have seen, this outlook cuts both ways. On the one hand, it sees human beings as divided between good and bad impulses, beings for which the lure of pleasure and excitement always threatens to erode self-restraint. In this context, leaders should think twice about exposing citizens to temptation they may not be able to withstand. On the other hand, realism also means that the power of law and social norms to regulate behavior is inherently limited and that excessive rigor is likely to prove counterproductive. Efforts to reduce drunk driving are one thing; Prohibition is another. The former increases compliance, the latter, resistance. The same is true of gambling. States can prevent casino gambling if they choose; they cannot hope to wipe out office pools on the Super Bowl and should not try.

Third is the emphasis traditional Judaism places on the social consequences of gambling—for families, for faith communities, and for the rule of law, among others. This offers a useful corrective to the tendency, characteristic of some Protestant denominations, to emphasize the individual dimensions of sinful behavior. Jews are less interested in individual salvation in the afterlife and more interested in improving life for individuals and communities here on earth. Among other things, the this-worldly focus allows the debate about gambling to proceed on the basis of public observably facts and widely shared norms without relying on controversial theological propositions.

This does not mean that traditional Judaism ignores the individual, far from it. Which brings me to my final point. The Jewish tradition invites us to consider the human meaning of gambling in the context of a wider question—namely, how can we lead our lives in meaningful and valuable ways? Leisure, entertainment, and regulated sporting competition are legitimate aspects of our lives—and gambling can be all these things. One need not agree with traditional Judaism’s account of the highest purposes of human life to acknowledge the cogency of its concern. Once we pose this question—whether one embraces Judaism, some other faith tradition, or none whatever—it is hard to argue that gambling counts as a reasonable answer.

In today’s America, state lotteries are major public funding sources, and federal policy considers commercial gambling a mostly harmless pastime. The current climate makes the familiar religious critiques of gambling in the United States from the late eighteenth through the first half of the twentieth centuries seem hopelessly anachronistic. For those religious critics, gambling was little more than personal vice. Sins of greed and sloth fueled gamblers’ irresponsible and reckless chase of unearned lucre. Their passion for wealth unchecked, gamblers became thoughtless of the morrow, sacrificing their own future well-being and that of their families to the fleeting pleasures of a futile pursuit of money in games of chance. Avaricious yet unwilling to work, gamblers foolishly assumed risks that inevitably led to ruin. All those aiding and abetting gambling in order to exploit the greed and sloth of others for their own profit—casinos, racetracks, betting parlors, and the holders of lotteries—merely added a lack of concern for their fellow men—the absence of charity and concern for justice—to the usual list of vices.

Christianity includes, however, a long history of a different approach to the moral and religious evaluation of gambling, one
that concentrates very little on the question of personal vice. Eschewing simple moralistic objections to gamblers' personal failings, this approach takes gambling seriously as the locus of possible cultural, moral, and religious meanings. It focuses on the human aspirations and needs behind games of chance and tries to address them by other means.

One of the most famous proponents of such an approach is the seventeenth-century Jansenist sympathizer, Blaise Pascal. According to him, the uncertainty of happiness in this life is behind the penchant to gamble: because happiness is a bad bet, one tries to gamble one's cares away. The better response to the odds against happiness, Pascal suggests, is the gamble of faith—more precisely, the gamble of the conduct appropriate to faith—for the chance of salvation or lasting happiness. In what follows, I update both Pascal's general approach and the substantive analysis he gives of gambling for a twenty-first-century American context.

Pascal's Method

What is distinctive about this general approach? In the familiar moralistic treatment of gambling, religion distances itself from gambling in order to repudiate it; gambling is sinful behavior and simply opposed, for that reason, to faith. Here, to the contrary, criticism of gambling is based on an odd sort of commonality with it. Ironically, Christianity has a critical view of gambling because of what it shares with it.

From one angle, this commonality is religious. Religious issues—serious questions about life's meaning and purpose—underlie both. Religious life and games of chance are both ways of dealing, for example, with life's precarious prospects. Gambling itself has religious overtones. Evidence of this is the way that chance events—often occasioned by human arrangement as in the drawing of lots—are the means to interpret and tap into cosmic and religious forces in a variety of religious traditions.

Christian criticism of gambling amounts in that case to criticism of its religious outlook. The objection might be, for example, that God's will is discerned in regular, lawful events rather than chance ones. And so a conflict arises between competing religious views.

But from another, more interesting angle, gambling is the commonality permitting critical engagement between the two—not religion. It is not gambling's religious dimension but Christianity's inclusion of something like ordinary gambling that provides a shared topic for disagreement. Instead of two different religious viewpoints paring off, two different understandings of gambling do. Ordinary gambling is criticized in light of an odd form of gambling in Christianity, and it is therefore the character of the gambling in games of chance and not the religious dimensions of those activities that becomes the object of critique. For example, the stakes and payout in ordinary games of chance come under fire from a religious point of view. In sum, Christianity is considered a kind of gamble in order to criticize ordinary gambling.

Thus, according to Pascal, gambling forms the common currency of Christian commitment and ordinary games of chance: both concern decision making in situations of uncertainty. Deciding whether to lead a pious life in hopes of eternal life when God's existence is uncertain is like any bet on what might turn out to be the case. More specifically, both ordinary gambling and Christian faith involve the question of when to incur a certain risk for an uncertain prospect of gain. Should one risk the loss of a nickel for a 50/50 chance of winning a dime? Does it make sense to forgo certain activities—sinful activities incompatible with Christian commitment or faith—if the possible payout is eternal life? And in both cases, the appropriate process for deciding is to weigh up possible benefits and costs in the two different scenarios, win or lose, while taking the probabilities of either into account. Does it make sense, for example, to wager a great deal on a very uncertain outcome promising an enormous payout? Is the risk to one's purse outweighed by the prospect of gain, even if that gain is far from certain?

Pascal argued that the wager of faith for the prospect of eternal salvation is a consummately good bet. And he argues this despite the fact that such a bet does not merely risk the loss of what one stakes. The pleasures of this life are simply given up in hopes of eternal salvation, lasting happiness; and win or lose—whether or not, in other words, God exists to grant salvation to those wagering a new way of life for it—one never gets them
back. Pascal argues these certain losses are more than compensated by the enormous benefit of eternal life that might come to the penitent in consequence.

The enormous, albeit uncertain, payout of salvation outweighs these certain losses not simply because all the goods of this life given up, no matter how wonderful, pale in comparison with the supreme good of salvation, but because before the infinite good all other goods are as good as nothing, as Pascal's heading for the wager fragment, “infinity-nothing,” suggests. Pascal averes, moreover, that the apparent goods of this life are really valueless. They bring no genuine happiness; they give the mere appearance of happiness to a life of misery. The bet on salvation is a good one, because in the best-case scenario “one wins everything,” and in the worst-case scenario one merely loses without compensation the pleasures of this life that are worth nothing anyway: “If one loses, one loses nothing.” If one refuses the bet of faith, one is certain to lose these pleasures in any case; their value is insubstantial and fleeting and destroyed by death. “One needs no great sublimity of soul to realize that in this life there is no true and solid satisfaction, that all our pleasures are mere vanity, that our afflictions are infinite, and finally that the death that threatens us at every moment must in a few years face us with the inescapable and appalling alternative of being annihilated or wretched throughout eternity... It... is beyond doubt that the only good thing in this life is the hope of another life.”

Faith is always a good bet, then, because the value of what one stakes is so low; one seems to be giving up a great deal but one really wagers next to nothing. One risks very little, indeed, for an enormous possible gain, one whose value can only be magnified by the otherwise dire straits of the player. And therefore the wager of faith is a good one no matter how long the odds of one's winning. Offered the opportunity to make a low stakes wager on a possible payout of enormous value that is one's only hope of escaping great present misfortune, even “one chance of winning... leaves no choice” but to bet.

This low-stakes/high-payout character of the wager of faith becomes the basis of Pascal's critique of ordinary gambling. The upper-class gamblers Pascal is addressing—hangers-on of the French royal court, for example—are not in the first place inclined to low-risk gambling of this kind. These are wealthy players who gamble, not to maximize their returns, but to prove their status by the way they play. They gamble to show indifference to money, to make clear that their status is a matter of landed, inherited wealth, not money. And high stakes gambling, where the risk of loss is great, is the way to do that. The wager of faith is a prudent and therefore good bet; but where gambling is about status rather than gain, risky bets have the greater appeal. One shows one has status of a non-moneyed sort by one's willingness to lose. By one's nonchalance, say, in accumulating gambling debts, one gives the impression one has the financial resources to pay them off with ease.

Gamblers also decline the wager of faith because they do not seem to see the value of the possible payout. This may be because they overvalue the pleasures of everyday life whose devaluation in comparison to salvation makes the wager of faith a good bet. They may overvalue gambling itself or, more particularly, what they stand to gain if they win. People would rather spend their days at the gaming table than lead a life of piety because they mistakenly think true happiness can be assured by their winnings. If they really believed “once they had the things they seek, they could not fail to be truly happy,” then one would indeed be justified in “calling their search a vain one.”

The more profound reason, however, that gamblers do not appreciate the payoff of faith is that the payoff is not what appeals to them in any game of chance. They are interested in the play itself as a form of diversion, not in winning. They prefer risky games, then, because risk heightens preoccupation with the play. And if they see the appeal of games that promise attractive winnings, it is for the same reason—because the promise of those winnings makes gambling more engrossing:

A given man lives a life free from boredom by gambling a small sum every day. Give him every morning the money he might win that day, on condition that he does not gamble, and you will make him unhappy. It might be argued that what he wants is the entertainment of gaming and not the winnings. Make him play then for nothing; his interest will not be fired and he will become bored, so it is not just entertainment that he wants. A half-hearted entertainment without excitement will bore him. He must have excitement, he must delude
he himself into imagining that he would be happy to win what he would not want as a gift if it meant giving up gambling. He must create some target for his passions and then arouse his desire, anger, fear, for this object he has created, just like children taking fright at a face they have daubed themselves.

Gamblers seek happiness in the very play of games of chance, Pascal thinks, because they recognize, deep down, what the wager of faith itself is predicated upon: the unhappiness of life, the fact that the search for happiness has been pursued by everyone from time immemorial with no lasting or ultimate success. Human life makes a mockery of the pursuit of happiness by its insecurity: "We are floating in a medium of vast extent, always drifting uncertainly, blown to and fro; whenever we think we have a fixed point to which we can cling and make fast, it shifts and leaves us behind; if we follow it, it eludes our grasp, slips away." The only certainty is loss and death: "Imagine a number of men in chains, all under sentence of death, some of whom are each day butchered in the sight of the others; those remaining see their own condition in that of their fellows, and looking at each other with grief and despair await their turn. This is an image of the human condition." People distract themselves from this human condition by an all-consuming present preoccupation like gambling that pushes such discomforting truths of human life from their minds, as if their plight could be improved simply by taking their minds off it. "When men are reproached for pursuing so eagerly something that could never satisfy them"—say, the take in a crap shoot—"their proper answer, if they really thought about it, ought to be that they simply want a violent and vigorous occupation to take their minds off themselves" and their miserable condition. In sum, gamblers have very little interest in the wager of faith, because this wager, rather than prove diverting or distracting, rubs one's face in what the gambler would like to forget about for the moment.

The ultimate criticism of gambling, then, concerns the oddity of its response to the situation of human unhappiness. The diversion of gambling is no real solution to the human predicament but merely a futile temporary respite from life's grim realities, and one, moreover, that simply trades on and encourages self-deception. The promise of real happiness is lodged in salvation, but gamblers, strangely enough—given their own deepest insights into the human condition—exhibit no interest in it. Refusing the last hope of escape from human unhappiness through the gamble of faith, they would rather get up a good card game—and in that way day-after-day inch closer to their deaths. With a kind of blindness to their own best interests, which Pascal can only consider supernatural in its inexplicability—it so goes against the grain of the human impulse to seek happiness, in other words, that its only explanation is the corruption of our faculties by sin—gamblers make a sport of their own lives. They care only to distract themselves from their true predicament, as if the stakes of inattention to that plight were really not that high, and by those means continue foolishly to forgo the only genuine avenue for escaping it.

Revisions to the Method

The major problems with Pascal's approach here, in general and for an analysis of gambling in contemporary American life (we will leave his conclusions for later), are two: the approach has no interest in gambling in particular, and it ignores the historical specificity of the forms gambling takes. Pascal's analysis of gambling, in other words, has nothing specifically to do with gambling—it holds for all kinds of intensely preoccupying diversions and sees them all as responses to a universal human predicament. These limitations of method mean Pascal has only one analysis for everything, whether it is gambling in seventeenth-century France or in twenty-first-century America, whether it is gambling on fox hunting in the former or gambling on the Super Bowl in the latter. Differences among diversions and the contexts of their play can do little to alter his conclusions. If one wants a religious evaluation specific to both gambling and the contemporary U.S. context in which it occurs, Pascal's approach must therefore be modified.

One can retain the approach's basic character—which criticizes ordinary gambling from another sort of vantage point, the gamble of faith—and remedy its two deficiencies by considering gambling a form of "deep play" in the sense Clifford Geertz made famous in his article on the popular Balinese practice of gambling on cockfights.
has over Pascal's is that the meaning of a gambling practice is quite specific to the social and cultural context at issue and is only apparent from an analysis of its details (e.g., how much is bet, what are the odds, and so on).

Sometimes, according to Geertz, gambling is a form of "deep play"; it has a deeper meaning than mere gambling. Given the character of gambling on cockfights there, this must be the case in Bali. Especially in the center-ring cockfights, very large sums of money are wagered on 50/50 bets (ensured by pitting only evenly matched birds against each other). Wherever gambling takes a general form like this, something else must be going on besides simple gambling; some deeper meaning exists to explain the interest in it. Absent a deeper significance of that sort, such games are merely irrational ventures: one has just as much chance of winning as losing, and losing is far more harmful than winning is beneficial because the amount wagered is so high.

That deeper meaning, Geertz concludes, is that, rather than being in it for the money, Balinese are in it for what money represents or symbolizes—status. Geertz notes that "[w]here the amounts of money are great, more is at stake than material gain: namely, esteem, honor, dignity, respect." By placing large bets, Balinese men are putting their status on the line—not because that status will be materially changed, win or lose, but because willingness to make such bets is an exhibition of status in a rivalry with competitors. Unlike the high-stakes gambling discussed before in connection with the landed French aristocracy, here the money does matter very much: "It is because money does, in this hardly unmaterialistic society, matter and matter very much that the more of it one risks, the more of a lot of other things, such as one's pride, one's poise, one's dispassion, one's masculinity, one also risks." But quite like the case of high-risk gambling among the landed French aristocracy, what represents status here is again not so much money per se as the willingness to lose it: "It is in large part because the marginal disutility of loss is so great at the higher levels of betting that to engage in such betting is to lay one's public self, allusively and metaphorically... on the line."13

This account of when gambling is deep implies that most of the time gambling is just gambling; when one gambles simply for money—in petty games of pure chance, say, with small stakes and the primary intent of possibly picking up a little spare cash—gambling has no deeper import.6 But there is no reason to think that Geertz's main point about deep play cannot be extended beyond the sort of high-stakes status gambling typical of Bali to any form of gambling in which there is an otherwise peculiar level of popular interest. A society's fascination with gambling, a heightened cultural interest in it—as one finds in the United States—could be accounted for in that way, explained in terms of gambling's deeper meanings, whatever the forms gambling takes. It is the widespread interest in gambling in a particular culture, in short—whether gambling is peculiarly "irrational" from the standpoint of maximizing utilities or not—that gambling's deep meanings explains.

Because it is the popularity of gambling in a particular context that is explained by way of them, these deep meanings are also quite socioculturally specific. Rather than represent some general human interest in being diverted from the hopeless prospect of happiness in this life, a penchant for gambling in a particular society suggests a deep meaning specific to that society. Betting on cockfighting would not be a prevalent pastime in Bali, for example, if status rivalry did not have the significance it does in that society. The practice of betting on cockfights is popular in Bali because of the way it spells out in compressed symbolic fashion the values of this particular society and the hopes and fears surrounding those values. The status rivalry that is so much a part of Balinese society is being played out in the form of the dueling birds with which different status groups identify in virtue of the bets they have made on them. The fact that these birds fight to the death and the heavy losses commonly sustained by participants in the high-stakes center bets typical of such contests are symbolic of the high stakes of real status rivalry among the elite in this society: "What the cockfight talks most forcibly about is status relationships, and what it says about them is that they are matters of life and death" in this society.17

Indeed, the ultimate appeal of cockfighting is the way it gives the Balinese a kind of safe arena—an arena of "mere play"—in which to surface the values of Balinese society in all their danger and allure, thereby gaining greater clarity about them. "That
prestige is a profoundly serious business is apparent everywhere one looks in Bali. . . . The hierarchy of pride is the backbone of the society. But only in the cockfight are the sentiments upon which that hierarchy rests revealed in their natural colors . . . Without the cockfight the Balinese would have a much less certain understanding of them, which is, presumably, why they value it highly.

The natural colors of status rivalry are rendered quite concretely and vividly here as slaughter. Cockfighting becomes a rumination of a potentially critical sort, then, on the way this society operates: “It provides a metasocial commentary upon the whole matter of assorting human beings into fixed hierarchical ranks and then organizing the major part of collective existence around that assortment. Its function is interpretive: it is a Balinese reading of Balinese experience, a story they tell themselves about themselves.”

Let us assume, then—to follow the case of Bali—that gambling in American society is a way that Americans are trying to gain some clarity about the society they live in—about the tensions surrounding America’s central values. The religious critique of ordinary gambling becomes, in consequence, a critique of what gambling is saying about American society and its values. If the gamble of faith is critical of ordinary gambling it is because it does not share ordinary gambling’s view of American society and its values. Ordinary gambling may be expressing worries about the character of American life, but they are not the same ones the gamble of faith suggests.

The sort of gamble that faith is and the deep meaning of ordinary gambling are, in sum, both ways of commenting on American society today. The gamble of faith amounts to an indirect commentary on American society by way of what it says of a critical nature about ordinary gambling. But this commentary also takes a direct form. Expressing faith today in the language of gambling is itself a way of commenting on the symbolic resonances of gambling for the society being addressed. Religious language always makes an odd use of culturally salient categories and practices in the effort to explain better the mysteries of faith. But in doing so it offers a critical commentary on those very notions and common activities. If God is love—in a most peculiar sense, in a weirdly comprehensive and unfailing way—then that says something not just about God but about the inadequacies of love as we know it. If God makes us gamble, but in an odd way—with peculiar stakes, odds, and payouts—then that says something of a critical sort about the everyday gambles our society forces us to make.

The Deep Meanings of Gambling in Contemporary America

In contrast to societies like Bali, where status is everything and the money risked in gambling consequently becomes a mere symbol of that fact, in contemporary America money itself is everything. No matter how much money matters, in a status society it is status rather than money that counts. One has influence over others because one has status and not because one has money; people do your bidding because you are an important person, not because you have the money to pay for their services. One’s status is not a product of the money one has accumulated; indeed, in the typical status society one gains status by giving wealth away in ways that make other people one’s debtors. Especially in today’s neoliberal America, money is, to the contrary, the object of universal desire because it has the power to determine the value of everything. One has status, for example—along with everything else, such as a comfortable place to live, health care, the opportunity of higher education, and so on—only because one has money in the bank. It is therefore unlikely that in contemporary America the practice of risking money for the uncertain chance of gaining more of it is symbolic of anything else. Gambling is instead about what it appears to be about: money, the high value placed on it in American society and the tensions that surround that fact—the life-and-death consequences of how much one has of it.

But does this really hold for all sorts of gambling and gamblers in the United States? Are there not popular forms of gambling in America which one finds that indifference to money typical of status gambling? In earlier times, among the landed gentry in the South, it is true, one could commonly find the sort of high-stakes gambling typical of Bali and the old landed French aristocracy. The periodic practice of betting on one’s horse in a race against one’s neighbor’s is a prime case in point.

Here, as in Bali, people were pitted via their animals against one another, and, as was the
case among the French landed elite, one had to lose gracefully, in apparent indifference to the monetary costs, never descending so low as to show one's concern for gain by cheating or by overly methodical play. The point was to show that one's class status was not a function of money by competing with others of one's own class on that primarily non-monetary basis—by way of a competition for honor.

The class prerequisites for this sort of deep play are no longer present in American society; class is no longer primarily a function of whether one's wealth comes from land or commercial employment. But this sort of play may still persist—say, in high-stakes casino poker—and retain its character as a form of status rivalry among men, just of a more individualistic than class-based sort. Indeed, just because of the loss of its class differentiating functions, this sort of gambling can be democratized in contemporary America. Anybody can gamble in this general sort of way, whatever the nature of the game—whether or not, for example, high stakes are involved. Is that not indeed what the American premium on sporting play is all about? Whoever one is, whatever the game, one can lose gracefully, care only for the play, avoid any calculation suggestive of an inordinate gain, and never be so desperate to avoid loss that one cheats.21

Where money means everything, as it does in contemporary America, the game is still likely, however, to be about money—even when one is not playing for the money. It is no longer possible for the deep meaning of gambling to be, "I am not in a class dependent on money in the way or to the same extent you are," since everyone is just as dependent on money as everyone else. However one makes one's money, a rather historically extreme dependence on it is now a class-spanning commonality. Rather than make a point about class, the deep meaning of sporting gambling (where one does not play to win and a premium is placed on losing gracefully) might involve, then, a more general social critique, a critique of the general importance given to money in our society as a whole. Gambling in that fashion is a way of momentarily escaping in play the otherwise overbearing importance that money has in one's own life, the net otherwise cast by money over everything and everyone.22

Other popular forms of gambling in contemporary America—where one really does play to win, in hopes of making money—may have deep meanings that concern not so much the importance of money as the way it is typically made nowadays. Or, deep meanings that concern the old-fashioned American ideology, at least, about the way one makes money: money comes to those who earn it, by hard work, day in and day out. Low-stakes gambling to win at casino slot machines or through the purchase of state lottery tickets, for example, has nothing against money: money is important, maybe all-important; one is gambling in order to get more of it, after all. Getting it by gambling, rather than by the usual approved means, makes a statement instead about the irrelevance of delay, discipline, and effort in the process.

The connection, first of all, between work and wealth is questioned when one plays to win. Replacing disciplined striving—all the time and effort one would have to put into gainful employment—chance now seems to be all that lies behind one's wealth. Luck, rather than merit or reward for effort expended, becomes the explanation for disparities in net worth. It is appropriate that fortune redistributes with a capricious hand in gambling what chance—rather than talent or industry—was responsible for distributing in the first place among high and low in society.23

One makes one's fortune as an individual when one gambles. And to that extent the gambler imitates the self-made man of American mythology—who manages to pull himself up through sheer individual effort. Here, however, it is in the end only luck—not thrift, industry, or even skill (which, depending on the game, might have had something to do with it)—that sets one apart and makes one think one owes nothing to anyone else for where one has gotten.

The promise of advancement in American society through the usual channels is illusory, gambling suggests. If one is already on the low end of the totem pole, it is better to risk the complete loss of what one stakes for the possibility of sudden gain than to face the grim predictability of one's place in an economic system far more calcified and "fixed"—in the multiple senses of that term—than the American ideology of upward mobility and opportunity for all would imply.
In the actual economy, things might be stacked against those who start with little. But in gambling—barring cheating—a player has exactly the same chance of winning; the odds are really the same for everyone. Gambling is fair in a way the present economic system is not—that, indeed, might be one of its prime attractions. Rich or poor, as they approach the gambling table, fortune makes them in fact the equals of one another.

Because in real life one's odds of success depend on where one starts, the relative standings of the various players remain changes. Without the advantages of their betters, poor tend to remain poor, for example, and the rich, rich. Contrary to the mobility of fortune promised by the American dream, gambling, as its widespread popularity possibly suggests, is the real way to get ahead. Winning the lottery, say, is one's only real chance to make it big, one's only real chance to be somebody in a society that measures importance by wealth.

On this way of looking at it, the deep meaning of the popularity of gambling for money in the United States can be seen as reflecting American values of equality, opportunity, and upward mobility it even shares with the American dream the acceptance of success as the prerogative of the few. Gambling simply insists that dream become a reality. And to the letter: not just equality, opportunity, more or less, for most people, but mathematically exact equivalent odds for all players.

In holding America to its own norms, however, gambling dares to envision a highly unusual form of wealth generation: one with potentially more radical implications for the American system. That is, by suggesting an alternative set of principles for wealth generation, gambling might be sharply critical of the fundamental principles underlying actual American methods. For example, the whole value placed on production in a industrialized economy—the need to produce something of real value in order to generate wealth—can be suspended, gambling suggests. In sharp contrast to the "real" economy of industrial production, a money bet generates payout without production of goods for the market. This is money made without, indeed, even the provision of a service to anyone else. There is no real exchange in any ordinary business sense. And therefore if one wins, the gains are total, not the "net" that comes from subtracting one's expenditures—say, the costs of rendering a service to the person who pays you for it. Money changes hands here, but because there is no real exchange in the usual economic sense between parties, loss is simply total as well. One is not even left with a with the enjoyment of the one, losers receive nothing in exchange for the money they have put out. Here, as well, money immediately multiplies, replacing slow processes of painstaking accumulation. And the drudgery and dullness of ordinary labor discipline are lifted—at least temporarily. Excitement from wild swings of fortune is the norm.

It is unlikely, however, in today's economy that the primary purpose of gambling is to contest any of these things—labor discipline, the need for hard work to get ahead; the patience required to slow-paced economic advancement through methodical, onerous routine—or the premium placed on production of goods and services, which lies behind them all. The economy does not work this way any more. What might have been radical in the last century—when all those things were supposed count for something—is not anymore. Rather than holding out an alternative to the way things usually work, and therefore one hope of escape from it, gambling becomes simply a metaphor for everyday life. Indeed, even in the last century, at least since the Great Depression, the U.S. economy has seen the subordination of interest in production, and of its value priorities, to that of consumption. The primary problem for capitalism at its start—keeping people to be disciplined workers in the way capitalism demands—no longer seems to be capitalism's main concern. The Great Depression made clear, capitalism's contemporary problem is not insufficient production but the inability to circulate the goods produced ever so abundantly—that is, insufficient consumption. As a result, the engines of capitalism are now stoked, it seems, only by the undisciplined indulgence by consumers of their every whim. Their infinitely expandable desires for things have become far more important than their disciplined labor power. Their spending is the point, encouraged by ubiquitous offers of credit—not their prudent calculation of self-interest or careful accumulation of funds for a rainy day.
The consumer-driven capitalism of today makes capitalists into gamblers—if they were not before. Scot Turler Sitness has observed that “[u]nhlike the frugality, prudence, and calculation that Max Weber once famously defined as its essential ‘spirit’ . . . entrepreneurial investment can now be envisioned as a process of reckless expenditure and ecstatic dissemination.” Capitalists throw everything possible onto the market in the hopes of attracting fickle, trend-conscious consumer sentiment. Who knows what they might want? Using new flexible technologies that allow for multiple product lines, capitalists try to catch such consumer sentiment in flight; accumulating little in the way of inventory, companies hope to meet demand as it happens through computer-enabled, just-in-time production techniques. What consumers will want to buy at any particular time is unpredictable, and therefore companies seem to profit or descend into bankruptcy seemingly at the consumer’s whim. Jean-Joseph Goux describes the new capitalist spirit this way: “The capitalist cannot count on an assured, calculable profit from his investment. He agrees to spend money in a project that is always aleatory.” According to the greatest apostle of this new situation, the American neoliberal economist George Gilder, because “no one knows which venture will succeed, which number will win the lottery, a society ruled by risk and freedom rather than by rational calculus, a society open to the future rather than planning it, can call forth an endless stream of invention . . . [and] enterprise.” In sum, “everything happens as if the traditional values of the bourgeois ethos (sobriety, calculation, foresight, etc.) were no longer those values which corresponded to the demands of contemporary capitalism”—to capitalism’s demands on either producers or consumers once consumption becomes its main focus.

Of course one might argue that consumption is a mere strategic element in the new capitalism; increased production is always still the ultimate end. There is no consumption without production, no infinitely expandable desire for things without equally riotous production. Indeed, according to the increasingly popular supply-side view of things in America since the Reagan revolution, no expanding desires without the production of anything and everything, however superfluous and unnecessary the things might seem. A “careening acceleration of production,” a “fever for any form of production,” an “unprecedented multiplication of supply,” is necessary since that supply itself creates demand and does not simply respond to given needs.

Capitalism would, then, be all about production at bottom. Unlike gambling, where money simply changes hands by being pooled and then differently distributed, going out in order to come back (if one is lucky, with an increase), one might think that in capitalism those few who profit from the system do not get their money from a mere circulation of wealth. Ultimately, something more has to be made—something real—beyond mere cycles of circulation.

In today’s economy, however, wealth generation increasingly seems to skip production altogether. Fictitious capital creation—that is, the ability to increase wealth apart from the production of real goods and services—has, until very recently, been the name of the game; big money has typically been made without the intervention of any productive investment at all. Not just among U.S. investors but worldwide, the money to be made in monetary transactions such as the selling of loans, currency speculation, and trading on the stock exchange has completely dwarfed the real economy of things made and consumed.

Indeed, in recent times there are more opportunities for fictitious capital creation than ever before in history. Limited financial regulation meant one could make money not simply by loaning it—the tried and true form of fictitious capital creation—but by selling loans themselves. Banks, for example, used the promise of future earnings on their mortgage loans as a kind of security to sell bonds, which investors either kept for the interest income or sold in secondary markets. Before the present financial crisis hit, one could turn almost any expected earnings into instant cash. The futures market was transformed; one need not contract to sell or buy some real commodity at a certain price at a certain time but could do the same for a whole host of financial instruments themselves—betting, in effect, on their price fluctuations. One can always buy stocks with the primary intention of simply benefiting from the fact that their market values go up and down. But now currencies do the same. No longer pegged to anything real like gold or to a single dominant currency such as the
U.S. dollar, they all float according to a host of economic variables suggesting something about the strength of their respective underlying economies, thereby allowing for highly lucrative betting on exchange rate fluctuations among them, especially when dealing in high volumes.

Like moneymaking through gambling, the time frame for investments in financial instruments is typically very short; one does not buy up a currency, for example, to hold it for twenty years but to sell it as soon as its value goes up relative to another. One can make a huge return, indeed, in an instant—for example, by sinking large amounts of money in currency trades. Hard work and wealth hardly seem any more tightly tethered than in gambling, when fortunes are literally to be made overnight. Like gambling too, these trades hold out the exciting prospect of wild up and down swings. They thrive on volatility; there is money to be made only if prices go up and down, and the more the better. And the potential for profit or loss from such trading is itself highly volatile in quite unpredictable ways: enormous gains often followed by total losses at a time that no one can be sure of. These financial markets are typically unregulated, and therefore money both flows freely in at the first sign of possible profit, creating bubbles of overvaluation, and rush out all together at the slightest hint of trouble in panicked sell-offs that spell catastrophic losses for everyone who fails to get out in time.

Financial transactions of this sort are more of an exchange of services between parties than ordinary gambling is. They generally involve, that is, someone's assuming the risk from someone else in exchange for a commensurate possibility of gain. Even pure currency speculation might involve an exchange of services of this sort: "I will take all this cash whose value might go down tomorrow off your hands, and stand to profit, in return, from the difference should the value go up." But the basic similarities between economic speculation, defined as betting on changes in price, and ordinary gambling have long been noted by American commentators. It used to be that the character of good business practice was established in part through the very effort to distinguish it fundamentally from gambling, but that is a far harder proposition today.

The complaint lodged by gamblers about American economic life is unlikely, moreover, to concern routine hard work or economic discipline now that economic regulation in contemporary America is no longer geared to controlling the behavior of individuals. What economic regulation there is takes place at such a broad, society-wide level that the question of individual behavior drops out altogether. Rather than being modeled on the control of individual performance on a factory line, where the question is whether each individual person is sufficiently disciplined to shave as a single part of a well-oiled machine, economic regulation focuses instead simply on large statistically significant movements of entire populations. Economic regulation occurs, for example, through tax policy, where the question is what the average person is likely to do in a particular situation. How much do people likely to cut back on their health-care spending, as the government wants them to, if they have to pay a lot more for it themselves? No one cares whether everyone does what is expected of them; the policy works simply if a statistically significant number of them do. The issue is not the individual but the aggregate, on average.

Finally, and perhaps most importantly, regular hard work at the same job can no longer be counted on to pay off. In today's America, people are more likely to have irregular than regular jobs. In an age of flexible production geared to meeting the whims of consumer taste, machinery can be recalibrated for most of different product lines, and therefore what workers are expected to do at the job can shift from day to day. Company profits, moreover, seem assured preferentially today by increased use of "casual," or temporary workers, and by restructuring—the downsizing of operations through consolidation and the closing and relocating of existing facilities—by layoffs, in short. The welfare state has been downsized too, right along with the majority of the companies, and therefore the risks and anxiety attendant upon the lack of job security increase; if one loses one's job or simply loses the benefits that usually come with full-time employment, the consequences may very well be catastrophic. Employment, in short, becomes a source of historically unusual insecurity in American life, at least if the post-World War II period of "unprecedented comfort and security for a large part of
the [working] population" is any benchmark. As Jackson Lears eloquently sums up both the trend and what it suggests about the practice of gambling:

The emerging business model [in the late twentieth century] demanded a contingent labor force, mobile, malleable, assemblable, and disposable in accordance with management's ever-shifting needs—"just in time" workers to complement the "just in time" shipments of goods that managers embraced as the key to the vaunted "flexibility"... It became harder to believe that one's experience is "more than a series of random events," observed Richard Sennett. This change in perception may have promoted the spread of gambling, according to Robert Goodman in *The Business of Luck*. "Legalized gambling," he wrote, "seizes on the public desire to get ahead through enterprises of chance in a world where work no longer seems reliable." 33

At the present time, then, it is not just money, and how much is riding on it, that the deep meaning of gambling in our society is likely to focus on, but the insecurity and unpredictability in particular that surround it. It is the fact of insecurity that is being played with here, and therefore one might expect risky bets, rather than the prudent ones that Pascal recommends, to be appealing—say, bets with long odds, as in lottery mega-jackpots.

It is the fact that anything can happen that is of interest, and therefore unpredictable bets might be popular—betting, say, without picks with variable odds (50/50 bets, for example, in which one outcome is just as likely as the other), the no-skill betting of slot machines, or betting where one can show one's skill (or simple luck) at getting in or out at just the right time (poker, for example, where "hold 'em" or "fold 'em" is the basis for winning or losing).

People attracted to gambling for money would be rightly recognizing the ultimate unpredictability and insecurity of their economic prospects, in contrast to people who think they can avoid such risks in today's America. Or, perhaps more accurately, they would be people for whom those risky prospects have already proven inescapable. Those whose lives seem to be at the whim of chance—agriculturalists whose fortunes are dependent on the weather, soldiers who stake their lives against unknown enemies on the battlefield, and so on—have always seen the appeal of gambling. Economic insecurity may now hold across the board in America in ways that account for gambling's general popularity, but the risk of job or income loss, and the level of threat to one's long-term job prospects and material well-being should the worst happen, are not spread evenly in our society. The wealthy in our society, those already gainfully employed in full-time work, and the highly educated can hedge their bets against risk. The highly educated, for example, have the flexible, multiskilled capacities to do a variety of things in a changing economy. The wealthy have savings or can take out more closely targeted forms of insurance policy against risk. Those with well-paying, full-time employment have the money in the bank or are creditworthy enough to get a new job or pay for health-care costs when out of work. But none of that holds for the unemployed in our society, temporary workers without benefits or unemployment insurance, or people holding low-skill, low-income jobs. Gambling presents a way for them to face up to the risks they meet everyday and try to get a handle on the realities of their lives.

Unlike the everyday world where the prospects for staying above water lie out of one's hands, gambling gives one at least the illusion of being in some control of one's fate. One can pick one's own numbers, according to some system—maybe the same set of numbers every day—rub one's lucky charm or, by whatever means, try to conjure fickle fortune over one's own side.

These may be games of chance, but it is not simply chance that is deciding one's fate; one has been singled out by fate because of who one is or what one does—because of qualities, that is, that are specific to one's person. For people who think of gambling in this way, it is not the statistical probabilities that explain one's winning; the explanation of one's winning is not the simple fact that someone eventually has to. One wins because one is fortune's favorite or an especially lucky person.

The peculiarity of the mathematical calculation of odds in gambling allows for this. The fact that the mathematical calculation of odds in gambling has very little predictive value for the individual case mirrors the paradox for individuals of the way economic regulation typically works and money is made in our society—according to statistical calculation—and becomes a kind of commentary on it. Mathematical probabilities for games of chance are accurate only over the long term for the aggregate of all, say, throws or tosses; the more one rolls the dice,
the closer the results will match mathematical prediction. But those probabilities never explain what happens on the single roll, and for a gambler that is all that counts. Similarly, the paradox of economic regulation by statistical averages is that what holds on average does not hold for particular individuals—most pointedly, for the economic losers. The economy can be humming along—maybe even because—a certain percentage of the population is unemployed and down on their luck. Good overall economic growth makes little difference to an individual if that person fails even to make the average. Even in the financial transactions so typical of wealth generation in contemporary America and so otherwise like gambling, the individual counts for little relative to the group. One makes money by betting on what one thinks everyone else will do—say, buy or sell a particular stock or currency. One just tries to do this before they do. One bets, therefore, “not as an individual, but as part of a diffuse, aggregative ... statistical mass”; someone benefiting from price changes derives a profit “from the way his actions related to and were defined by those of all around him.” But when one gambles, one stands out from the crowd in a kind of pure irreducible specificity; one wins or loses alone. Particularly when gambling for the moment, and not playing the odds over the long term, the gambler is saying, in effect: “I will risk all. I may gain all, I may lose all, but I will not join the crowd and average out.”

Rather than provide a comforting assurance that chance might be influenced or that fortune might play favorites, gambling can also simply be a way of giving oneself over to chance, not out of resignation or despair but because risk itself is one’s only hope. Putting one’s fortune at risk is a bad idea if one has something to lose, but if one does not, it might simply represent the welcome hope of a new beginning, a blessed chance to start over. The possibility of economic mobility that gambling highlights is a bad thing if one can only go down but quite a good thing if one can only go up. Similarly, not being able to count on what will happen in the future is a bad thing in ordinary life, a sign of just how insecure one’s prospects are and how desperate the present plight that demands one’s attention: time collapses into the present when one’s survival from one moment to the next is at stake. But gambling transforms this foreshortened attitude...
The Gamble of Grace

In contrast to Geertz, for whom gambling has a deep meaning only when its rational utilities are nil, we have now made good part of the deep meaning of gambling in the contemporary United States. For people most at risk in today's society, gambling becomes a good bet. The commentary on American society goes by way of that fact: is it unfortunate that American society is the sort of place where that is the case, where, for example, a large part of the populace properly deems mega-jackpots the best bet of gaining economic security.

Notice this return to prudence makes gambling in contemporary America something like the gamble of grace that Pascal recommends. Just like the mega-jackpot example, the risk of faith is a prudent bet, according to Pascal, because one has nothing to lose and everything to gain, because one risks very little for something of very high value attainable only by these means. That view of grace is not, for example, a Protestant one, as the theories of probability in decision making (e.g., theories of marginal utility) would dispute the effectiveness of effort. “One in the hand is worth two in the bush”—and that is why people who think they already have something will not see the point of the bet. If one has nothing in hand to speak of, the assessment of relative utilities changes: one wagers nothing much and the outcome is worth much more than it would to someone who already has something. In contemporary America, such differences affecting the assessment of utilities would only come to the fore. The force of Pascal's arguments, in short, would best be seen by those in today’s America already in misery or threatened by it, by those most at risk: those prone to ordinary gambling.

And that is Pascal's problem: faith for him would trade on general insecurity like a company benefiting from the job insecurities of its employees to force concessions out of them. To paraphrase Nietzsche, Pascal's account of grace first foments the disease—the unhappiness of a loss-threatened life—it offers a cure. Contrary to Christian charity, moreover, faith gains its appeal here off the backs of the least fortunate in particular rather than working to alleviate their condition, faith's interest in aggravating it—even spreading it as widely as possible.

A more moral version of Pascal's gamble of faith is therefore necessary, one that might provide a better alternative both to gambling and the society it critiques. A way to make that moral improvement is to change the understanding of grace in Pascal's wager. That view of grace is not, for example, a Protestant one, one held by many Christians today, Protestant or Catholic. It may not even be Pascal's own considered opinion, but a mere accommodation to the audience addressed; I leave that disputed (condition of scholarship open here.) In this alternative understanding of grace, there is no suggestion that trying to live differently is to change the understanding of grace in Pascal's wager. That view of grace is not, for example, a Protestant one, one held by many Christians today, Protestant or Catholic.

Pascal thinks everyone is already in the dire situation that makes the bet on faith look good; the assessment of the utility of the wager really should not be that different whatever the circumstance. His primary example, indeed, is always the kind of case everyone he leads an apparently blighted life. Into lives of apparent happiness, Pascal is trying to inject anxiety of insecurity and likely loss in order to equalize circumstances, in order to make clear that everyone is in the same boat. More recent theories of probability in decision making (e.g., theories of marginal utility) would dispute the effectiveness of
Because a changed way of life is not a precondition for salvation, Christian interest in the circumstances sufficient to motivate such a change—Christian interest, in other words, in people living otherwise miserable lives—drops out of the wager of faith. How happy people are—how much material prosperity they enjoy, the security of their possession of it, and so on—is no longer a prime factor determining the likelihood of salvation now that having the motivation to change one's life is not either. The morally problematic features of Pascal's wager are lessened by making clear that undeniable misery is not a religiously privileged circumstance for universal emulation.

There are clear similarities to gambling with this new version of grace, which is the reason grace can still be talked about in terms of it. Like a win at gambling, one has not merited what one receives; salvation is a free gift of grace. As in gambling, when one wins salvation, one gains with no provision of service in payment; one has done no one a good turn or service in exchange for salvation (i.e., God). Nothing one has done makes salvation a reward for effort expended. Divine largesse, like chance, simply replaces hard work as an explanation for the winning ticket. Indeed, just as in gambling, what one wins here becomes one's own by no proper title—say, by being bought, earned, or inherited. No one has any rightful claim on eternal life; eternal life is a divine property that is ours only by grace.

Unlike, however, what one finds in ordinary gambling—and in Pascal's gamble of faith as well—the pot of free grace is now gained without a wager. There is no risk involved at all. This is the least exciting wager imaginable because it is one without stakes. In contrast to both ordinary gambling and what Pascal suggests, the payout here just has no prior possible costs. The gamble of faith is a consummately good one, for just this reason—it requires nothing from a person, no money down. One gets something of utmost value—salvation—literally for nothing, as an otherwise completely unanticipated bonanza.

Once acquired, the gift of faith does require, however, a changed life. Saved people act differently. There might be renunciations, then—costs—that come with winning. Winning means giving up one's past life for another. Paradoxically, it is when one wins that one risks loss.

But even here one might say that one really gives nothing up—just not for Pascal's reason. Pascal thought the costs and the reward incommensurable: what one gives up—the goods of this life—are nothing in comparison to the goods of heaven because they are of a qualitatively different sort. The new account of grace suggests, to the contrary, a greater appreciation for the goods of everyday life because of its greater apparent similarity to ordinary gambling. In both ordinary gambling and the new gamble of faith, one risks the very same sort of thing one hopes to gain more of. The goods of the life one leads now are risked in the gamble of faith for the sake of a supreme good that must include whatever genuine goods one risks. One could say, then, that one gives nothing up when winning the gamble of faith because one will simply receive back with an increase what one renounces. One suffers now, forsaking present enjoyment of the goods of life only for the sake of a life abundant that, by God's help, one will come to possess in the future along with everyone else. Or one might say one gives nothing up because even now the life one leads with faith is just the same life led better—a life of trust and security in God's love, come what may, even if outwardly everything seems the same.9 Kierkegaard suggests both points with a profundity that escapes me: "It is great to give up one's wish, but it is greater to hold it fast after having given it up, it is great to grasp the eternal, but it is greater to hold fast to the temporal after having given it up."40 And then, "[b]y faith I make renunciation of nothing, on the contrary, by faith I acquire everything."41 Though I give Isaac up, I will have him back again; indeed, through faith I never lost him but have him even now in a new way, by faith, the temporal itself possessed differently in light of the eternal.

The main reason, however, that the gamble of faith is not a risky bet is that there are no losers. Payouts without prior conditions are quite naturally universally extendable—one does not even need to bet to win. How far the payout extends is of course dependent on God's free mercy. Most Christians today are willing to bet that such mercy extends universally.

God's mercy in Pascal's wager was really not all that free. God's mercy meant God's willingness to reward graciously with eternal life those who made the effort to live differently: "The
The proper function of mercy is to combat sloth by encouraging good works according to this passage... ‘Let us repent, for who can tell if God will turn away from God’s fierce anger?’ [Jonah 3:9]... It is because God is merciful that we must make every effort.” If his wager is any indication, Pascal had no interest, indeed, in thinking the payout might be extended universally without regard for merits. The whole wager of faith assumes the contrary: it would not make sense to give up the goods of this life in hopes of eternal life if God might very well give you that way. The possibility not just of losing eternal salvation but of incurring an incredibly awful penalty, eternal damnation, should one refuse the wager of faith had the added benefit for Pascal, moreover, of clearly outweighing any sure bet of simply keeping what one has. And it makes the insecurity of life behind one’s desire to make the right bet all the greater: the risks that attend backing the wrong horse in this case are not just death but something far worse.

Because a change of life is no longer a precondition for salvation according to the wager of faith as it is being reconceived here, conditional salvation is no longer necessary to make the wager of faith seem a good one. The possibility of universal, rather than limited, salvation is now indeed what lies behind the wager of faith instead, what gets one to bet on faith. Wager the changes to your life that are appropriate for someone who has faith because it is a good bet that you are already favored by God and therefore someone able, by grace, to lead a better sort of life. The attempt to lead a different sort of life, no matter how difficult it might be to make the change, is itself a good bet—a prudent decision—because it is likely that God wants to give everyone thereby life abundant, beginning here and now and extending to all eternity.

A major contrast, then, with both ordinary gambling and the society it complains about is that the new wager of faith envisions an unusual gambling setup in which everyone stands to benefit at once from the same gambles. If I gain from the gamble of grace because of God’s free mercy, then everyone else should in principle be a winner too. And the reverse: the more other people lose, the more likely my own losing becomes and the more risky the bet that I will win begins to appear. If others are losing, God can only be less gracious and salvation more conditional than it first appeared, in ways that might very well bring harm to me. I have no interest, then, in other people’s loss.

In most forms of gambling—with the possible exception of lotteries—the money pooled is not redistributed to all players, and therefore, in stark contrast to the new gamble of faith, everyone does not win at the same time. (The problem with lotteries, which everyone points out, is that the poor typically pay disproportionately for the goods they get back in public services; those least able to pay contribute the most.) Nor is widespread winning built into the new American economy. In capitalism generally, it is at least possible for everyone to win at the same time—a rising economy lifts most boats even if there is little equality of distribution across the board. But this is not the way financial markets of today work. When one bets in a mass market on the fluctuations in value of a financial instrument, the money one makes is the product of the money others have put into it—their buying that instrument is the reason, for example, that the value goes up. And when one wins they lose. The whole idea is to buy or sell before others in ways that make their purchases or sales more costly. For example, I sell all my holdings of U.S. dollars before news of an American recession becomes common knowledge and my doing so makes the dollars of everyone else worth that much less. For similar reasons, widespread winning is not even a possibility in most ordinary gambling because winners simply take what the losers have put in. In this case, indeed, the money won typically comes directly out of the losers’ pockets. Because no real exchange occurs between gamblers—no “this-in-exchange-for-that”—one person’s winning means someone else’s simple loss. Whether one makes one’s fortune at the gaming table or in a real estate bubble, one’s costs for entering the game, moreover, are borne by others. The winners get back what they have risked, and more, only because other people pitch in what the winners walk away with; even if they assume those risks willingly and are betting only petty cash, one wins only by doing them harm. In short, in both ordinary gambling and in the gambling of financial-instrument trading one wins at other people’s expense, and therefore one wants them to lose because that is the precondition for winning oneself. In gambling, “the desire of
the one is that the other should lose”; “it is impossible that the gambler should desire his own benefit and that of his opponent at the same time.”

Because salvation is to be universal, in the gamble of grace there is no one-sided anticipation of profit. One does not stand, indeed, either to win or lose alone; one’s destiny instead is shared with all others. Not as some fungible unit, as one indistinguishable element in the mass, but as a blessed favorite of a God who one expects, wants to show the same personal regard for all, to shower the same loving beneficence on everyone, in ways that meet and surpass their particular needs and desires. One feels singled out by grace, basking in the limelight of one’s good fortune in much the way any winner would whose very personal lucky number has finally been drawn in the lottery. The risky play, however, which in both ordinary gambling and in everyday American life tends to isolate people from one another, has nonetheless been transformed into certain solidarity. The salvation one would likely lose if it depended upon one’s distinguishing merits has been taken out of one’s hands. What one’s personal merits do not allow one to count on has become, for that very reason, the prerogative of all by God’s free and loving grace.

The Criminal Law of Gambling

A Puzzling History

David A. Skeel Jr. and William Stuntz

Beginning in the 1880s,1 a series of moralist crusades produced federal criminal laws banning various alleged vices, or as much of the vices as the federal government was permitted to ban: polygamy in American territories (including Utah, where the polygamous Mormon church chiefly resided), the mailing and interstate transportation of lottery tickets, interstate movement for the purpose of engaging in illicit sex and, most famously, the manufacture and sale of alcoholic beverages. These crusades against plural marriage, gambling, prostitution, and more seem unsurprising to us now. Late nineteenth- and early twentieth-century politics were heavily influenced by Protestant angelicals, the primary culture warriors of their day and ours. That constituency’s political clout explains why American criminal law has traditionally been more moralist, more concerned with stamping out various forms of vice and sin, than the criminal laws of other Western nations. In the United States, theologically conservative Protestants have long been a powerful political force—much more so than elsewhere in the Western world. Moralist politics follow naturally from a moralist voting population.