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Free will's a gamble

Tan Seow Hon

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THE debate over whether Singapore should have a casino has turned from the contest between moral values and social repercussions, on the one hand, and economic values on the other, to whether Singaporeans can be trusted to act responsibly.

Put another way, the issue now seems to be whether the approach should be paternalistic, with all its connotations of the nanny state protecting the individual from himself.

But is some paternalism necessarily undesirable? What fuels paternalism in legislation and public decisions anyway?

At one extreme is 19th century English philosopher John Stuart Mill, whose work *On Liberty* argued for maximum liberty where no other person is harmed by an individual's action.

In his view: 'Over himself, over his own body and mind, the individual is sovereign.' Society should not attempt to compel or control the individual, whether through laws or public opinion.

Was Mill right? A 20th century philosopher, H.L.A. Hart, pointed out that underlying Mill's fear of paternalism was a conception of the normal human being which did not correspond with facts. Mill, Hart said, endowed the individual with 'too much of the psychology of a middle-aged man whose desires are relatively fixed, not liable to be artificially stimulated by external influences; who knows what he wants and what gives him satisfaction or happiness, and who pursues these things when he can'.

Mill's argument against paternalism is justifiable if most people indeed make their choices in the ideal fashion - with 'adequate reflection or appreciation of the consequences', not 'in pursuit of merely transitory desires; or in various predicaments when the judgment is likely to be clouded', or under more subtle pressures.

In real life, however, there are many external forces exerting their influence on individuals. These operate through the media or through commercial organisations, for example.

So while the state should generally give the individual freedom to decide life plans, if it does not uphold certain fundamental values, other players - commercial or otherwise - will arise to fill the vacuum. These players may be concerned only with economic profits and may promote undesirable values.

This presents us with an alternative view of paternalism: it is not the antithesis of liberty, constraining an individual's freedom, but that which protects an individual from external influences that restrict his true liberty.

Speaking at a recent seminar, National University of Singapore philosophy professor Ten Chin Liew noted that casinos often have the power to reduce a person's free will and control over himself. Surrounded by hardcore gamblers, engulfed in the garish lure of roulette wheels and fruit machines promising them a fortune that could change their mundane lives and encouraged by the crowd to gamble more - and beyond their means - it is easy for the individual to lose his power of real choice.

And you do not need to have gone to a Las Vegas casino to realise this. Just look into the eyes of some of those at a jackpot machine or lining up to buy 4D.

Or consider the behaviour of those who were inspired by the tragedies of Huang Na (murdered) or Yeong Poh Heong (swept away by flood water) to buy lottery and to obsess over the significance of various winning numbers seen as associated with the events. Their reaction testifies to a deep-seated gambling streak and an inclination to irrational behaviour.

Singapore has often cited our social and cultural circumstances as an argument against adopting wholesale certain practices in other parts of the world. It would be ironic if, after years of circumspection, we look readily towards the experience of other countries to support the case for a casino.

Las Vegas or other states cannot aid the case for a casino here, because even if social repercussions are minuscule in these places, Singapore's small size and concentration of population makes a casino built in any part of the island accessible to all.

Unlike other countries, we may also not have a buffer for the social ramifications.

Taken together, easy accessibility and the preoccupation that many Singaporeans have with gambling will mean that the notion of free and rational choice is unrealistic in practice.

Gambling is an addiction for many here; they will cease to act rationally, some homes will be broken and some will be desperate enough to kill themselves over gambling debts.

True, the state cannot protect all from all vices. Still, some paternalism is necessary. The state has always drawn the line somewhere - in relation to pornography, soliciting, drugs and so on.

Those in favour of a casino here may argue that the gambling addicts are in the minority and it is their choice if they want to muck up their lives.

Really? The saner ones among us may have decided never to gamble - so it is not our liberty we are fighting for. But when we say 'yes' to a casino, are we advocates for the liberty of others who want to gamble or are we choosing to sacrifice those who would fall prey to the vice and destroy their lives for some economic gains we would receive?

The writer teaches jurisprudence at the National University of Singapore Law School. The views here are her own.