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

• Disney, John. *A View of the Ancient Laws against Immorality and Profaneness*. Crownfield and John Crownfield, 1729.
• Carl Schoenhardt, *Uber die Bestrafung des Glucksspiels im alteren romisches Recht*. Ecke, 1885.