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Criticising the Lottery in Its Cradle – The Low Countries in the Long Sixteenth Century

In May 2022, the Belgian federal minister of justice, Vincent Van Quickenborne, launched a law proposal to prohibit all advertising for commercial games of chance on TV, radio, social media, newspapers, and the street. Such advertising would also be severely restricted at sports events and the recordings of these events. This immediately opened a lively public and political discussion on the desirability of such a prohibition and the ubiquity of gambling practices in Belgium. Some politicians stressed the need for the protection of the vulnerable, the addicted, and the underage, whereas others underwrote the right to play. Very soon, the national lottery was targeted as well. Should this state-sanctioned company also limit its advertising? In June 2022 it became clear that the Belgian national lottery had actually lobbied the justice minister to prohibit advertising by private games of chance companies in return for a larger monopoly rent to be paid by the national lottery to the federal government.

This episode of the intricate ties between lotteries, other games of chance, the government, and criticism of gambling fits in a much older history that this chapter will recount. It will look into the absence and presence of different criticisms of lotteries and the way these criticisms were used by the authorities for their own ends over time from the second half of the fifteenth century to the seventeenth century. This chapter will connect these critiques of the lottery to the fluctuation in the number of lotteries being organised in the Low Countries and the prevalent legislation on the matter. Three explanatory factors for the different phases of waxing and waning of lotteries are identified. Firstly, state formation led governments to first license and later use lotteries themselves for the financing of their operations. Secondly, over time merchants and entrepreneurs turned to lotteries to sell their products as prizes. As such, lotteries became marketised, fuelling the consumer culture of the time and becoming a target for moralists who argued against such growth of consumerism among the non-elites. Thirdly, religious authorities silently condoned lotteries at first but condemned them at the end of the sixteenth century, both for religious reasons and because lotteries were associated with carnival and entertainment, which the Catholic Church especially sought to contain. One can see the crackdown on lotteries as part of an attempt at social disciplining – efforts by the government and church authorities to regu-

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late people's private lives – in the early modern period.[1] In sum, state formation, consumer culture, the reformations, and social disciplining should be combined to explain what happened with lotteries in the Low Countries in this period and why.

From 1441 onwards, lotteries appeared in the Low Countries, what is now Belgium, the Netherlands, and parts of northern France. In that year the Bruges city government set up a lottery in which anyone who wanted could buy tickets in order to win the revenue of an office and additional cash prizes. At the present moment, after intensive archival research since 2013, the counter stands at 429 lotteries organised in this region between 1441 and 1695. This means that, in these 255 years, there were 1.7 lotteries on average each year. Yet this average does not do justice to the outlier years: 1525 and 1568 saw 25 lotteries being organised, and in twenty-three years five or more lotteries were organised per year. Clearly, lotteries were a popular enterprise in the Low Countries. City governments, guilds, confraternities, parishes, chambers of rhetoricians, charitable institutions (for the elderly, the poor and/or the orphans), merchants, craftsmen, and other entrepreneurs all embraced the lottery.[2] Whereas lotteries were first held mostly in the county of Flanders, they later spread to Brabant and from the southern Low Countries into the northern Low Countries, which became the hotbed of lottery organisation in the late sixteenth and early seventeenth centuries. During the long sixteenth century, the lottery spread through the Low Countries and beyond. Soon, not only city governments but a wide variety of organisers set up lotteries. This organisational diversity was accompanied by novel playing formulas. As such, the label of "lottery" covered a set of different practices. The lottery became a flexible instrument that could perform different functions.

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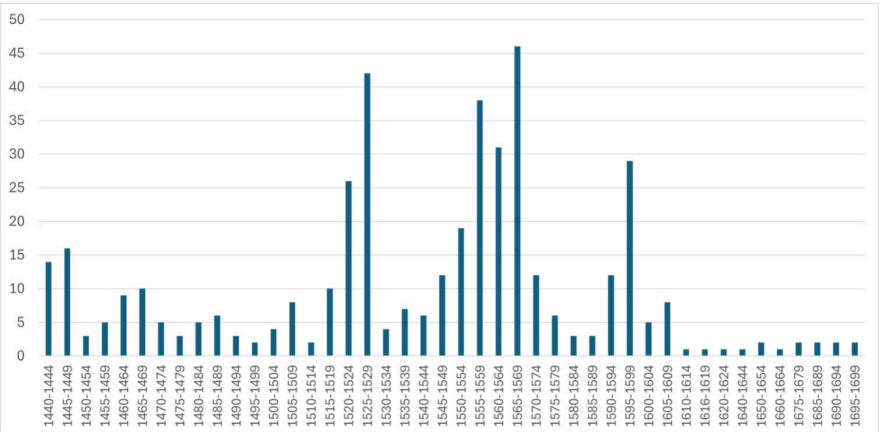
1 The idea of social disciplining in the early modern period goes back to Gerhard Oestreich, "Strukturprobleme des europäischen Absolutismus", *Vierteljahresschrift für Sozial- und Wirtschaftsgeschichte* 55 (1969). Also Wolfgang Reinhard, "Socialdisziplinierung – Konfessionalisierung – Modernisierung", in *Die Frühe Neuzeit in der Geschichtswissenschaft*, ed. Nada Boškovska Leimgruber (Ferdinand Schöningh, 1997); Heinz Schilling, "Profil und Perspektiven einer interdisziplinären und komparatistischen Disziplinierungsforschung jenseits einer Dichotomie von Gesellschafts- und Kulturgeschichte", in *Institutionen, Instrumente und Akteure sozialer Kontrolle und Disziplinierung im frühneuzeitlichen Europa* (Klostermann, 1999). For an overview, see Sheilagh Ogilvie, "'So That Every Subject Knows How to Behave': Social Disciplining in Early Modern Bohemia", *Comparative Studies in Society and History* 48, no. 1 (2006).

2 See Alfons K.L. Thijs, "Les Loteries dans les Pays-Bas méridionaux (XVe–XVIIe siècle)", in *Geschiedenis van de loterijen in de Zuidelijke Nederlanden (15de eeuw–1934): dossier bij de gelijknamige tentoonstelling in het Algemeen Rijksarchief Brussel, 21 april–25 juni 1994 = Histoire des loteries dans les Pays-Bas méridionaux*, ed. Ilse Eggers et al. (Rijksarchief, 1994). Thijs, however, did not meticulously count the different types of lotteries.



Graph 1: Number of lotteries organised in the Low Countries by period. Source: author database.

The above graph shows this evolution and hints at high numbers of lotteries being organised, but it also indicates severe and abrupt drops in the 1450s, the early 1530s and 1570s, and the beginning of the seventeenth century. All these drops have to do with government interventions in the lottery market. Taking a chronological approach, this chapter looks into the criticisms of the lottery developed by lawyers, men of the church, craftsmen and merchants, city authorities, members of the princely government, and the players themselves in the fifteenth- and sixteenth-century Low Countries. Of special interest is the way in which these criticisms were used by the authorities to pave the way for lotteries for their own ends, whether that be the payment of government debt, the financing of infrastructure, such as city walls and fortresses, or the payment of soldiers. The chapter draws on a range of different sources: details on the income and expenses of lotteries in city and central government accounts, government licences, advertisements, lottery *prozen* (short poems of the participants, which were read out loud during the lottery draw), and learned tracts.

1 Necessity breeds innovation: the first lotteries in the fifteenth century

The first, clearly identifiable lottery – with a range of prizes offered for a low-priced ticket – held in the Low Countries was organised in Bruges in 1441. The main prize for this lottery was the wine *scrooderschap* office (a revenue-generating office based on the wine tax). From 1436 to 1438, Bruges had rebelled against

the duke of Burgundy, Philip the Good. As punishment, the city had to pay a large fine to the duke. Such large expenditures were usually issued by raising taxes and acquiring debt (which had to be paid from taxes later on). However, one of the reasons for the revolt was the tax burden the citizens of Bruges already experienced. The new city government thus had to find other sources of revenue to avoid increasing taxes too much, since this might trigger a new revolt. One of these new sources of revenue was the lottery. The *wijnscrooderschap* was previously auctioned off, but in 1441 the city government decided that a lottery with the office as the main prize together with other cash prizes might generate more revenue. And they were right: for the next decades, Bruges organised a lottery on an annual basis, which was responsible for a few percent of the city's revenue. It is unclear how the idea came about: had the Brugeois learned it from a Genoese merchant? Genoa had organised the first lotteries in the 1370s.[3] In Genoa the public cash lottery was linked to the draw of the names of new public officials with part of the public lottery proceedings going to payment of the taxes on the wages of the new officials. With sortition in medieval politics, urban institutions sought to guarantee transparency and fairness.[4] Perhaps the Brugeois were inspired by the Genoese lottery, but they could also have "invented" the lottery themselves since sortition was not uncommon in Bruges' institutions. Strategic sales spots in market halls and open-air markets were distributed by lot (*pro sortibus*) at least as early as 1292.[5] By 1392 already, vacant positions for scrooder (after the death of the incumbent or for other reasons) could be put up for auction or raffle.[6]

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3 Giuseppe Felloni and Guido Laura, *Genova e la storia della finanza: una serie di primati? – Genoa and the History of Finance: A Series of Firsts?* (Brigati Glauco, 2004).

4 Yves Sintomer, *The Government of Chance: Sortition and Democracy from Athens to the Present* (Cambridge University Press, 2023); Hagen Keller, "Electoral Systems and Conceptions of Community in Italian Communes (Twelfth–Fourteenth Centuries)", *Revue française de science politique* 64, no. 6 (2014); Daniel Waley, "The Use of Sortition in Appointments in the Italian Communes", in *Communes and Despots in Medieval and Renaissance Italy*, ed. John E. Law and Bernadette Paton (Ashgate, 2010).

5 Louis Gilliodts-Van Severen, "La Loterie à Bruges", *La Flandre. Revue des monuments d'histoire et d'antiquités* 1, 2 & 3 (1867–1870): 9–11; Peter Stabel, "From the Market to the Shop: Retail and Urban Space in Late Medieval Bruges", in *Buyers and Sellers: Retail Circuits and Practices in Medieval and Early Modern Europe*, ed. Bruno Blondé et al. (Brepols, 2006), 91–92.

6 The 1392 scrooders privilege can be found in Stadsarchief Brugge (hereinafter: SAB), Ouden Wittenbouc, fo. 89 nr. 3 & Gilliodts-Van Severen, "La Loterie à Bruges", 463. Similarly, it was stated in 1412 that the positions of scrooder could no longer be sold or transferred but had to be raffled off; see SAB, Groenenbouc, A, fo. 35^{v} (cited in Gilliodts-Van Severen, "La Loterie à Bruges", 461–462). Definitely not all twenty-five scrooder positions were used as a prize in a raffle each year; they could still be sold by the officeholder or be auctioned or given by the city; see Gilliodts-Van

What is perhaps even more remarkable is that there is not a single word about the (un)desirability of the lottery to be found in the available sources of the Low Countries for this period. Not even in clerical circles do we find comments on the first lotteries. It took five years for the first criticism to materialise: in March 1446, a ducal ordinance for the duchy of Brabant condemned lotteries. The ordinance recounts that it has come to ducal attention how, in the previous years, *lotinghen* or lotteries had been proposed in Brabant and other territories of the duke of Brabant, Philip the Good, also duke of Burgundy. The organisers were only after "their own singular profit". Large sums of money were raised in this way from "our good folks and subjects" who did not realise the "subtle deceits" of these lotteries, to the detriment of their goods and the "common welfare" of the country. The time had come for the duke to do something about this. To protect his subjects from harm, the duke asked all the ducal officers to prohibit any lotteries to be held or advertised. Fines were installed and the money invested in such lotteries would be forfeited.

At the end of the ordinance, however, the text gives a licence to Peteren Columbot to set up a lottery in Antwerp.[7] Evidently, the duke was not after a total ban on lotteries; he wanted to regulate the market and profit from the issuing of ducal licences to lottery organisers, effectively installing a *de jure* state monopoly. By the fifteenth century, the concept of the "common good" had acquired a double meaning: the welfare of the land and the unconditional authority of the prince. Here we see the meaning of the common good gravitate towards the ducal authority: by protecting his subjects from fraudsters and regulating the lottery market, Philip the Good supported his claims to sovereignty.[8]

Lotteries are usually credited with positive attributes in fifteenth-century (and sixteenth-century) licenses and other government documents: they are a suitable means, do not hurt the poor, and the common good profits from it. This is striking

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Severen, "La Loterie à Bruges", 472; André Vandewalle, "De arbeidersofficiën van Brugge, ca. 1440 – ca. 1670. Een institutionele studie met ekonomische en sociale aspekten" (PhD diss., Katholieke Universiteit Leuven, 1983), 55. Examples of such sales in SAB, Civiele sententiën Vierschaar, 1447–1453, fo. 38^{r}, nr. 4 & fo. 56^{r}, nr. 2.

7 Philippe Godding, *Ordonnances de Philippe le Bon pour les duchés de Brabant et de Limbourg et les pays d'outre-Meuse, 1430–1467 = Verordeningen van Filips de Goede voor de hertogdommen Brabant en Limburg en de Landen van Overmaas, 1430–1467* (Service public fédéral justice, 2005), 240–241.

8 Robert Stein, Anita Boele, and Wim Blockmans, "Whose Community? The Origin and Development of the Concept of Bonum Commune in Flanders, Brabant and Holland (Twelfth–Fifteenth Century)", in *De Bono Communi. The Discourse and Practice of the Common Good in the European City (13th–16th c.)*, Studies in European Urban History (1100–1800) (Brepols Publishers, 2010), 168.

because lotteries could easily have been equated with serious vices and despicable practices such as laziness, waste, profligacy, greed, usury, and cheating.

This pragmatic attitude is quite different from what happened to other games of chance in the same period. In the 1440s, Philip the Good reasserted control over the system of public gaming houses where games of chance, especially dice, could be played. Licensing game houses was considered as one of the ducal prerogatives or *cas ducaux*.[9] The licences could be farmed out and the resulting revenues were to be administered by the ducal receiver-general. The public gaming house licences were also granted as gifts to ducal favourites. In the 1440s, the gaming houses fared very well and the income from them increased. The farms on income from ducal playhouses were at a peak between 1440 and 1470.[10] However, the ducal gaming houses proved to be a thorn in the side of city authorities, and when ducal power diminished, for example after the sudden death of Charles the Bold in 1477, cities such as Bruges managed to acquire the abolition of ducal gaming houses in the city. 1495 brought about the end of ducal gaming houses under Philip the Fair. The towns motivated their requests for abolition by saying that such games of chance hurt trade, attracted crime, and were considered as immoral activities. For the duke, this meant a serious loss of income and losing an opportunity to remunerate those in his favour.[11] It is tempting to present lotteries as a more *Salonfähig* type of game of chance, from which both the duke and the cities could benefit. Yet, beyond the synchronicity of the rise of lotteries and the decline of public gaming houses in the county of Flanders, there is no evidence that the ducal authorities made the explicit choice to replace their gaming tables with lotteries.

Games of chance and gambling ("all games with which money is lost", but dicing specifically) were forbidden, according to legal scholars Willem van der Tanerijen (died in 1499) and Philips Wielant (1441–1520).[12] The only exception were games of a recreational nature in which the stakes were drinks or a meal or

9 Jonas Braekevelt, "Un prince de justice: vorstelijke wetgeving, soevereiniteit en staatsvorming in het graafschap Vlaanderen tijdens de regering van Filips de Goede (1419–1467)" (Universiteit Gent. Faculteit Letteren en Wijsbegeerte, 2013); Jan Van Humbeeck, "Exploitation et répression des jeux d'argent en Flandre aux XIVe et XVe siècles", *Revue d'histoire du droit* 46, no. 4 (1978).
10 Katelijne Geerts, *De spelende mens in de Boergondische Nederlanden* (Genootschap voor Geschiedenis, 1987), 74.
11 Geerts, *De spelende mens*, 66–75; Van Humbeeck, "Exploitation et répression".
12 Willem van der Tanerijen and Egied I. Strubbe, *Boec van der loopender practijken der Raidtcameren van Brabant*, (CAD, 1952), 308–309 (online version: https://www.kuleuven-kulak.be/facult/rechten/Monballyu/Rechtlagelanden/Brabantsrecht/Varia/tanererijen1.html); Philips Wielant and Aug Orts, *Practijcke criminele*, (Annoot-Braeckman, 1872), 168 (online at https://books.google.be/books?hl=nl&output=text&id=I0RSAAAAcAAJ&q=loten#v=onepage&q=loten&f=false).

small change not higher than one schelling (for the rich, half that amount for the less well-to-do). The stakes ought to be so low "that the players do not notice whether they win or lose".[13] It is telling that all lotteries had ticket prices higher than one *schelling*, another indication that they were considered as something different.

Yet, both legal scholars seem less preoccupied by the existence of gambling itself than with its potentially adverse side effects. Wielant was very explicit about this: "[games of chance] are forbidden, not because the game in itself is evil, but because of the evil that comes out of it; fortune is fickle which makes some very unsettled".[14] Evils coming out of gambling were the squandering of resources, disorder, fighting, lewd behaviour, cursing, and cheating. Van der Tanerijen and Wielant did not mention lotteries. Perhaps because they did not categorise lotteries as gambling. This is puzzling because both jurists lived in a region where such lotteries were organised. Lotteries might also not in their eyes have been associated with the negative behaviour following from other gambling activities. Did they not mention lotteries strategically because they knew that lotteries generated revenue for the governments?

Over time, the Bruges lottery became associated with carnival. In the account of the February 1471 lottery, we read that the lottery clerks ended the ticket registration at midnight of Shrove Tuesday.[15] The timing is of essence here: when the bells sounded at midnight, the carnivalesque festivities, the eating and drinking, and the opportunity to win in the lottery had passed. Careful recalculation of all the end dates of the Bruges lottery subscription period shows that almost every Bruges lottery held from 1471 onwards saw its subscription period end on Shrove Tuesday.[16]

The drawing of the lottery often took place the day after the end of the subscription period, which meant these lotteries were drawn on Ash Wednesday. The display of the draw must have contrasted with Ash Wednesday's symbolic function as a day of penitence and the commencement of Lent. But realising one

13 Geerts, *De spelende mens*, 47.

14 "mits dat de fortune bottelyck commende sommighe mensen seer onregelt zijn". Wielant and Orts, *Practijcke criminele*, 168.

15 SAB, 273, bundle 2, 22v. and Gilliodts-Van Severen, "La Loterie à Bruges", 179–180.

16 On Shrove Tuesday in the late medieval Low Countries: Johan Verberckmoes, "De vastenavondviering in de late middeleeuwen en de nieuwe tijd (13de–17de eeuw)", *Ons Heem. Driemaandelijks Tijdschrift van Heemkunde Vlaanderen* 60, no. 4 (2007); Anne-Laure van Bruaene, *Om beters wille: rederijkerskamers en de stedelijke cultuur in de Zuidelijke Nederlanden (1400–1650)* (Amsterdam University, 2008); Charles de Mooij et al., *Vastenavond, carnaval: feesten van de omgekeerde wereld* (Waanders Uitgevers, 1992); Gerard Nijsten, *Volkscultuur in de late middeleeuwen: feesten, processies en (bij)geloof* (Kosmos Uitgevers, 1994), 72–93. More generally for the medieval period: Jacques Heers, *Fêtes des fous et carnavals* (Fayard, 1983).

had lost when the draw was finished on Ash Wednesday might have induced some Brugeois to repent a little more during Lent.

Lottery participation, the end of the subscription period, and the draw became part of the late medieval Carnival culture, aptly described by Raymond Van Uytven as "the casual mingling of mischievous play and holy seriousness, of coarse banter and profound piety, of liturgy and worldly display".[17] In the days of Carnival preceding Shrove Tuesday in the fourteenth- and fifteenth-century Low Countries, authorities turned a blind eye to gaming and gambling, which were even de rigueur for members of carnivalesque urban confraternities.[18] By loosening the reins during the Carnival period, urban governments provided a safety valve for the tensions and conflicts of urban life.[19] The Carnival period witnessed many competitions: mock tournaments, theatre competitions, and the battle between Carnival and Lent itself.[20] The lottery, by definition a competition, although a rather passive one, was added to the carnivalesque repertoire of competitions. It should be pointed out also that the relationship between Carnival and lotteries is not unique to Bruges: the first (private) lotteries in Venice were also organised in the Carnival period of 1522.[21]

Lotteries clearly fit the rituals of Bakhtinian inversion typical of the Carnival period. A poor man or woman could rise in the social hierarchy by winning one of the lottery prizes, turning the social world upside down. The feasting, drinking, and eating on Shrove Tuesday mirror the largesse that could be bestowed on lottery winners. Lotteries connected to Shrove Tuesday tie into the – not uncontested – description of Herman Pleij and Paul Vandenbroeck, who regard these fifteenth-century carnivalesque celebrations not necessarily as expressions of popular culture but as an instrument of the urban bourgeoisie to promulgate a new rational and capitalistic morale emphasising industriousness and thrift: by showing the inverse and lewd behaviour, the norms were established.[22] The urban lottery organ-

17 Raymond Van Uytven, "Volksvermaak en feestvieren in de steden", *Spiegel Historiael* 18 (1983): 551.

18 Geerts, *De spelende mens*, 83; Herman Pleij, *Het gilde van de Blauwe Schuit: literatuur, volksfeest en burgermoraal in de late middeleeuwen* (Meulenhoff, 1983); Marjoke De Roos, "Carnival traditions in the Low Countries (c. 1350–c. 1550)", in *Custom, Culture and Community in the Later Middle Ages*, ed. Thomas Pettitt and Leif Søndergaard (Odense University Press, 1994), 22.

19 Edward Muir, *Ritual in Early Modern Europe* (Cambridge University Press, 1997), 85–116.

20 Verberckmoes, "De vastenavondviering", 58.

21 Evelyn Welch, "Lotteries in Early Modern Italy", *Past & Present* 199, no. 1 (2008): 82.

22 Pleij, *Het gilde van de Blauwe Schuit*, 248–250. Paul Vandenbroeck and Hieronymus Bosch, *Jheronimus Bosch: tussen volksleven en stadscultuur* (EPO, 1987). But see also: Jan L. W. Dumolyn, "Het corporatieve element in de Middelnederlandse letterkunde en de zogenaamde laatmiddeleeuwse burgermoraal", *Spiegel der Letteren* (2014).

isers did not stage a feast of inversion, but they did propagate capitalistic mores: putting in a small amount of money to win a large prize, and if one did not win anything, one had still contributed to the common good. Greed was encouraged if it served the greater good.

A lively lottery market can be seen in the next decades of the fifteenth century, with lotteries being organised in the county of Flanders, the duchy of Brabant, and the city of Utrecht. Lottery organisers made sure to cast their nets as wide as possible to maximise the number of ticket buyers. An announcement for the 1480 Bruges city lottery distributed in Mechelen was very explicit in that sense: "one should know that everyone, cleric or laymen, citizen or stranger, old or young, can put in as many lots as they please".[23] Note the absence of a reference to gender here: clearly men and women were equally welcome as ticket buyers. Evidence from the lottery of the city government of Leiden in 1504 shows that lower middle-class men and women participated in the lottery as well as the richer echelons of urban society.[24] For this thriving lottery market to develop in the fifteenth century, a particular permissive and enabling moral order had to be present. The lack of strong opinions against lotteries at the time strikes us as a deafening silence.

2 Outright justification and connivance in the first two thirds of the sixteenth century

An important moment in the discussion about the raison d'être of the lottery in the Low Countries is a Latin text that can be dated between 1508 and 1518. The *Questiones quodlibeticae*, written by the vice-chancellor of the university of Louvain Jean Briard of Ath, was published in 1518. Briard wondered "whether a prize of money won at Bruges or elsewhere by the hazard known as the game of the pot [ludum olle], or what is commonly called the lottery [lotinghe], may be retained with a clear conscience as a righteous acquisition".[25] The prize was not obtained through labour but that did not make it automatically unjust, accord-

23 City Archive Mechelen, Oud archief, 6, burgerlijke zaken, IV, nr. 212, 1. This very open invitation to participate in the lottery became a common phrase and found its way into lotteries in the Holy Roman Empire as well; see Jean-Dominique Delle Luche, "La Fortune du pot", *Revue historique* 687, no. 3 (2018): 564, https://doi.org/10.3917/rhis.183.0553.

24 Jeroen Puttevils, "The Lure of Lady Luck: Lotteries and Economic Culture in the 15th- and 16th-Century Low Countries," in *Random Riches: Gambling Past & Present*, ed. Manfred Zollinger (Routledge, 2016).

25 Percy Stafford Allen, *The Age of Erasmus: Lectures Delivered in the Universities of Oxford and London* (Clarendon, 1914), 108–113.

ing to Briard, because then everything which was granted through fate or given as a gift was unjust, a thesis Briard proved to be untrue. Profit is only illegal when it is the result of avidity, avarice, or unjust trade. Lotteries that benefit the public are not automatically unjust either, just because some players are pushed to sin because of them. Briard goes on saying that the lottery is not illegal per se; it was not prohibited in the Bible (how could it be, when it only took off in the Low Countries in the 1440s?) and no legal prohibitions were in force at the time. The purpose of the lottery, according to Briard, is good because it allows Bruges – he explicitly refers to Bruges here – to pay off its debt so its citizens could travel freely once more. Citizens could be held liable for their city's debts when they travelled to other towns. Creditors in these other towns could have the travelling Bruges citizens arrested and have them pay up what the city of Bruges or other Bruges citizens owed them. Briard only warns of the injustice that is done to creditors who are forced by the city magistrate to convert their debts into lottery tickets. They may suffer an unjust loss out of fear of not seeing their money back. But it is not the conversion itself that is unjust, only its potentially forced nature.[26] It is no coincidence that an early sixteenth-century justification of lotteries concentrated on Bruges, since it had been the engine of lottery organisation in the last sixty years of the fifteenth century. By the beginning of the sixteenth century, the lottery market of the Low Countries and its moral tolerance had clearly crystallised. Briard of Ath had formulated an outright Machiavellian justification of lotteries: the end justified the means. If the purpose of the lottery was just, then the lottery itself was so too.

However, it was clear that only licensed lotteries were allowed. In 1524 the city government of Antwerp publicly declared that all unlicensed lotteries were forbidden, because these illegal lotteries deceived Antwerp's inhabitants and their children.[27] Two years later, an ordinance issued by Margaret of Austria, who governed the Low Countries on behalf of her nephew, the emperor Charles V, targeted the lottery. All lotteries, also the licensed ones, were said to have been abused to produce "usurious and unlawful" contracts and to cause envy and enmity among the emperor's subjects. All licences were revoked, except those given to churches and other ecclesiastical institutions, cities, and villages.[28] Again, this should not be considered as a ban on lotteries, but as an attempt by the government to control the market and reserve lotteries for deserving institutions.

26 Allen, *The Age of Erasmus*, 108–113.

27 Felixarchief Antwerpen, Gebodboeken, 17 October 1524, folio 112r.

28 *Recueil des ordonnances des Pays-Bas: 2e série, 1506–1700 = Verzameling der wetten en verordeningen der Nederlanden: 2de reeks, (1506–1700)*, volume 2, 392–393.

It is striking that no single reference to lotteries is found in Juan Luis Vives' famous treatise *De subventione pauperum* (On Assistance to the Poor) (1526). In this treatise, Vives, who had spent a considerable part of his life in the Low Countries and in Bruges in particular, envisioned a complete restructuring of Bruges' poor relief system. To pay for the increased financial needs of the new poor relief system, he could have suggested a lottery but, tellingly, he did not. Lotteries had been a regular feature of Bruges' urban life for almost a century by the time Vives was writing. They were voluntary, which is what Vives was after: benefactors of the new poor relief system should not be forced to make financial contributions. Instead, Vives argued that the system should rely on alms. It is always dangerous for a historian to assume that a historical actor must have been informed of certain facts, but it is striking that Vives did not include the lottery as a means to finance the system he envisioned. Besides city governments and private organisers, there had been several parishes and confraternities that had set up lotteries – and many would follow in the next century. So there clearly was no impediment to using the lottery in ecclesiastical and poor relief settings. Vives's silence on lotteries as a means to finance poor relief can be explained, in absence of explicit discussion by Vives himself, in different ways. Perhaps poor relief could only be financed through regular income and Vives thought of lotteries as an irregular source of income. But the income from alms was not stable either. Alms, however, firmly corresponded with Catholic ideas of caritas. Lotteries could be considered as charities, too, but they could always be tainted by the potentially greedy motivations of the participants. So that might explain why Vives did not mention lotteries.

In 1555 we find a rare first instance of (mild) criticism against the lottery voiced by lottery ticket buyers, the players of the game. In the accounts of the lottery of the church of Our Lady in Bruges, we read: "Is loterije bouvrij also men seijt so heb ick mijn ghelt qualijck in gheleijt" (is lottery knavery as they say, then I have put in my money badly). This short verse or lottery poem was registered by one of the ticket sellers at the request of a lottery ticket buyer from Utrecht, Everaert Thijs van Ansbecht. The "so one says" part of the verse is a clear indication that this verse might have been used in other previous lotteries and that it was common to equate the lottery with a knavish practice.[29] In that same 1555 lottery, we find the following verse: "Loterie loterie al boeverije Had ick groote lot Ick waer bleij" (Lottery, lottery, all knavery, if I won the big lot, I would be happy). In this case, the buyer was Lijnne Douden, a young woman from Bruges. In later lotteries for which the short lottery poems are preserved,

29 Rijksarchief Brugge, Our Lady Church Bruges, NK, 1456, 3631.

the lottery-knavery combination is found repeatedly, often in variations on the same theme, as illustrated by the following examples:

> Up hoope van ghene bouverie leght Maeycken van Euerslaghe in dese loterie (on the hope of no knavery, Maeycken van Everslaghe puts her money in this lottery) (Delft lottery, 1564)
>
> Is loterij boeverij so men seijt So heb ick mijn gelt tot nodenst van armen ingeleijt (is lottery knavery so they say, then I have given my money to the needs of the poor) (Haarlem lottery, 1606)

Whereas the first poem hopes that the organisation of the lottery is done without fraud, the second one accepts that the lottery is knavery, but justified because the proceeds go to the poor. In the 1596 lottery for the Saint Catharina hospital in Leiden, Hans Ophof had the following verse: "Uyt Lotherije men slandts welvaren siet, twas eertijts boevrye, nu den armen geniet" (From the lottery one sees the country's welfare, it was once knavery, now the poor's benefit). In this short poem Ophof historicises the transition from a practice that was frowned upon, to a legitimate enterprise that benefited the poor.[30] More than thirty years before, in 1560, the lottery was mocked in a parody of a lottery poem. In an anonymous mock almanac (making fun of predictions) the author writes:

> Al sijn die banckerotiers van de lotherie om den hoeck,
> Nochtans schijt de lotherie in hueren broeck.
> 't Is wel 'lotherie, dieverie', soo men pleech te segghen
> Maer mocht ick 't hoochste lot crijghen, ick sou noch inleggen[31]
>
> (Even if the bankrupts come from the lottery around the corner
> The lottery nonetheless shits in their pants
> It may be 'lottery, thievery', as they say
> But if I would get the biggest loss, I would still participate)

The meaning of this mock prognostication is slightly ambiguous. The lottery around the corner is probably the one organised by and for Saint George shooting guild of Ypres. The bankrupt can be both the organisers (maybe the guild needed money, maybe their lottery enterprise was bound to fail) and the ticket buyers, who will be ruined by the Ypres lottery. "Pants-shitting" may indicate cowardice on the part of the organisers or the players. But it can also mean that the lottery just mocks and betrays them, or does not "give a shit" about them, to use a colloquial term. Even if people know the lottery is often called thievery, they play

30 GAL, GHA 429, lot nr. 16344.

31 Hinke van Kampen et al., "Het zal koud zijn in 't water als 't vriest: zestiende-eeuwse parodieën op gedrukte jaarvoorspellingen", *Nijhoffs Nederlandse klassieken* (1980): 79.

nonetheless. The poem is surely intended as a mockery of the naiveté and credulity of lottery players; as such, it criticises the players rather than the lottery itself.

3 The pros and cons of a state lottery in the second half of the sixteenth century

A year later, in September 1561, a royal ordinance stipulated new rules concerning lotteries. While they were only allowed for churches, charitable institutions, and other organisations doing godly and worldly work, it became clear that merchants and other individuals had set up lotteries for their own profit, some in public, some secretly. The prizes to be won in these lotteries were often valued too highly, rendering them fraudulent. Some of the lotteries even had licences from government officials who were not supposed to be issuing them.[32]

The ordinance recognises "that lotteries multiply day by day, especially in Antwerp". The ordinance seeks to channel the profits from lotteries to the common good and commonwealth of the Low Countries, and especially to the frontier towns that had been created to protect these lands since the last war with France. At this point, it becomes clear that the central government intended to set up its own lottery. All outstanding lottery licences are put on hold until Saint John's Eve 1563, and unlicensed ones explicitly forbidden. Only lotteries "for the recreation of the people", of which all prizes are not worth more than 25 guilders altogether, are exempted from the new legislation. In this case, the central royal government criticises private lotteries in order to justify its own lottery. The government had organised a similar lottery two years before, for the frontier town of Gravelines, but did not put all other lotteries on hold at that time. Perhaps this led to a lower demand for the government lottery. This can explain the creation of a temporary monopoly for the new lottery, to channel potential players to this particular lottery.

This episode is also revealing in another way: several senior members of the central government expressed strong opinions about the lottery at that time. The Low Countries governess in 1561, Margaret of Parma, a natural daughter of Charles V and hence a half-sister of king Philip II, is said to have sold several offices and favours, including lottery licences, to line her own pockets and those of her secretary Armenteros. Viglius of Aytta, president of the Council of State of the Low Countries, wrote in his memoirs: "one sees drawings by lot, in German called

32 *Recueil des ordonnances des Pays-Bas: 2e série, 1506–1700 = Verzameling der wetten en verordeningen der Nederlanden: 2de reeks, 1506–1700*, volume 8, 263–265.

lotteries, being awarded to the most vile retailer, and this with such a prodigality that the money that comes from this at the expense of the people and of which a large part becomes the bounty of Armenteros, surpasses the value of treasuries of kings".[33] This critique gives an indication of the amounts of money that are channelled through the Low Countries lotteries and of the fact that even "the most vile retailer" was allowed to organise a lottery. Aytta also argues that lotteries are "at the expense of the people", harming more than benefiting. In the wake of the frontier towns lottery of 1561, a new proposal was floated in central government circles: why not create a very large general state lottery to pay off the wage arrears of the mercenaries who were on the brink of mutiny? The Council of Brabant, however, advised negatively on this idea promoted by Margaret of Parma: "the lottery is a vile and odious means that would seriously hurt the reputation of our king and the success of a lottery is very uncertain". It seems that at least some council members thought of lotteries as having a bad reputation and should be avoided by a just royal government. They advise the governess to ask for the usual financial aides and to look for reasonable loans from Antwerp merchants and financiers to pay off the soldiers.[34] So this new idea lay dormant… until 1567, when it was revived. A gigantic and unprecedented state lottery would raise three million guilders to fund the repayment of soldiers and the frontier towns. The well-known Antwerp publisher Willem Silvius printed a booklet with the many rules of this lottery to make it as transparent as possible. It emphasised, perhaps superfluously by that time, that the lottery was founded on fortune and hazard. All other lotteries were forbidden throughout the duration of the registration and draw of this very large state lottery.[35] It is unclear, however, whether this lottery actually took place. It must surely have been affected by the political crisis in the Low Countries set in motion by the Iconoclasm of the summer of 1566.[36]

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33 Leon Van der Essen, "De 'groote en generale staatsloterij' der Nederlanden (1556–1578). Bijdrage tot de geschiedenis der finantieele ontreddering tijdens de regeering van Filips II", *Bijdragen voor vaderlandsche geschiedenis en oudheidkunde* (1913): 299. The English is my translation from the French original quoted by Van Der Essen, which is in itself a translation from the original Latin by Aytta.

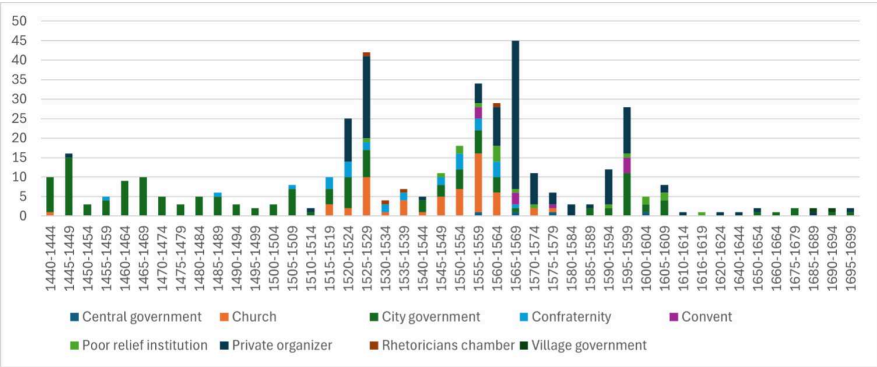
34 Algemeen Rijksarchief Brussel, Fonds d'Ursel, L224, 18/1/1561.

35 On the ritual of lottery drawings, see Jeroen Puttevils, "The show must go on – De performance van de loterij in de Nederlanden (15de–16de eeuw)", *Nieuwe tijdingen: over vroegmoderne geschiedenis* (2019).

36 The Beeldenstorm that took place in the Low Countries between August and October 1566 consisted of the destruction of statues of saints and other Catholic objects by Protestants in the Low Countries. It signified the beginning of the Eighty Years' War.

The idea of a grand state lottery resurfaced again when the administrator of the 1567 lottery, Geerard Gramaye, suggested it to the Estates-General in 1578. With the Pacification of Ghent, the Estates-General – the representative organ of the Low Countries – had turned against the Spanish king Philip II. To fund the rebellious troops, they needed money, and Gramaye tried to convince them to set up a lottery with himself as administrator (again).[37] It is unlikely, based on the available source material, that this lottery ever happened.

The critical Viglius of Aytta was a keen observer of changes in the lottery landscape. Indeed, not just city governments and churches were organising lotteries, "vile retailers" did so too.



Graph 2: Number of lotteries by organiser, type, and period. Source: author database.

Private lottery organisers, merchants and craftsmen, with or without official licence, were increasingly active on the lottery markets. A first wave occurred in the 1520s and 30s; from the 1560s they were the major drivers of the lottery market. With the entrance of merchants and craftsmen, the prizes that were offered changed too: whereas previous lotteries were mainly offering silverware and money (sometimes in the form of revenue from offices), the prizes in these lotteries consisted of paintings, furniture, jewellery, musical instruments, and cloth-

37 Louis-Prosper Gachard, "Actes des États généraux des Pays-Bas, 1576–1585 = Collection de chroniques belges inédites et de documents inédits relatifs à l'histoire de la Belgique: série B in 8°", *Verzameling van onuitgegeven Belgische kronieken en van onuitgegeven documenten betreffende de geschiedenis van België: reeks B in-8°* (1861): 1055, 153, 171; http://www.historici.nl/retroboeken/statengeneraal volumes 1 & 2, various resolutions in 1577 to 1579, vol. 1, 516, 519, vol. 2. 358, 399, 402, 403, 406–407.

ing.[38] In this way, lotteries mirrored changes in the marketing landscape and the consumer culture of the Low Countries.[39]

4 Late sixteenth-century humanist justifications and growing moral pressure against lotteries

At the end of the sixteenth century, many humanists were still quite positive about lotteries or did not discuss them, even if a modern-day scholar would expect them to have known about lotteries and to discuss them in studies of, for example, gambling. For example, Pascasius Justus Turcq, a humanist of the Low Countries, published two very influential books on gambling and gambling addiction as a medical condition in 1561 (*Alea, sive de curanda ludendi in pecuniam cupiditate*). For unknown reasons, like Vives, he does not refer to lotteries and sticks to bets, dicing, and card games.[40] The legal scholar Martin Delrío, born in Bruges or Antwerp from Spanish noble stock, published his *Disquisitionum magicarum* in 1599. Delrío spends an entire chapter on lotteries. In it, he is the first to explicitly consider lotteries as a lawful form of contract that was not against divine or natural law. Lotteries were even pious, if they were used to raise funds for the welfare of the public. Therefore, Delrío positively advised princes to make use of lotteries. The lottery, *lotheria*, or "the lot involved in a contract" (sortium contractus) falls under the header "De coniectione politica" (state conjecture) since it "has been accepted by legal authority and properly constituted legislation".[41] Delrío also distinguishes between private and public lotteries:

> It is carried out in private at anyone's behest when someone proposes that a horse or something such as that should be allotted at a stated price (fifty gold pieces, for example), to the person on whom the lot falls, and then several people each contribute their share to this sum and throw the dice to see who will have the horse; or when in private, too, there is a proposition that a number of rings, books, mirrors, or some other household stuff be allotted among close friends in the same way after they have each contributed their share. (These

38 Wout Vande Sompele, "'Twee gepaerde scapen naer een van de pryzen wy gapen'. Transities in de prijzenkasten van vroegmoderne loterijen in de Nederlanden, 1440–1600" (Master diss., University of Antwerp, 2015).

39 Sophie Raux, *Lotteries, Art Markets, and Visual Culture in the Low Countries, 15th–17th Centuries* (Brill, 2018).

40 Pascasius Justus Turcq and William M. Barton, *On Gambling* (Lysa, 2022).

41 I am relying on the translation in Peter Maxwell-Stuart and José Manuel García Valverde, *Investigations into Magic, an Edition and Translation of Martín Del Río's Disquisitionum magicarum libri sex*, vol. 4 (Brill, 2023), 477.

> are called 'shares', and the vernacular for it is 'la raffe' or 'riffe'). Some people call it 'the pot-game', I presume because of the urn or pot into which the lots are thrown.[42]

In the case of a public lottery "the prince must give his consent, or the state, and many things have to be considered in connection with this contract, whether it is carried out in public or in private, so that the way the contract is carried out may also remain unimpaired as far as justice is concerned".[43]

Delrío provides an extensive summary of Jean Briard's justification of the lottery and disproves Konrad Summenhart, who argued that lotteries are forbidden since they fall under the laws prohibiting dicing. According to Delrío, dicing is prohibited since it leads to blasphemy and to people lapsing rapidly into poverty. This is not the case for lotteries. Even if the lottery produces far more value than the total value of the prizes offered, the lottery is legitimate when the excess profit is transferred to the poor, public officials, or officers. "[N]o harm is done to those taking part in the lottery because they know this [that the profit from the lottery is used for public needs]"; in other words, lottery ticket buyers are conscious consumers.[44] However, Delrío acknowledges the potential for fraud: organisers could delay the drawing of the lottery or alter the prizes offered. To avoid such fraud, a clear timeline should be established, and the rules should be known from the start. Instant lotteries – where you buy a ticket and there is an instant draw – are to be prohibited, says Delrío: "This method has its dangers and princes should not permit it because it is open to all kinds of fraud".[45] Transparency and equity are key in Delrío's argument in favour of the public lottery. As such Delrío provides a theoretical ground for this transparency and equity. These principles were already practically enacted through the public draw where all tickets were drawn and by the publication of each lottery's rules, first handwritten and later on in printed form.[46]

Catholic moral theologians, such as Leonardus Lessius at the end of the sixteenth and the early seventeenth centuries, were still quite tolerant towards betting, gambling, and lotteries, as long as this type of transaction followed the right contractual rules: the lottery should be voluntary, offer equal odds, and adhere to

42 Maxwell-Stuart and Valverde, *Investigations into Magic*, 475.
43 Maxwell-Stuart and Valverde, *Investigations into Magic*, 475.
44 Maxwell-Stuart and Valverde, *Investigations into Magic*, 481.
45 Maxwell-Stuart and Valverde, *Investigations into Magic*, 481.
46 Puttevils, "The show must go on"; Raux, *Lotteries, Art Markets, and Visual Culture*; Alfons K.L. Thijs, "'Wy hopen te vercryghen tgroot lot': de dynamiek van de loterijen in het maatschappelijk leven van de Zuidelijke Nederlanden tijdens de preïndustriële periode", *Volkskunde: driemaandelijks tijdschrift voor de studie van het volksleven* 109, no. 1 (2008).

fair play. In the end, however, all these theologians accepted that their more liberal ideas concerning games of chance could be overruled by civil and church authorities, who wanted to implement stricter regulations.[47] And this is exactly what happened in the middle of the 1590s, when the tide turned against lotteries: we find more and more evidence of renewed critique directed at the lottery. A letter from the Antwerp city government to the Council of Brabant in 1596 describes lotteries as perverting the city's youth. Youngsters are said to beg for money from their parents to participate in the many lotteries that were taking place. At a time of war, dearth, and economic crisis, lotteries are surely a bad example, according to the Antwerp magistrate. It leads to conflicts between children and their parents, between servants and their masters, and between husbands and wives. Moreover, it constitutes a slippery slope to thievery. The city councillors proposed to limit lotteries in time, to Shrove Tuesday only, linking lotteries to Carnival and to gambling and as such equating lotteries with gambling.[48] Two years later, in 1598, the archbishop of Mechelen, Matthias Hovius, wrote a pastoral letter in which he laments that young people do not attend religious services anymore because they go to all sorts of lotteries. He adds that, to get the money to participate in these lotteries, they turn to various dishonest practices. The archbishop forbids all games of chance on Sundays and holidays.[49]

At the beginning of the seventeenth century, the cities of Lille, Mons, and Cambrai requested archduke Albert and archduchess Isabella and the central government of the Southern Low Countries to stop the lotteries of Hans Goyvaerts, one of the private lottery organisers visualised in graph 2. He was travelling through the region offering all kinds of luxury prizes in his lottery, such as silverware, Venetian-style glassware, mirrors, alabaster objects, paintings, and luxury textiles. In this way, he tapped into the changing consumer demand. Goyvaerts had an official government licence. The city authorities demanded that he respect the official prohibition on lotteries that was in force at the time.[50]

The magistrate of Lille provided several arguments against lotteries: ticket buyers preferred to spend their money on lottery tickets rather than on buying goods at the fairs or from local craftsmen, actively hurting the local economy. Lotteries caused serious social unrest: the city's poor, dazzled by the hope of improving their status by winning a prize, would pawn their clothes and those of their

47 Toon Van Houdt, "Spelen om geld: gokken, wedden en loten in het moraaltheologische discours in de Zuidelijke Nederlanden (eind 16de–begin 17de eeuw)", *De zeventiende eeuw: cultuur in de Nederlanden in interdisciplinair perspectief* 15, no. 1 (1999).

48 Felixarchief Antwerpen, T 1431, 24/01/1596.

49 Thijs, "Les Loteries dans les Pays-Bas méridionaux (XVe–XVIIe siècle)", 34.

50 This is based on Raux, *Lotteries, Art Markets and Visual Culture*, 207–214, 272–306.

wives and children in a bid to try their luck… most often in vain, which in turn led to numerous family conflicts. In 1605, the city magistrate of Mons builds further on this point and argues that the neediest are especially affected by "the lust to win". They take their possessions to the pawnbroker and put the money into lottery tickets. Thus, after having lost at the lottery, they find themselves deprived of food and essentials. Interestingly, the city magistrates also write that the peasants, already burdened by taxes, will face even greater difficulties in paying their taxes if they put their money in lotteries "as a result of temptation and cupidity for prizes". It was especially this cupidity that led to outrage among the preachers, concluded the Mons magistracy.[51] Remarkably, this eagerness to win a lottery prize – either cash or particularly luxurious commodities – is not linked to the potential for large prizes to blur social boundaries, an argument that was often made in sixteenth-century Italy.[52] Contrary to other European regions, the Low Countries may have had sumptuary laws that explicitly linked social status to consumption habits, but these were not typically enforced.[53]

This extensive criticism of lotteries negatively links the lottery to taxation: the more lotteries, the lower the amount of tax money coming in. In the seventeenth and eighteenth centuries, a reversal of this idea would occur: lotteries could provide governments with a voluntary tax that weighed less heavily on the populace than other types of taxation.[54] Clearly, these city governments were actively engaging in the social disciplining of their populations. The clampdown on lotteries fits in the strategies of the urban elites, who were concerned to manage potential social problems related to "pauperism, profligacy, and lack of work-discipline to facilitate the modernization of economic behaviour and the smooth transition from subsistence production to a commercialized, market-oriented capitalist economy".[55]

Another criticism against lotteries in this period can be found in the work of the prolific Jesuit writer Jan David, who sought to re-educate his catholic country-

51 Raux, *Lotteries, Art Markets and Visual Culture*, 277–278.

52 Welch, "Lotteries in Early Modern Italy".

53 Isis Sturtewagen and Bruno Blondé, "Playing by the Rules? Dressing without Sumptuary Laws in the Low Countries from the Fourteenth to the Eighteenth Century", in *The Right to Dress: Sumptuary Laws in a Global Perspective, c.1200–1800*, ed. Giorgio Riello (Cambridge University Press, 2019).

54 John Dunkley, "Bourbons on the Rocks: Tontines and Early Public Lotteries in France", *Journal for Eighteenth-Century Studies* 30, no. 3 (2007); John Dunkley, *Gambling: a Social and Moral Problem in France, 1685–1792* (The Voltaire Foundation, 1985); Stephen M. Stigler, *Casanova's Lottery: The History of a Revolutionary Game of Chance* (The University of Chicago Press, 2022); James Raven, "The Abolition of the English State Lotteries", *The Historical Journal* 34, no. 2 (1991).

55 Ogilvie, "'So That Every Subject Knows How to Behave'", 92. See also Catharina Lis and Hugo Soly, *Poverty and Capitalism in Pre-Industrial Europe* (Harvester Press, 1979).

men through popular books. One of these is the *Den Christelijken Waerseggher* or *The Christian Fortune-teller* (1603). In chapter LXXVIII, David refers to the lottery as a metaphor for the world:

> Wat ist van s'weerelts togh, en wonderbaer bediedt?
> Al ijdelheydts bedrogh, met een grooten NIET.
> (What to say about wordly display and its wondrous explanation?
> It is all deceit by vanity, with a big NIET.)

The NIET refers to the blank tickets that outnumbered the winning tickets during the public draw. The lottery poems often rhymed with niet. David goes on in the text saying that one can compare the world, in all its glory, to a large and beautiful lottery "of which/ according to the cost of all the purchased tickets/ and careful expectation/ nothing else came/ than always: NOTHING NOTHING". The Jesuit writer, through this comparison, criticises both the lottery and worldly display. The image accompanying the text shows the prizes and the drawing of a lottery.

The criticism seems to have paid off: in the southern Low Countries, we observe very few lotteries after 1600. But is this decline of the lottery caused by the criticism or did the two phenomena just correlate? Reinvigorated Catholicism at the end of the sixteenth and the beginning of the seventeenth century in the Southern Low Countries might have induced the urban governments and the central government there to forego lotteries. One also has to factor in the unsafety of the Eighty Years' War: surely, even if lotteries were organised, these would have recruited only local buyers, whereas previously the Low Countries had constituted a common market for lottery products. The Dutch Republic followed suit, albeit with an interesting delay. The province of Zeeland prohibited lotteries in 1606. Holland, on the other hand, condemned unlicensed ones in 1608 but continued to grant many licences.[56] Provincial synods in the late 1610s in the Dutch Republic urged the provincial Estates to ban all lotteries.[57] True Calvinists should not indulge in the amoral game of the lottery. Although no official prohibition was issued, there were almost no lotteries held in the Dutch Republic until the 1640s. However, a new spike in the number of lotteries set up in the Dutch Republic followed in the 1690s.[58]

56 Anneke Huisman and Johan Koppenol, *Daer compt de lotery met trommels en trompetten! Loterijen in de Nederlanden tot 1726* (Verloren, 1991), 68. & Nationaal Archief Den Haag, Resolutieboeken Staten van Holland, 42, 11/6/1608.

57 Huisman and Koppenol, *Daer compt de lotery*, 68.

58 Huisman and Koppenol, *Daer compt de lotery*, 68, 71, 105.

Figure 1: Jan David, *Christeliicken waerseggher...*, engraving by Joannes Galle, printed by Jan Moretus I in Antwerp in 1603, page 271, KU Leuven Libraries, https://repository.teneo.libis.be/delivery/DeliveryManagerServlet?dps_pid=IE4752346&.

5 Conclusion

The criticisms that were launched at lotteries from the later sixteenth century onwards to today, saw their first crystallisation in the lottery markets of the fifteenth- and sixteenth-century Low Countries. Not all at once, though, as the roughly 250 years of lottery organisation in this region show. Social, economic, political, and religious criticisms against lotteries surfaced at times but did not necessarily lead to abolition. When there was criticism, it was usually aimed at private and unlicensed lotteries, often deemed fraudulent, deceitful, and feeding on the credulity of the people. Nonetheless, many private entrepreneurs were still granted the necessary licences. Lotteries were surely allowed when they were organised by local governments or the royal state, or by charitable or church institutions, provided that the lottery's proceeds served the common good, and only after obtaining an official licence. The licensing system could lead to haggling in the highest circles of government and was deplored by senior officials who singled this out as corruption, somehow often committed by their political adversaries.

Urban governments and, shortly after the first instances, the princely government regulated lotteries and as such commodified them. By doing so, they created, promoted, and celebrated a consumption ethic that fantasised about winning big, the ultimate capitalist product.[59] Governments and other organisations that had received official sanction could tap into the gambling market to raise additional revenue. To arrive at that point, lotteries needed to be set free from moral objections so as not to taint the government.[60] Research on modern gambling and lotteries has shown that opposition to the morally questionable position of the state profiting from the revenue from regulating and taxing the gambling market is usually overcome by referring to a discourse of community benefit.[61] Neary and Taylor argue that, in modern-day economies, intensified state power goes hand in hand with the state's attempt to "colonize the world of gambling, charity, and culture and make them increasingly functional for the neo-liberal accumula-

59 Gerda Reith, *The Age of Chance: Gambling in Western Culture* (Routledge, 1999) and Gerda Reith, "Gambling and the Contradictions of Consumption: A Genealogy of the 'Pathological' Subject", *American Behavioral Scientist* 51, no. 1 (2007): 36.

60 Orsi Husz, "Private Dreams and Public Expectations: Lotteries and Dilemmas of Progress and Social Welfare in Early 20th-Century Sweden", *Journal of Consumer Culture* 2, no. 1 (2002); Richard Wilk, "Consuming Morality," *Journal of Consumer Culture* 1, no. 2 (2001).

61 Jim Cosgrave and Thomas R. Klassen, "Gambling Against the State: The State and the Legitimation of Gambling", *Current Sociology* 49, no. 5 (2001); David Nibert, "State Lotteries and the Legitimation of Inequality", in *The Sociology of Risk and Gambling Reader*, ed. James Cosgrave (Routledge, 2006).

tion of capital".[62] The fifteenth- and sixteenth-century Low Countries witnessed this exact (gradual and not undisputed) intensification of state power.[63] This coincided, as this chapter shows, with both the urban and central government's increasing use and regulation of the rising lottery market.

At the beginning of the sixteenth century, Briard of Ath argued that, if some lottery participants are pushed into sin, this does not make the lottery itself unjust. The equation of the lottery with sin would become dominant in the Calvinist Dutch Republic at the beginning of the seventeenth century again. Authorities were aware of the entertaining and recreational nature of lotteries and surely knew about their profitability. But when the Counter-Reformation set in powerfully at the end of the sixteenth century, lotteries could no longer coincide with Sunday and holiday festivities. More generally, the final years of the sixteenth century signify the end of a climate of remarkable tolerance for the lottery in the Low Countries. Before this period, rich and poor, young and old, man and woman, worldly or clergy, were welcome to buy lottery tickets. From those years onwards, however, we see a growing concern for the young, the working class, and the poor participating in lotteries. Especially the hope of winning big seems to have been particularly dangerous, for it could upset the traditional social order and tear apart households.

Two key processes often attributed to the late medieval and early modern period go a long way to shed light on the history of lotteries in the Low Countries: state formation and social disciplining. Lotteries provided new revenue for local and central governments in the form of a voluntary tax. When looking at the numbers and the very few failed lotteries, there was a large market for lotteries. People clearly wanted to play, and they did so out of Christian caritas and personal greed. More and more resources were put into organising larger and larger lotteries, up to the point that the central government may have overstretched itself and failed to hold the grand lottery it had in mind. This may have served as a setback and a return to smaller scale and more local lotteries, often organised by private entrepreneurs.

It is tempting to see in the lottery an attempt at socially discipling a population prone to gambling and games. Highly regulated and transparent, occasional, low ticket prices, for the common good, lotteries were a civilised practice compared to the sins and misdemeanour associated with other games of chance.

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62 Mike Neary and Graham Taylor, "From the Law of Insurance to the Law of the Lottery: An Exploration of the Changing Composition of the British State", in *The Sociology of Risk and Gambling Reader*, ed. James Cosgrave (Routledge, 2006), 344.

63 For a recent overview: Robert Stein, *Magnanimous Dukes and Rising States: The Unification of the Burgundian Netherlands, 1380–1480* (Oxford University Press, 2017).

Yet the lottery's success may have turned the mechanism of social discipline against itself. When more and more private entrepreneurs began to offer their own lotteries and new lottery formulas, they were set on a collision course with craft guilds, urban authorities, and members of the church (whether Catholic or Protestant by that time). The private lotteries travelled from fair to fair, and it may be the lottery's association with the fairs and the drinking and merriment that accompanied them, that made the lottery a target for moralists.

The shift from public institutions organising lotteries to private entrepreneurs by the end of the sixteenth century involved a marketisation process of the lottery. This marketisation may have caused elites to develop a disdain for lotteries and a growing disapproval of the game. Commoners should be protected against their own impulses. However, it would be too simple to explain the fluctuation of lottery activity solely by moralists gaining the upper hand. The political destabilisation of the region at the end of the sixteenth century made lottery organisation increasingly difficult, especially when it came to attracting buyers from outside the locality where the lottery was organised. The moralists may have won the battle, but they surely did not win the war, because after a few decades, lotteries were back. In the later seventeenth century, the lottery serves as a perfect indication of what Simon Schama has called "the embarrassment of riches" so typical for the Dutch Republic in its Golden Age: "it harnessed the most unblushing worldly appetite for godly ends".[64] This conflict between lotteries and their critics is still very much alive today.

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64 Simon Schama, *The Embarrassment of Riches: An Interpretation of Dutch Culture in the Golden Age* (Knopf, 1987), 306 – 310.

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