

Preface to 2008 edition

Preface to Gataker's *The Nature and Uses of Lotteries* by Conall Boyle

“Puritan divine approves of gambling!”

Had there been tabloid newspapers in 1619, (or again in 1627 when the 2nd edition of this book was published) this is the sort of headline that might have been seen. The Reverend Gataker did indeed go against the settled views of his contemporaries and make the case for a limited form of gambling (or ‘gaming’ as its proponents coyly call it). This would have been enough to make his book notorious, but there is much more in this book than the use of lotteries in gambling. Gataker looked at the whole range of uses of lotteries from settling disputes between businessmen to criminal trials where a lottery would decide guilt or innocence. This book stands out as a remarkable early attempt to understand the full range of possibilities for the use of lotteries and the moral implications of doing so.

So who was this man Gataker, who was prepared to say such controversial things and defy conventional wisdom? A full biography can be found (also available on-line) in Brook (1813) *Lives of the Puritans*. A shorter more modern biography* describes him thus:

“**Thomas Gataker** was born in London on September 4, 1574, the son of a clergyman, Thomas Gatacre, who had served in Parliament during the reign of Queen Mary. A bookish child, gifted with an impressive memory, Gataker began his education early, earning his B.A. degree from St. John’s College, Cambridge in 1594 and his M.A. three years later. During his Cambridge years, Gataker also developed significant relationships with important Puritans. He was ordained by 1600 (the precise date is not recorded) and proceeded to B.D. in 1604. Before entering into a benefice he served as tutor in the household of Sir William Cooke; he continued to live with the Cookes after being appointed as preacher at Lincoln’s Inn in 1601. Between his Puritan father, friends and the influence of his college professors, Gataker became increasingly committed to the Puritan cause. Declining several prestigious academic and ecclesiastical posts, Gataker dedicated himself primarily to scholarship and to pastoral ministry, an increasingly

* from a website edited by R W Cooley, University of Saskatoon, Canada

difficult vocation, as ‘times proved more troublesome than formerly they had been’.

“*Gataker’s Life as a Puritan Clergyman*: Defined broadly, Puritanism is the form of Protestantism that existed both inside and outside the Church of England in the sixteenth and seventeenth centuries and viewed the English Reformation as an incomplete work in progress. Seventeenth-century Puritans were Calvinist in their theology, adhering to the doctrine of predestination that increasingly fell out of favour with authorities in the Church and State from the mid 1620s until the outbreak of Civil War in 1640. They were the ‘hotter sort of Protestants’, keen to purify the church of the remnants of ‘Popish superstition’. Nearly all opposed the increasingly ceremonial liturgy of the Church of England under Archbishop Laud; some objected to clerical vestments, kneeling for the sacrament, ornate church decoration and the institution of episcopacy. By the broad definition, Thomas Gataker was certainly a Puritan, though a comparatively moderate one.

Gataker began his service in the ministry as a family chaplain. He then served as preacher at Lincoln’s Inn for a decade. During those years Gataker had several opportunities for preferment, but he resisted them all. In 1611 the newly-wed Gataker settled in the parish of Rotherhithe in Surrey, where he preached for more than forty years. After many years of pastoral ministry, Gataker was appointed, in 1643, to the Assembly of Divines at Westminster, called by the English Long Parliament to reform the worship, doctrine, government and discipline of the Church of England. Gataker helped to draft the *Westminster Confession of Faith*. On matters of Church government he took a moderate position, advocating a mix of primitive episcopacy and Presbyterianism.

“*Life as a Scholar*: Gataker showed a predilection for Classical learning at an early age. Early in his career he was offered a Lectureship in Hebrew at Sidney Sussex, which he declined. His first published work, *Of the Nature and Use of Lots* (1619), provoked some controversy for its alleged advocacy of gaming. In all, Gataker produced dozens of works, including sermons, theological and controversial tracts, tomes on grammar, a biography and pamphlets on political and moral matters. He contributed to the comprehensive Westminster Commentary on the Bible, a major work of Presbyterian scriptural exegesis and prepared dedications for the works of others, occasionally editing volumes penned by his clerical colleagues. Gataker’s most enduring work is his edition of Marcus Aurelius’s *Meditations* with commentary, on which he worked for forty years. The work is praised by modern scholars as one of the monuments of seventeenth-century Classical scholarship. Gataker worked up until his death from fever at age seventy-nine on July 27th, 1654, leaving three works yet to be published. He outlived four wives and a son, but was survived by a sister, a son and a daughter. Gataker was buried in his church with no stone to mark his grave.”

This brief description leaves out much of the excitement which surrounded Gataker’s long life. Born during the reign of the firmly protestant Queen Elizabeth, as a teenager in London he would have experienced the turmoil and horror

which the threat of the Spanish Armada posed in 1588. Religious upheaval had been significant in the life of Thomas's father, also a Thomas, but he spelled his surname in the more traditional form of Gatacre. Brook's *Lives of the Puritans* tells us that Thomas senior (1531 – 93) was from a well-off family in rural Shropshire. They were 'zealous papists' and did not take well their son's conversion to the new reformed religion of Henry VIII. To draw him back into the old religion he was sent to the Catholic University of Louvain. It was to no avail; Thomas senior persisted with his views, going on to be an ordained minister in the established Church, becoming vicar of the London parish of St Edmunds in Lombard Street. He is also recorded as being an MP during the reign of the staunchly Catholic Mary I. At the time Mary was married to Philip of Spain and it was he who would later send the Armada against England in a doomed attempt to depose Elizabeth and return the country to the old religion. (Later, Gataker (junior) would preach *An anniversarie memoriall of Englands delivery from the Spanish invasion: delivered in a sermon on Psalm xlviij. 7, 8* published in 1626, but presumably given in other years too.)

Following the death of Elizabeth in 1603 and the installation of James Stuart as King James I, religious matters remained unsettled. Thomas Gataker (junior, author of this book) had by then become a preacher at Lincoln's Inn, which was a centre for lawyers in London. Following the failed Catholic plot in November 1605 by Guy Fawkes and other 'Gunpowder Plotters' to blow up Parliament with King James and his sons within it, there was a great trial in London of the remaining plotters in January 1606 followed by their gruesome executions.

In 1611 Gataker moved down-river to his parish at Rotherhithe, where he was to remain as incumbent until he died 43 years later. Far from being a backwater, Rotherhithe was a busy port, one of the principal landing points for London itself*. Among his parishioners were many sea-captains and their families. One such was Christopher Jones, who captained and part-owned the *Mayflower* when it set off in 1620 initially from Rotherhithe. Their mission was to deliver the Pilgrim Fathers, a group of Puritans who felt they could no longer practice their religion in England, to Chesapeake Bay in Massachusetts. There they eventually succeeded in establishing a religiously pure colony. Captain Jones returned later with the *Mayflower* and is buried in the churchyard of St Mary's, Rotherhithe.

It was about this time in 1619, at the age of 45 that Gataker first went into print with the first edition of this book. Thereafter his rate of publication was substantial, but, according to Willen (2007) it falls into two bursts: The first burst lasted up to 1627 when he published many texts on religious themes. One of these, *Marriage duties* from 1620 seems still to be of interest and it can be read as a semi-

* Rotherhithe today is a delightful enclave in East London, with the Mayflower Pub a pleasant stop-off, after visiting the nearby church-yard of St Mary's where Gataker was vicar. The church you see today dates from after Gataker's time.

modernised text at: http://www.usask.ca/english/gataker/gat_intro.html (from where the brief biography of Gataker, above, was taken.)

With the advent of Bishop Laud such puritan works fell out of favour. It was only later in 1640 with the turmoil which came before and during the English Civil War that Gataker was able to resume his publications. This War which broke out in 1642, was seen as a power struggle between King and Parliament, but it was also a battle about the form of Protestantism to be adopted, with Cromwell's Puritan tendency prevailing in the end. Gataker was, as stated above, involved in defining the forms of worship for the new dispensation. But his revolutionary zeal had its limits: when it was proposed to execute the King for his crimes against the State, Gataker and others were moved, in 1648, to pen a defence of His Majesty in a letter which was sent to Cromwell and his Council. Despite this opposition, Gataker lived on in his ministry until he died. Finally at his funeral, the eulogy which was preached by Simeon Ashe (pub. 1655) was titled: *Gray Hayres crowned with Grace*.

Publications by Gataker and others on lotteries and other matters

Using entries from the British Library (BL) catalogue we can follow the publishing history of books on the subject of uses and abuses of lotteries around this time. Prior to Gataker's 1619 first edition *Of the nature and use of lots* (the original title), the Rev James Balmford had, in 1593, published *A Short and Plaine Dialogue concerning the unlawfulness of playing at Cards or Tables, or any other game consisting in chance, etc.*. When in 1619 Gataker published his work, Balmford saw fit (in 1623) to re-publish his work, adding: *With a reply to the criticisms of Thomas Gataker in his "A Just Defence"*. Clearly some form of dialogue had gone on between these two reverend gentlemen, because Gataker's: *A just defence of certaine passages in a former treatise concerning the nature and use of lots, against such exceptions ... as have been made thereunto by Mr J. B[almford], etc* was also listed as published in 1623, although given an earlier date (in 1623) by the BL catalogue. Then finally in 1627 came the second edition of Gataker's *Of the nature and use of lots... Enlarged with addition of answer to some further arguments; by the author.* which forms the basis for this current updating and editing.

For most of the rest of his life Gataker's publications stayed with religious themes, but close to his death, he engaged in one last controversy which touched on his earlier theme of the unlawfulness of the use of divination. Annoyed by the comments of Lilly*, a widely consulted astrologer, concerning the use of alma-

* William Lilly (1602–1681), was a famed English astrologer and occultist of his time. He was particularly adept at interpreting the astrological charts drawn up for horary questions. He caused much controversy in 1666 for allegedly having predicted the Great Fire of London some 14 years before it happened. For this reason many people believed that he may have started the fire, but there is no evidence to support these claims. He was tried for the offence in Parliament, but found to be innocent.

nacs, he produced his rebuttal (Gataker, 1653) ... *his vindication ... against the scurrilous aspersions of ... W. Lillie. ... wherein the pretended grounds of judicary astrologie and the scripture proofes produced for it, are discussed and refuted.* Gataker was sounding off again in 1654 (published posthumously) with *A Discours apologetical, wherein Lilies lewd and lowd Lies in his Merlin or pasqil for the yeer 1654 are cleerly laid open ... his shameless slander fullie refuted ...*

Even after he died, Gataker's views on lotteries was still capable of provoking a response, this time by Leonhard van Ryssen of Utrecht, Holland in 1660: *Veritas secundum pietatem de Lusu Aleæ, a ... T. Gattakeri vindicate.* The curiously named Increase Mather* of Harvard University tried, in his 1687 anti-gambling treatise, to use references to Gataker to support his case for a total ban on gambling, claiming that Balmford had refuted his case and that Gataker had recanted. A mis-reading I think, but such academic disputation is nothing new. As late as 1773, we learn that the great Dr Samuel Johnson "amused himself with reading Gataker On Lots" rather than exploring Scotland (Boswell, 1784). Boswell continues: "on our return he told us, he had been so much engaged by Gataker, that he had never missed us."

Gataker makes a re-appearance in 1865 in the highly influential *History of the rise and influence of the spirit of rationalism in Europe* by W E H Lecky: "The first writer, I believe, who clearly and systematically maintained that lots were governed by purely natural laws, was an English Puritan minister named Gataker, in a work *On the Nature and Use of Different Kinds of Lots* [sic](London, 1619) – a well-reasoned and curious book, teeming with quaint learning." Later in 1971 Keith Thomas picked up on Lecky's ideas with his *Religion and the decline of magic* which was a set text on many university courses. He too, refers to Gataker, who he says, was the first systematic exponent of the modern view that lotteries any more than any other events were not any form of divine providence.

So this present work of Gataker on the nature and uses of lotteries (or *Of the nature and use of lots* to give it its original title) "stands in a class of its own [amongst his religious publications] and was arguably his most original work" (Willen, 2007). It is a surprising exception to the much greater corpus of his overtly puritan religious writings, but shows a remarkable opening of a mind to a practical reality which he discovered around him.

Why Gataker undertook this book

Why Gataker should venture into such contentious territory is not obvious. In his Introduction he explains that he had a two-fold necessity to write about it: Firstly, because many of those who had heard him preach on the subject had urged him to commit his ideas to print. But he also felt a necessity to defend himself against

* Increase Mather was also a major figure in the Salem witchcraft trials. Gataker too, condemned 'witchery' (see Ch 11, §7), but as a form of lottery used to predict the future, not the witchcraft of consorting with the Devil through 'familiars' like domestic cats.

“unchristian slanders and uncharitable censures to tax and defame both me and it”. This does not explain why he got involved in questions about the use of lotteries in the first place, nor why he concluded: that using divisory lots was acceptable; that gambling was not in itself wicked; but that special or extraordinary lotteries to divine God’s will could never be justified.

Towards the end of Chapter 9 he explains this in more detail: that it was only by private study of the Bible that he produced his conclusions, never intending to publish. Later, he says, he was induced to publish for **four** reasons (Gataker is very fond of enumerating arguments and reasons!): Firstly, he wants to neither widen nor narrow the interpretation of scripture – this is surely a dig at Balmford and the other ‘adversaries’ who took a too narrow view. Secondly, god-fearing Christians he knows partake innocently in games of chance and want to be reassured that such normal activity is not sinful. Thirdly, using a lottery to decide the serious matter of dividing up property was, as Gataker acknowledges, his first encounter with the use of lotteries. If a total ban on religious grounds was enforced, then this useful tool would be unavailable to settle disputes. This, as Gataker puts it “required me to narrowly search and sift out the nature of lotteries in general.” Fourthly considering the vehemence of those who rail against any use of gambling he felt that a more charitable view should be put forward: that such games which are so widely used perhaps should be discouraged but should not be condemned.

Here we see the mind, not of an over-zealous puritan, but a moderate, rational modern man at work. In later life Gataker achieved a reputation for assertive argumentation (Willen, 2007), which is also apparent here. But the reasonableness also shines through when he had encountered the moderate practice of gambling being used by members of what Willen calls the ‘godly community’. It is tempting to think that using lotteries to decide contentious issues may have first come to his notice among the sea-captains at the docks in Rotherhithe when they were dividing the booty from an expedition. More likely it was from the lawyers at Lincoln’s Inn that he had his first experience of this device, with litigants seeking spiritual advice on the use of lottery to decide their disagreements. His reaction was not to jump to conclusions, nor accept the conventional puritanical wisdom as preached by Balmford. Instead he choose to study the question for many years and only formed conclusions when he was certain of his case.

Gataker’s Language: my form of modernising:

My aim in modernising this re-publication is to make it accessible to a much wider readership, mainly because I believe that there is much in this book that is interesting and well worth learning about. In its original form, as published, Gataker’s book is difficult to read, due to the spellings, unfamiliar use of letters but above all the archaic language. It may seem like sacrilege to modernise the expression of language of an author who didn’t just live in the age of Shakespeare but also the King James Bible, those twin jewels of the English language. No it is

even worse! Gataker lived close by the Globe theatre and could have walked there of an afternoon to take in a play, with the Bard of Stratford amongst the players*. Gataker must also have been acquainted with members of the committee who worked at King James's command to produce a user-friendly (as we would say) version of the Bible, although they were Oxford men and he had attended Cambridge University. Nevertheless, I am convinced that Gataker was writing, not a great work of literature, but an accessible guide and explanation for his own parishioners and other educated readers of the godly community of his own time. The fact that he wrote in English rather than Latin shows that it was intended, not for the pan-European intelligentsia, but as a guide for his own people. Converting his archaic language into 'newspaper-article' contemporary style is, I believe, in line with what Gataker wanted to achieve in publishing his treatise.

Some changes to the original text were quick and easy: letters such as 'u' could be replaced by 'v'; letter 's' in the form of cursive 'f' could similarly be treated. Gataker's spelling was antiquated, but generally consistent; replacing with up-to-date spelling was straightforward. Some strange features like the German double-ess (*ß*) cropped up in the second edition, but present no difficulty. (Gataker was also interested in the forms of language, writing a treatise about diphthongs in later life.)

Punctuation was another peculiarity: the comma was used where today the full-stop (US period) is normal. The apostrophe was never used, hence the construct 'Jonas his house' where we would say 'Jonas's house'. Gataker didn't use abbreviations in the main text, but footnotes are another story. Indicating footnotes (or marginalia as they are usually called in these antique documents) does not follow modern ideas. Although small superscript letters (sometimes numbers) were used to indicate a footnote, they appeared *before* item referred to, not afterwards as is customary. I explain in the Bibliographical Notes section at the end of this book what the nature and content of these footnotes was and how I have dealt with them.

But it is perhaps to the expression of the ideas and the language itself as used by Gataker where I have made the most drastic changes. All of us who laboured over the plays of Shakespeare are familiar with the difficulty of comprehending them, even after several re-readings. I have replaced some archaic words by modern equivalents, but they are relatively few in number. The English language has changed much since those days, not least in the way sentences are structured. Editing this book I was struck by the 'Germanic' style, with verbs coming at the end. This is the main alteration that I have made to the language of Gataker, generally turning the sentences around so that they are more easily comprehensible.

Gataker was guilty of writing very long sentences, with many conditional sub-clauses being interposed between the initial subject and the final conclusion. This

* although it would not have been proper for a divine to attend. In one diatribe, Gataker rails against "brothels and playhouses" obviously seeing little difference between them.

often comes across like an extract from a sermon. Tempting though it was, I have not condensed the text. I have retained every sentence, only altering a few sentences to break them up into shorter ones to ease the burden of understanding. I have generally retained Gataker's paragraph numbering, so if you want to compare my rendition with Gataker's original you will usually be able to identify it easily, although in some cases his paragraph numbers changed between editions. Gataker only numbered his sections: I have invented titles for each section and added them on; this I think helps greatly in comprehension (and in skipping over the dull bits).

Some explanation is called for with some of the words which I have changed:

'*Casual*', '*casualty*': are used to denote randomness and a random event. Both of these words have acquired quite different meanings today and are capable of being confused with 'causality', so I have changed most of them to randomness or random event.

'*Lots*' as in the biblical '*casting lots*': again there are possibilities for confusion and misunderstanding, so I have changed this throughout to 'lottery'.

'Gambling' as a word was not in use in Gataker's time. His expression '*luxurious lots*' was so delightful, that I was very tempted to retain it. No! We must say what we mean, even avoiding the euphemistic labels of 'gaming' or 'sports'. Gambling is what it is and our modern word expresses precisely what Gataker meant.

Gataker's references

What you have here is less than half the book that Gataker wrote. His pages show large amounts of footnotes. Of course he needed to bolster his case by showing off his own great intellect. He was well known for his prodigious learning and this certainly shows in these notes. I have not included the full text of all these notes for a number of reasons: Firstly the practical: they are in small print and often very difficult to read. They are mostly in Latin, Greek or sometimes Hebrew, of which I have small knowledge and would not wish to burden the reader with*. Gataker uses a system of abbreviations for the names of the authors referred to, which he nowhere explains. Some are easy to identify, for example *Cic.* is surely *Cicero*; others not so: who is *Aret.*, who features quite regularly?

I have not ignored the footnotes altogether, despite the difficulties. Readers of this modernised text would, I imagine, still like to know the source of Gataker's information. As I see it, the footnotes fall into three groups: Biblical, Classical and Contemporary:

* Expecting great learning from the reader is a custom which persisted into Victorian times: J W Headlam-Morley's 1891 *Election by lot at Athens* had references not only in Latin and Greek but included French, German and Italian extracts, *all un-translated!* It is also a vital reference for those wishing to find out more about the true nature of the origins of democracy.

The Biblical references are perhaps easiest to deal with and are to be found in abundance, which is hardly surprising given the Reverend Gataker's calling. Although his references are as usual abbreviated, they are not difficult to decipher. Further, the system of *{Book Chapter: Verse}*, for example (*Proverbs 16: 33*) is still in use today and many websites give easy-to-use parallel versions of the Bible. (I have drawn on <http://bible.cc/>) One oddity is Gataker's version. Although, as mentioned before, he was around while the KJV (King James Version) Bible was being produced, he used a different, but very similar English translation. Often Gataker gives several citations for the same incident because they can be found in different books of the Bible. To keep matters simple I normally give a single reference; the other references can easily be found on-line. At other times Gataker seems to draw on Holy Scripture simply for a telling phrase or expression rather than factual support. I have not included these references.

Classical references also abound, with Gataker drawing on the ancient Latin and Greek authors. He is wont to give the full original text in its original Latin or Greek (the compositors of his book must have had a fiendishly difficult job in setting up the print for this treatise!) Such displays of erudition must surely have impressed what Gataker called his 'adversaries', who were also men of learning. Again, it would seem that many of these references were used for their turns of phrase, rather than any support they gave to the argument; these I have omitted. More important and included, are references which provide factual evidence, for example of the use of lottery selection in Athenian or Roman government. Because of the cryptic nature of Gataker's references, I have included these as a name only, thus (*Cicero*) without the publication details. For those who need to find exact references, accessible modern versions of the classical texts are a more practical method. Gataker sometimes uses a general description of 'heathen' about these writers which can be confusing because he also picks up on the behaviour of recognisably heathen people, such as the un-Christianised German tribes. Under the heading of 'Classical references' I also include the writings of the early Church Fathers, such as *Augustine*.

'Contemporary' relates to authors who lived in Gataker's own time, or in his recent past. Many of these were scholarly and writing in Latin which was then the norm throughout Europe. A particular problem for Gataker was how to deal with 'popish' (as he often styled them) writers, that is writers who still held to the unreformed Roman Catholic faith. If they were pre-Reformation then they could be admitted without qualm. But what if they were avowed Catholics, antagonistic to Protestantism, such as *Delrio*, reputedly the 'popish' cleric who brought the Inquisition to the Low Countries? Gataker in references warns of their popery, but is otherwise respectful of their knowledge and wisdom. This note of interdenominational respect is, I feel, a mark of the progressive and tolerant nature of Gataker, perhaps even out of deference to the beliefs of his grandparents. This attitude of openness also allowed him to approach the use of lotteries with a simi-

lar un-prejudiced mind. Of course the writings of *Calvin* and *Zwingli* presented no such difficulty.

Perhaps the most interesting of the ‘contemporary’ references are those in English, generally not on any religious theme, rather describing interesting facts. For these authors I have made the greatest effort to identify who they are and what they wrote. For this the catalogue of the British Library is a great boon.

In the text I have identified references in italics: (*Proverbs 16:33*) for Biblical, *Cicero* for the Classical and a more conventional *Hackluyt (1560)* for the Contemporary. For some of these ‘modern’ references I have been unable to discover any information: for these I have used the somewhat infelicitous *n/k* meaning year not known; so, *Dartes (n/k)*. Others where the year is known with some uncertainty are shown as (*Landulfus, ~1498*). All the information given in this section has been garnered from internet sources. No specific references for sources are given, but all can be easily double-checked using Google etc. Sometimes Gataker’s spellings and abbreviations have made it difficult to precisely identify sources. I may have mis-identified a few, and there are still some such as *Dartes* and *Aret.*, which remain a mystery to me. (At least you will have an identifiable name in full, correctly spelled to work with. Good luck, and if you find any further information, I would be glad to hear about it.)

I have avoided the use of references in footnotes, a practice I find very distracting, although much beloved of lawyers and historians. **Any footnotes which appear are comments or explanations added by me to Gataker’s text.**

Gataker’s dilemmas: why his book was contentious

The main controversial themes:

Using divisory lotteries: To our modern understanding there seems nothing wrong with, by mutual consent, using a lottery to share resources. Such an arrangement can be efficient, avoiding the need for complex rules or the employment of arbitrators. It can be fair, giving each member of a syndicate an equal (or measured) chance. When it comes to sharing out burdens, lotteries can also be used with similar effectiveness. Even if scientific ideas about random chance would not be formalised for another half-century or more, there was then an intuitive idea what it meant. Gataker devotes much of the first two chapters of his book to explaining, as best he can what he means by ‘chance event’. The problem with using such lotteries arose because, as Duxbury (p20) puts it: “...Gataker departed radically from the orthodox puritan opinion by claiming that it is not divine law but the laws of nature that determine the outcomes of lotteries.” This contradicts, according to Duxbury (p18) Aquinas’s position on the lottery which suggests that it was regarded in medieval times as a means of getting God to speak. Since God knows all outcomes then using a lottery is tantamount to inviting, even requiring God to adjudicate. As the oft-quoted Psalm has it “The lot is cast into the lap; but the whole disposing thereof is of the LORD” (*KJV Proverbs*

16: 33) It took a brave, or very intelligent, or maybe very conceited person to challenge this seemingly clear-cut biblical admonition. Gataker had some ammunition against his critics: he was able, for example, to quote the case of Calvinist ministers in Geneva being chosen by lottery to visit the sick when pestilence was rife.

Gambling: Making the case in favour of gambling and other games of chance was a much weightier challenge and indeed it occupies the entire middle half of the book. It was not just the case that gambling, which invariably makes use of some uncertain random event, seemed to involve the calling down of God for frivolous uses. The act of gambling was associated with many forms of debauchery and led to behaviour which could only be described as sinful. Objections to gambling and even laws to prohibit gambling altogether were not just a concern to right-thinking people 400 years ago; they are still of concern today and despite the ever-rising availability of gambling outlets there remain some who see gambling as essentially corrupting and sinful.

Gataker's core argument in favour of gambling was this: just because something is associated with sacred uses, does not mean all uses of it are sacred. His example was water: used in the sacraments for sacred use, it is also widely used for drinking, washing, flushing even. No-one would argue against the use of water in this way. Nor should the use of random chance in gambling be condemned, only the misuses that surround it. Recreation of all sorts is a necessity and so long as any recreation is not turned into a profession and is used in moderation it is good and can be beneficial.

Divinatory lotteries: The simple theological case is that the Bible gives several examples where some form of lottery ('casting lots' is the usual expression) had been sanctioned: these include dividing out lands, deciding on sacrifices, deciding what action to take in battle and many more. These were examples of what Gataker calls 'extraordinary lots', lotteries with explicit divine approval. Gataker does not accept that such divinatory lotteries have any place in contemporary life.

The argument is complex and perhaps the theological aspects may seem arcane and irrelevant. Firstly, Gataker tries to minimise the importance of many of the biblical cases cited, that they were not really extraordinary lotteries, or that they involved heathens. Hence the likelihood of a repeat calling by God to decide some issue using a lottery in our own times is so far-fetched as to render it unthinkable.

Gataker reserves fuller condemnation of those who deliberately call on God or the deity of 'Fortuna' to decide their fate. His arguments fall into two categories: calling down deities opens the door to the devil, who will gladly pervert its users: or, there is no power in the forms of divination used, so it is all a waste of time. Gataker does not try to resolve the contradiction between these two cases.

What you can learn about in this treatise

Of course the one thing that you will *not* fully experience is how different the English language looked and sounded 400 years ago. Curiosities of spelling have been ironed out and odd-sounding phrases and constructions have been straightened out. Verbs have been modernised with, for example, ‘seemeth’ replaced by ‘seems’. The erudite look and feel of an early 17th century book with its dense marginalia in classical languages has all gone and if that is what you want to see, then you must go to one of the libraries which hold this ancient treatise. You can also find it on the website of Early English Books On-line (requires password access). However you will still find some of the archaic style of language in this modernised version, but not so much (I trust) as to interfere with your understanding of the argument that Gataker was trying to put across.

As a learned man of his times, Gataker was very comfortable with the classical Latin and Greek authors and you will learn a great deal about them in this book. He draws heavily on their writings and we get elaborate descriptions of the uses of lotteries in the governance of both Rome, but especially of Athens. Again, all of these examples are well known and can be found in commentaries of our times (for example Elster, Headlam-Morley, Dowlen, Barnett). But whereas writers of our times view this as drawing from the inspired wisdom of the originators of democracy, Gataker takes a more sanguine view of these ‘heathen’ authors.

He is also aware and gives good accounts of later uses of lotteries in the contemporary (to Gataker) government of Florence and Venice, although Gataker sees this as a merely ‘divisory’ aspect. It seems to have passed his notice that here, and especially at ancient Athens there was a template for a democratic society, an alternative to electoral politics. It is one of the great treasures of this book to realise just how much was already known about the use of the lottery as a democratic device at those times. There have been many modern attempts to do something about the malaise of democracy by introducing some element of random selection. Most commentators start with the ideas of Callenbach and Phillips in 1985, or the seminal book by Burnheim also in 1985. It would be invidious of me not to mention the works in this field of Goodwin (2005) and Sutherland (2004) (invidious because they are my editor and publisher respectively!). More recently (2006) O’Leary has added to this growing literature. Gataker himself did not have much to say about this. He observes that lottery-choosing of officials is to be found more in republics than monarchies. In the Putney debates which took place two decades later during the Civil War, Gataker would have been, I am sure, against the radically democratic ideas of the Levellers and supportive of the firm autocratic government of a king, or in his absence the autocratic Cromwell.

Of more technical interest in the book is how chance and probability were understood in those times*. It would be another half-century before Pascal and Fermat gave scientific expression to these concepts. Gataker, as Duxbury (1999)

* Stigler (1986) gives a good explanation of these development, including the ideas about probability extant at the time of Gataker.

said, stood on the cusp between an age which believed that everything was the result of direct divine intervention and the more modern view that God knows all, but only intervenes in special ways on rare occasions. This is especially apt when discussing the outcome of a random event which is then used for some ulterior reason: does God know all and control all? (old thinking) or is there a general providence at work where God is indifferent to such outcomes? (new thinking).

Statisticians would quibble with Gataker's habit of lumping together genuinely random events like the roll of a fair die, with the haphazard event of having one's hat blown off. This perhaps betrays a fundamental misunderstanding between scientific knowledge and the intuitive understanding of random events. It could be argued that Gataker, along with the ancient Athenians and even the man-in-the-pub playing cross-and-pile have a very good understanding of the unpredictability, yet fairness in chances of outcomes which a 'casualty' or random event produces an answer.

Cross-and-pile (a form of coin-tossing) is one of the many games of chance that Gataker refers to. His book should also be of interest to those who study the history of gambling. Some games which were used for gambling also involved an element of skill, or might not involve the wagering of money. Gataker includes all of these under the heading of 'gambling' (or 'lusrurious lots' to use his expression). This may seem to cast the net too wide, scooping up innocent pastimes with the wicked, but Gataker argues that they all involve random chance, and the winner's prize is still valued even if it is not money. Another useful service which Gataker provides is to list all the laws which had been enacted in England against gambling (in this he was no doubt helped by his earlier incumbency at Lincoln's Inn, and his contacts with the lawyers there.)

One curiosity in this book about the use of lotteries is the complete lack of comment by Gataker on the state lotteries being organised in his own time: in 1567 Queen Elizabeth I established the first English state lottery. Prizes include cash, plate and tapestry, with 400,000 tickets offered for sale. In 1612 King James I of England, by royal decree, created a lottery in London. The proceeds were used to aid the first British colony in America – Jamestown, Virginia. Interestingly, Anglican churches held two of three winning tickets for the first draw. (Spofford, 1891; Farebrother, 1999). Further lotteries were held in 1627, 1631, 1638 to fund schemes to bring water to London. Is it possible that Gataker did not recognise these as games of chance?

For his long and unremitting condemnation of the use of divination Gataker brings forward many examples of the attempted use of this method. They form an amusing collection of fraudulent hocus-pocus. Again one might quibble that Gataker spreads his net too widely, including all forms of pretended magic, not all of which involve the use of lotteries. No doubt all those who read this book today would echo Gataker's admonition that trying to read the signs by looking at patterns in the entrails of animals is futile, because it does not work. God will not intervene in these trivial pursuits, however much He is invoked. But would we

agree that such divination is also sinful, that giving a shred of credence to the daily astrological predictions is not just a bit of harmless (and useless) fun, but is also a bad thing to do? Irrationality remains rife in today's society, despite the best efforts of scientists to explain. Just as Gataker sermonised against the use of the occult, so modern-day alternative thinkers seem immune from this form of rationality.

But it is the defence of gambling for which Gataker's book is mainly renowned. In this he was a lonely voice making the case that moderate gambling as a form of recreation was not sinful and indeed could be beneficial. Again in today's moral climate this would not seem exceptional. The clergy no longer condemn gambling as inherently sinful and something which should never be permitted. But this change is fairly recent: traditionally and especially amongst the non-conformists gambling (and drink) were vehemently opposed. In that sense Gataker failed; he did not convince the clergy to accept gambling as a normal activity. But his arguments, based as they are on a mixture of pragmatism and theology still bear re-examination. It is a contentious issue and the easy availability of 24-hour casinos in every city again raises some moral questions.

Perhaps of less general interest is Gataker's discussion of divisory lotteries. This is a pity, not least because it is my own major field of particular interest in this treatise! I am sure no theological case would today be made against two consenting businessmen agreeing to use a lottery to divide out shared goods. To that extent Gataker's arguments have been superseded. But his (and my) case that this can also be a wise and practical method of deciding remains, and is worth exploring. Again it is the wealth of examples of this practice that may be the most interesting aspect of this section of Gataker's book. Some of these lotteries involve the selection of people for jobs within organisations. Here Gataker makes a particular distinction: while it is perfectly proper to use this procedure for government jobs, it must not be used for religious appointments. Again scripture seems to contradict him, but his explanation is that examples of appointments at the Jewish temple were not to select the priests, only to divide their tasks amongst themselves

Much of this book consists of arguments from the fields of philosophy or theology. I am sure Gataker's exposition was sound, because there were others, equally erudite who wished to dismiss his case, such as his arch-adversary James Balmford who would gladly have pointed out any mistakes. Whether the theological arguments remain of validity or even interest is moot. Clearly the blanket condemnation of the use of lotteries for any purpose is no longer the dominant view of religiously minded Christians. Perhaps the philosophical argumentation in this book may prove to be more resilient with the passage of time.

My experience and understanding of the text

My interest in this book stems from an obsession about what Gataker called 'divisory lotteries'. Many years ago I came across a paper by Aubert (1959) which included a description of the method of choosing the two *capitani regenti* – the

rulers of San Marino. They were drawn from a short-list of 12 (six pairs) during a ceremony at the basilica each March. This led me on to investigate other uses of lotteries to distribute goods and bads, which culminated in 2003 when I began to investigate this as a research degree in the Economics Department at Swansea University, Wales. (Final M Phil title: *Who gets the prize: The case for random distribution in non-market allocation, 2006*). As I trawled through the references, especially in Duxbury, Broome, Elster and Goodwin there were a number of comments about Gataker, with references back to this seminal work. According to Elster (1987) after Gataker there had been no significant work published on the general idea of the use of lotteries in social affairs for over 300 years.

So in undertaking this modernisation of Gataker and re-presenting for scholars and others to access and learn from, I can claim a good understanding of the ideas associated with divisory lots. I have in my time been a lecturer in Statistics and Economics. To encourage more interest in statistical ideas about divisory lots I produced a paper in 1998 which was read at the Royal Statistical Society, London *Organisations selecting people: How the process could be made fairer by the appropriate use of lotteries*. A knowledge of statistics is highly appropriate in understanding the nature of a ‘fair’ lottery. Gataker was writing half a century before Pascal and Fermat had established scientific ideas about probability and chance, so his use of words like ‘casual’ and ‘casualty’ are understandable if somewhat vague. With my knowledge of statistical theory I hope that have been able to correctly interpret and convey the meanings that Gataker intended.

My own upbringing in Ireland in the 1950s was intensely religious, being taught by Franciscan monks in a deeply catholic country. I no longer practice, but retain much of what I learned, which has helped in understanding Gataker. The effect of my lessons in Latin and Greek have long since faded, so translating the plethora of footnotes is beyond me. But the lessons in Christian doctrine may have been useful, if for no other reason than familiarity with concepts like ‘occasions of sin’ which Gataker sometimes alludes to (when discussing gambling). I am quite taken by the openness and lack of rancour with which Gataker refers to my co-religionists. Although the epithet ‘papist’ may be somewhat derogatory, for a man of his times he uses it sparingly and without malice (although in some of his later writings he inveighed against catholic doctrines such as transubstantiation).

Despite the best efforts of the Franciscan monks who were my teachers I would not claim to be in any way knowledgeable or expert in theology. Nor would I claim to understand (or at times sympathise with) arguments of a philosophical nature. I am admitting to this, because a great deal of Gataker’s argument is of a theological and philosophical nature. In pursuing the modernisation of the text I hope I have not done an injustice to the arguments; in many cases I found these not to be easy to comprehend, so have rendered them as best I can.

In a somewhat unrelated sphere, I can lay claim to some significant knowledge of events which were happening in London and elsewhere in England whilst Ga-

taker was preacher at Lincoln's Inn (prior to taking up his post at Rotherhithe). In 1605 a dastardly Plot was uncovered to blow up the Houses of Parliament, with the King and the Lords with them. The aim of the plotters was to restore England to Catholicism. I was interested in this as a historical event because of the religious angle. Even more interesting to me was that the plotters came mostly from the English Midlands. At the time in the 1960s I was a newly arrived immigrant working as an engineer in a car-parts factory in Birmingham. This led in 1994 to a guide book for walkers and cyclists *In the footsteps of the Gunpowder Plotters: A journey through history in middle England*. When the Plot was foiled, the remaining plotters fled through and past their great houses which lay in an arc to the South and West of Birmingham. There have been many conspiracy theories about this plot, which mainly centre on the machinations of the Lord Chancellor. What is inarguable is that the squashing of this plot was turned into an anti-catholic propaganda event by the wily English establishment. Sermons were regularly preached and bonfires lit to give thanks for the deliverance of Protestant England from the catholic menace.

So I have some knowledge of some of the topics Gataker discusses and of the times he lived in. I would acknowledge my weaknesses in the realms of theology and philosophy and apologise in advance for any misrepresentations I may have made. As to the other aspects of his work I believe I have particular understanding and expertise to be able to interpret what he is saying. Gataker produced a book on the subject of the uses of lotteries which is lucid, well-structured, and makes use of copious examples to underpin and illustrate his points. The theological arguments may be over-long and of much less relevance today, but the rest of the work is fascinating, full of delightful descriptions and asides. I was so taken with the work that I had begun the process of updating it so that it could appeal to a much wider readership. When Keith Sutherland of Imprint Academic asked me to prepare it for re-publication, under the editorship of Barbara Goodwin I was delighted to take up the challenge. It has been quite a slog (helped by the poor Summer of 2007!), but I hope others will find the Reverend Gataker's treatise as readable, entertaining and illuminating as I have. I would like to thank James Maw at Swansea for his unfailing patience and practical help; also Peter Stone of Stanford and Lyn Carson of Sydney for their useful and encouraging comments, together with all the other correspondents on the Kleroterian mailing list – a group of people world-wide, who are interested in the use of randomness in social affairs. The support and encouragement of both Keith Sutherland and Barbra Goodwin have been essential in seeing this project through to completion and I take this opportunity to thank them for it. And so, dear reader, (somewhat as Gataker himself puts it in his Introduction) I humbly hope that you will accept my poor and ineffectual labourings in modernising the work of that most erudite divine.

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