Roman Addiction: The Changing Perception of Problem Gaming in the Roman World

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The Ancient Roman World
The Lure of the Dicing Table

• Roman Youth:
  – deemed to be esp. susceptible
  – concern for protecting family assets, reputation (of elites)
  – fear of “syndrome of vice” (dicing, drinking, illicit sex)

• Senatorial Elites:
  – Excessive, habitual or inappropriate gambling seen as road to ruin

• The Poor:
  – initially viewed as part of the problem, not victims
    • lumped in w/criminal element (& presumed guilty)
  – awareness, concern for poor increased in Christian period
Roman Gamblers

- Caligula (Suetonius Gaius 41.3)
- Claudius (Suetonius Claudius 33)
- Commodus (HA Commodus 3)
- Licinius Lenticula (Cicero Philippics 2.23.56)
- Roman “Gamblers Anonymous”:
  - “Young Wastrels”: (Horace Hor. Odes 3.24.58 ; cf. Seneca De Vita Beata 7)
  - “Betting the Coffers”: (Juvenal Satires 1.88-93)
  - “The Idle Poor”: (Ammianus Marcellinus 6.25)
Understanding of Pathological Gambling: Then & Now

**Early Christian Tract***:
- Deceptive speech
- Wild impatience
- Fraternal discord
- Mindless raving/quarrelsome displays
- Continuous gambling ("day and night")
- Risks large amounts/entire family fortune
- Does not cease after losses/desire to increase wealth
- Shameful crime/false witness

**DSM IV Definition**:
- Lying to others
- preoccupied w/gambling
- Restless, irritable when not gambling
- Jeopardizing important relationships
- Risks increasing amounts of money
- "chasing losses" leads to further gambling
- resorts to forgery, fraud, etc.
Points of Comparison: the Ancient Romans on Alcoholism

• Seneca on habitual alcohol consumption (1st C CE)
  – Distinction: *ebrius vs. ebriosus*
  – description of long-term effects of habitual drinking**
    • Loss of neuromuscular coordination (tripping, stumbling, etc.):
    • Pallor
    • Trembling hands
    • Weight loss (thinness)
      – attributed to inability to digest
    • Abdominal bloating
    • Sluggishness/stupefaction
  – Pliny the Elder on effects of habitual drinking (1st C CE)
    • Sores/inflammation in eyes
    • Pallor
    • Trembling hands
    • Insomnia
    • Excitability/aggression
    • Shortened lifespan

• NIAAA Brochure***:
  – Hepatic encephalopathy
    • loss of neuromuscular coordination
      – Shaking or flapping of hands
    • Anxiety
    • Mood/personality changes
    • Coma
  – Conjunctival Injection (eyelids)
  – Gastritis
    • abdominal bloat)
  – Pancreatitis
    • digestive dysfunction
    • sweating,
    • pain
  – Weakened immune system
  – Cancer Risks
Roman Criminal Statutes on Gaming

• General prohibition on gambling, 3rd C BCE
  – *Lex Talaria* (or *lex Alearia*)
    • known only from references in literary sources
    • Little is known of content of prohibition, sanctions
      – evidence suggests a fine on gamblers of 4x amount wagered
      – gambling under general jurisdiction of aediles (city officials)
      – In practice, state enforcement at best sporadic & selective
  • Law of early 1st C BCE created exception to prohibition:
    – for betting on “contests of strength” (running, javelin-throwing, etc.)
    – potentially opened the door to sports-betting (on chariot races, gladiatorial games, etc.)
      » Likely, however, that sports betting of that type had always gone in Rome on without any state interference
      » Considered strictly private matter between friends
Adolescent Gambling in Ancient Rome

• Adolescent males thought especially susceptible to lure of gambling by Romans:
  – challenge of defining “youth gambling” in Rome
    • *adulescens* & *iuvenis* used very loosely by Romans
    • Adolescent males: under age and *in potestate*
      – Actual age range: appr. 13-18
      – typically had discretionary funds (*peculium*) from *pater familias*
  – Evidence from literary sources suggests adolescent males engaged mainly in dice games, *not* sports betting
    • *NB*: literary & legal sources take little note of “sports betting”
    • some varieties of dice games involved high levels of skill
    • Very little evidence in sources with respect to gambling by women or girls
Roman Vices: Gambling, Drinking and Prostitution as a Trap for the Unwary
Legal Response to Youth Gambling

- General criminal law prohibition (3rd C BCE)
- Civil Liability/Rights of Action (*Just. Dig.* 11.5):
  - in favor of youth’s *pater familias* for his losses
  - against youth’s *pater familias* for his winnings
  - against party deemed responsible for “corrupting” a youth by inducing him to gamble:
    - for “insult” (*iniuria*), a type of tort (*delict*)
    - in favor of his *pater familias*
Justinian’s Anti-Gambling Edicts

- Stated Policy Objective: to protect people from their own folly, playing dice “day and night,” then losing substantial sums, leading ultimately to “blasphemy” as they executed promissory notes.
- Content of Law: playing dice in public or private for real stakes or not, declared illegal, but not subject to penalty; losses on permitted types of “sports betting” limited to one gold piece (equivalent of $).
- Effect: to prevent chief evils (loss of wealth & “blasphemy”) associated with gambling by limiting the potential financial losses.
  - Recovery of gambling losses made actionable for gamblers and their heirs;
  - earlier practice (however sporadic) of imposing fourfold fine on gamblers officially abandoned.

- Sanctions for owners/operators of establishments w/gambling
- Special penalties for clergy dicing or watching dice games
Sources

- Carl Schoenhardt, Uber die Bestrafung des Glucksspiels im alteren romisches Recht. Ecke, 1885.