provided a ritualised form of hope. Gambling rises in periods when religion, with its alternative ways of ritualising hope, is on the decline, or in periods of economic dislocation when people feel systematically excluded from any prospect of gaining the type of wealth that would transform their material lives (Brenner and Brenner, 1990, pp. 19–89). Bettina Knapp in *Gambling, Game and Psyche* also draws out the psychological connection between hope in gambling and in religious thought and life (Knapp, 2000, pp. 167–89). This is not to argue, of course, that gambling is a spiritual activity. Rather, hope is an enriching and important part of human life and people will seek ways to nourish it, whether sacred or secular.

This *ritualised* form of sustained hope is substantially different from a single instance of hoping. When we hope to catch up with a dear friend we have not seen in a long time, for example, the good of the hope may be counterbalanced or even outweighed by disappointment if that hope is dashed. Hope is ritualised when it is generated by an activity that is a regular and structured part of a person's life. When such a hope is not realised on any one occasion, it is certain to be renewed by the next. The hope itself has not been dashed; rather there is a passing and weaker disappointment. Not for nothing do many of the world's religions count hope a key 'virtue', enabling people to persevere amidst frustration.

When reasonable gambling functions as a ritualised form of hope, that hope

can be dignifying where it sustains a person's focus on worthwhile yet challenging activities like caring for one's family, friends or community.

Social interaction. The Productivity Commission's Australian survey cites 'social reasons' as the second most prevalent rationale claimed for gambling (Productivity Commission, 1999, s. 3.12). Gambling activities can provide the opportunity for people to pursue and develop relationships. That opportunity or reason is *integral* where the gambling activity is the primary means by which people develop their friendships (as might be the case when people play bingo). It would be *instrumental* when the activity takes place within and enhances an existing community (an office sweep for a major horse race, perhaps). However, John Rosecrance's work on the social world of horse-races (1985) raises significant doubts about whether gambling activities for which the social reason is claimed as an integral rationale really do provide a significant opportunity for friendship.

In his study, Rosecrance begins by distinguishing comradeship from friendship. Comradeship is where a person 'has interests or concerns in common with others and shares in their activities', whereas friendship is found in 'a person whom one knows well and is fond of' (Rosecrance, 1985, p. 99). Of racecourse gamblers, he observes: 'While at the race course they share similar experiences for a few hours and return to their separate lives. Frequently, the interactants have little in common except their interest in horse racing.' Rosecrance concludes: '[T]hey are not truly friends but do share an important and meaningful comradeship' (Rosecrance, 1985, p. 100). The activities we are discussing (e.g. the playing of electronic gaming machines) appear to offer less opportunity for the formation of friendship than horse-racing. If many people are gambling to form or pursue friendships, then those providing these activities may need to re-design that service to ensure that they create substantial opportunities for social interaction.

Gambling *per se* does not appear to prevent the creation of these more substantial opportunities for friendship. The work of Smith and Paley (2001) into golf course gambling reveals that, in contrast to the findings of Rosecrance about horse-race gambling and Hayno about poker playing: 'Golf course gambling promotes group cohesion through regular foursomes and 19th hole gathering' and such gamblers are familiar with 'one another's occupations, family situations, place of residence' etc' (Smith and Paley, 2001, p. 127). The challenge for commercial gambling providers is to create similarly rich social rituals and interactions around participating in games of chance, not just games of skill.

Recreation. The third humanly enriching reason for gambling that emerges in the Productivity Commission's Report is recreation—activities that people perform simply to restore or *re-create* themselves physically, psychologically and/or in some other way. These activities range from playing sport to reading for leisure. It is the involvement of the person in the activity that functions to restore them. Therefore, activities that are more engrossing of persons in terms of the extent and/or time involved are likely to be more recreational.

In this view of recreation, involvement requires more than mere attention. The person needs to be *engaged in the enjoyment or enhancement of his own fulfilment*—whether in getting new knowledge, increasing aesthetic appreciation, or using

mental or physical skills or imagination. Otherwise, the attention is little more than a pleasurable state of consciousness.

Again, we need to ask whether a gambling activity provides such an opportunity for recreation that it would be plausible to consider recreation as the reason to gamble. Smith and Paley use Csikszentmihalyi's concept of 'flow' as a test for whether a gambling activity offers a person that opportunity. According to Csikszentmihalyi: '[F]low signifies the optimal state of consciousnesses that sometimes occurs when a person engages in a challenging and absorbing activity' (Smith and Paley, 2001, p. 107). Such states can be achieved in activities which: '(1) have concrete goals and manageable rules, (2) make it possible to adjust opportunities for action to participant's capabilities, (3) provide clear feedback on how the participant is doing and (4) screen out distractions and make focused concentration possible.' Smith and Paley argue, drawing on Michael Walker's seminal work (1992) into the psychology of gambling, that 'luck based gambling formats' cannot meet these conditions.

While these observations are a plausible critique of many 'luck based gambling formats', it may be possible for commercial providers to create 'luck based' formats that would satisfy Csikszentmihalyi's requirements. These formats seem particularly challenged only by the second of Csikszentmihalyi's criteria. It should be possible to create electronic games so that as a player's skill increases and the player masters higher levels of complexity, the size of their winnings could increase.

Gambling to make money. A gambler's intention to 'invest' in gambling so that their profits may be used for some other purpose is the first instrumental reason for gambling cited in The Productivity Commission's Report. Certainly, this reason satisfies the minimum criteria for rationality—gambling can be an effective means of gaining money that might then be used for various, potentially good, ends. In Section 2 we will explore whether this is a *reasonable* means to some potentially good end.

Charity. Interestingly, 'charity' was also cited frequently in the Roy Morgan Research, which the Productivity Commission drew upon, as a substantial reason for gambling (Productivity Commission, 3.12). This accounts for people's participation in activities whose primary purpose is to raise money for some good cause. It may seem churlish to point out, but this instrumental use of gambling is problematic. Charities may raise more money for some good cause by appealing to one of the other reasons for gambling—hope, sociability or recreation—than by simply seeking donations. The utilitarian logic is that the fundraising strategy that raises the most money for the least cost is to be preferred. In addition to the standard problems with utilitarian logic (for example, Finnis, 1983, pp. 80–108), such a policy fails to account for the character-forming significance of choices. At the very least, inviting people to have other reasons, such as recreation, for their charitable giving may undermine their opportunity to form a generous and compassionate character. At worst, relying on gambling may raise money for a particular need, without creating any new level of compassion, concern or generosity towards that need; those parting with their money do so not for the charity, but for one of the non-charitable reasons for gambling.

Conclusions about the Rationality of Gambling

There are three key conclusions that one may reach from this review of the reasons for gambling. First, there are clear, intrinsic and humanly fulfilling reasons to gamble: socialising, recreation and the opportunity to hope. Second, there are important instrumental reasons for gambling, notably winning to make money and charity, though there are questions about whether gambling for these reasons is, in the Kantian sense, reasonable. Third, some reasons for gambling lay the foundation for unreasonable and potentially harmful gambling, gambling with no or little thought for the well being of the gambler, his dependants or others.

Two further observations help lay a foundation for our discussion of reasonable forms of gambling. First, the different reasons for gambling tend to be strongly associated with particular forms of gambling. Lotteries—with their substantial delays between the purchase of a ticket and the conclusion of each regular draw—offer the greatest possibility for ritualised hope as a substantial reason for gambling. A game that is short-lived, and/or with payouts that are not going to transform a person's life, is far less conducive to this end of gambling. Casino games offer significant opportunity for socialising to be the intrinsic reason for gambling, because they create possibilities for people to directly interact in the gambling process. Other forms of gambling may be instrumental, to a greater or less extent, to socialising. And electronic gaming machines offer the greatest possibilities for recreational gambling, though the extent to which they currently do appears limited at best.

Secondly, we suggest that the greatest risk of unreasonable gambling is likely to occur when there is a mismatch between the reason for gambling and the particular form of gambling; where the form of gambling is not conducive to the reason for which it is played. A strong example of this risk is when people play electronic gaming machines in the expectation of experiencing hope. But because their experience of hope may be dashed so quickly and relentlessly with each play of the machine, the person's reasons for gambling will likely become distorted, with the person heading towards unreasonable forms of gambling with all its associated problems.

Section 2: The Principles of Reasonable Gambling

We have concluded that there are worthwhile and fulfilling objectives that can be pursued by gambling: Aristotle might even find that modern gambling is a rational, and so potentially ethical, activity. The next question is whether gambling can be pursued in ways that are all-round reasonable, and so ethical in the Kantian sense: that the essential rationality of pursuing what is worthwhile and fulfilling extends to all aspects of the choice to gamble.

Generic principles can be formulated to help us determine whether or not a choice is reasonable—in other words, whether that choice carries through the essential rationality to seek what is worthwhile and fulfilling in what we do. For example, *promoting the common good* is a principle that calls for a choice that affects the community to promote a fulfilling activity that the community collectively pursues, or permits different groups of people to pursue. Over time, ethicists and philosophers have found different formulations for these broad principles. There is no complete listing with which all thinkers agree. Neverthe-

less, it is possible to specify core principles whose content, if not exact wording, has widespread support.

Such principles are necessarily broad and abstract. Therefore, we need to spell them out as they would be applied in the gambling context. For example, the generic principle *promote the common good* might call for gambling businesses to *engage in an open and creative dialogue with local communities about the provision of gambling facilities*. Specific operational norms are then needed to detail how such an applied principle may be followed. For example, *to hold a well advertised public meeting to present a plan for opening a new facility and to receive comments on it*. This article stops short of specifying the operational norms, as they rely on the context, operations and technical function of specific gambling activities, but will cover the principles of reasonableness as they are applied to gambling.

Our articulation and application of principles to determine the nature of reasonable gambling addresses two major constituencies. The first is the actual gambler, and the second is those who organise the gambling.

Reasonable Gambling and the Individual

The principles for reasonable individual gambling are relatively straightforward and uncontroversial. Once it is clear that the gambling pursues a fulfilling objective, we suggest it should conform to the three broad principles laid out by Finnis (1983, p. 75):

- Do not waste your opportunities by using needlessly inefficient methods;
- Have a harmonious set of commitments; and
- Do not leave out of account or arbitrarily discount or exaggerate any particular fulfilling objective.

The logic behind the first principle—not wasting opportunities by using needlessly inefficient methods—is that we should seek to ensure that our choices enrich our lives to the greatest extent possible. This principle operates to exclude a person from gambling systematically to create wealth, since commercially provided games of chance do not allow such an outcome. To run a gambling business, the operators have to ensure that some portion of the gambling turnover is retained both to run the activity and as a return on that investment, with the remaining turnover redistributed among the people who wager. For the individual gambler, this means that a key principle is *not to gamble with the aim to create wealth*. The more systematically a person tries, the more certain it is that he will diminish his wealth, because his returns will move ever closer to the probability distribution of that gambling business. It is important to note here that our definition of gambling does not extend to types of wagering, such as betting on the outcome of a sport's event, where with sufficient skill it may be possible systematically to make a profit.

Having a harmonious set of commitments is the second principle that applies to the individual gamer. Commitments enable us to pursue substantially fulfilling activities in life, such as our family relationships, our work, or other avenues for personal development. People can, of course, shape these commitments in a wide variety of ways. However, it needs to be acknowledged that our prior responsibilities—e.g. to dependants and to the common good—place constraints on the commitments and priorities we may subsequently form. While we can reassess and alter our commitments, we cannot do so simply 'at will'—it

is always a grave matter requiring serious reflection on our responsibilities. When it comes to gambling, this principle means an individual should only spend *time or money* on gambling that is not required to meet any more serious or pre-existing commitments and responsibilities.

Not arbitrarily discounting or exaggerating any particular fulfilling objective is the third key principle relevant to the individual gambler. This principle is the counsel to have a balanced life. It is the pursuit of a wide range of objectives that constitutes a fulfilled and rewarding life. For gamblers, we can express the principle as 'Do not allow gambling to become a disproportionate part of your life'.

Reasonable Gambling and the Industry

Next we turn to the operation of gambling businesses, outlining the principles that should govern them if they are to operate reasonably. We suggest that the following generic principles apply to all the different types of gambling that a business might run:

1. Promote the common good;
2. Respect the *rationality* of all individuals by supporting their capacities to make reasonable choices;
3. Respect the *freedom* of all individuals by supporting their capacities for control and choice; and
4. Take responsibility for the negative impact of gambling on the common good.

However, a number of the *specific* principles that we discuss apply only to the operation of electronic gaming machines—the intensity of the activity they involve gives rise to a much more ethically complex and risky environment.

1. Promote the common good. The important notion of the common good in moral realism is traced back to Aristotle (Barnes, 1984, p. 6), forms a key part of the moral vision of Kant (Humphrey, 1983, p. 381; Paton, 1985, p. 429), and is developed by many contemporary thinkers (Finnis, 1980, Ch. 7, 1998, pp. 111–17; MacIntyre, 1985; George, 1993, Ch. 7; Nussbaum and Sen, 1993). Just as the *individual* human good is the full set of worthwhile objectives to which an individual can aspire in leading a humanly fulfilled life, the *common* good is the community's pursuit of such fulfilment for all of its members. This common good must be contrasted with the very different notion of the overall good. Communities sometimes choose against the good of some of its members, 'for the sake of the overall good', whereas communities that bind themselves to promote the common good never choose to act against the good of any of their members.

Almost all legal business activities contribute to the pursuit of the common good by enabling people to pursue worthwhile and fulfilling objectives. In the case of the gambling industry, we identified these objectives as social interaction, recreation, dreaming and hoping. This means that the first concrete principle to guide those offering gambling activities is:

- Provide gambling activities that promote social interaction, recreation, dreaming and hoping.

This is the principle that a gambling business should be built around. It is what should discipline both the strategy and operations of a commercial gambling business.

The reasonable pursuit of these purposes is, however, closely associated with particular types of gambling activity. For a gambling business, this means it needs to be clear about which purposes are being realised through particular lines of business.

A business with a sincere commitment to pursuing a community's common good would not deliberately harm any member of that community. Therefore, an explicit principle for a gambling business should be:

- Provide gambling that does not aim to exploit people for whom gambling may create personal or financial problems.

Community consultation. When it comes to the common good, no business is an island. An organisation's operations may be likely to change significantly the objectives that people pursue, and so expose people to new levels of risk, inconvenience or anxiety. If that change would give rise to community concern, one of the conventions of the common good in democratic communities is to expect debate. Sometimes this convention is spoken of in the language of 'consultation'. This process is intrinsically a two-way exchange—those who want to change the way the common good is pursued are required to explain their case, and others have the right to respond.

For such an exchange to be effective it must be open—i.e. both sides need to share their views and feelings honestly and directly. The exchange should be creative—when there is disagreement, substantial efforts will be made to find a way to resolve or reduce that disagreement. Businesses genuinely committed to the pursuit of the common good will initiate the dialogue, while others that are less committed will wait until governments require it of them. Therefore, a gambling business committed to promoting the common good will follow the following principles:

- Publicise and engage in a community-wide dialogue about any major new gambling product, such as a new form of lottery.
- Engage in an open and creative dialogue with local communities about the provision of gambling facilities.

Sponsorship. Part of the business' involvement in the community means that it will also support the common good by operating on the basis of the following two principles:

- Pay a fair burden of taxes.
- Provide support for charitable purposes.

There is a distinction between charity and sponsorship. Charitable purposes are those that serve pressing human needs such as health, education, healing broken relationships, alleviating poverty and providing emergency humanitarian aid. In common with many, we believe there is an obligation to provide charity on any corporation that earns more than the return necessary to satisfy its basic obligations to shareholders. The exact charitable purposes that a

corporation supports should first address any areas of harm that that corporation might have caused and, secondly, express the charitable preferences of the corporation as a whole.

Sponsorship, on the other hand, may be targeted to provide support for activities that promote a particular person's or organisation's view of the common good. In no society will the common good pursued by its government be completely aligned with the vision of the common good that particular citizens or groups of citizens hold. The government may, for example, invest heavily in the physical security of citizens, but rather less in high-quality universal health care. In such a society, citizens who believed that such care should be a larger part of the common good might well support public hospitals. A corporation needs to ensure that the support it offers promotes the visions of the common good held by its members. Where those visions vary, as they will in any corporation, sponsorship programmes need to reflect that plurality.

2. Respecting the Rationality of All Individuals by Supporting their Capacities to Make Reasonable Choices

Respecting the rationality of others, in a gambling business or otherwise, arises from the fundamental obligation of fairness—'to treat others as you would have them treat you'—to paraphrase the more elaborate formulations in which Kant and his followers have expressed the obligation. Making rational and reasonable choices, we have argued, is an integral part of seeking to live a fulfilled life. To make such choices is, of course, more than simply thinking logically; when it comes to concrete decisions, there are also facts about the world that we need to know. If we want to buy a computer to do certain things, we need to know whether the machine we plan to buy will actually do those things. Otherwise, we cannot make a reasonable choice.

When we apply the principle of respecting rationality in the business context, it gives rise to two broad obligations. The first is to ensure that consumers have sufficient information about a product or service to decide whether and to what extent it serves their intended purpose. Of course, a business cannot hope to provide every piece of information that any person may feel they need. What matters is that a benchmark is set for what the average person might need or want to make a choice; that the benchmark is regularly reviewed to account for changes in community expectations; and that individuals who request extra information are catered for. This obligation on a business does, however, stop at providing a consumer with the facts about the product or service on offer. It does not extend to the moral education of the consumer (though they are, of course, free to try). The consumer's informed decision is very much a matter for him or her.

More extensive obligations exist towards people who win substantial prizes in lotteries. The scale and surprise of some lottery prizes may undermine the winner's capacity to reasonably and morally enjoy their winnings. People whose main reason for buying lottery tickets is to hope and dream do not generally plan for their win, and it may often be difficult for them to do so. Therefore the business that places people, albeit willingly, in such a position should support them in making reasonable decisions in their new circumstances. Support may range from incremental payouts of the winnings, to providing financial planning advice, counselling services, and advice in dealing with charitable requests.

The second way in which businesses should respect the rationality of their customers is to ensure that their actions (both communications and practices) are honest, transparent, and non-manipulative. Their actions must avoid being likely to distort any person's decision-making process, or to take advantage of people whose decision-making processes are in some way impaired or particularly vulnerable to distortion (e.g. by age, illness, incapacity or duress). It is perfectly legitimate for gambling businesses to advertise the genuine goods at stake ('Why not spend the evening with friends at [Gambling Corp]?', etc.), but the advertising should not aim to target ignorance or weakness in the public.

Supporting the capacity of people to make reasonable choices, by providing adequate information in a non-distorting or manipulative way, implies several applied principles for a business providing gambling activities. Those businesses should:

- Display publicly as much information as a reasonable person would want or need to decide the extent of their participation in the gambling activity.
- Advertise and make available further sources of information about the activity to ensure that their operation is wholly transparent.
- Ensure that the presentation, promotion and conduct of the activity communicates the humanly enriching opportunities it offers.
- Ensure that the presentation, promotion and conduct of the activity does not exploit tendencies towards unreasonable gambling.
- Ensure that no communication is deceptive or misleading.
- Ensure that minors cannot be involved in the activity.

3. Respect the Freedom of All Individuals by Supporting their Capacities for Control and Choice

Respecting consumers as individuals requires not only respecting their reason but also their freedom. Human freedom does not mean the licence to do whatever one wants. Very often a strong desire to do something indicates an impairment of freedom and the need for a temporary cooling off period to allow for more thought. Where that strong desire tips over into a craving or addiction, freedom has been lost. Without self-control, there is no freedom. Put positively, freedom is freedom from external and internal drives, compulsions, coercion, obsessions and pressures, so that one can think for oneself about the possibilities of action and choose to follow objectives that are humanly fulfilling in a reasonable way.

- Operate activities in a way that supports self-control.

We well know that there is a serious problem of excessive gambling in the community, and that excess is due in part to the human tendency to a weakness of will or lack of self-control when faced with the possibility of substantial rewards. The gambling industry has been portrayed by many in the community as exploiting that human weakness. The only genuine defence to that portrayal is for the industry to respect human freedom, and so help to ensure that the gambling problem is no worse than it can reasonably be, that impairment of consumer freedom is never intentionally exploited, and that gamblers are helped to maintain self-control throughout their wager. That means that gambling businesses should:

- Produce and operate gambling activities in ways that support and develop self-control and reasonable choice.

The immediately obvious obligation is for the industry never to take advantage of people's loss of self-control. It would be clearly contrary to the principles of reasonable gambling to operate activities that make direct appeals to or exploit people when they have lost their willpower. So, businesses should:

- Operate gambling activities in a way that avoids taking advantage of people when their self-control is impaired.

Given the realities of excessive gambling in the community, a gambling business that respects freedom should adopt specific applied principles in conducting its activities including.

Adequate warnings. Gambling businesses should:

- Ensure that adequate warnings are provided for people with gambling problems.

Determining what is adequate will involve a great deal more research, ingenuity and imagination than gambling businesses have employed to date. It will also require very substantial expenditure.

Support for those losing their capacity for control and choice. Even the most sophisticated signage cannot guarantee that people who choose to play will do so in full control, having exercised their free choice. Inevitably some players will experience major losses of control at the venue, especially in the case of electronic gambling. Where this occurs, the business has a responsibility to provide the person with both immediate assistance and to offer follow-up help. Thus gambling businesses should act in accord with the following principles:

- Provide assistance to people whom a relevantly qualified person would judge to be losing control.
- Seek to prevent from gambling people whom a relevantly qualified person would judge to have a psychological disorder that would predispose them to problem gambling.

These principles have implications for staff hiring and training, and those implications will vary for different activities and venues. Even in emergencies, however, the assistance should be relevant and tactful.

4. Take Responsibility for the Negative Impact of Gambling on the Common Good

The negative impact of gambling on the common good—i.e. on the reasonable engagement of all communities in humanly enriching ways of life—is a complex matter. Accurately identifying that impact, and preparing an adequate response, requires the skill and amplified work of sociologists, psychologists, health professionals, statisticians and counsellors, as well as ethicists. A strong majority of these specialists agree that gambling has serious and negative side-effects on the community, and that unreasonable gambling is the entrenched reality for

many individuals and communities. A real commitment to reasonable gambling requires a shift in the industry's perception of its social responsibilities and new approaches to addressing them. Ethically sensitive gambling mandates a mature approach here, and new strategies should be a matter of pride to businesses that care about reasonable gambling.

In taking responsibility for negative side-effects of drugs or gambling, some speak only of the need to 'minimise' harm, since they believe it impossible to eliminate. This is the counsel of despair, and almost certainly self-fulfilling. Though extremely difficult, it is not impossible to eliminate harms. Every incidence of harm that is avoided is a harm eliminated. Though we may never entirely eliminate the harms caused by problem gambling, the industry can and should aim at their elimination by taking responsibility for the common good. This, and only this, would unmistakably say to the community that it regrets and does not tolerate negative impact, and wishes never to contribute to, cooperate in, or benefit from it.

Of course, the major responsibility to respect both freedom and rationality, and so to avoid the harms of problem gambling, is the individual's own. Yet while many people—and their families—struggle valiantly to cope with their problems, few are able to fully meet their own needs. An industry that benefits economically from such people while serious side-effects continue has an obligation to help reverse that injustice. Its contribution could be more imaginative and effective than it has been.

Harm to the gambler. The first incidents of harm occur at the gambling venue itself. It is not uncommon for people to become distressed (over-emotional, overexcited, irrational, violent, confused, desperate, etc.) when they gamble, or lose, too much. These states go beyond some excitement at the thrill of the game. They are harmful, and the result of people losing their self-control as a result of their gambling. Little support is given to people in these states. As in life generally, we are loath to interfere with what we perceive as other people's private problems. A more professional and responsible approach is required. Gambling businesses should:

- Provide those who become distressed while involved in gambling activities with access, on-site or by immediate referral, to people who are professionally qualified to deal with their problems.

Again, this has implications for the selection and training of staff. This responsibility extends to the industry ensuring that the best possible off-site counselling, treatment and advice is available in their communities. There is no point referring problem gamblers to that counselling and treatment if there are not enough people competent to give that support. Gambling businesses should therefore:

- Provide funds for those who care for and treat people with gambling problems and those affected by them.

A reasonable gambling business also counts it not as a burden but as a success when someone takes advantage of these offers of help and support. Dealing with the effects of problem gambling is a responsibility shared between the business and the gambler. Such a business will, therefore:

- Support the efforts of all people struggling with problem gambling.

Compensating the community. The harms from problem gambling are suffered not only by gamblers and those close to them and directly affected by their problems, but also by the rest of the community. Although difficult to quantify, the growth in unreasonable gambling has weakened people's participation in and respect for various arenas of human enrichment and/or components of the common good—people's family, work, education, healthcare, community activities and personal relationships have all suffered. Other people are drawn on to cover for missing workmates and parents, and to pay mounting debts. Public resources are spent taking up the slack created by problem gambling: counselling gamblers, caring for their children, providing the social welfare net in all its guises for people who otherwise may not need it.

In taking responsibility for the common good, a business committed to reasonable gambling would agree to:

- Pay an additional tax to compensate the community for the diminution of the common good that results from problem gambling.

Supporting alternative opportunities. The avenues for human enrichment that are suffering most from the growth in gambling are, ironically, those to which reasonable gambling is directed—recreation, social interaction, and hopes and dreams. These are vital both to individual flourishing and to the common good. The deregulation and growth of gambling represent a significant commercialisation of leisure time and opportunities, social interaction, and the destruction of the dreams and hopes of those who are caught up in the slipstream of problem gambling. Where leisure is heavily commercialised, well-financed activities such as gambling may develop a monopoly over leisure time while other forms of leisure suffer. Wherever an objective good is in danger of instrumentalisation, serious questions about human happiness and our obligations to the common good arise. Gambling is not the only activity responsible here, but it may well have the lion's share. Addressing this requires effective support for forms of leisure other than gambling in the community—a real commitment, by business and government, to a whole range of recreational possibilities, as well as to other forms of social interaction. An industry that thrives on commercialising human hopes and dreams has an obligation to the common good to try to see beyond its immediate commercial goals to the wider impact of these goals on our way of life. A business with a commitment to recreation will:

- Support the general development of recreation other than gambling in the community.

Conclusion

Despite our society's deep concern about and discussion of gambling, sustained ethical reflection on its contemporary practice is rare. In this article we set out to demonstrate two main conclusions: that gambling can contribute in positive ways to the enrichment of individual and community life; and that there are clear principles which, if followed, would make that contribution reasonable. If both conclusions hold, then the provision of gambling can be an ethical business.

Practical operational norms derived from the specific ethical principles suggested above—and any other specific ethical principles generated by ongoing reflection on the generic principles—would require further work to be undertaken by individual gambling businesses.

Gambling has always received a bad press, and often deservedly so. The identified harms caused by contemporary problem gambling have demanded a swifter and more effective response than they have generally received. However, gambling *per se* is not problem gambling, and the best response to problem gambling is one that recognises and remains true to the worthwhile objectives contained within gambling itself: better recreation, increased social interaction, greater respect for the dreams and hopes people take into the gambling venue. If today's gambling activities are to be humanly enriching and reasonable, today's industry would need a radical change in its self-conception. Yet that change would be grounded in the true purposes of gambling, a shift to the ethical roots of the practice. Gambling that took itself seriously could undo the harm done and discover its real potential to contribute to human fulfilment and the common good.

Note

1. This article originated as independent ethical opinion written for Tattersall's for which the authors charged professional fees.

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