

# Baltimore Board of Rabbis Statement about proposed slot-machine gambling in Maryland

Governor Martin O'Malley favors the legalization of slot-machine gambling in our state in order to generate \$550 million revenue, one-third of the current \$1.7 billion budget shortfall. We believe that the short-term monetary gain of introducing slot-machine gambling in Maryland will be far overshadowed by the long-term social costs to our communities. We appreciate the pressing need to raise revenue and balance the budget, but slot machines will do more harm than good in the long run. It is socially and religiously irresponsible to consider only the short-term fiscal crisis but not the long-term social ramifications.

Judaism teaches us that social responsibility involves the constructive development of the world, and the support of civic institutions maintained by funds raised in appropriate ways. Gambling, in contrast with this principle, brings well-attested and deeply troubling social problems in its wake, including bankruptcy, family violence, theft, alcoholism and divorce. The addictive nature of gambling violates Torah's precept, *lifnei iver lo titein mikshol* "do not place a stumbling block before the blind"<sup>1</sup> which our law expands and retitles *shelo l'hakhshil tam baderekh* "do not trip up an unsuspecting victim in the normal course."<sup>2</sup> Indeed, our tradition unambiguously condemns gambling, characterizing habitual gamblers as "thieves." Moses Maimonides<sup>3</sup>, as well, believed gambling to be a form of theft because the winner "takes another's money for free." His reason follows the argument found in Talmud Sanhedrin<sup>4</sup>: when one gambles, one expects to win; otherwise he would not enter the game. In this way gambling is distinguished from a sales transaction, in which one party fully expects to surrender a certain amount of money in exchange for a service or object.

Gambling causes a disproportionate flow of dollars away from those who can least afford the loss: low-income people<sup>5</sup>. It stokes the addiction of those who can least resist it. Slot machines will contribute nothing of value to our communities and only a short-term boost to state coffers, at great cost to the fabric of families and communities. We appreciate the importance of balancing the state budget but believe there are more constructive and appropriate ways to accomplish this goal.

<sup>1</sup> Deuteronomy 19:14.

<sup>2</sup> *Sefer HaChinnukh, mitzvah 232*, further instructs that we are to exert a positive influence on people and lend them constructive advice in order to improve the world.

<sup>3</sup> *Rambam, Mishneh Torah*, "Laws of Theft and Loss," chapter 6, and "Laws of Testimony," chapter 10, point out that our Sages forbade gambling, often considering it tantamount to theft because the money surrendered (even willingly) was taken without payment on a gamble. Even as entertainment, Rambam notes, the Sages forbade it as a waste of human time and talent.

<sup>4</sup> Talmud B. Sanhedrin 24b: A dice-player (i.e. gambler) may not serve as either a witness or judge. Two reasons are given. Rami bar Hama disqualifies the gambler because the agreement is an *asmakhta* wherein each player consents to the terms of the game only because he expects to win. Rav Sheishet did not consider the gambler a thief, but disqualifies him because he is not a constructive member of society.

<sup>5</sup> Prof. Melissa McKearey, "State Lotteries and Consumer Behavior" (2002) demonstrates that state-sponsored gambling leads to a substantial increase in gambling. Moreover, poor people spend as much, on average, as those who are more affluent; however, their spending on gambling represents a larger share of income, including family funds needed for food and housing. We are concerned that what is true for lottery gambling will prove true for slot machines as well.

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