

BOOK REVIEW

GAMBLING UNDER THE SWASTIKA: CASINOS, HORSE RACING, LOTTERIES, AND OTHER FORMS OF BETTING IN NAZI GERMANY. By Robert M. Jarvis. Durham, North Carolina: Carolina Academic Press, 2019. Pp. ix, 185. \$49.00.

Reviewed by David R. Cleveland¹

The German state under Nazi rule has been written about and explored extensively, and, as legalized and state-sponsored gambling expands, gambling law and its history continues to grow as a scholarly field. Yet, these two areas of scholarly inquiry seem to avoid each other. Much has been written about daily life in Nazi Germany and, separately, about gambling activities in Germany before and after Nazi rule, but a history of gambling activities under the Third Reich is conspicuously absent. Perhaps this mutual lack of exploration is a result of the dissonant nature of the two subjects. For a scholar of Nazi Germany, an in-depth discussion of gambling activities may seem frivolous, and for a scholar of gambling law, delving into the details of the Third Reich may seem grim. Whatever the cause of this odd historical blind spot, exploring the conjunction of these two subjects is overdue.

In *Gambling Under the Swastika: Casinos, Horse Racing, Lotteries, and Other Forms of Betting in Nazi Germany*, Professor Robert M. Jarvis, a professor of gambling law at Nova Southeastern University, delves into this unusual intersection, taking the reader on an expansive tour of gambling activities in Nazi Germany. He details the wide variety of gambling outlets—from casinos to lotteries to animal racing—across the geographic scope of the Reich, including Berlin, the traditional casino spa towns, and German-occupied territories. Jarvis weaves together contemporary, academic, and popular media sources. The book relies heavily on direct quotes from its sources, giving it a certain liveliness, which is enhanced by forty-five images, some in color. These images include black-and-white photographs of gambling taking place throughout the Reich, from a foxhole in Africa, to a street corner in Berlin, to the newly reopened casino in the spa town of Baden-Baden. The book also includes color reproductions, like posters supporting German casino and lottery gambling in the 1930s and 40s. The overall effect is an engaging and informative text that is broader than one might expect.

¹ Dean and Professor of Law, Valparaiso University Law School

The book begins by examining the popular belief that gambling was prohibited by the Third Reich and non-existent in Nazi-era Germany. While setting forth the popular misconception is a standard opening for academic texts, Jarvis' choice of source is anything but standard. He notes that the dearth of prior scholarship on gambling under the Third Reich leaves interested parties, particularly on the internet, completely adrift. As an illustration, the book opens on a question posted to UK Yahoo! Answers, "Does anybody have an idea what the Nazi Party's stance on gambling was...?" and, as Jarvis puts it, "four hopelessly wrong answers." (p.3). In those answers, and in general, common assumptions are that gambling was prohibited under the Nazi Party as an immoral, decadent Western vice; German spa casinos closed in 1872 and did not reopen until after World War II; and any lack of gambling under the Third Reich was a function of general Germanic temperament more than Nazi doctrine.

Before delving into the state of gambling activities under the Reich, the book briefly recounts the history of gambling in pre-unification Germany, the demise of state-sanctioned casino gambling in 1872, and the proliferation of gambling under the Weimar government. Anecdotes point to government-sanctioned gambling in decentralized German cities and states dating back to the Middle Ages. Jarvis then traces the growth of the German spa casinos, starting in 1748 in Baden-Baden, and growing to twenty-four spa towns by 1800. In just a few pages, Jarvis describes the rise and fall of the German spa casino. In short, the casinos became a profitable and integral part of German spa towns, a draw for mostly wealthy and international clientele, and a boost to local communities. They were bolstered during this period by increased mobility across the continent, the outlawing of gambling in France in 1836, and other external factors. The decline and eventual closing of these casinos resulted from decades of slowly growing moral objection based on perceived harms of casino gambling to individual, family, and community well-being.

Eventually public sentiment, to some extent in coordination with German unification efforts, turned against the casino industry, culminating in an 1868 decree banning casinos (effective 1872) based on concerns about moral decline, diversion of productivity, and negative social effects. This ban remained in place from 1872 to 1933, and Jarvis describes the state of gambling in Germany during that period under both the monarchy and the Weimar Republic. Most notably, while both remained against casino gambling, the Weimar Republic struggled to enforce its will, leading to a rise in both locally authorized casinos and technically illegal but thriving gambling "clubs." This history is brief and focuses on casino gambling with only minimal reference to other types of gambling, but it provides adequate foundation for the examination of gambling under the Third Reich that follows. From it, the reader learns gambling had been part of the German economy and daily life, and that when the Nazis came to power, gambling was experiencing a popular, albeit largely illegal, resurgence.

The heart of the book is an expansive look at the gambling activities under the Third Reich, beginning with the return of state-authorized and regulated

casino gambling. Within months of taking control of the German government, the Nazi regime passed a law authorizing casino gambling within Germany, but only in a narrow set of circumstances. Those circumstances were specially crafted to allow the reopening of a spa casino in only one location, Baden-Baden, a town under the control of a long-time Nazi party member and Hitler ally. The book provides multiple direct quotes from Hitler supporting the casino at Baden-Baden as a method for reinvigorating the struggling spa town, enriching the government coffers, and relieving wealthy foreigners of their money. Regulations permitting a casino at Baden-Baden prohibited locals from playing and barred gambling on certain holidays or after certain hours. This is one of a number of examples where the text reveals an attempt by the Reich to balance economic interest with the enduring belief that gambling was an immoral and unproductive activity. Baden-Baden soon returned to its position as “one of the chief gambling places on the continent.” (p.41). Casino gambling in this form continued, with support from Nazi government leadership, through the first declaration of “total war,” and was finally suspended following the second such declaration in 1944.

The book then covers the gambling activities available outside the casinos, the most significant of which seemed to be lotteries. As Jarvis puts it, “[a]lthough lotteries had existed in Germany since 1735, the Nazis turned playing them into a patriotic obligation.” (p.55). Indeed, the German government-authorized lotteries were played both in Germany and outside of it. Tickets were sold by mail and on the streets and were often advertised as funding social welfare programs like winter assistance and re-employment campaigns. Participants were sold the hope of a large windfall with the consolation that, even as a non-winner, one had supported a good cause. The lotteries served two other purposes: (1) to bolster German cash reserves, particularly when played by foreigners, and (2) propaganda, largely in the form of touting German social welfare and highlighting the fortunes of lottery winners. Government regulations prohibited misleading practices in the sale of lottery tickets, including specific limitations on the form and language of ticket-by-mail sales. Lotteries, as an apparently pro-social, state-operated form of gambling open to everyday Germans, were saleable, even if not perfectly congruent with the national sense of morality.

The text examines other forms of gambling present in, or conspicuously absent from, daily life under the Reich. Horse racing was popular under the Reich, invoking as it did certain values of the Nazi party—for example, its agrarian roots, notions of aristocratic former glory, and selective and controlled breeding. Though its operation in the latter years of the war was subject to some tension within the Reich, horse racing survived until the second declaration of “total war.” In contrast, dog racing did not gain any traction in Nazi Germany, a failure seemingly related to both restriction on the necessary betting technology and the Reich’s strong animal welfare laws. Shipboard gambling, which was technically outlawed but apparently tolerated under the Weimar government, is unmentioned in the book’s examination of the Third Reich period. It notes only that government-run leisure program cruises (part of the “Kraft durch Freude” [“Strength

through Joy”] program) featured no gambling, but only more wholesome German fun, such as traditional costumes, dancing, and music. Sports betting was likewise absent, despite the popularity of football and boxing, both betting-friendly sports.

The book also examines gambling in German-occupied territories, noting that Poland and Austria each maintained an historical tourist gambling casino (in Zoppot and Baden near Vienna, respectively). But outside of those two examples, one might generalize to say that the Reich outlawed gambling in the areas it considered German and encouraged it in areas the Reich considered occupied or enslaved (as seen, for example, in the difference between Western and Central Poland). In Central Poland, the Reich encouraged gambling as a means of distracting and demoralizing the population, a fact not lost on the Polish Underground, which exhorted Polish youth to avoid German gambling halls and targeted these halls for direct physical attack. Similarly, in the Netherlands, the lottery, though still ostensibly for winter relief, was viewed as compulsory, and collections were made door-to-door, a level of coercion far beyond that allowed within Germany itself.

Gambling Under the Swastika offers its starkest contrast in tone as it discusses the gambling in camps under German control; from its own military camps, to prisoner-of-war camps, to concentration camps. In all these settings, though for different reasons, currency held little value and the future seemed bleak to non-existent. In military and prisoner-of-war camps, pictures, drawings, and first-hand reports reveal gambling as a method of relieving boredom. Gambling provided a safer form of risk for soldiers in the field and a perk for officers posted in gambling-friendly towns outside of Germany. It provided a rare form of excitement for those enduring the monotony of prisoner-of-war camps. Camp money, good only for purchasing from the mostly empty camp store, was gambled with abandon.

A much darker story prevailed in concentration camps, where little record exists of gambling by prisoners, save for scattered reports of prisoners being beaten or killed for gambling. However, gambling by Nazis on the activities of prisoners did occur. The book recounts the case of Salamo Arouch, a boxer who must literally fight for his life while his guards wager on the outcome. Arouch's story is told in the film “Triumph of the Spirit” and is summarized here in a way that demonstrates the concentration camp prisoners' role as objects of gambling rather than as gamblers.

Overall, the book is both engaging and informative. Jarvis ably navigates the intersection of the grim reality of the Third Reich and the seeming frivolity of gambling activities. Part of that is a recognition that while gambling may serve as light-hearted fun for some participants, it also serves more serious purposes, such as calculated revenue generation, a tax on foreigners, a method of raising relief funds and building civil engagement, a means of controlling occupied or imprisoned populations, or a desperate long-shot attempt by bettors to escape their economic realities. In addition, through its use of popular film and

television sources, the book offers a slightly lighter tone for what is undeniably a difficult era to discuss. Indeed, the text manages a thoughtful balance even, or perhaps especially, where light and dark subjects share a page.

Ultimately, the book fulfills its stated purpose: to fill the void regarding gambling activities under the Third Reich. Future scholars (and internet denizens) now have a clear, readable, well-sourced overview of the gambling activities promoted or tolerated by the Nazi regime. The book provides a wealth of quotations and interesting sources. That said, the book makes no normative claim and imposes no narrative on the information (beyond the fact that some legal gambling did, in fact, exist under the Third Reich). It likewise reveals facts on recurring themes in gambling law scholarship without naming or analyzing them. These themes include the recurring attempt to draw distinctions between activities based on notions of chance and skill, the dueling perceptions of gambling as a vice and as a tool for funding social welfare, and the cross-border effects of legalizing or outlawing gambling.

Similarly, the book illustrates, but does not itself comment on, many parallels between early twentieth-century Germany's experience regulating gambling and other historical or even modern regulatory tensions. Even within the four corners of the text itself, certain recurring features of gambling in Germany seem to emerge, such as that the Reich purposefully encouraged gambling in contexts where it served an economic, propaganda, or morale purpose while finding some justification that fit with their *völkisch* (national) morality. Another such thread within the book is that the stakes and debts skyrocketed among gamblers with less valuable currency or a less certain future. This recurs in a variety of contexts from late-Weimar Republic civilian life to prisoner-of-war camps. The parallels are there, but the text does not explicitly draw those analogies for the reader.

Finally, while not the subject of specific discussion, the shift in official Nazi policies toward Jews can be seen in changing gambling regulations during the Reich's rule. In the earliest days, Jews were viewed much like wealthy foreigners, as decadent "others" to be divorced from their money at German gambling tables. In later years, they are viewed increasingly as non-entity "others" to be excluded from gambling as well as other aspects of daily German life. This is apparent, too, in the Reich's allowance of gambling halls within the Warsaw Ghetto combined with their reporting of that gambling as evidence of Jewish immorality.

Gambling Under the Swastika is a valuable addition to the literature and worth a read by professional and amateur scholars of either twentieth-century Germany or gambling history. Perhaps some scholars will be provoked by this book to become scholars of both. For them, this book provides an important foundation on which a deeper understanding of the topic can be built. For other readers, it stands on its own as an interesting and informative read.