OSGOODE HALL LAW SCHOOL | YORK UNIVERSITÉ UNIVERSITY

Journal of Law and Social Policy

Volume 30 *Special Volume*
Keeping Chance in Its Place: The Socio-Legal Regulation of Gambling

Article 1

2018

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Kate Bedford
Birmingham Law School, University of Birmingham

Donal Casey
Kent Law School, University of Kent

Alexandra Flynn
University of Toronto

Keeping Chance in Its Place: The Socio-Legal Regulation of Gambling

KATE BEDFORD[*], DONAL CASEY[°] & ALEXANDRA FLYNN[∞]

IN THE WINTER OF 2010, DRIVING THROUGH A BLIZZARD to a research interview outside of Ottawa, one of the co-editors of this special issue—Kate Bedford—slid and spun off the road in her rental car. The interviewee—an 80-year-old man who organized a small weekly bingo game—helped dig her out. Sitting in the community centre with him afterwards, thawing, there was ample opportunity for Bedford to reflect on the diverse meanings attached to gambling and the complex ways in which it is regulated. The interviewee talked about 'use of proceeds' forms and validating expenses payments for volunteers, describing a gambling landscape that seemed a long way from dominant law and policy conversations. While commentators on the global financial crisis were drawing repeated analogies to casinos and poker, the less glamourous world of small-town bingo seemed to have slipped from view. This special issue is, in part, an effort to bring it back.

In 2013, inspired by research in Ontario, Bedford began work on a large, international research grant into gambling regulation.[1] Rather than focusing on relatively well-researched forms of gambling, such as casinos, the project centred bingo as a distinctively under-studied gambling sector.[2] The second co-editor, Donal Casey, joined the initiative in 2015, believing that online gambling could provide a crucial new lens for his research into European Union ("EU") law and regulation. As part of the research project, Bedford, Casey, and others convened a conference at the University of Kent in 2016 on socio-legal approaches to gambling, where scholars from nine countries and a number of disciplines presented their research. The seven papers that we have collected in this special issue are drawn from that conference, including one from our third co-editor, Alexandra Flynn.

In this Introduction to the collection, we lay out what these papers offer to the field of gambling research and beyond. To begin, we identify the scholarly approaches to gambling upon which we wish to build (Part I). Then, we specify three contributions we seek to make through our socio-legal endeavors. First, this collection seeks to foreground the diverse, vernacular forms and places of play that are sometimes overlooked in gambling scholarship (Part II). Second, the papers take a distinctive pluralist approach that recognizes the multi-layered character of gambling regulation (Part III). Third, and finally, the interdisciplinary and methodologically-diverse nature of this special issue allows the papers, alongside the contributions in the Voices

[*] Kate Bedford is Professor of Law at Birmingham Law School, University of Birmingham.
[°] Donal Casey is a Lecturer in Law at Kent Law School, University of Kent (UK).
[∞] Alexandra Flynn is an Assistant Professor in the City Studies program at the University of Toronto (Scarborough) and will be joining the Allard School of Law at the University of British Columbia as an Assistant Professor in January 2019.

[1] Economic and Social Research Council, ES/J02385X/1, *A Full House: Developing A New Socio-Legal Theory of Global Gambling Regulation* (2013), online: <researchcatalogue.esrc.ac.uk/grants/ES.J02385X.1/read> [perma.cc/9L74-3LJK].

[2] See Kate Bedford et al, *The Bingo Project: Rethinking Gambling Regulation* (2016), online (pdf): <kent.ac.uk/thebingoproject/resources/Bingo_Project_report_final.pdf> [perma.cc/232A-T9GB]; Kate Bedford, "The Bingo Project," online: <kent.ac.uk/thebingoproject/index.html> [perma.cc/Z6FJ-93BL].

and Perspectives section, to speak to a wide range of debates within and outside academia (Part IV).

I. WHAT WE ALREADY KNOW ABOUT GAMBLING AS LENS AND PRACTICE

As risk historian Arwen Mohun argues, borrowing from Levi Strauss, gambling is "good to think with," in part because it draws our attention to processes of vernacular risk culture and regulation and their interaction with more mainstream realms of political, legal, and economic analysis.[3] In this regard, the relationship between gambling and broader trends in risk regulation is a well-established subfield of scholarly enquiry.[4] In particular, a range of scholars have used gambling as a lens to reflect on the constructed, and changing, boundaries between moral and immoral, and productive and unproductive speculation.[5] As a popular and playful form of engaging with economic contingency, gambling has continuously had to be distinguished from its serious others: insurance,[6] stocks,[7] derivatives,[8] and so on. Marieke De Goede has detailed the gendered dimensions of this demarcation process, in which the fickleness of Lady Luck is tamed by the hard science of the rational, masculine investor.[9]

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[3] Arwen P Mohun, *Risk: Negotiating Safety in American Society* (Baltimore: Johns Hopkins University Press, 2012) at 6.

[4] See especially John Stuart Mill, *J. S. Mill: 'On Liberty' and Other Writings*, ed by Stefan Collini (Cambridge, UK: Cambridge University Press, 1989); Gerda Reith, *The Age of Chance: Gambling in Western Culture* (New York: Routledge, 2002); Gerda Reith, "Uncertain Times: The Notion of 'Risk' and the Development of Modernity" (2004) 13:2–3 Time & Society 383; James F Cosgrave, "Editor's Introduction: Gambling, Risk, and Late Capitalism" in *The Sociology of Risk and Gambling Reader* (New York: Routledge, 2006) 1; Sytze Kingma, "Gambling and the Risk Society: The Liberalisation and Legitimation Crisis of Gambling in the Netherlands" (2004) 4:1 International Gambling Studies 47; Jim Cosgrave & Thomas R Klassen, "Gambling Against the State: The State and the Legitimation of Gambling" (2001) 49:5 Current Sociology 1; Rebecca Cassidy, Andrea Pisac & Claire Loussouarn, eds, *Qualitative Research in Gambling: Exploring the Production and Consumption of Risk* (New York: Routledge, 2013); Colin S Campbell & Garry J Smith, "Canadian Gambling: Trends and Public Policy Issues" (1998) 556 Annals of the American Academy of Political and Social Science 22; Ann Fabian, *Card Sharps and Bucket Shops: Gambling in Nineteenth-Century America* (New York: Routledge, 1999).

[5] See *e.g.* Geoffrey Wilson Clark, *Betting on Lives: The Culture of Life Insurance in England, 1695–1775* (Manchester: Manchester University Press, 1999); Urs Stäheli, *Spectacular Speculation: Thrills, the Economy and Popular Discourse*, translated by Eric Savoth (Stanford: Stanford University Press, 2013); Marieke De Goede, *Virtue, Fortune, and Faith: A Genealogy of Finance* (Minneapolis: University of Minnesota Press, 2005); Susan Strange, *Casino Capitalism* (Manchester: Manchester University Press, 1997); Mark Clapson, *A Bit of a Flutter: Popular Gambling and English Society, c.1823–1961* (Manchester: Manchester University Press, 1992).

[6] Clark, *supra* note 5; Pat O'Malley, *Risk, Uncertainty and Government* (London: GlassHouse Press, 2004); Deborah Stone, "Beyond Moral Hazard: Insurance as Moral Opportunity" in Tom Baker & Jonathan Simon, eds, *Embracing Risk: The Changing Culture of Insurance and Responsibility* (Chicago: University of Chicago Press, 2002) 52.

[7] De Goede, *supra* note 5; Roger Munting, *An Economic and Social History of Gambling in Britain and the USA* (Manchester: Manchester University Press, 1996); Stäheli, *supra* note 5 at 19–21; Alex Preda "STS and Social Studies of Finance", in Edward J Hackett, Olga Amsterdamska, Michael E Lynch and Judy Wajcman, eds, *The Handbook of Science and Technology Studies*, 3rd ed (Cambridge, Mass: MIT Press, 2007) at 906; Rob Aitken, *Performing Capital: Toward a Cultural Economy of Popular and Global Finance* (New York: Palgrave MacMillan, 2007).

[8] See *e.g.* Donald MacKenzie, "The Material Production of Virtuality: Innovation, Cultural Geography and Facticity in Derivatives Markets" (2007) 36:3 Economy and Society 355; Samuel Randalls, "Weather Trading in London: Distinguishing Finance from Gambling" in Cassidy, Pisac & Loussouarn, eds, *supra* note 4 at 187; Claire Loussouarn, "Spread Betting and the City of London" in Cassidy, Pisac & Loussouarn, eds, *supra* note 4 at 233.

[9] De Goede, *supra* note 5.

Others have explored the racial dimensions of the suppression of bucket shops and numbers gaming as vernacular forms of investment.[10]

Gambling also plays a broader, heuristic role in discussions about the politics of distribution.[11] Hence politicians have long used it as a metaphor to communicate about deserved rewards, worthwhile leisure, risky places and peoples, equality, democracy, responsibility, and properly regulated markets.[12] Moreover, some critical political economists have recently revived the claim that contemporary financial markets are akin to gambling dens. A key example is Susan Strange's work, *Casino Capitalism*, which expanded John Maynard Keynes's critique of the stock market as a risky "whirlpool of speculation" to new products and practices associated with deregulated financial markets, including hedging, spread betting, and derivatives trading.[13]

While informed by such heuristic approaches, we draw most heavily in this special issue on work that explores gambling in depth and as a practice, rather than as analogy or metaphor. The need to pay attention to gambling in and of itself is in part prompted by the fact that large-scale commercial gambling has expanded enormously in recent years, such that explorations of its meaning and significance cannot remain at the level of analogy. Since the 1970s we have seen a global trend towards gambling liberalization, with a variety of states turning to lotteries and resort casinos to fund essential services, or to regenerate impoverished regions.[14] As one gambling scholar puts it, "we are now in the midst of an unprecedented global expansion of legitimate gambling opportunities."[15] Some scholars use the term "Big Gambling" to describe these processes: it gestures not only to the global scale of operations, but also to the opaque relations between states, leading companies, and industry-funded researchers that have historically characterized Big Alcohol and Big Tobacco.[16] In many

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[10] See *e.g.* LaShawn Harris, *Sex Workers, Psychics, and Numbers Runners: Black Women in New York City's Underground Economy* (Urbana: University of Illinois Press, 2016); Fabian, *supra* note 4; Shane White et al, *Playing the Numbers: Gambling in Harlem Between the Wars* (Cambridge, MA: Harvard University Press, 2010); Mark H Haller, "Policy Gambling, Entertainment, and the Emergence of Black Politics: Chicago from 1900 to 1940" (1991) 24:4 Journal of Social History 719.

[11] Cassidy, Pisac, & Loussouarn, *supra* note 4 at 1; Gerda Reith, "Techno Economic Systems and Excessive Consumption: A Political Economy of 'Pathological' Gambling" (2013) 64:4 British Journal of Sociology 717 [Reith, "Techno Economic Systems"].

[12] For examinations of these framings of gambling, see, *inter alia*, James F Cosgrave, ed, *The Sociology of Risk and Gambling Reader*, *supra* note 4; Reith, *supra* note 4; Tom Baker & Jonathan Simon, eds, *Embracing Risk: The Changing Culture Of Insurance and Responsibility*, *supra* note 6; Yale D Belanger, "Legislating and Regulating First Nations Internet Gaming: The Mohawk Council of Kahnawá:ke's Experience, 1999–2013" (2014) 18:4 Gaming Law Review Economics 369.

[13]John Maynard Keynes, *The General Theory of Employment, Interest and Money* (New York: Harcourt, Brace, and World, 1936) 159; Strange, *supra* note 5; Similarly see Hans-Werner Sinn, *Casino Capitalism: How the Financial Crisis Came About and What Needs to Be Done Now* (Oxford: Oxford University Press, 2010); Ole Bjerg, *Poker: The Parody of Capitalism* (Ann Arbor: University of Michigan Press, 2011).

[14] *E.g.*, Sharon Zukin, *Naked City: The Death and Life of Authentic Urban Places*, revised ed (Oxford: Oxford University Press, 2011); Juan Zhang, "Introduction: Integrated Mega-Casinos and Speculative Urbanism in Southeast Asia" (2017) 90:4 Pacific Affairs 651; Mimi Sheller, "Always Turned On: Atlantic City as America's Accursed Share" in Anne M Cronin & Kevin Hetherington, eds, *Consuming the Entrepreneurial City: Image, Memory, Spectacle* (New York: Routledge, 2008) at 107; Cosgrave, *supra* note 4 at 1; Jeffrey J Sallaz, "The Making of the Global Gambling Industry: An Application and Extension of Field Theory" (2006) 35:3 Theory & Society 265; Kerry GE Chambers, *Gambling for Profit : Lotteries, Gaming Machines, and Casinos in Cross-national Focus* (Toronto: University of Toronto Press, 2011).

[15] Cosgrave, *supra* note 4 at 8.

[16] Francis Markham & Martin Young, "'Big Gambling': The Rise of the Global Industry-State Gambling Complex" (2015) 23:1 Addiction Research & Theory 1.

countries, commercial gambling operators have gone from being shunned because of links to vice and crime, to being courted by governments desperate for jobs, tax revenues, tourism, and development. At first, states often used the "charitable alibi" that the money raised would go to worthy causes.[17] Hence large scale lotteries were (re)legalized in many countries, including Canada, with proceeds often hypothecated for education, sports, or culture.[18] More recently, however, destination casino resorts aimed at attracting visitors have been widely promoted as regeneration anchors, including within the US, Australia, Mexico, Canada, Macao, South Africa, Cambodia, Laos, and the UK.[19] As gambling scholar Sytze Kingma notes, the liberalization of these forms of gambling is not typically justified by reference to fundraising for good works (the "charitable alibi" model), but rather through a "risk" model whereby gambling is framed as legitimate commercial entertainment. Economic benefits (in terms of jobs and taxes) and control of crime and addiction risks become the primary drivers of regulation.[20] Unsurprisingly, states are deeply conflicted in their regulatory role, since they are reliant on the revenues from the newly liberalized activity.[21] In some jurisdictions—including in some Canadian provinces—government agencies are themselves offering gambling opportunities.[22]

In the broader context of research on gambling as practice, this special issue is especially indebted to past studies of casinos and contemporary capitalism. For example, Natasha Dow Schűll has considered what excessive machine play in Vegas casinos can tell us about the design of addiction, and the individualization of responsibility for harm.[23] In her Nevada-based ethnography of machine players, she claims that the problematic consumption of gambling can represent extreme or distilled forms of the generic harms of consumer capitalism—the sense of being shut off from others; of feeling trapped into consumption; or of using technology to disconnect.[24] Compulsive machine gamblers thus alert us to the

[17] Sytze F Kingma, "The Liberalization and (Re)regulation of Dutch Gambling Markets: National Consequences of the Changing European Context" (2008) 2:4 Regulation & Governance 445 at 448. See also Sytze F Kingma, "Paradoxes of Risk Management: Social Responsibility and Self-Exclusion in Dutch Casinos" (2015) 21:1 Culture and Organization 1; Jim Cosgrave & Thomas R Klassen, "Gambling Against the State: The State and the Legitimation of Gambling" (2001) 49:5 Current Sociology 1; Jerome H Skolnick, *House of Cards: Legalization and Control of Casino Gambling* (Boston: Little Brown, 1978).

[18] Robert Goodman, *The Luck Business : The Devastating Consequences and Broken Promises of America's Gambling Explosion* (New York: Free Press, 1995); Campbell & Smith, *supra* note 4; Colin S Campbell, Timothy F Hartnagel & Garry J Smith, *The Legalization of Gambling in Canada* (Law Commission of Canada, 2005).

[19] Jeffrey J Sallaz, *The Labor of Luck: Casino Capitalism in the United States and South Africa* (Berkeley: University of California Press, 2009); David G Schwartz, *Suburban Xanadu: The Casino Resort on The Las Vegas Strip and Beyond* (New York: Routledge, 2003); Kearrin Sims, "Gambling on the Future: Casino Enclaves, Development, and Poverty Alleviation in Laos" (2017) 90:4 Pacific Affairs 675; Zukin, *supra* note 14; Linda Hancock, *Regulatory Failure? The Case of Crown Casino* (Melbourne: Australian Scholarly Publishing, 2011); Kingma, *supra* note 4; Zhang, *supra* note 14; Liu Shih-Diing, "Casino Colony" (2008) 50 New Left Review 109; Kevin Ward, "Entrepreneurial Urbanism, State Restructuring and Civilizing 'New' East Manchester" (2003) 35:2 Area 116; James F Cosgrave, *The Sociology of Risk and Gambling Reader* (New York: Routledge, 2006); Natasha Dow Schüll, *Addiction by Design: Machine Gambling in Las Vegas* (Princeton: Princeton University Press, 2012).

[20] Kingma, *supra* note 4 at 49. See also Roy Light, "The Gambling Act 2005: Regulatory Containment and Market Control" (2007) 70:4 Modern L Rev 626.

[21] Skolnick, *supra* note 17; Hancock, *supra* note 19; Linda Hancock & Garry Smith, "Critiquing the Reno Model I–IV International Influence on Regulators and Governments (2004–2015)—The Distorted Reality of 'Responsible Gambling'" (2017) 15:6 International Journal of Mental Health Addiction 1151.

[22] See, *inter alia*, essays by Flynn, Belanger, Bedford, Campbell, and Smith in this volume, (2018) 30 Journal of Law and Social Policy.

[23] Schüll, *supra* note 19.

[24] *Ibid* at 13.

ambivalence of consumer capitalism generally and provide "a kind of immanent critique of broader discontents."[25]

Likewise, Gerda Reith has argued that it is not just the proliferation of commercial and state-sponsored gambling that is at issue, but also the broader lessons that this proliferation holds for the intensification of consumption. States encourage consumers to gamble on future dreams while deregulating lending and credit markets so as to provide them with finances to fuel the "pleasures of consumption in the present."[26] Moreover, commercial gambling is an iconic manifestation of what Reith—borrowing from anthropologist Marc Auge—calls "non-places": transient spaces of supermodernity characterized by pure circulation and consumption of intensive, ever-more-thrilling experiences, rather than tangible commodities. As she argues,

> [g]ambling is an archetypal form of this consumption; an activity that is based on the experiential thrills of risk taking and driven by the intensive circulation of money in repeated cycles of loss. Along with industries based on, for example, fast food, fashion and credit, it is a business that explicitly celebrates an "ethic of consumption," urging players to spend, to indulge in pleasure and fulfil their desires, while nevertheless keeping fulfilment—winning—constantly out of reach. It is provided by an industry that encourages conspicuous consumption and glorifies excess, embodying both in spectacular architecture, most notably in the casinos of Las Vegas and Macau.[27]

In such ways gambling scholars have moved beyond Strange's well-known—but somewhat misleading—analogy between stock markets and casinos,[28] to explore empirically how gambling and contemporary capitalism interrelate.

We build on such work in order to showcase a distinctive socio-legal conversation about gambling. While research on gambling in sociology, politics, anthropology, and history has flourished in recent years,[29] legal academics have been slower to articulate what they can offer to the field.[30] This special issue represents an early effort to contribute. Specifically, unlike much doctrinal legal scholarship on gambling, the collection pushes beyond the decisions of judges and the intentions of legislators to explore the diverse and grounded reality of gambling

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[25] *Ibid* at 191.
[26] Reith, "Techno Economic Systems," *supra* note 11 at 723.
[27] *Ibid* at 725.
[28] Strange, *supra* note 5. On the limits of using casinos as metaphors for stockmarkets see, *inter alia*, Rebecca Cassidy, "'Casino Capitalism' and the Financial Crisis" (2009) 25:4 Anthropology Today 10 (Cassidy critiques the casino capitalism analogy for ignoring how casinos are actually regulated). See also Reith, "Techno Economic Systems," *supra* note 11 at 720. (Reith points out that in gambling—unlike in finance capitalism—the rules of games are fixed, and the probabilities of winning are generally known in advance).
[29] See, *inter alia*, Pauliina Raento & David G Schwartz, eds, *Gambling, Space, and Time: Shifting Boundaries and Cultures* (Reno: University of Nevada Press, 2011); Amy Chazkel, *Laws of Chance: Brazil's Clandestine Lottery and the Making of Urban Public Life* (Durham, NC: Duke University Press Books, 2011); Cassidy, Pisac & Loussouarn, eds, *supra* note 4; Emma Casey, *Women, Pleasure and the Gambling Experience* (Aldershot: Ashgate Publishing, 2008); Michael Egerer, Virve Marionneau & Janne Nikkinen, eds, *Gambling Policies in European Welfare States: Current Challenges and Future Prospects* (New York: Palgrave MacMillan, 2018).
[30] See however David Miers, *Regulating Commercial Gambling: Past, Present, and Future* (Oxford: Oxford University Press, 2004). In addition, the workshop "Sociolegal Perspectives on the 'Glocalised' Gambling Industry" was convened by law professors Sandra Marco Colino and Martin Doris at the Oñati International Institute for the Sociology of Law, June 30–July 1, 2011.

regulation, law, and policy in large and small sites across the world. Our contributors show that gambling practices involve an interplay between inside and outside rules. They notice the deployment of formal law as a technique of ordering, even as they are attentive to other sources and techniques of ordering as well.

More precisely, by focusing in depth on what socio-legal approaches can add to the study of gambling, the collection makes three contributions to academic literatures on the regulation of chance.

II. FOREGROUNDING VERNACULAR FORMS AND PLACES OF PLAY

The pieces in this collection bring diverse everyday forms and places of play to the fore, including those undertaken for non-profit and charitable purposes, alongside more spectacular, destination-style gambling experiences. If gambling is understood as offering insights into the everyday charms and harms of consumer capitalism, it is important to study it in its mundane forms and places—not just casinos in Vegas,[31] but also in lotteries, meat bingos, pokie lounges, and online chatrooms. In this regard, the authors consider the regulation of diverse gambling spaces and practices, including some understood to be non-capitalist. For example, three papers in this collection use bingo as a lens through which to understand the interaction between law, regulation, and the meanings attached to gambling (Bedford, Casey, and Toni Williams); another paper uses gaming machines in Australian pokie lounges (Fiona Nicoll).

As Bedford notes in her contribution, while there has been limited academic research on bingo, the Canadian bingo game provides a unique lens through which to explore gendered, classed, racialized, and aged gambling cultures, and the ways in which these cultures are shaped by law and regulation. She suggests that the regulatory mechanisms seeking to standardize diverse gambling forms need critical, socio-legal interrogation that is attentive to worker and player experiences and accounts of resistance.[32] The diverse political-economic meaning attached to bingo is also central to Casey's analysis of how online bingo is regulated in EU Member States. Casey argues that the debates around the liberalization and commercialization of online bingo markets in countries such as Denmark, Sweden, Ireland, and the Netherlands reveal the changing formulation of online bingo as a commercial product rather than as a means of charitable fundraising and revenue generation for good causes.[33]

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[31] For key exceptions to the tendency to theorize the relationship between gambling and capitalism through casinos, see, *inter alia*, Rebecca Cassidy, *The Sport of Kings: Kinship, Class and Thoroughbred Breeding in Newmarket* (Cambridge: Cambridge University Press, 2002); Rebecca Cassidy, "Horse Versus Machine: Battles in the Betting Shop" (2012) 18:2 Journal of the Royal Anthropological Institute 266; Manfred Zollinger, ed, *Random Riches: Gambling Past & Present* (Abingdon: Routledge, 2016); Jens Beckert & Mark Lutter, "Why the Poor Play the Lottery: Sociological Approaches to Explaining Class-based Lottery Play" (2013) 47:6 Sociology 1152; Chazkel, *supra* note 29 (on lotteries); Gerda Reith, "*'Gambling 2': A Political Economy of Mobile and Social Gambling"* (Lecture in Gambling Regulation delivered at the University of Kent, 24 June 2016) [unpublished].

[32] Kate Bedford, "The Regulation of Bodies in Canadian Charitable Bingo" (2018) 30 Journal of Law & Social Policy 11.

[33] Donal Casey, "Risk, Charity and Boundary Disputes: The Liberalisation and Commercialisation of Online Bingo in the European Union" (2018) 30 Journal of Law and Social Policy 27.

Nicoll's contribution is part of her larger body of work calling on researchers to explore the role of gambling in everyday life, especially through attentiveness to the racial biopolitics involved in debates about problem gambling. In her examination of the Australian pokie lounge, Nicoll shows how the cultural figure of the problem gambler becomes a metonym for dysfunctional consumption which is used to undermine the rights of Indigenous people, both as gamblers and as sovereign political and legal subjects.[34]

In her piece on bingo regulation in Brazil, Williams illustrates the way in which the perceived risks attached to bingo arose not from the game itself, but rather from the places in which the game was played. Williams argues that bingo halls in Brazil gained a reputation as places rife with organized crime, corruption, and money laundering. Moreover, law and policy debates were heavily influenced by debates about Brazil's place in a globalized world. Her piece demonstrates the multiple ways in which place matters to our socio-legal accounts of gambling regulation.[35]

III. A DISTINCTIVE MULTI-LEVEL AND PLURALIST APPROACH

Several papers in this special issue are tied together by a pluralist approach that seeks to highlight the multi-level regulation of gambling. Such contributions trace the overlapping and sometimes competing work of Indigenous, municipal, provincial, national, supra-national, and transnational regulatory bodies.

In order to give a comprehensive account of the legal and extra-legal dimensions of gambling regulation, the authors interrogate the social life of plural forms of rule-making.[36] This special issue asks how legal and quasi-legal rules are used, defied, evaded, or ignored in practice, and how they shape and are shaped by other normative orders.[37] Hence these articles draw on work that highlights, in various ways, the need to look beyond legislation, standards, and court decisions to explore what happens "at the coalface," as Linda Hancock put it in her study of casino regulation.[38] In such ways, this special issue is aligned with scholarship that

[34] Fiona Nicoll, "Beyond the Figure of the Problem Gambler: Locating Race and Sovereignty Struggles in Everyday Cultural Spaces of Gambling" (2018) 30 Journal of Law & Social Policy 127.
[35] Toni Williams, "All about that Place: The rise and demise of bingo liberalisation in Brazil" (2018) 30 Journal of Law and Social Policy 151.
[36] Sally Engle Merry, *Getting Justice and Getting Even: Legal Consciousness among Working-Class Americans*, 2nd ed (Chicago: University of Chicago Press, 1990); Sally Engle Merry, "Foreword" in Austin Sarat, ed, *The Social Organization of Law: Introductory Readings* (New York: Oxford University Press, 2010).
[37] *E.g.*, Patricia Ewick & Susan S Silbey, *The Common Place of Law: Stories from Everyday Life* (Chicago: University of Chicago Press, 1998); Patricia Ewick & Susan Silbey, "Narrating Social Structure: Stories of Resistance to Legal Authority" (2003) 108:6 American Journal of Sociology 1328; Davina Cooper, *Everyday Utopias: The Conceptual Life of Promising Spaces* (Durham: Duke University Press, 2014); Margaret Davies, "Law's Truths and the Truth about Law" in Margaret Davies & Vanesa E Munro, *The Ashgate Research Companion to Feminist Legal Theory* (Farnham: Ashgate, 2013).
[38] Hancock, *supra* note 19 at 7.

emphasizes the importance of research into street level implementation;[39] thick description of governance and regulation;[40] and ground-up, micro-level analysis of regulatory processes.[41]

Crucially, courts do not disappear from this analysis. For example, Nadia Coggiolia explores the diverse responses of the Italian courts to the legalization of gambling, exploring how the Italian civil code and consumer code have been deployed in cases arising from disputes over gambling and betting contracts. Her focus on private, rather than criminal, law adds a valuable new dimension to doctrinal legal scholarship on gambling. Her claim that gamblers are poorly protected by current case law will be of considerable interest to scholars working in other jurisdictions where courts have allowed gambling operators to offer products on unfair or abusive terms.[42]

While Coggiola centres courts as key actors in shaping gambling law and policy, Flynn's study of Toronto's recent casino debates explores the role of local actors, such as resident and business associations, in shaping governance practices. Flynn examines the contested jurisdictional claims about the local, the city, and the community made during debates about casino expansion, showing that the decision-making process was shaped by the uneven ability of different groups to claim space as a "local" voice in city-wide governance structures.[43]

Alan Littler and Johanna Järvinen-Tassopoulos, like Casey, examine the impact of supra-national trends on national strategies of gambling regulation, comparing and contrasting approaches taken to cross-border online gambling by Finland and the Netherlands. While the Netherlands has opted to liberalize gambling using licensing, Finland has maintained a monopoly system. These national pathways were forged against the backdrop of EU law, but Littler and Järvinen-Tassopoulos show that different policy outputs have emerged due to divergent policy frames and actors.[44]

In his commentary, Yale Belanger provides a history of First Nations gaming in Canada, exploring crucial debates about community benefit and sovereignty over economic development. He uses case law to show the contested regulation and governance of gambling in Canada, but he also suggests an interdisciplinary future research agenda involving comparative analysis of different First Nation casino revenue-sharing arrangements.[45] This

[39] Jamie Peck & Nik Theodore, *Fast Policy: Experimental Statecraft at the Thresholds of Neoliberalism* (Minneapolis: University of Minnesota Press, 2015) at 30.
[40] Edward J Balleisen & David A Moss, eds, *Government and Markets: Toward a New Theory of Regulation*, revised ed (Cambridge: Cambridge University Press, 2012) at 479.
[41] See *e.g.* Bridget M Hutter, *Regulation and Risk: Occupational Health and Safety on the Railways* (Oxford: Oxford University Press, 2001); Bettina Lange, Fiona Haines & Dania Thomas, eds, *Regulatory Transformations: Rethinking Economy-Society Interactions*, Onati International Series in Law and Society (Oxford: Hart Publishing, 2015); Bettina Lange, Dania Thomas & Austin Sarat, eds, *From Economy to Society? Perspectives on Transnational Risk Regulation* (Bingley, UK: Emerald Group, 2013); Susan S Silbey, "Organizational Challenges to Regulatory Enforcement and Compliance: A New Common Sense about Regulation" (2013) 649:1 Annals of the American Academy of Political and Social Science 6.
[42] Nadia Coggiola, "Law, judges and authorized gambling in Italy: A tale of contradictions" (2018) 30 Journal of Law and Social Policy 49.
[43] Alexandra Flynn, "Unequal Spaces of Local Governance in Toronto's Casino Debates" (2018) 30 Journal of Law and Social Policy 68.
[44] Alan Littler & Johanna Järvinen-Tassopoulos, "Online Gambling, Regulation, and Risks: A Comparison of Gambling Policies in Finland and the Netherlands" (2018) 30 Journal of Law & Social Policy 94.
[45] Yale D Belanger, "First Nations Gaming in Canada: Gauging its Past and Ongoing Development" (2018) 30 Journal of Law and Social Policy 177.

interest in low-level rule-making practices is shared by several other authors in the collection, including Bedford and Flynn.

IV. INTERDISCIPLINARY AND METHODOLOGICALLY DIVERSE

This special issue is interdisciplinary and methodologically diverse. Articles straddle the intersections between law and sociology, cultural studies, geography, political science, indigenous studies, history, science and technology studies, gender studies, and political economy. As a result, this special issue speaks to theoretical debates in and across a range of academic disciplines, and it relies on a wide array of methods. While some papers centre case law, others draw on in-depth interviews, popular culture, archival research, and participatory fieldwork into regulatory experiences. This interdisciplinary, multi-method approach is somewhat unusual in gambling studies. As several authors in this special issue point out, the subfield of gambling studies is dominated by psychological research on addictions. As guest editors, we wanted to create space for different conversations. Hence while problem gambling and gambling addiction are addressed by several papers, they are not the sole focus of this special issue.

Moreover, as part of our multi-method approach we have provided space for creative content where experts could reflect on gambling from a range of perspectives. We were able to take advantage of the Voices and Perspectives section of the *Journal of Law and Social Policy* ("JLSP") to solicit additional pieces in a range of formats and styles. Belanger and Maria Luiza Kurban Jobim offer summaries of their current research into First Nations gambling in Canada and gambling legalization in Brazil, respectively.[46] Other contributors have chosen to reflect in a more personal way on their time spent studying gambling: Ruth Cherrington provides a compelling personal history of bingo in working men's clubs in the UK, while two of the founders of critical gambling studies in Canada, Colin Campbell and Garry Smith, offer candid reflections on the journey so far.[47] We are thrilled to have these additional voices in our collection, and we hope that you will learn as much from them as we did.

V. ACKNOWLEDGEMENTS

We wish to close with a collective expression of thanks, especially to the authors who bore with us through a longer-than-expected gestation period involving simultaneous academic labour disputes on opposite sides of the Atlantic. Those disputes brought home to us the importance of the often under-valued work of collegiality, so we wanted to explicitly acknowledge our debt to the colleagues who stuck with this special issue through various delays. We are also enormously grateful to the faculty and students involved with the JLSP, and especially to Sonia Lawrence, for offering us a home for our collection, for good-humoured support and guidance, and for dedicated and skillful editing.

[46] Belanger, *supra* note 45; Maria Luiza Kurban Jobim, "Ongoing Debates about Gambling Regulation In Brazil: In Between Current News and Prospective Laws, the Uncertain Future Ahead" (2018) 30 Journal of Law & Social Policy 197.

[47] Ruth Cherrington, "Playing Bingo with Mum, and Dad" (2018) 30 Journal of Law & Social Policy 207; Colin S Campbell, "Fifty Years of Gambling Regulation: So What?" (2018) 30 Journal of Law & Social Policy 197; Fiona Nicoll & Mark R Johnson, "I've always been outspoken on what I think can be improved": An Interview with Dr. Garry J. Smith" (2018) 30 Journal of Law & Social Policy 213.

VI. DECLARATIONS OF INTEREST

Gambling studies is in the midst of a past-due debate about industry-funding of research.[48] Learning from this debate, and in line with best-practice ethical guidelines in gambling studies,[49] we required full disclosure of life-time funding source and interests from all the authors included in this special issue. Authors were asked to disclose the funding they have received in all of their gambling research (not just for this specific piece of research and writing). This included funding for unpublished research and consultancies. You can find the declarations of interest for all authors, including the co-authors of this introduction, in their respective articles.

[48] See summary in Rebecca Cassidy, "Fair Game? Producing and Publishing Gambling Research" (2014) 14:3 International Gambling Studies 345.

[49] An example of lifetime disclosure of funding by researchers can be seen here: Rebecca Cassidy & Charles Livingstone, "The Problem with Gambling Research" (2014), online: <theconversation.com/the-problem-with-gambling-research-31934> [perma.cc/2HM2-2S4L].