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Internet Gambling Outlawed

The American people experienced a dramatic victory in the passage of the Online Gambling bill. Just before their adjournment on September 30, the Senate voted unanimously to end Online Gambling in the U.S. The House of Representatives confirmed the Senate vote, 409-2. As a result, banks, credit card companies and other financial institutions are banned from transmitting funds overseas to pay for gambling losses.

The importance of this victory can be measured by the wailing and whining of publications of the online gambling industry. CasinoGamblingWeb.com reported, "Internet Gambling World in Chaos." *The Times* called it "a Meltdown." *Gambling stocks fell dramatically*. The value of stock in Party Gaming was down 56%. *Sportingbet* shares dropped 64%. *Paradise Poker* lost 60%. *U.S. Today* reported that the value of gambling stocks in London, where many of the online firms are located, lost \$6.5 billion in one day!

America is better, healthier and more prosperous because of this Online Gambling bill. The press reported that 60% of all Internet gambling stems from America. The Senate action will put a major crimp in all the poker that originates in college

dormitories. The flow of funds from American citizens into foreign gambling conglomerates will shrivel, as it should. The action of Congress will boost legitimate businesses in the U.S. Congress' courageous action closes the door to the plans of American casinos to offer Internet wagering.

Senator John Kyl (AZ) was the sponsor of the online gambling legislation. Said Senator Kyl, "The enforcement provisions provided by this bill will go a long way to stop these illegal online operations." Essential to the Senate passage were key decisions by Senate Republican leader, Senator Bill Frist, who said, "Gambling is a serious addiction that undermines the family, dashes dreams and frays the fabric of society."

Dr. Guy Clark, chairman of the National Coalition Against Legalized Gambling, stated in a press release, "It was a 'vote heard 'round the world.' You can almost hear the doors slamming on virtual casinos from Antigua to London." He concluded his statement, "We plan to work with Congress to see future legislation finishing the job."

*(National Coalition Against Legalized Gambling,
December 2006)*

Dr. H. B. London, Jr., Vice President of Church and Clergy for Focus on the Family, will lead a seminar at the Alabama Baptist Evangelism Conference at 1:30 p.m. on February 26 in Room E102 at the Lakeside Baptist Church in Birmingham. This seminar will be on *Ministerial Ethics*. Please come to this seminar while you are at the Evangelism Conference. It is for anyone who wishes to attend.



*The articles in this issue were gathered from various sources
The opinions in the Christian Life Report are not necessarily the opinions of the Christian Life Commission*

Sweepstakes Gambling Outlawed by Alabama Supreme Court

by
A. Eric Johnston

The short version of the story is that on December 15, 2005, Milton McGregor began operating the “Megasweeps” sweepstakes at the Birmingham Race Course, legal claims were filed, the trial court ruled the sweepstakes were not a lottery or gambling operation, but on appeal, the Alabama Supreme Court said the sweepstakes devices are illegal “slot machines.” These events will close down the numerous similar sweepstakes operations which have since sprung up, but do not solve the problem.

The Supreme Court opinion explained at length how the sweepstakes device operates and held it is a “slot machine,” which is an illegal gambling device. This attention to detail, however, does not serve the bigger picture of more clearly defining prohibited lotteries and thereby precluding more types of gambling than just the “Megasweeps” sweepstakes. While Mr. McGregor says he will seek other court remedies, it is unlikely any state or federal court will change this opinion. As currently configured, sweepstakes operations will close down.

Mr. McGregor’s odds for succeeding in the Legislature have been and are greater than his chances in the courts. Because the Supreme Court did not address the constitutionality of sweepstakes, but only reviewed the definition of a slot machine, a simple statutory amendment could put Mr. McGregor back in business.

The elements of a lottery are (1) a prize (2) awarded by chance (3) for a consideration. The trial court ruled as a matter of fact and of law that the element of consideration was lacking in the sweepstakes and therefore did not meet the definition of a lottery. It also ruled the individual components of the sweepstakes did not fit definitions of illegal gambling devices. The Supreme Court only addressed the second issue and left the question of what is a lottery unanswered.

Last January, prior to these court opinions, the Southeast Law Institute wrote a legal opinion and an editorial published by The Birmingham News pointing out a 1938 Alabama Supreme Court opinion that any operation in the nature of these sweepstakes is a lottery prohibited by the Alabama Constitution and that as such, it would fall within the statutory criminal code of specific crimes. A 1988 case confused the issue and the present

case would have been an opportunity to clarify the law. By having a broader definition of prohibited activities, the Court’s opinion could have reached further than just this configuration of machines. Because the opinion was limited to the technicalities of the Megasweeps machines, slot machines and statutory definitions, tweaks in the statute or the operation of the sweepstakes device would result in renewed gambling operations, another lawsuit and appeal, and another Supreme Court opinion, all the while gambling profits are being made.

Amending the statute to get around this opinion is a reasonable possibility for Mr. McGregor. Amending the Constitution to get around a lottery prohibition would have been unlikely. Several ideas come to mind on how the present statute may be changed to permit a new cycle of gambling and lawsuits. Personally, I have always felt Mr. McGregor enjoys playing the political/legal game of chance; it must be far more fun than his sweepstakes or bingo machines, with much greater rewards.

The Birmingham News recently opined that “What’s needed is comprehensive action by the Legislature and Alabama voters to set the right parameters and to close off loopholes beyond that.” With court opinions such as they are and the brevity of the current constitutional section prohibiting lotteries, a constitutional amendment is the only way to solve this problem. This was attempted last year. Shortly after the trial court permitted the sweepstakes, we participated in the drafting of a bill that had the approval of the Governor and Attorney General. The bill was introduced into the 2006 Regular Session of the Alabama Legislature and assigned to the usual committees that had been set up for “approving” gambling legislation, but the bill was DOA. The effort was doomed before it began.

Now, as then, a “called special session” of the Legislature to deal with this problem is the only way it will be solved. We urge the Governor to do so. In the meantime, we will return to our efforts to defeat the ubiquitous legislative efforts to expand gambling and the circuitous arguments in the courts.

(Johnston is president and general counsel of The Southeast Law Institute in Birmingham, Alabama)

“Winning the lottery isn’t always what it’s cracked up to be. I won the American dream, but lost it, too. It was a very hard fall. It’s called rock bottom...I was a big-time gambler. I didn’t drop a million dollars, but it was a lot of money. I made mistakes, some I regret, some I don’t. I’m human.” Evelyn Adams won \$5.4 million in the New Jersey lottery. Today the money is gone.

Biblical Insights on Gambling

The Ethics and Religious Liberty Commission of the Southern Baptist Convention

The Bible upholds changeless moral values. It proclaims everlasting principles. It outlines the importance of loving God with our whole hearts and our neighbors as ourselves. And it gives practical help in enabling us to reject wrong and choose right. The moral ideals of the Bible and the Bible's insistence on obedience to the will of God are crucial for our examination and assessment of any issue involving human behavior, including the issue of gambling. Although the Bible does not have a direct commandment which explicitly prohibits gambling, it does contain some very relevant teachings which inform the Christian who seeks moral guidance on the matter. These teachings, when looked at collectively, make a powerful case against gambling and against any view which regards gambling as a trivial matter.

GAMBLING VIOLATES THE PRINCIPLE OF LORDSHIP

Obedience to the will of God who is our sovereign authority allows no room for subservience to false gods such as chance, fate, or "Lady Luck." Life's issues for Christians are settled by reference to the God who rules over all persons, all time, and all events. The great issues of life cannot be appropriately settled by the roll of the dice or the turn of a card.

GAMBLING VIOLATES THE PRINCIPLE OF SPIRITUAL PRIORITIES

Gambling elevates materialistic gain to a dominant place in a person's life. Hence it runs counter to Jesus' insistence that we cannot at the same time love God and money (Matt. 6:24). Preoccupation with material gain ignores the biblical warnings against greed and avarice. The love of money becomes the source of many kinds of evil (1 Tim. 6:10). Even the small-time gambler and the occasional bettor contribute to a pattern of greed and the exaltation of the false god of mammon.

Supporters of gambling may argue that gambling is recreation and entertainment. However, behind these arguments lies the economic self-interest of the pro-gambling groups. Their main motive is materialistic gain, with little regard for moral and social consequences.

The one clear instance of gambling in the Bible illustrates the compassionless nature of gambling. This illustration appears at a time of severe personal pain and loss. As Jesus hung dying on a cross, the Roman soldiers cared only for who would benefit from His loss. The Bible tells us that they cast lots to see who would get His clothing (Matt. 27:35).

GAMBLING VIOLATES THE PRINCIPLE OF LOVE

The central moral imperative of the Bible is love of God and love of neighbor (Matt. 22:37-40 and Mark 12:28-34). Love imposes strong demands upon us every day of our lives. Any tendency to limit love should be checked by Jesus' admonition for us to love our neighbors as we love ourselves. The word "neighbor," of course, includes all the men and women and children in the entire human family. Love leads us to seek the welfare or interest of the other. It never allows us the luxury of self-interest to the exclusion of the other person's interest and needs.

Love refuses to engage in actions that mistreat or exploit others. Love results in a life of self-giving to others. What does gambling do, for example, to compassion and the concern for others which are the foundation of Christian brotherhood? Love is surely violated when personal pleasure and profit are gained at another's pain and loss. The tenth commandment states, "Thou shalt not covet thy neighbor's house, thou shalt not covet thy neighbor's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbor's" (Ex. 20:17)

GAMBLING VIOLATES THE PRINCIPLE OF STEWARDSHIP

Property and goods are provided in trust by a gracious God. Wealth and economic goods are not in themselves evil but may be the occasion of sin if the owner acquires them in covetousness and uses them without reference to God's intention. Ultimately all things belong to God (Psalms 24:1; 50:10-12; 1 Cor. 10:26). The recognition that God owns all the things in this world is the beginning of a right relationship to things.

The Bible indicates certain uses of money or property which are in accord with the intention of God. Money may be used to provide for our basic needs (2 Thess. 3:10), support one's family (1 Tim. 5:8), contribute to the Lord's work (1 Cor. 16:1-3, meet human needs (Eph. 4:28, 2 Cor. 9:6-15), give to the poor (John 13:29), and pay taxes (Matt. 22:21; Rom 13:7). Such conscientious handling of one's resources precludes gambling.

GAMBLING VIOLATES THE PRINCIPLE OF WORK

The divine command rings clear that one should labor and do one's work (Ex. 20:9; Eph. 4:28; 2 Thess. 3:10-12). Work has a functional value; it is rooted in necessity. It is also rooted in creation. Each person is obligated under God to work.

"I knew my mom gambled, but I had no idea how horrible a problem it was until my 88-year-old grandmother found out she had no money left. The proceeds from her home sale plus money saved over the years had evaporated... over the course of 2 years, Mom had spent all of Grandma's money." ---Jennifer at www.femalegamblers.org

FACTS & ISSUES

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BINGE DRINKING

- Binge drinking by a male is defined as consuming five or more drinks in one sitting. For a female, the definition is four drinks or more in a sitting. Both males and females face serious risks from binge drinking. People who binge drink frequently are 10 times more likely to drive drunk than non-bingers.
- Nearly 3 percent of the American college population will die from alcohol-related causes.
- Thirty percent of academic failures by college students are alcohol-related.
- Ninety percent of all vandalism on college campuses is alcohol-related.
- Alcohol is involved in two-thirds of college suicides, 90 percent of campus rapes, and 95 percent of violent crimes on college campuses.

The Meridian Star, October 22, 2006

TOBACCO

Tobacco use is the leading cause of preventable death in the nation. In Alabama alone, it takes an average 7,400 lives annually and creates \$1.5 billion in health care costs. Clearly, it is in the best interest of the state, in both human terms and fiscal terms, to discourage smoking, particularly among the young. About 90 percent of smokers start smoking by the age of 18.

Montgomery Advertiser, December 12, 2006

TEEN PREGNANCIES DROPPING

The National Center for Health Statistics (NCHS) reported recently that overall teen pregnancies have continued to fall every year since 1991. Meanwhile, pro-family groups are claiming that abstinence programs have played a substantial role in that reduction.

“Teen pregnancy rates dropped 27% overall during the decade 1990-2000,” the NCHS said, and have continued to fall this decade.

Even though secularists have attacked abstinence programs as being ineffective, Dr. Janice Crouse of Concerned Women for America said the abstinence approach works. “We’re seeing that teen pregnancies are down [and] abortions are down...”

“It’s remarkable because the amount of money going to abstinence programs is one fourth of that that goes to the sex-ed programs,” she said. “That’s kind of a drop in the bucket when you look at the amount of money being used, and yet they appear to be tremendously more effective.”

AFA Journal, July 2006

UNDERAGE GAMBLING

Seventy-five percent of all high school students have gambled; more than 2.2 million adolescents are already addicted to gambling and another 5.7 million are at risk.

Theft by Consent, John R. Hill, PhD



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