Abstract

The central question of this dissertation is: what did it mean to gamble in late medieval England? The work interrogates the social position of gambling and gamblers in a range of textual and visual sources. It assesses the evidence for medieval gambling, concluding that dicing was the pre-eminent form of play and certainly the game that was the source of the most significant cultural anxiety. The argument subsequently focuses on the processes by which dicing was socially marginalized and negotiates to what extent the negative portrayal of dicers reflected the actual behaviour of a coherent subculture or was the exaggerated product of authority's suspicion and disapproval. Informed by the theoretical approaches to play of Johan Huizinga and Roger Caillois, the work suggests that it was gambling's problematic status as a play-form that underpinned its condemnation and censure.

Acknowledgments

I would like to thank Professor Linne Mooney for her patient and sensitive supervision of this dissertation, and the poker school at the Bootham Tavern for every check-raise and value-bet; from both I have learned a great deal.

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ABBREVIATIONS

The following abbreviations are used in the course of this dissertation:

DNB	Oxford Dictionary of National Biography
EETS	Early English Text Society
(O.S.)	*Original Series*
(E.S.)	*Extra Series*
(S.S.)	*Supplementary Series*
MED	Middle English Dictionary
OED	Oxford English Dictionary

ROLLING THE DICE: THE SOCIAL POSITION OF GAMBLING IN LATE MEDIEVAL ENGLAND

And eek men shall nat maken ernest of game[1]

-GEOFFREY CHAUCER

…pure play is one of the main bases of civilization[2]

-JOHAN HUIZINGA

[1] *The Canterbury Tales*, 1.3186, *The Riverside Chaucer*, 3rd ed., gen. ed. L. Benson (Boston: Houghton Mifflin, 1987). All future quotations from and references to Chaucer's work use this edition and follow its fragment and line numbering.

[2] Johan Huizinga, *Homo Ludens: A Study of the Play Element in Culture*, trans. RFC Hull (London: Routledge, 1949), 5. The text was first published in Dutch in 1938. The 1949 edition is based on a synthesis of Huizinga's own English translation, the original Dutch, and the 1944 German edition. All future quotations use this edition.

INTRODUCTION

Gambling occupies a peculiar cultural position; it is as ubiquitous as it is misunderstood. Even in modern society, whether it be the studier-of-form in the high street bookmaker, the casino gambler betting thousands on the spin of the roulette wheel, or the professional poker player using skill to overcome chance, gamblers belong to subcultures, clandestine other worlds "alternately dismissed, denounced and canonized"[3] by mainstream society.

This dissertation is interested in the identification and analysis of the gambling subcultures of the Middle Ages. My purpose is to strip away the prejudice, romanticization, and myth that clings to gambling in order to interrogate the cultural significance of the activity in late medieval England. This work is concerned both with the period's gamblers and gambling games as well as the processes by which they were marginalized in society. Furthermore, my intention is to combine these two strands of enquiry and question how medieval gambling functioned as a transgressive form of play.

This dissertation, broadly speaking, is a work of social history in that it considers particular groups of people delineated by their involvement in a certain form of play. However, my methodological approach is fluid and consciously interdisciplinary. The nature of this project – constructing a fuller picture of a social group currently neglected in the scholarship of the period – has necessitated engagement with a wide range of sources. Essentially, any reference to gambling was deemed worthy of attention and

[3] Dick Hebdige, *Subculture: The Meaning of Style* (London: Methuen, 1979), 2.

analysis. In the course of this work I deal with criticism of and advice against gambling in devotional and conduct literature; literary representations of gamblers and gambling in the writing of Chaucer, Hoccleve, and Langland; and legal sources including apprentice contracts and city court records. My work's approach to textual sources is influenced by the interdisciplinary agenda of the York CMS and, to an extent, the new historicist criticism, in an awareness of the complex interplay between nominally "literary" and "historical" sources and the instability of such generic classification. In addition to text, I will consider evidence of gambling activity in art, especially marginal manuscript illustrations, and material culture. Further to literary and historical scholarship, this dissertation makes significant use of theoretical approaches to play and game, a cross-disciplinary cultural theory defined by the work of Johan Huizinga and Roger Caillois, in its reading medieval gambling in relation to the society that contained it.

I can make no claim to have conducted anything approaching a comprehensive or exhaustive study. What I have attempted represents a "gathering together" of material relating to medieval gambling which has generated a number of interesting lines of enquiry of my own, and, I hope, will prompt future scholars to take seriously the cultural function of gambling and gamblers.

It ought to be pointed out at this early stage that by "gambling" I mean the play of games, in which chance is a predominant factor, involving the exchange of stakes based on the outcome. Whilst the OED notes that the word "gambler", for one who gambles, is

"essentially a term of reproach"[4], for the purpose of this dissertation, I use "gambler" with no pejorative connotation implied. Furthermore, in this brief introductory explication of terminology it is to be noted that "gamble" and its derivatives are anachronistic in relation to the period of study. The OED records that the word is not in use until the late 18th century, when it first appears as a verb. "Gamble" is an etymological development of the Middle English word "gamen", which had a broad range of meaning within the semantic field of play.[5] Middle English labelled gamblers in terms of their activity, calling them "dice-players" or "hasardours"[6]. Medieval Latin used the word "aleator"[7], or specifically for dice-play, deployed the construction "ludere ad talos".[8] One of the interests of this dissertation is how the vocabulary used to describe and label gambling reflects the cultural anxieties surrounding the activity.

The chronological scope of this dissertation is defined by the die and its popularity as the "preferred randomizer"[9] of the Middle Ages. This means dealing with material from the late 12th century until playing cards took over as the gambling equipment of choice in the mid 15th century. In terms of geography, my work engages with sources emerging from north-western Europe; primarily my interest is in the situation in England, although it has been germane to my purpose to admit certain sources of French provenance. This region is defined in relation to Spain where the approach to the regulation of gambling was

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[4] *Gambler*, n, *OED*.
[5] The Middle English word "gamen" survives in modern usage in the name of the dice and board game "backgammon", furthermore, a "gammon" in this game means a type of victory.
[6] *Hasardour*, n. Also *–er, -ar, -eur, -ur, hazardour, hasardore, asardour, hasardour*, *MED*.
[7] *Aleator*, n, *Dictionary of Medieval Latin from British Sources*.
[8] See London, London Metropolitan Archive, Plea and Memoranda Roll A13, m4, for an example of this usage.
[9] Thomas Kavanagh, *Dice, Cards, Wheels: A Different History of French Culture* (Pennsylvania: University of Pennsylvania Press, 2005), 39.

markedly different. As the work progresses the temporal and geographical focus tightens towards the City of London in the second half of the 14th century. This particular period and location offers a rich density of primary source material relating to dicing; the London of Chaucer's dicing apprentice Perkyn Revelour was subject to an increase in the written documentation of urban administration meaning that extant court records, such as the Calendar of Pleas and Memoranda Rolls, report several cases involving gambling.

Gambling in England has, for much of its history, hovered in an ill-defined locus between outright illegality and disapproving tolerance. Viewed as a symptom of degeneracy in both low and high status participants, gambling has always sat uncomfortably with authority, whether it be moral or administrative. This uneasiness is mirrored in academic discussions of gambling which tend to betray an inherent distrust of the practice. Thomas Kavanagh claims in his work on the significance of gambling in French culture that gambling "falls on the wrong side of scholarship's dividing line between the serious and the frivolous".[10] However, for others gambling is more serious than an "embarrassing digression", [11] it is intrinsically evil. William Strutt, writing in 1801, set the tone of this deep rooted prejudice in remarkably strident terms:

> The evil consequences arising from the indulgence of this pernicious pleasure have in all ages called loudly for reprehension […] But the

[10] Kavanagh, 4.
[11] Kavanagh, 4.

> evil is so fascinating and so general, that in all probability, it will never be totally eradicated from the minds of people.[12]

Not all commentators are as vehement in their condemnation as Strutt. Nevertheless, often, behind a façade of neutrality, scholars will reveal a certain distaste relating to gambling. As far as it is possible, this work seeks to avoid any moral position on the merit of gambling activity. Gambling is not viewed inherently as a personal or social problem, rather, this work is interested in the construction and perpetuation of such negative attitudes in late medieval England. As Ruth Karras warns in her book on the medieval prostitute, "we must not lose sight of the fact that marginality, like criminality, is culturally constructed and relative."[13] For her the prostitute is marginal because society has decided to place her[14] on the margin, and the same might be said of the gambler. Whilst the prostitute was defined by her transgressive sexuality, the gambler was defined by his[15] transgressive play. This dissertation negotiates the medieval gambler's marginality asking whether it was, to use Hebdige's terms, that of the "harmless buffoon" or the "threat to public order".[16]

The researcher approaching the history of medieval gambling will soon realise the paucity of serious commentary. With no book length study yet addressing the topic,

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[12] Joseph Strutt, *The Sports and Pastimes of the People of England* (London: Methuen, 1801), lix.
[13] Ruth Karras, *Common Women: Prostitution and Sexuaity in Medieval England* (Oxford: Oxford University Press, 1996), 7.
[14] And, as far as Karras is concerned, it is always *her*.
[15] My choice of the gendered pronoun is deliberate. All my research suggests that gambling was, or, at least, was perceived as, an activity participated in, predominantly, by men. My use of masculine pronouns throughout this dissertation reflects the gender bias of the source material.
[16] Hebdige, 2.

extant scholarship is confined to chapters in histories of medieval leisure activity,[17] or general studies of gambling aimed, predominantly, at a popular rather than academic audience.[18] Unfortunately, this means that original research in the field is limited and writing tends towards the descriptive over the analytical. Indeed, it is alarming to note how frequently writers examining gambling in the Middle Ages base their work on the appropriate section of John Ashton's *The History of Gambling in England*.[19]

Ashton's work, published at the end of the 19th century, focuses primarily on the history of gambling after the Restoration, and as such, his treatment of the medieval period is cursory. He relies on extended quotation, without supporting analysis, from edited sources, a number of which are transposed verbatim from an even earlier work, Joseph Strutt's 1801 *The Sports and Pastimes of the People of England*. Nevertheless, the incidences cited by Strutt, then Ashton are referenced with remarkable frequency in more recent studies of medieval gambling. It is my contention that this is symptomatic not of a limited field; but a lack of scope in existing research. Whilst it is inevitable that I will, too, replicate a number of examples mentioned by Ashton, where possible I have examined the source in as close to the original form as possible and considered it within an analytical framework.

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[17] See, for example, Theresa McLean, *The English at Play in the Middle Ages* (Windsor Forest: Kensal, 1983), 101 – 105, and, Paul Newman, *Daily Life in the Middle Ages* (London: McFarland, 2001), 69 – 70.
[18] DG Schwartz, *Roll the Bones: The History of Gambling* (London: Gotham, 2006) is an ambitious attempt to offer a comprehensive account from prehistory to the present day.
[19] John Ashton, *The History of Gambling in England* (London: Duckworth, 1898).

More recently, serious, analytical work on medieval gambling has begun to emerge. Rhiannon Purdie's 2000 chapter "Dice Games and the Blasphemy of Prediction",[20] attempted to understand the marginality of dicing in relation to the game's apparent intrinsic blasphemy. Sociological approaches have also produced interesting material. Gerda Reith's *The Age of Chance: Gambling in Western Culture*,[21] for example, examines the medieval genesis of our society's fascination with gambling. Jean-Michel Mehl, a French historian of games, has published a number of articles on the cultural significance of gambling games in medieval France.[22] And, also in a French context, Thomas Kavanagh's 2005 book *Dice, Cards, Wheels: A Different History of French Culture* argues convincingly for gambling to be taken seriously as a social phenomenon worthy of study. It is my hope that this dissertation will contribute to the small field of works specifically analyzing the cultural significance of gambling and gamblers in medieval society.

Chapter 1, "Historicizing Hazard", assesses the value of various sources and approaches in understanding how medieval gambling, in particular dice-games, functioned, before using theoretical approaches to play to analyze what differentiated dicing from other types of game. Chapter 2, "Condemning Gambling", then considers the position of gambling in relation to legal and moral authority. After discussing parliamentary legislation against dicing, the chapter examines the treatment of dice-games and their

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[20] Rhiannon Purdie, "Dice Games and the Blasphemy of Prediction," in *Medieval Futures*, eds. Wei and Burrow (Woodbridge: Boydell Press, 2000), 167-186.
[21] Gerda Reith, *The Age of Chance: Gambling in Western Culture* (London: Routledge, 1999)
[22] See, for example: "Les dés interdits au Moyen Age," *Histoire* 28 (1980): 84 – 86, and, "Jeux de hasard et violence à la fin du Moyen Age: une alliance éternelle?" *Ludica* 11 (2007): 89 – 95.

players in vernacular devotional literature and the influence that these texts had on the literary representation of gambling activity. As we shall see, various strategies were employed in the moral proscription of dicing, including the construction of the activity as transgressive play and the location of the game in the tavern.

The final two chapters focus on dicing in an urban context, specifically London. Chapter 3, "Dicing and the Urban Economy", uses the character of Perkyn Revelour in *The Cook's Tale* to interrogate the subculture of dicing apprentices and the challenge their prodigal, profligate behaviour offered to the mercantile economy. Chapter 4, "Policing Game", investigates the regulation of dicing in the City through the many incidences of crimes related to gambling in the Plea and Memoranda Rolls. The chapter considers what we might learn about the social position of gambling from the way in which it was policed by civic authority.

It will become clear that the authorities of the Middle Ages, whether they be moral, legal, or literary, took gambling seriously as a threat to the individual's soul as well as to the social and economic order. I too want to take gambling seriously. In bringing an analytical, interdisciplinary approach to the study of gambling games, informed by the study of subculture and the theory of play, I aim to unpack the anxiety that surrounded late medieval gambling and gamblers.

CHAPTER ONE

HISTORICIZING HAZARD

Roger Caillois, the French theoretician of play, wrote in the 1950s that, "for a long time the study of games has been scarcely more than the history of games."[23] His concern was that games were studied in a sort of vacuum; commentators were interested in determining the equipment, rules, and conditions of play at the expense of "attributing the slightest cultural value to them."[24] Half a century later, the landscape of game studies has changed markedly; the cultural significance of games and play has been recognized, and theorized, by scholars working in a variety of disciplines.

Medievalists have embraced the terms of play theory and in addition to the analysis of both child and adult play[25] have applied the Huizingan agenda of the seeking out of play-forms in literature, sacred ritual, and social and martial history. Indeed, a recent volume of the journal *New Literary History* contained a number of articles analyzing the application of the cultural theory of play to the medieval world[26] and in June 2010 an interdisciplinary medieval studies conference entitled "Let the Games Begin: The Medieval World at Play" was convened at the University of Sheffield.[27]

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[23] Roger Caillois, *Man, Play, and Games*, trans. Meyer Barash (London: Thames and Hudson,1961; first published in French: Paris, 1958), 57.
[24] Caillois, 57.
[25] See, for example, Barbara Hanawalt, *Growing Up in Medieval London: The Experience of Childhood in History* (Oxford: Oxford University Press, 1993).
[26] *New Literary History*, 40, no. 1 (2009).
[27] "Let the Games Begin: The Medieval World at Play," University of Sheffield, 19th – 20th June, 2010.

It is peculiar that whilst play and concepts of playfulness have attracted so much scholarly attention in the 20th century, especially from medievalists, gambling has yet to truly be taken seriously as the subject of academic discussion. If we are to accept that games and their play have a significant function in the formation and understanding of culture, then surely it is a worthwhile exercise to interrogate why and how certain forms of play are viewed as transgressive and become the subject of censure. If the study of games tells us about culture, what can the study of gambling tell us about subculture?

However, before we can properly interrogate attitudes or consider cultural function, it is necessary to establish the context of medieval gambling: to ask to what extent we can know who gambled and how gambling games operated.

Gambling in the Middle Ages meant dicing. By "dicing" and "dice-games" I mean those games which focus solely on the chance outcome of the roll of dice. This excludes games where dice represent just one element of the game's equipment and operation. In board-games, such as "tables" (a backgammon type game) and various "chase" games, which involved moving pieces around a board,[28] for example, dice were used to control the movement of pieces; they had a subsidiary function in game-play. The primary element of dicing was the generation of a chance outcome which might be gambled on. If played fairly, to use the parlance of modern gambling regulation, dicing is an "equal chance"

[28] Those interested in a detailed explication of medieval dice and board games along with conjecture as to their play should see H.J.R. Murray, *A History of Board Games Other than Chess* (Oxford: Oxford University Press, 1952) and Eliott Avedon, *The Study of Games* (London: John Wiley and Sons,1971) whose tome provides voluminous, if now some what dated, bibliographies.

game because, as it involves no skill, an individual player has no advantage over another. This differentiates dicing from games, such as chess, in which skill is a determining factor. In addition to chance, the other defining feature of dicing is the exchange of wealth based on the outcome. Whilst players could, and did, bet on the result of games of tables and chess, pecuniary exchange was not the sole purpose of play.[29] The transfer of stakes, conversely, was intrinsic to the operation of dice-games; money, effectively, was used to keep score. This key feature delineates the dice-games that are the focus of this dissertation from courtly games of erotic divination which used the aleatory function of dice but did not prioritze pecuniary stakes.[30]

There are no records of playing cards being used in England before the 15th century. Furthermore, no cards dating before 1590 haven been recovered.[31] However, their ephemeral nature means that this is not convincing evidence for their absence. Indeed, the statute of Edward IV's April 1463 Parliament which banned the importation of playing cards[32] in order to protect English craftsmen suggests that cards were being manufactured in England by the mid 15th century. According to his accounts, Edmund Mortimer lost

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[29] The eponymous protagonist of the addition to *The Canterbury Tales*, *The Tale of Beryn*, is duped into betting, and losing, money on games of chess. See *The Tale of Beryn*, in *The Canterbury Tales: Fifteenth-century Continuations and Additions*, ed. John M. Bowers (Michigan: TEAMS, 1992), 1745ff. Future references to the text use this edition.

[30] For further discussion of these games, such as *The Chaunce of Dice*, see Nicola McDonald, "Games Medieval Women Play," in "*The Legend of Good Women" Context and Reception*, ed. Carolyn P. Collette (Cambridge: D. S. Brewer, 2006), 176 – 197.

[31] David Parlett, *The Oxford Guide to Card Games* (Oxford: Oxford University Press, 1990), 43.

[32] R. Horrox (ed.), "Edward IV: Parliament January 1410, Text and Translation", in *The Parliament Rolls of Medieval England* , ed. C. Given-Wilson et al. Internet version, at http://www.sd-editions.com/PROME, accessed on 1 August 2010. Scholarly Digital Editions, (Leicester, 2005). Further references to the Parliamentary Rolls of Medieval England use this online resource.

money playing cards in 1413 and 1414[33],whilst in the Paston Letters, Margaret Paston recalls playing cards during the Christmas period.[34] Despite these occasional references, it appears that during the 14th and 15th century cards, most probably high status items,[35] could not rival the popularity of dice as gambling equipment. Although other games that could be played for stakes did exist, it was dicing, with its enchanting combination of chance and money, that seemingly preoccupied both enthusiasts and critics of gambling.

Not only are dice referred to frequently in textual sources, they are a common find in excavations of medieval settlements.[36] The Museum of London displays in its Medieval Collection 24 bone dice alongside a shaker (Image 1). These small dice, measuring 5mm x 5mm x 5mm, were found in the Dowgate Hill area of London on the north bank of the River Thames and date from the 15th century.[37] They are intriguing artefacts. These dice appear to be primarily functional, their use as gaming equipment is prioritized above any decorative concern; this suggests that, unlike other gaming artefacts on display, in particular chessmen, the dice were not high status items. Furthermore, their small size means these were portable items that might easily have been carried from location to location. However, a number of these dice are "unfair"; they are either loaded with

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[33] C. M. Woolgar, ed., *Household Accounts from Medieval England: Part 2* (Oxford: Oxford University Press, 1993), 592 – 594.
[34] N. Davis, ed., *The Paston Letters* (Oxford: Oxford University Press, 1991), 54.
[35] The advent of printing in the early 15th century helped to popularize playing cards as it made their manufacture far cheaper.
[36] Dice are found dating from across the medieval period (their heritage is ancient) in Britain and Europe. See Mark Hall, "A bone die from Whichford Castle, Warwickshire," *Birmingham and Warwickshire Archaeological Society Transactions*, 102 (2000) 84 – 87, and Mark Hall, *Playtime in Pictland: the Material Culture of Gaming in Early Medieval Scotland*, Rosemarkie: Groam House Museum, 2007.
[37]http://www.museumoflondon.org.uk/English/EventsExhibitions/Permanent/medieval/objects/record.htm?type=object&id=515184. The dice were found in an area of London close to the Cheapside habitat of Perkyn Revelour (see Chapter 3).

mercury or are numbered unconventionally.[38] These dice are therefore not only play equipment, but also part of a cheat's arsenal.[39]

Unfortunately, despite the tantalizing suggestion of premeditated cheating, behind the glass of the museum cabinet these dice reveal little about the actual games which were played using them. A branch of scholarship is interested in reconstructing the rules of medieval dice-games, yet this, in turn, treats game as a museum artefact, separated from its original conditions of play.[40] The task of this dissertation is to ask not only how these games were played, but, more significantly, to consider the context surrounding such games and ask what their play meant as a cultural phenomenon. As such, it is not my intention to offer an encyclopaedic commentary conjecturing the rules of various dice-games that might have been played in late medieval England. I will examine one game in particular, "hazard", in order to foreground the obstacles that problematize our knowledge of medieval dice-games.

The modern English word "hazard", meaning chance or peril,[41] derives from the medieval dice-game of the same name. The fact that the word's etymology sees it move from technical to general vocabulary suggests the powerful significance that the game harboured to the medieval mind. It is a testament to the popularity and social visibility of

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[38] *The Compleat Gamester* describes such dice as "High-Fulhams" (showing only the numbers 4,5, and 6) and "Low-Fulhams" (1,2,3).
[39] See Chapter 4 for the discussion of cheating rackets and their policing.
[40] The number of publications interested in the rules and operation, rather than the cultural significance and social function of games, include: R.C. Bell *Board and Table Games from Many Civilizations* (Oxford: Oxford University Press, 1960); D. Parlett, *Oxford History of Board Games* (Oxford: Oxford University Press, 1999); Grunfeld (ed.), *Games of the World: How to Make Them, How to Play Them* (New York: Holt Reinhart and Winston, 1975).
[41] *hazard*, n., 2,3, *OED*.

hazard that by the end of the 14th century the word denoted not just the specific dice game, but also dicing and gambling in general.[42] Furthermore, the agent noun "hasardour" gathered negative connotation and evolved into a pejorative term to be wielded by authority in the identification of a supposedly threatening subculture.[43] As will be discussed further in Chapter 2, to be a hasardour was to be anathema to mainstream moral authority.

Hazard is the ancestor of the modern casino game "craps"; however, the rules were somewhat different to the standardized version played today. The origins of the game are obscure. The OED posits that the word entered Old French from the name of a castle in Palestine, *Hasart* or *Asart*, during the siege of which the game was purportedly invented. The game was subsequently brought back to north-western Europe by soldiers returning from the campaign. Crusading knights were certainly not averse to gambling; an edict of 1190 regulating the army of Richard I and Philip of France on the Third Crusade prohibited any soldier beneath the rank of knight participating in any form of gambling activity; knights and clergymen were permitted to play, but were not allowed to lose more than twenty shillings in a single day.[44]

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[42] *hasard*, n., 1ab,2ab, *MED*.
[43] The MED records three shades of meaning: "a) A player at hazard, a gambler; b) commune ~, a habitual player at hazard, a notorious gambler; c) a common trickster."
[44] Ashton, 13.

The way that the game actually operated in its medieval form is the focus of debate with various scholars of games proposing interpretations of the rules.[45] One of the obstacles is that there is no extant medieval text in English which describes and details the rules of particular games. Much of what commentators suppose about the dice-games of medieval England is derived from two sources; the *Libro de los juegos* [Book of Games] compiled by the 13th century Spanish king Alfonso X and Charles Cotton's *The Compleat Gamester*, first published in 1674. Both works offer significant problems and limitations; whilst *The Compleat Gamester* is anachronistic, postdating this work's period of study by 300 years, the *Libro de los Jeugos* is remote in terms of its geography. As such we must be wary of using either text as a definitive guide to the rules governing the dice-games of late medieval England and north-western Europe.

The Compleat Gamester belongs to the coney-catching tradition popular in the Elizabethan period, and resurfacing in the Restoration, that appealed to a reading public's fascination with the skulduggery of urban subcultures. The text employs the trope of masquerading as a warning in alerting the reader to the threat of the unscrupulous gamester:

> Mistake me not, it is not my intention to make Gamesters by this Collection, but to inform all in part how to avoid being cheated by them.[46]

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[45] For example, Larry Benson (*Riverside Chaucer*, 909) and A. C. Spearing (*The Pardoner's Prologue and Tale* (Cambridge: Cambridge University Press, 1965), 87) offer, in their textual notes, quite different interpretations of how hazard was played.

[46] Charles Cotton, *The Compleat Gamester* (London: Henry Brome, 1674), *Epistle to the Reader*.

Whilst the text does contain practical advice on how to play popular pursuits such as billiards, bowling and cards, as well as what potential scams to be aware of, it is also a work designed to entertain. The version of hazard detailed in this text uses two dice[47] and employs a befuddlingly detailed set of rules; to simplify markedly, rolling certain combinations meant winning money from the communal "pot", while other combinations resulted in an opponent taking the stakes. The *Libro de los Juegos*, in its section devoted to dice-games, describes a version of hazard involving three dice.[48] Using these sources, no consistent model of hazard emerges. Representations of the play of hazard in literary sources, likewise, reveal variation in the way the game was played. Chaucer's Pardoner, in his preaching against swearing, dramatizes a two-dice version of hazard; he calls the dice "the bicched bones two",[49] whilst Jean Bodel's play *Le Jeu de Saint Nicolas*[50] stages a three-dice version.[51].

The entire mission to reconstruct the game of hazard as it was played in medieval England is flawed. Although "hazard" was being played across Europe from the 12th century to, at least, the Restoration, games are not static. The dice-players of medieval England would not have had access to a "rule-book"; the boundaries of play exist not in a

[47] *The Compleat Gamester*, 120.
[48] *Alfonso X's Book of Games*, trans. S. Golladay, (unpublished), f.67.
[49] *The Canterbury Tales*, VI.656.
[50] This French drama, composed c.1200, contains a number of scenes set in a tavern in which the characters discuss and play various dice-games.
[51] *Le Jeu de Saint Nicolas*, in *Medieval French Plays*, trans. and eds. R. Axton and J. Stevens (Oxford: Blackwell, 1971), l.1126. Further references to the play use the line numbers of this edition.

text, but in mutual consensus between participants.[52] It is unlikely that a single, rigid set of rules existed; rather the terms and conditions of play would vary from tavern to tavern and be agreed on an ad hoc basis.

It is more useful and illuminating to use literary manifestations of dice-games to interrogate the cultural tensions and anxieties relating to their play. In *The Pardoner's Tale*, Chaucer has the Pardoner vocalize a dialogue concerning a dice-game, in doing so dicing is juxtaposed with both swearing and violence:

> "By Goddes precious herte" and "by his nayles"
> And "By the blood of Crist that is in Hayles
> Sevene is my chaunce and thyn is cynk and treye"
> "By Goddes armes, if thou falsly pleye,
> This daggere shal thurghout thyn herte go."[53]

Dicing is located in a context of blasphemous utterance and threatening language and is associated, by this proximity, with such disruptive behaviour. The metaphorical dismemberment of God's body through the swearing of oaths on His body parts is paralleled, through the repetition of "herte", with the threat of physical violence upon the actual body of a player. Dicing is at the centre of this figurative and literal violence.

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[52] In *Le Jeu de Saint Nicolas* dice-play is preceded by discussion as to the rules of the particular game; the players, in effect, make a contract governing play. See, for example, 842-3 where the prizes and forfeits are decided and 873ff. where the game "Highest Points" is nominated for play.
[53] VI.651-655.

The speakers use the jargon of dicing referring to the "chaunce", a player's winning number in hazard, and slang terms "cynk and treye" for the dice values. It appears, from their specialized vocabulary, that a two dice version of hazard is being played. However, with the threat of cheating and violence floated, the game appears to be on the cusp of disintegration. The vocalization of the rules foregrounds the fraught nature of the boundaries of play. One player must verbally declare to his opponent the possible winning outcomes in case there should be any doubt. This vocal confirmation of the playing conditions is a recurring motif in *Le Jeu de Saint Nicolas* as the players are wary of being cheated by each other.[54] Furthermore, the declaration is backed up by the threat of violence. This proximity between dicing and violence is also in evidence in Bodel's drama in which, on a number of occasions, dice-games disintegrate into physical violence following disagreement over the rules or anger at defeat.[55] There is legal evidence to suggest that dice-games did prompt violence; Jean-Michel Mehl's article "Jeux de hasard et violence a la fin du Moyen Age: une alliance eternelle?" cites a number of cases from 14th century French court records of physical violence precipitated by dice-play.[56]

The representation of dicing in both *The Pardoner's Tale* and *Le Jeu*[57] demonstrates a particular anxiety about the potential for cheating. The possibility that an individual might "falsly pleye" is particularly troubling when money is at stake. The Museum of London's collection of loaded dice proves that cheats were operating with a premeditated

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[54] For example l.300 - 305, 900 – 915.
[55] Pincede grabs Cliquet by the cloak (925) and fight breaks out ownership the stake money (1160ff.).
[56] *Ludica*, 11, 2005. 89-95,
[57] Pincede instructs the players to "Throw with an open palm" to reduce the potential for cheating (850).

plan to play unfairly to their own advantage. The texts confirm that dicers were perceived as people who are inclined to cheat, to subvert the boundaries governing play.

Having analyzed the evidence for dice-games in literary representations of their play, I now wish to address the depiction of dicing in visual art. Marginal illustrations in manuscripts offer not only a physical impression of how dice-games were played, but also contribute to our understanding of the socio-cultural significance of such games and their players.

The bas-de-page illustration of London, British Library, MS Yates Thompson 13,[58] folio149^{v}, shows two individuals sitting at a dice table being tormented by hellish flames (Image 2). An accompanying textual gloss in red ink reads: "Ensi sunt les hasardors penez". The game board, positioned centrally, contains the two piles of coins to be used as stakes and three dice. One can conjecture that the dicers might be playing a three-dice version of hazard or "raffle", a game in which players tried to roll three-of-a-kind or pairs.[59] It is perhaps no coincidence that the "pips" visible on the dice add up to 13, a number associated in medieval numerology with imperfection and misfortune. The depiction of mixed gender play - the figure on the left appears to be female and on the right male, is somewhat unusual. Illustrations of dice-play generally feature only male participants (see Images 3 and 4 below) and dice-players in literary sources tend to be gendered male.

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[58] An early 14th century Book of Hours commonly referred to as the *Taymouth Hours*.
[59] *Raffle*, n1, *OED*.

The naked dicers consumed by flames offer a striking visual assertion of gambling's sinfulness. This image, which forms part of a sequence depicting the similarly graphic punishment of various other groups including usurers and the riotous, invites the viewer to form a negative attitude towards dicing and to perceive it as a sinful activity likely to incur infernal torment.

Composed c.1338 Oxford, Bodeleian Library, MS Bodley 264, containing the "Romance of Alexander", includes two marginal illustrations of dice-play in progress. Folio 64^{r} (Image 3) shows two players; the figure on the left has just rolled the dice, whilst the other participant grasps an article of clothing. A possible interpretation of this image is that one unlucky player has just bet, and lost, the cloak off his own back. The possibility of irresponsible, even potentially devastating, loss was one of the concerns voiced against dicing. In *The Tale of Beryn*, an anonymous addition to *The Canterbury Tales*,[60] the eponymous Beryn is a frequent loser at dice:

> Berinus atte hazard many a nyghte he waked,
> And offt tyme it fil so that he cam home al naked.
> And that was al his joy, for ryghte wele he knewe
> That Agea his moder wold cloth hym newe.[61]

The text implies that Beryn loses so disastrously that, having gambled away even his clothes, he is forced to return home in the nude. Beryn is fortunate in that his family is

[60] The only extant version is preserved in Northumberland MS 455, where the text is inserted into *The Canterbury Tales*..
[61] *The Tale of Beryn*, 927-30.

wealthy enough to provide him with new clothes; others might be made destitute through gambling losses.

In spite, or perhaps because, of the potential for crippling loss, dicing appears to have been a captivating pursuit. Folio 109^{v} of MS Bodley 264 includes an illustration of a group of men crowding around a dice-board (Image 4). With their gazes fixed on the board, the men strain to see the outcome of the latest roll; their attention is wholly focussed on the game. As will be discussed in the following chapter, the capacity for dicing to monopolize an individual's time at the expense of labour or spiritual observance was a recurrent criticism of the pastime. Furthermore, the configuration of the men's bodies, especially the physical contact of arms placed on shoulders, suggests a feeling of community amongst the dicers as well as foregrounding a sense of the clandestine. In the foreground two cloaks have been laid in front of the dice-board, once again it appears that the players are reduced to using their clothing as stakes.

The Bodley 264 illustrations reveal the relative simplicity of dice-play, the only equipment required being a wooden board and the dice themselves, and suggest something of the games' captivating nature and potential for reckless loss. In particular, the depiction of clothes being used as betting stakes signifies a certain desperation on the part of the players; they are gambling not with disposable wealth but with personal effects critical to their quality of life. Additionally, these garments assume extra significance as a result of the parallel drawn with the episode from the Passion in which

the Roman soldiers play for Christ's tunic.[62] The Latin Vulgate says that the soldiers "cast lots" ["sortiamur"[63]] and some medieval mystery plays specifically imagine a game of dice being played:

SOLDIER 4: […] nay, fellow, by my fay
at the Dyse we will play
and ther we shall assay
this weed for to wynne

SOLDIER 1: Lay forth this cloth
Lay on Board. [64]

The tunic, at the instruction of the soldier, is laid on the dice-board as has happened in the Bodley 264 illumination. Dicing, therefore, through this allusion, is associated with the activity of the pagan soldiers. Dice-games, such as those depicted in Bodley 264, in mirroring this scriptural episode, thus re-enact the soldiers' indifference to the suffering of Christ during the crucifixion. One reading of such depictions of dicing is that the players are shown to be obsessed with the operation of play, complete with the opportunity to win an opponent's possessions, to the exclusion of spiritual devotion.

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[62] Indeed, dice often feature in the iconography of the "Instruments of the Passion". For the discussion of such a wall-painting depicting dice, in the church of Breage in Cornwall, see A. Caiger-Smith, *English Medieval Mural Paintings* (Oxford: Clarendon Press, 1963), 55.
[63] John 19:24.
[64] *The Chester Plays*, ed. Matthews, rev. ed. (1916; repr. Oxford: Oxford University Press, EETS ES 115, 1968), 2:300.

There exists a notion that gambling was somehow ubiquitous in the Middle Ages, that medieval England was a nation of inveterate gamblers. Gerda Reith, in her sociological study of the history of gambling, asserts that "dicing played an important role in the everyday life of the Middle Ages and was assiduously pursued by all classes of society."[65] This apparent class pervasiveness is not supported by the depiction of dicing in marginal illuminations. Illustrations of dice-games tend to associate this form of play with low-status participation; and, again, clothing appears to be of particular significance.

The bas-de-page illuminations of the *Breviary of Marguerite de Bar*[66] demonstrate a particular interest in games and their players. Furthermore, this manuscript develops a "hierarchy of play" in which certain games are presented more favourably than others. As Jean Wirth notices, marginal illustrations of dicing tend to show participants in some form of discord, whilst the representation of other forms of play, such as chess, if far more harmonious.[67] An illustration appearing early in the manuscript, folio 37^{v}, shows a group of figures playing a bowls type game. Men and women play together among leafy trees, their clothes are suggestive of mid to high status and their facial expressions appear contented. It might fairly be said that the tone of this mixed-gender play is cordial. However, as the reader moves through the manuscript, the nature of the play depicted alters. Folio 92^{v} shows young men participating in physical high jinks - piggy-back jousting and what appears to be a version of blind-man's-buff. By the time one reaches folio 183^{r} with its depiction of dicing, the tone of play is far from "cordial". Two men are

[65] Reith, 48.
[66] London, British Library, MS Yates Thompson 8.
[67] Jean Wirth, *Les marges à drolleries dans les manuscripts gothiques (1250 – 1350)* (Geneva: Droz, 2008), 218 – 219.

shown engaged in a dispute over a dice-board.[68] Their clothes are clearly ragged, the artist depicts their cloaks being full of holes, and their mouths are open as if in a heated argument. The artist has evidently striven to create an unattractive image of dice-play that, in the context of the manuscript as a whole, casts dicing as a low-status, socially disruptive form of play.

An illustration of dicing in the *Hours of St. Omer*[69] mirrors this association of dicing with poverty and discord. Two men, the left-hand figure naked and the right-hand figure partially clothed in ragged trousers, crouch over three dice-like squares.[70] This image, unlike the majority of illuminations in the manuscript, has not been coloured. The effect is, again, to associate dicing with the miserable and the base. The motif of the dicer's ragged or non-existent clothing is also present, beyond north-western Europe, in a Spanish context. Sheila Golladay suggests that the miniatures depicting dice-players in the *Libro de los dados* are "derogatory"[71] as the players are often shown in a state of undress. In the depiction of other types of game, including backgammon and chess, the players' clothing suggests a higher-status of participant. In Image 5, taken from the *Luttrell Psalter*, for example, a man and a woman wearing full length garments and fancy headwear are engaged in a backgammon-type game.

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[68] Like the example of MS Yates Thompson 13, f. 149^{v}, the game involves three dice; in this case the visible faces are "3", "4", and "1".
[69] London, British Library, MS Additional 36684, f.53^{r}.
[70] These would appear to be dice, although the artist has not illustrated any "pips".
[71] Sheila Golladay, "*Los Libros De Acedrex Dados E Tablas*: Historical, Artistic and Metaphysical Dimensions of Alfonso X's *Book of Games*." (PhD diss. University of Arizona, 2007), 378.

Not all marginal depictions of dice-play are as explicitly damning as that of the *Taymouth Hours*; nevertheless, within the hierarchy of play established in manuscript illuminations, dicing occupies a lowly station. Players, through their garments (or lack thereof), can be associated with poverty, and in their argumentative gestures and expressions, with social disruption. Whilst Camille warns against assuming that marginal illustrations function as "negative *exempla*, as signs that stand for worldly sins,"[72] it is evident that dicing is visually differentiated from other forms of play and is represented as the least favourable of games.

The evidence surveyed in this chapter reveals something of the operation of dice-games, and something of their players. More importantly, it is clear that dicing is unlike other medieval games; its unique combination of accessibility, immediacy, chance, and wealth-exchange, added to its reputation for violence, association with profligacy, and negative scriptural allusion, meant that the game was the source of profound anxiety in late medieval England. It is my contention that dicing represents a very specific form of play, a form, in fact, that deconstructs the very nature of play as it is understood in the existing discourse of play-studies. Furthermore, I would propose that the problematic status of medieval dicing as "play" underlies social and cultural anxieties relating to the activity.

The 20th century's pre-eminent theoretician of play, Johan Huizinga, whose work *Homo Ludens* was seminal in establishing the field of play studies, defines play as a "stepping

[72] Michael Camille, *Image on the Edge: The Margins of Medieval Art* (London: Reaktion, 1992), 116.

out of 'real' life into a temporary sphere of activity with a disposition of its own."[73] However, as Caillois notices, "games of chance played for money have practically no place in Huizinga's work;"[74] this is perhaps because gambling games are not wholly compatible with Huizinga's definition of the "play-world". Whilst the medieval dice-games discussed in this chapter conform to certain of the "formal characteristics"[75] of play in the taxonomy of games of both Huizinga and Caillois, in so much as participation is optional[76] and play operates within the boundaries of agreed rules,[77] the key fact that such games use money (or some equivalent form of stake) to, effectively, keep score means their play does not fully enact a separation from the concerns of the "real world".

In facilitating the transfer of wealth, dice-play blurs the boundary between the "play" and "real" worlds; dicing is as much system of exchange as it is game. At the conclusion of a game of chess, nothing has changed in the real world, as the conflict enacted on the board was compartmentalized in the play-world. Dicing, conversely, necessitates a tangible alteration to the actual wealth of the players; what happens within the game has a consequence beyond the boundary of play. Therefore, Huizinga's assertion that play is "an activity connected with no material interest, and no profit can be gained by it"[78] is clearly not applicable to medieval dicing. The problematic status of gambling as pure

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[73] Huizinga, 7.
[74] Caillois, 3.
[75] Huizinga, 13.
[76] Huizinga writes that play must be a "voluntary activity" (15), whilst Caillois, in his six elements of play, agrees that play must be "free" (9). Of course, this tenet is compromised should an individual's gambling become impulsive or the matter of addiction. Furthermore, see Chapter 4 for the discussion of incidents where people have apparently been "forced" into playing gambling games.
[77] Huizinga, 11 and Caillois, 9.
[78] Huizinga, 13.

play troubled both Church and civic authority. The response to the perceived threat harboured particularly by dicing was to view dicing as an unacceptable, dangerous manifestation of play.

Caillois makes the peculiar assertion that, "it is certainly more difficult to establish the cultural functions of games of chance than of competitive games."[79] One of the reasons behind this statement is that gambling has been consistently marginalized, even villainized, by society unwilling to sympathetically consider the motivations of those who participate. Howard Becker suggests that, "social groups create deviance by making rules whose infraction constitutes deviance."[80] Having considered the form and representation of medieval gambling, in the following three chapters I analyze the construction of gambling's deviance in late medieval England, and, in response to Caillois, establish dicing's significant *subcultural* function.

[79] Caillois, 3.
[80] Howard S. Becker, *Outsiders: Studies in the Sociology of Deviance*, (rev. ed. London: Free Press, 1973), 9.

CHAPTER 2

CONDEMNING GAMBLING: "FOLY PLEY" - THE AMBIGUOUS SINFULNESS OF MEDIEVAL DICING

Having established that the popular form of gambling in medieval England was dicing, my purpose in this chapter is to examine the various channels for condemning and proscribing the activity. After surveying the somewhat cursory treatment of dicing in the Parliamentary Rolls, I will turn to the devotional literature of the period, texts concerned with advising people on how to behave including penitential treatises and confessors' manuals, in order to interrogate the attitudes to gambling and gamblers promulgated therein. The central questions are whether the anxiety and disapproval with which dicing was treated represent a response to the intrinsic nature of the games themselves or the circumstances of their play and what do these sources tell us about the individuals who gambled.

Parliamentary legislation against dicing, not visible until the 15th century,[81] appears to have been motivated, on the whole, by pragmatism rather than any moral imperative. Evidently, regulating gambling play was not a significant priority for the state authority. This is in stark contrast to the situation in Spain where the *Ordenamiento de las*

[81] A reference in Henry IV's Parliament of January 1410 suggests that the Parliament of Richard II held at Cambridge in 1388 included a statute against gambling, however, there is no surviving roll for this meeting.

tafurerias, composed in the late 13th century, established 44 statutes which comprehensively regulated gambling.[82]

Henry IV's Parliament of January 1410 directed a statute, specifically at servants and labourers, that re-iterates the prohibition of dice-play apparently made in Richard II's 1388 Cambridge Parliament:

> Also, the commons pray that, whereas at the parliament held at Cambridge it was ordained by statute that all servants and labourers should have bows and arrows, and should use them on Sundays and feast days, and should completely abandon ball games played either with the hand or with the foot, as well as other games called quoits, dice, stone-throwing, skittles, and other such useless games.[83]

The fact that this is class specific legislation might suggest that dicing was prevalent amongst the labouring class. However, the statute is not concerned with delineating dicing as being worthy of particular censure; the activity is grouped with a number of other pastimes that are dismissed as "useless games", "jeus importunes" in the original Anglo-Norman. Dicing is prohibited, apparently, because it does not contribute to the strength of the kingdom. Furthermore, it is ambiguous as to whether the text calls for the complete prohibition of such games, or merely their play on particular days.

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[82] Dwayne E. Carpenter, "Fickle Fortune: Gambling in Medieval Spain," *Studies in Philology* 85, no.3, (1988), 209.
[83] C. Given-Wilson (ed.), "Henry IV: Parliament January 1410, Text and Translation."

The statute continues to complain that the prohibition of "said useless games" has not been satisfactorily enforced by "sheriffs, mayors, bailiffs, and constables". In the intervening 22 years the parliamentary edict of 1388 appears not to have dampened the population's appetite for dicing at the expense of archery practice. Furthermore, it appears that prosecution of illegal playing was not taken especially seriously. The 1410 Parliament recommends stiffer penalties for those who contravene the statute, a spell of six days imprisonment for servants and labourers and a fine for the negligent law enforcement agents.

The idea that dicing, amongst other pastimes, distracted men from their obligation to practice archery is a common theme in the Parliamentary Rolls throughout the 15th century. Edward IV's October 1472 Parliament, in a statute concerning the excessive cost of archery equipment, laments that, "yeomen, for want of such bows, now engage in unlawful pursuits such as playing at cards, dice, and other unlawful games […] to the utter decay of the skill of archery."[84] The concern is echoed in the January 1478 Parliament of the same monarch "because the defence of this land relies heavily on archers".[85] However, this particular statute raises more wide-ranging anxiety relating to influence of the familiar catalogue of "unlawful games" on society:

> [These games] are played daily in various parts of this land, both by persons of good repute and those of lesser estate, not virtuously-disposed, who fear neither to offend God by not attending divine

[84] R. Horrox (ed.), "Edward IV: Parliament October 1472, Text and Translation."
[85] R. Horrox (ed.), "Edward IV: Parliament January 1478, Text and Translation."

> service on holy days, nor to break the laws of this land, to their own impoverishment, and by their wicked incitement and encouragement they induce others to play such games so that they are completely stripped of their possessions and impoverished, setting a pernicious example to many of your lieges, if such unprofitable games are allowed to continue for long, because by such means many different murders, robberies and other most heinous felonies are frequently committed.[86]

This is the first evidence in parliamentary record of the perceived social concern with certain games. Nevertheless, the objections listed here, including church-absence, the threat of poverty, and the promotion of criminal behaviour, are all evident in the texts of devotional literature which predate this statute.

The Parliamentary Rolls are only of limited utility in assessing the social position of gambling in the medieval period. Firstly, there is no extant material pre-15th century, secondly, parliaments did not deal specifically with gambling, rather dicing was just one example amidst a catalogue of unproductive leisure pursuits. Transgressive play appears only to have concerned parliament when a need was felt to promote archery practice, perhaps in response to a heightened threat to national security. There is no evidence of a coherent effort to comprehensively regulate or prohibit gambling. Indeed, the only legislation specifically directed at dice-play, before 1485, does not appear until the

[86] R. Horrox (ed.), "Edward IV: Parliament January 1478, Text and Translation."

November 1461 Parliament of Edward IV which forbade "dicing or playing at cards […] outside the twelve days of Christmas."[87]

If Parliament was not overtly or consistently troubled with gambling activity, in particular dicing, the issue was certainly a concern for the compilers and authors of devotional literature. These texts, the focus of the following section, offer a rich source of material in understanding how the "sinfulness" of gambling was negotiated in the medieval period. Just as gambling was not explicitly prohibited in English law until the second half of the 15th century, similarly, there is no explicit condemnation of gambling in the Bible.[88] Despite this lack of firm legal or scriptural authority, as Rhiannon Purdie recognizes, gambling games were "universally condemned"[89] in the various texts circulating during the 14th and 15th centuries that advised both lay and clerical audiences on matters of spiritual health and appropriate Christian behaviour. However, this condemnation was by no means coherent,

The interpretive crux with regard to gambling's sinfulness that I wish to probe here is whether moral writers attacked gambling as a result of an objection to an intrinsic element of its play, or whether criticism was motivated by the damaging impact of the activity on society and a disapproval of the *type* of people who participated. Whilst Purdie argues that, "it is clear that dicing was held to be a form of blasphemy in itself,"[90]

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[87] R. Horrox (ed.), "Edward IV: Parliament November 1461, Text and Translation."
[88] The most well known reference to any form of gambling in the Bible is the Roman soldiers casting lots for the seamless cloak of Christ. John 19:23-27.
[89] Rhiannon Purdie, "Dice Games and the Blasphemy of Prediction," in *Medieval Futures*, eds. Wei and Burrow (Woodbridge: Boydell Press 2000), 183.
[90] Purdie, 179.

Gerda Reith proposes that, "prohibition of gambling on account of its unproductive nature and disorderly effects on the population was widespread, although games of chance were not specifically regarded as sinful."[91] It is my contention that we can nuance this opposition by reading the texts in question in relation to the nature of play; dicing is represented as a subversive version of play that challenged both the moral and social order in both its intrinsic operation and cultural position.

Jacob's Well, a voluminous prose treatise on man's battle with sin compiled in the early 15th century,[92] defines dicing as a disreputable form of play; the text labels it "foly pley".[93] The text then offers a comprehensive breakdown, with what Majorie McIntosh rightly calls a "customary thoroughness,"[94] of why exactly dicing is sinful, why it is to be considered an unacceptable form of play. The nine "inches", or sinful aspects, of "foly pley" are reproduced below:

> [th]e first inche is coveytise, for he [th]at pleyith coveytyth to wynne. [th]e secunde inche is raveyne, for he [th]at kepyth style for his felawe [th]at he wynneth of hym, it is but raveyn. [th]e thridde inch is manye othys. [th]e ferthe inche is getyng of veyn godys [wyth?] lesynges & gret synne, & ydel speche. [th]e v. inche is slaundre of god & of his seyntys, or 3if [th]e dese com no3t at pay, he seyth god ne his saints

[91] Reith, 5.
[92] The text survives in a single MS composed c.1440.
[93] *Jacob's Well, an English Treatise on the Cleansing of Man's Conscience*, ed. Arthur Brandeis, EETS O.S. 115, (London: Keegan Paul, Trench, Trubner, 1900), 134.
[94] Majorie K. McIntosh, "Finding Language for Misconduct: Jurors in Fifteenth Century Local Courts," in *Bodies and Disciplines: Intersections of Literature and History in Fifteenth Century England*, eds. Hanawalt & Wallace (Minnesota: University of Minnesota Press, 1996), 96.

> helpyn hym no3t, but deryn hym. [th]e vi inche is evyl exaumple [th]at [th]ei 3eve to o[th]ere, to don as [th]ei do. [th]e vii inche is spending here tyme also in wast & in foly & aperyrin here soulys, whil [th]ei my3t do werkys of profy3t. [th]e viii inche is corrupcyoun to hem [th]at usyn to beholden myche hers pley, for [th]ei myspendyn here tyme also in veryn. [th]e ix inche is unbuxumnes to holy church.[95]

In moving towards the assertion of the ninth "inche", that dicing is "unbuxumnes" (disobedient) to the Church, the argument appears to posit a combination of intrinsic and circumstantial objections; "foly play" is, by nature, covetous (the first "inche") and is unacceptable because play wastes people's time by enticing them to observe (the eighth "inche"). Tellingly though, the text reveals that these features are not mutually exclusive; game cannot be separated from the manner in which it was played.

In this text, the condemnation of gambling is based as much, if not more, on how and by whom the game was played than on a moral or intellectual objection to the nature play itself. Purdie's contention that Church opposition to dicing was rooted in the belief that "the reliance on chance as a determining factor"[96] made the game blasphemous is valid but fails to take into consideration the large number of other sinful associations with which the devotional literature of the period sought to discredit dicing. Furthermore, if the dependence on chance were the root of contention, why were other dice games, such

[95] *Jacob's Well*, 135.
[96] Purdie, 167.

as the courtly love games, not criticized in the same terms. However, equally, it is not the case, as Reith proposes, that the Church adopted an "essentially pragmatic position"[97] in relation to dicing in wanting to suppress gambling activity to promote more athletic recreation. Devotional writing responded to a profound uneasiness concerning dicing's compatibility with devout Christian behaviour; it was this whiff of sinfulness, rather than some benign pastoral pragmatism, that prompted the vituperative attack on gamblers evident in the texts.

It was certainly deemed improper for clerics to participate in dicing. John Mirk, in his *Manuale Sacerdotum*, a Latin guide for the parish priest of the late 14th century[98], condemns the gambling priest under the heading "De Sacerdote Aleatore"[99]:

> What shall we say of the priest who, while flinging the dice upon the gaming table, at the same time flings his soul to the Devil. He makes of the gaming table an altar for himself, upon which he offers up the goods of the Church to the Devil and even the goods of others too. With false oaths and other crafts of deception he toils to win profit.[100]

Playing dice is construed as a profane mockery of sacred ritual whereby the gaming table becomes an altar and the throwing of dice a parody of Eucharistic business. The fact that

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[97] Reith, 48.
[98] Susan Powell, "Mirk, John (*fl. c*.1382–*c*.1414)", *DNB*, online edn, Oxford University Press, (2004), [http://www.oxforddnb.com/view/article/18818].
[99] London, British Library, MS Harley 5306, f.18.
[100] Cited and translated by G.R. Owst, *Literature and Pulpit in Medieval England: A Neglected Chapter in the History of English Letters & of the English People* (Oxford: Blackwell, 1961), 276.

Mirk tackles this clerical abuse in his *Manuale* suggests that members of the clergy were dicing in this period.

Whilst Mirk imagines clerical dicing in the church, with regard to the lay population it is evident that one of the key strategies employed by devotional literature in its proscription of gambling was the location of play in the tavern. Gamblers are consistently associated with this space which, in many examples, was constructed as a subversive alternative to the church. According to vernacular devotional texts, to roll the dice was to enter into a vortex spiralling towards increasingly severe sin, and ending, ultimately, at damnation.

A Middle English Treatise on the Ten Commandments[101] composed in the early 15th century includes a criticism of gambling in the text's discussion of the 3rd commandment; proper observation of the Sabbath:[102]

> Bot 3e undurstonde 3e wyn and ale sitters and 3e dijspleers & hasardurs [th]at spended [th]e halyday in gloteny & waste[…] and [maketh] 3owre chirche the tavern.[103]

[101]J. F. Royster (ed.), "A Middle English Treatise on the Ten Commandments," in *Studies in Philology* 6 (1910), 9-35.
[102] The fact that *Jacob's Well* discussed "foly pley" under the heading of covetousness and this text associates dicing with contravention of due observation of the Sabbath is evidence that there was no coherent or consistent understanding of gambling's sinfulness.
[103] It might appear that "dijspleers & hasardurs" are one and the same. However, it is possible that by the time this text was composed "hazard" and its derivatives no longer specifically referred to the particular dice-game and had come to stand for any game of chance or risk played for money (See Chapter 1 and Chapter 4). The tautology may be employed to add emphasis.

Gamblers are viewed as tavern-dwellers and their play conceived as gluttonous and wasteful; a sin compounded by the fact that the "halyday" ought to be spent in devotional activity. The text constructs the tavern-space as a rival church, a parodic place of worship where dicing and drinking operate as sacred ritual. The fact that such a text should refer specifically to dice-playing in a tavern setting would suggest that the activity was widespread and visible enough in late medieval England to attract the disapproving attention of devotional writing.

The oppositional construction of tavern and church, in addition to the identification of the tavern as the locale for gambling games, are also present in Robert Brunne's *Handlyng Synne*, an early 13th century devotional text, an English translation of the *Manual des Peches*. Similarly, this earlier text foregrounds the anxiety that time spent gambling is time spent not observing spiritual duty:

> 3yf [th]ou ever with iogeloure
> With hasardoure, or with rotoure
> Hauntyst taverne, or were to any pere
> To pley at [th]e ches, or at [th]e tablere,
> Specyaly before [th]e noun
> Whan goddys servyse owy[th] to be doun
> Hyt ys a3ens [th]e commaundment

And holy cherches assent.[104]

The text also voices concern relating to the corruptive potential of associating with gamblers. The tavern's congregation is a subculture of ne'er-do-wells whose lifestyles clash with Church models of acceptable behaviour. The "hasardoure", alongside the "iogleoure" and "rotoure", is defined by his tavern-going and dicing and this behaviour is "against" the teaching of the Church; thus, their company is to be avoided.

Nevertheless, in both of the above examples, separated by more than a century, it is to be noted that gambling games in themselves are not the subject of criticism. Rather, it is the circumstances of play and the social standing of the players which attracts censure. As historian of games Jean-Michel Mehl argues with regard to the situation in late medieval France: "dice were almost never condemned in themselves, but rather because of their consequences."[105] The same would appear to be true in England. Gambling's sinfulness lies not in the intrinsic operation of the game, but, in its association with the unpalatable lifestyle of the tavern-dweller.

A most extraordinary depiction of the tavern as corrupted church occurs in *The Book of Vices and Virtues*, a 14th century English translation of the *Somme le Roi* of Lorens d'Orleans. The tavern, according to the text, is "[th]e devels scole hous, for [th]ere

[104] Robert Mannyng, *Handlyng Synne*, ed. F. J. Furnivall, EETS O.S. 119, (London: Keegan Paul, Trench, Trubner, 1903), l.1041-1048.
[105] Jean-Michel Mehl, "Les des interdits au moyen age," *L'Histoire* 28, (1980), 85.

studie[th] his disciples. [th]ere in his owene chapel."[106] This construction of the tavern as a space to learn about sinful behaviour is reflected in the text's treatment of gambling. Gambling games are viewed as part of a sinful lifestyle, as part of a progressively serious career of vice and sin:

> For first he bigyne[th] to be a taverne goer and an aale-goer, and after he is a dees-pleire, and after he sille[th] his heritage and al [th]at he ha[th] and after [th]at he bicome[th] and harlot and [th]ef, and so come[th] to be hanged.[107]

This passage situates the gambler on a path towards increasingly severe vice. The repeating syntactical structure of 'and after' emphasizes the inevitability of the movement through tavern-going, to dicing, to thievery, and, ultimately, the gallows; would-be dicers are warned against entering the vortex of vice.

Chaucer's familiarity with the type of devotional literature discussed above that was circulating at the end of the 14th century is evidenced by *The Parson's Tale* which closely relies on the text of penitential manuals.[108] The long prose treatise discusses the sinfulness of dicing within the section that deals with covetousness and avarice:

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[106] *The Book of Vices and Virtues*, ed. W.N. Francis, EETS O.S. 217, (London: Keegan Paul, Trench, Trubner, 1942), 53.
[107] *The Book of Vices and Virtues*, 33.
[108] For a more detailed commentary on the circulation of such texts see Owst, *Literature and Pulpit*, and A. I. Doyle, "A survey of the origins and circulation of theological writings in English in the 14th, 15th and early 16th centuries with special consideration of the part of the clergy therein," (Ph.D thesis, University of Cambridge, 1953).

> Now comth hasardrie with his apurtenaunces, as tables and rafles, of which comth deceite, false othes, chidynges, and alle ravynes, blasphemynge and reneiynge of God, and hate of his neighebores, wast of goodes, mysspendynge of tyme, and somtyme manslaughtre. Certes, hasardours ne mowe nat been withouten greet synne whiles they haunte that craft.[109]

It is interesting to note that the games are anthropomorphised to become the malignant harbingers of a catalogue of sinful behaviours. "Hasardrie" is envisaged to have an active role in promoting disruptive behaviour, as such, in the Parson's discourse, both the game and the player are culpable. According to the Parson's argument it is impossible to engage in hazard, and other dice games, innocently; to dice is to associate oneself with "greet synne".

Whilst *The Parson's Tale* represents a generally conventional condemnation of gambling in line with the style and preoccupations of devotional literature, something rather different occurs in the Pardoner's sermonizing against the activity. The protagonists of *The Pardoner's Tale*, the three "riotoures", represent Chaucer's portrayal of the tavern-dwelling subculture as rendered in devotional literature. This "compaignye of yonge folk"[110] frequent taverns, "that develes temple" [111], where they are said to "pleyen at dees bothe day and nyght."[112] Furthermore, the narrative trajectory of their quest to find death

[109] X.793ff.
[110] VI.493-4
[111] VI.470
[112] VI.467

mirrors the movement expounded in *The Book of Vices and Virtues* from the tavern, to criminality, and, ultimately, death.

Nevertheless, within the frame narrative of the three dicing ne'er-do-wells, stock representatives of the gambling low-lives as constructed in devotional literature and visualized in marginal illustrations, the condemnation of gambling vocalized by the Pardoner is incongruous. The 40 line diatribe against "hasardreye",[113] part of a diversion of nearly 200 lines in which the Pardoner preaches against the "tavern sins", including drunkenness and swearing, also, attacks the gambling of high status individuals, kings, princes, and ambassadors, rather than low status tavern-dwellers. The text is based not, like *The Parson's Tale*, on vernacular devotional literature, instead, the most significant analogue is the discussion of gambling in Book 1.5 of John of Salisbury's *Policraticus*. This Latin text, composed in the mid-12th century, is a "didactic, philosophical, and ethical treatise"[114] relating to courtly life. There are close verbal parallels between John and the Pardoner; John's statement that, "mendaciourum siquidem ut periurirum mater est alea"[115] [gambling/dicing is the mother of lies and perjuries][116] is rendered as:

> Hasard is verray mooder of lesynges
>
> And of deceite and cursed forswerynges.[117]

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[113] VI.590-629
[114] David Luscombe, "Salisbury, John of (late 1110s – 1180s)," *DNB*, online edn., Oxford University Press, 2004, [http://www.oxforddnb.com/view/article/14849].
[115] John of Salisbury, *Policraticus*, ed. K. S. B. Keats-Rohan, (Turnhout: Brepols, Corpus Christianorum 118, 1993), 44. 39 – 40. Future references use the page and line numbers of this edition.
[116] My translation.
[117] VI.591–592.

Furthermore, the Pardoner's exemplae of Stilboun[118] and Demetrius[119] are lifted from the *Policraticus*.[120] The Pardoner and John concur that it is inappropriate for men of high-rank charged with making important political decisions to engage in gambling games, either for amusement or as a means of choosing policy. What Chaucer omits from the Pardoner's discourse is John's suggestion that gambling might be permissible if it is engaged in in moderation.[121] There is evidence that even Kings of England indulged in gambling; Henry IV is known to have lost sums of money playing.[122] However, as has been discussed in this chapter, when we encounter medieval condemnations of gambling they tend to focus on low-status play located in the tavern, rather than the court. Chaucer thus plays with our and his contemporaries' expectations regarding the treatment of play itself. Inside a frame narrative populated by the stock riotous dicers of devotional literature and manuscript illustration, Chaucer incorporates an attack on high-status gambling.

Chaucer returns to the more familiar register of gambling censure promulgated in homiletic texts in the Pardoner's subsequent attack on swearing. He refers to the dice as "the bicched [cursed] bones two"[123] and their "fruyt" is, "forweryng, ire, falsnesse, homicide."[124] This cataloguing of sinful consequences, culminating in murder, is mirrored in *The Parson's Tale* and is common to a number of other devotional texts. The poet was

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[118] VI. 603
[119] VI. 621
[120] Stilboun (referred to as "Chilon") 45.68 – 69; Demetirus: 45.73 – 76.
[121] 44.61 – 45.67.
[122] R. A. Griffiths, *The Reign of King Henry IV* (Gloucester: Sutton, 2004), 250, 269.
[123] VI. 656.
[124] VI. 657.

evidently familiar with criticisms of gambling aimed at both high and low status audiences.

To summarize the argument of this chapter, with no coherent condemnation of gambling emerging from Parliamentary or Scriptural authority it was the responsibility of the parish priest, through sermons, and circulating devotional texts (for a literate audience) to instruct the population in the apparent evils of gambling. The strategy evidenced in such sources was to establish dicing, the pre-eminent form of medieval gambling, as "foly pley", an unacceptable form of play that contravened any number of elements of Christian doctrine, and to locate the practice in the tavern, a threatening mock-Church populated by an unattractive subculture of unwholesome wastrels. Examples of this stock model of the gambler are to be found in the poetry of the period.

The individual is defined by their gambling activity. To label a person as a "dees-pleire" or "hasardour" suggests that participation in gambling activity was not understood as casual, harmless entertainment, but as pervasive involvement in a threatening subculture. This is not to suggest that such sources offer, in any sense, a *realistic* model of how a gambling culture operated in society. As cultural historians we must be wary that didactic texts can simultaneously reflect and perpetuate marginality; to construct dicing in as unfavourable a light as possible was part of a persuasive strategy to condemn the practice.

Indeed, evidence from court records, to be analysed in closer detail in Chapter 4, suggests that whilst "full-time" dice-players appeared to exist, there also seems to have been significant occasional, casual involvement in gambling games. Certainly, gambling enjoyed a certain prevalence amongst, in particular, young men of low to mid-status, but the extent to which gamblers formed a coherent subculture remains a matter of conjecture.

CHAPTER 3

DICING AND THE URBAN ECONOMY: PROFLIGATE APPRENTICES AND PRODIGAL SONS

The previous chapter dealt primarily with the treatment of gambling in the devotional literature of the period. However, the practice was of concern not only to the Church, but also troubled the writers of advice manuals essentially concerned with promoting correct social behaviour; a genre known as conduct literature. In the following verse from the late medieval conduct poem *How the Wise Man Taught His Sonne* the speaking father figure advises his son against involvement in dicing:

> And sonne, of oon thing y thee waarne,
> And on my blessynge take good hede,
> Be waar of usinge of the taverne,
> And also of the dijs y thee forbede,
> And flee al letcherie in wil and dede
> Lest thou come to yvel preef,
> For alle thi wittis it wole over lede,
> And bringe thee into greet myscheef.[125]

Dice-play is collocated in the space of the poem with the "taverne" and "letcherie" and the speaker expressly forbids the son from participation in play lest he court "myscheef".

[125] "How the Wise Man Taught His Sonne", l.57-64, ed. Claire Sponsler, in *Medieval Conduct Literature: An Anthology of Vernacular Guides to Behaviour for Youths, with English Translations*, ed. Johnston (Toronto, 2009).

The text, part of a "burgeoning late medieval genre of books of advice for children as well as adults,"[126] reveals a bourgeois concern that association with dicing might be damaging to an individual's social status. As Claire Sponsler suggests the poem was intended for a middle class audience and functioned as a "guide to class mobility and consolidation of social position."[127] The poem situates the spiritual anxieties relating to tavern dicing foregrounded in devotional literature in a more secular, urban context. The manner in which gambling functioned in writing as a symptom of the prodigality and profligacy of young men of mid-status will be addressed later in this chapter.

Firstly, I want focus my attention on the City of London to consider Perkyn Revelour of Chaucer's *Cook's Tale* and his status as the archetypal dicing apprentice. I intend to juxtapose literary representations of gamblers with legal material, such as apprentice indentures, to suggest that the challenge which gambling presented to the medieval urban economy was a significant reason for its marginalization by mainstream society. Gambling operated as a symbol of unorthodox profligacy, those individuals who participated, who ignored the advice of the "Wise Man", subverted authority, choosing the subculture of the "hasardour" instead. This was the source of a mercantile, mid-status anxiety linked to the misuse of resources and a threat to good reputation. This was particularly significant in the context of a burgeoning mercantile economy towards the end of the fourteenth-century when "the English population enjoyed a significant

[126] Sponsler, p.285.
[127] Sponsler, p.286.

redistribution of wealth and a commensurate growth of a middle class,"[128] and the merchant emerged as a key figure in society.

The Cook's Tale breaks off with protagonist Perkyn Revelour, having been expelled from his master's house, taking up lodgings with a "compeer of his owene sort".[129] As such, the arch-apprentice disappears into the London backstreets and the silence of textual hiatus. The Cook's story of Perkyn, a "prentys" renowned for his love of dicing, remains incomplete, it exists, according to critical consensus, as a fragment.[130]

The action of *The Cook's Tale* is situated within the City of London. The Cook, prompted by the Host, says that he will tell "a litel jape that fil in oure cite."[131] The localization of the "jape" in London is then reinforced by the opening line of the Tale itself through the repetition of "oure citee."[132] Indeed, the use of the collective first person pronoun suggests a shared appropriation of the city space; it is the city of the Cook and of Chaucer the poet. This London location, specifically the streets of Cheapside, has prompted certain scholars to assert that Chaucer's Cook is based on a "real" personality from the city, Roger Knight of Ware.[133]

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[128] Jenny Adams, *Power Play: The Literature and Politics of Chess in the Late Middle Ages* (Philadelphia, University of Pennsylvania Press: 2006), 100.
[129] *The Canterbury Tales*, I.4419
[130] For an extended survey of the scholarly debate concerning the unfinished nature of the tale consult J. Scattergood, "The Cook's Tale," in *Sources and Analogues of The Canterbury Tales*, ed. R. M. Correale (Woodbridge: D. S. Brewer, 2002), 1:76.
[131] I.4343
[132] I.4365
[133] See E. Rickert, "Chaucer's Hodge of Ware" *TLS* (1932), 761.

Indeed, the fact that *The Cook's Tale* is without direct source or analogue[134] suggests that the content is, to some extent, rooted in the author's personal experience. Chaucer came from a London bourgeois background, his father was a vintner, and whilst the critic ought to be wary of too glibly linking text and autobiographical detail, it strikes me that the text is particularly attuned to mercantile anxiety. The treatment of dice-games and their players in this text is influenced by a socio-economic concern relating to the challenge a subculture of dicing apprentices presented to urban capitalist economics.

Within the city space, whose delineation has already been discussed, gambling zones are constructed in opposition to the foci of commerce and capitalist exchange. Perkyn, the "prentys" is said to have, "loved bet the taverne than the shoppe".[135] His loyalty is not to his master's success as a tradesman, but his own hedonistic pursuits. Perkyn will not be confined to the "shoppe", the zone of commercial exchange; he is an energetic wanderer who "lepe[s]" out of the shop into the city:

> And gadered hym a meynee of his sort
> To hoppe and synge and maken swich disport;
> And ther they setten stevene for to meete
> To playen at the dys in such a streete.[136]

Dicing takes place in the street, within the urban environment but beyond the control of the master in the "shoppe". Perkyn, in joining with a company of like sorts, in effect

[134] J. Scattergood, *Sources and Analogues*, 75-86.
[135] I.4376
[136] I.4281-4.

constructs a parody of a mercantile or tradesman's guild. However, this "meynee" is based in the street and holds, as its shared enterprise, dicing. C.E. Bertolet notices this parodic relationship between Perkyn's posse and city guilds:

> While the guilds encourage communal cooperation in pursuit of mutually beneficial commerce, Perkyn's "meynee" prefers riot and gambling. Membership in the City perhaps does not interest him because he already has membership in another group, one that appears to constitute itself with principles contrary to the city's.[137]

I would like to nuance Bertolet's insightful analysis to suggest why gambling in particular represented an affront to the guild. In subversion of normal commercial practice, Perkyn's "guild" gathers to indulge in a system of exchange, a dice-game, that facilitates the transfer of wealth without the exchange of any commodity. Analogously, Langland, in Passus VI of *Piers Plowman*, collocates "Danyel the dys-playere" with "Jonet of the stewes" and "Denoute the Bawd"[138] as figures who are economically marginalized because their "trades" do not involve the transfer of commodity; the poet says Holy Church will demand from them "no tythe"[139]. In Langland's poem dicing is thus seen as incompatible with an honest market economy.

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[137] C.E. Bertolet, '"Wel bet is roten appul out of hoord": Chaucer's Cook, Commerce, and Civic Order.' *Studies in Philology*, 99.3, 2002, 229-246.
[138] William Langland, *The Vision of Piers Plowman: A Critical Edition of the B-Text*, ed. A. V. C. Schmidt, (London: Everyman, 1995), Passus VI.70-71.
[139] Passus VI.76

Even on a purely pragmatic level, time that an apprentice spends throwing dice, is time not spent working in his master's shop. The Pardoner voices this objection to gambling, which is also commonly raised in devotional literature, calling "hasard", "a wast also / of catel and of tyme."[140] It is no surprise, therefore, that masters were keen to prevent their apprentices from participating in dice-games.

It is interesting to note how Chaucer's writing parallels other sources, such as apprentice indentures between and Manuals of Advice for Apprentices, in content and, remarkably closely, in language, concerning the socially disruptive behaviour of young men, typically apprentices, and, in particular, their propensity to gamble.

In such texts dicing rarely exists as an isolated activity. Its regular association with other vices is a recurring motif. We witness such collocation of social ills in both *The Cook's Tale* and *The Pardoner's Tale*:

> That [a prentys] haunteth dys, riot, or paramour.[141]

> As riot, hazard, stywes, and tavernes.[142]

The cataloguing of dicing alongside other socially unpalatable activities: "paramour" [extra-marital intercourse] which was offered in "stywes", and "riot" a catch-all phrase

[140] VI.594-5.
[141] I.4392
[142] VI.465.

for anti-social behaviours is echoed in the following indenture, a contract of conduct between master and apprentice:

> He is not to frequent taverns, not to commit fornication, in or out of his master's house, nor make any contract of matrimony nor affiance himself without his master's leave. He is not to play dice-tables or chequers, or any unlawful games, but is to conduct himself soberly, justly, piously, well and honourably, and to be a faithful and good servant according to the use and custom of London.[143]

Although this particular source dates from some fifty years later than the composition of *The Canterbury Tales*, as Scattergood notes, indentures of this sort were "fairly standard for all trades and remained virtually unchanged over many years."[144] A verse "Advice for Apprentices",[145] preserved in a fifteenth-century manuscript, echoes a number of the concerns raised by the indenture:

> Eschew alleway eville company
> Caylys, carding, and haserdry
> And alle unthryfty playes,
> By and selle truly,

[143] An indenture between John Harrietsham and Robert de Lacy, December, 1451. Quoted, in modernised English, in *Early History of the Guild of Merchant Taylors*, ed. C. M. Clode, (London,: Harrison1888), 344.
[144] Scattergood, *Sources and Analogues*, p.84.
[145] "Advice to Apprentices," in *Reliquiae Antiquae: Scraps from Ancient Manuscripts Illustrating Chiefly Early English Literature and the English Language*, eds. Thomas Wright and J. O. Halliwell, 2 vols. (London: 1843), 2:223 – 224.

> And applie your crafte besily,
>
> And alwey flee suspiciows weyes.[146]

The lyric associates gambling activity with "eville company" and advises the conscientious apprentice to avoid involvement with them. Tellingly, though, the condemnation of gambling (interestingly this text is late enough to mention cards alongside dicing) is construed in economic terms. Gambling games are described as "unthryfty playes" and are established in antithesis to a proper model of commercial exchange, buying and selling "truly". The model apprentice ought to avoid such "suspicious" forms of amusement in favour of studiously pursuing his trade according to the expectations of his master and the City as a whole; gambling is viewed as incompatible with such a code of conduct. Both the indenture and the lyric attest to the "acute fear of the temptation of gambling"[147] that Sylvia Thrupp contends pervaded the mercantile community of late medieval London. These non-narrative documentary sources corroborate the socio-economic concerns relating to gambling raised in my analysis of *The Cook's Tale*, and suggest that the problem was sufficiently damaging that masters felt the need to regulate the behaviour of unruly young males through formal contracts and the distribution of conduct poems.

In terms of their social status P. J. P. Goldberg argues that apprentices came "exclusively from comparatively more well-to-do and affluent backgrounds" and thus represented, "a

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[146] ibid. l.25 – 30.
[147] Sylvia Thrupp, *The Merchant Class of Medieval London: 1300 – 1500* (Chicago: Chicago University Press, 1948), 167.

relatively privileged level of urban society."[148] These young men had professional identities beyond that of the degenerate "hasardour" whom functioned as the stock gambling personality in contemporaneous devotional literature. Not representatives of the lowest echelons of society, apprentices had access to wealth which they could use to gamble or pursue other potentially "unthryfty" forms of amusement. They bear little resemblance to the ragged-clothed dicers depicted in marginal illustrations, or to the tavern-dwelling wastrels of devotional literature. Although such sources may have operated as a warning to the apprentice as to where their activity might ultimately lead, the dicing of Perkyn Revelour and his ilk is more accurately understood by positioning it in opposition to the interests of a mercantile commerce and reputation.

The censure of gambling within the master-apprentice dynamic is based on pragmatism rather than morality; the concern is that dicing is not only a waste of the master's resources, but also has the damaging potential to besmirch his reputation. Scattergood aptly summarizes the interplay between *The Cook's Tale* and apprentice literature:

> Chaucer uses texts which embody the mercantile ethos of contemporary London, which promulgate the high standards of professional and personal behaviour that the citizen-to-be was expected to live up to, and constructs an antitype, a character who breaks every precept, who resists being incorporated into the ethos

[148] P. J. P. Goldberg, "Masters and Men in Later Medieval England," in *Masculinity in Medieval Europe*, ed. D. M. Hadley (London: Longman, 1999), 56.

> and uses what opportunities his lifestyle affords him for personal pleasures.[149]

Perkyn Revelour not only subverts the conditions and expectations of his apprenticeship, *The Cook's Tale* also floats the possibility that he might subvert the conditions of dicing itself, that is, to cheat. I want to focus attention, in particular, on a troubling six lines in which Chaucer foregrounds Perkyn's twin identity as gambler and apprentice:

> For in the toune nas ther no prentys
> That fairer koude caste a paire of dys
> Than Perkyn koude, and thereto he was free
> Of his dispense, in place of pryvetee.
> That fond his maister wel in his chafare
> For often tyme he foond his box ful bare.[150]

Identifying the shades of meaning and ambiguity implicit in the word "fairer" is problematic. The first definition of "fair" given by the Middle English Dictionary relates to physical attractiveness.[151] The description of Perkyn's appearance that opens the Tale, his likening to the brightly coloured "goldfinch"[152] and his fastidiously groomed hair[153], supports this reading, that he throws the dice "handsomely". However, especially in relation to the throwing of dice, "fair's" connotation of moral propriety or accordance

[149] Scattergood, *Sources and Analogues*, 84
[150] I.4385-90.
[151] *Fair*, adj. 1, *MED*.
[152] I.4367
[153] I.4369

with justice[154] appear significant. Of course, competing meanings are by no means mutually exclusive. Chaucer constructs an ironic jumble of signification. Perkyn might well be handsome, but perhaps his dice throwing is far from fair, is there an ironic hint that Perkyn is an adept cheat? Chapter 4 discusses a number of court proceedings against individuals accused of cheating at dice, whilst the loaded dice displayed in the Museum of London were discovered in the vicinity of Cheapside, the area of London frequented by Perkyn. The textual evidence is inconclusive. However, significantly, like in the passage from *The Pardoner's Tale* cited in Chapter 1, Chaucer juxtaposes dice-play with the possibility of cheating.

Whilst he spends liberally in "place of pryvetee", presumably this means taverns, speakeasies, or, even, brothels, his master often discovers that his cashbox has been pilfered. It is not clear whether Perkyn is a professional cheat or a consistent loser. Nevertheless, dicing is linked to the corruption of the master-apprentice relationship; Perkyn's gambling has a negative impact on his master's "chaffare".[155] As line 4375 attests "riot", of which dicing is a constituent behaviour, is equivalent to theft.

If dicing could damage the economic and personal contract between master and apprentice, it could also corrupt the relationship between parent and child. The anonymous addition to *The Canterbury Tales*, *The Tale of Beryn*, composed, most probably, in the 1420s,[156] uses dicing to figure the profligacy of the son Beryn; a key

[154] Definitions 11 and 10 in the *MED*.
[155] I.4389.
[156] Ben Parsons, "'For my synne and for my yong delite': Chaucer, the *Tale of Beryn* and the Problem of 'Adolescentia'," *Modern Language Review*, 103, no. 4 (2008): 940.

symptom of his reckless adolescent behaviour at which his parents despair. As in *The Cook's Tale* dicing is shown to be particularly appealing, and thus especially destructive, to young men - in *The Tale of Beryn*, however, gambling operates as an affront to patriarchal, rather than professional authority.

Beryn's propensity for losing at dice, to the extent that he often loses his clothes, has already been cited in Chapter 1, but, as the Tale progresses, the consequences of Beryn's dicing become more serious as his gambling becomes emotionally, as well as economically damaging. In one episode, Beryn's chooses to play dice over attending his mother on her death-bed:

> Agea cast hir eye up and loked al aboute,
> And wold have kissed Beryn, but then was he withoute,
> Pleying to the hazard as he was wont to doon,
> For sone as he had ete, he wold ren out anoon.
> A damesell tofore that was ronne into the town
> For to seche Beryn that pleyd for his gown
> And had almost I-lost it rigt as the damesel cam,
> And swore and stared as he was wood, as longed to the game.[157]

Beryn's desire to dice overpowers the mother-son relationship; the reader is presented with the pathetic scene of the dying mother, Agea, looking, in vain, for her son, whom,

[157] *Tale of Beryn*, 997–1004.

despite his constant gambling losses, she loves. Beryn's desperation to gamble, even at the expense of expected models of filial behaviour, is emphasized by the speed with which he seeks out games of hazard – as "sone" as he has finished eating he runs back to town, this recalls the celerity with which Perkyn "lepe[s]" from his master's shop. This single-minded obsession with dicing, to the modern mind, displays a number of the characteristics of a gambling addiction. Indeed, in *The Tale of Beryn*, amongst other texts discussed in this dissertation, dicing is treated pathologically; like a disease, dice-play can take over an individual's life, monopolizing their time, wealth, and attention. According to the taxonomy of games proposed by both Huizinga and Caillois, play, in order to be play, must be free. Therefore, when dicing becomes compulsive it ceases, truly, to be play.

The poem figures dicing as a manifestation of Beryn's adolescent rebellion against patriarchal authority. The *Beryn*-poet says of the protagonist's mindset:

> His thought was al in unthryft, lechery, and dyse,
> And drawing al to foly, for yowth is recheles.[158]

Again we witness the juxtapositon of dicing with both "foly" and "unthryft", here associated with the recklessness of youth. Beryn's merchant father Faunus begs his son to disavow his "dissolute lifestyle"[159] by forsaking "hazerdry"[160] and seeking more honest company. His words, fittingly for a mercantile character, echo the style and format of

[158] *Tale of Beryn*, 1051–1052.
[159] Parsons, 941.
[160] *Tale of Beryn*, 1249.

apprentice-advice literature in their view of dicing as symptom of an improper lifestyle. As the poem progresses and Beryn grows older[161] he begins to realise the damaging consequences of his pastime, he laments to his father:

> For al my pleying atte dise, yit do ye more amys:
> Ye have I-lost yeur name, yeur worship and yeur feith.[162]

He understands his dicing has an impact on his family and that his involvement in the activity has tarnished his father's good reputation and strained the father-son relationship. Beryn's moment of self-awareness is a step towards forsaking the dice-table as he moves towards independent maturity.

As a means of tying together a number of the topoi and themes raised in this chapter's thinking about dicing, I want to consider a stanza from Thomas Hoccelve's early 15th century[163] poem *The Regiment of Princes*. In the following section from the dream-vision of the Prologue, the speaker, an old man, confesses to a misspent youth:

> Whan folk wel reuled dressed hem to bedde
> In tyme due by reed of nature
> To the taverne qwikly me spedde
> And pleide at dees whil the nyght wolde endure

[161] For Parsons this ageing is specifically a moving out of adolescence.
[162] *The Tale of Beryn*, 1284–1285.
[163] Critical consensus suggests that the poem was composed in 1410–11. See Charles R. Blyth "'The Regiment of Princes': Introduction," in *Thomas Hoccleve: The Regiment of Princes*, (Michigan: Medieval Institute Publications, 1999).

> There the former of every creature
> Dismembered I with oothes grete, and rente
> Lym fro lym or that I thennes wente.[164]

Hoccleve uses dicing as a signifier of a prodigal, reckless past. The speaker locates his play in the tavern, and at night, constructing it in opposition to the "wel reuled" who are already dressed for bed. Dicing, as it is in *The Cook's Tale* and *The Tale of Beryn*, is marginalized from mainstream society and seen as symptomatic of a lack of self-control. The haste with which the man rushes to the tavern recalls Perkyn Revelour's restless desire to quite his master's shop to play dice in the street, whilst Beryn's compulsive gambling is mirrored in the speaker's admission that he would keep playing until dawn. Additionally, the swearing that accompanies play recalls the oaths of the dicers in *The Pardoner's Tale*, especially in the metaphor of the dismemberment of God's ("the former") body, and associates dicing with unsavoury, even unchristian, company. Furthermore, the perspective of the voice is of significance; the speaker is reflecting on an earlier period of his life and confessing the error of his ways. As such, dicing is again figured as part of a male adolescent "rumspringa" where the individual rebels against the expectations of family and society.

The prolific dicing of young urban males, apprentices and prodigal sons, constituted an affront to patriarchal and professional expectations of conduct, especially in the context of a developing mercantile economy. Dicing, a means of exchange without the transfer of

[164] 624–630. Blyth (ibid.) suggests that this section is of particular interest to the student of Hoccleve because it "recalls the story of misspent youth Hoccleve tells of himself in his earlier *Male Regle*."

goods, was anathema to a commodity-based system of exchange. Furthermore, masters worried that their apprentices would waste valuable time and resources pursuing the habit. Dicing was a manifestation of the folly of youth, seen as "other" to acceptable urban society, that could have a negative impact on the social standing of the player and his associates. Perkyn Revelour and Beryn are literary representatives of this counter-culture which the evidence of conduct poems and apprentice contracts suggests was an actual concern in late medieval London.

CHAPTER 4

POLICING GAME: WHEN IS A GAME NOT A GAME? THE NATURE OF TRANSGRESSIVE PLAY.

Having located a mercantile anxiety towards dicing squarely within an urban context, the purpose of this final chapter is to consider how the activity was policed in the City of London during the late fourteenth-century. It is my contention that, within the interpretive framework offered by the theory of play, we can read the civic policing of dicing in the city in terms of the control and penalization of transgressive play. Unlike the situation in Spain, where, by the end of the 13th century, there existed comprehensive legislation covering gambling games that addressed what constituted a legal game, the licensing of premises, correct equipment and punishment for cheats,[165] gambling in England, until the late 15th century,[166] was not subject to state or civic regulation. Rather, the policing of gambling in 14th century London was managed on a case-by-case basis.[167] It was not play, so much as the subversion of play, which concerned the regulating authorities.

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[165] See Carpenter, "Fickle Fortune" for a more detailed analysis of Spanish attempts to regulate gambling in the 13th century.

[166] See Chapter 2's discussion of parliamentary legislation concerning dicing. Nevertheless, these edicts contain none of the specific detail of the Spanish *Ordenamiento de las tafurerias* (Carpenter, 269-70).

[167] Medieval London's policing of dicing, in contrast to the Spanish model of legislation, is somewhat analogous to P. J. P. Goldberg's analysis of the regulation of the sex-trade in 15th century York ("Pigs and Prostitutes: Streetwalking in Comparative Perspective", *Young Medieval Women*, eds. Lewis, Menuge, and Phillip (Stroud: Sutton, 1999), 172- 194) in which he states: "They [ordinances against prostitution] represent ad hoc responses conceived in essentially policing terms rather than fully articulated policies of regulation and management; in the culture of north-western Europe, the sex industry was constructed not as a civic amenity, but rather as a periodic nuisance." (181).

The incidences of dicing cited and analysed in this chapter are recorded in the Calendar of the Plea and Memoranda Rolls of the City of London.[168] These rolls, now housed in the London Metropolitan Archive, contain records pertaining to the administration of the city and its inhabitants. Towards the end of the fourteenth-century the rolls became "purely legal in character"[169] dealing with matters such as settlements of debt, breaches of contract, and "pleas" against the criminal behaviour of other citizens, including a number of accusations involving dicing and other gambling-games. The rolls were edited and translated for publication by A. H. Thomas. A number of interpretive problems confront the historian dealing with the original source, in particular the fact that the text is dependent on what the recording scribe deemed worthy of report. Such issues are exacerbated by the edited version of the source which summarizes or omits entirely certain sections, and, obviously, does not preserve the original language. For example, the much-studied case of the male transvestite prostitute John/Eleanor Rykener is suppressed by Thomas. However, Ruth Karras argues in an article dealing with the case that, generally, the rolls are "very detailed and reliable."[170] Nevertheless, I have

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[168] The Plea and Memoranda Rolls are by no means the only source recording dicing's relationship with civic authority. The London Letter Books, in particular Letter Book H, contain a number of cases that involve individuals being tried for using false dice or for construing other scams linked to dice-games. A number of these incidences appear in *Memorials of London and London Life, in the 13th, 14th and 15th Centuries*, ed. H. T. Riley (London, Longman, 1868). See, for example, 392-405 for the record of a dicing confidence trick. On the whole, the cases in the Letter Books are similar to those in the Plea and Memoranda Rolls in content and form, and, for the sake of consistency, this chapter focuses on the records of the latter. One detail unique to the Letter Books which is worthy of mention is the description of the punishments for those convicted of gambling related crime; Richard Scot (476) is sentenced to the pillory with false-dice to be hung around his neck.

[169] A. H. Thomas, "Introduction" in *Calendar of Plea and Memoranda Rolls: Preserved among the Archives of the Corporation of the City at the Guildhall. A.D. 1364 – 81*, ed. A. H. Thomas (Cambridge: Cambridge University Press, 1929), 7.

[170] Ruth Karras, "'Ut cum muliere': A Male Transvestite Prostitute in Fourteenth-Century London." In *Premodern Sexualities*, edited by Louise Fradenburg and Carla Freccero (London: Routledge, 1996), 112.

endeavoured, where possible, to compare the edited text with the original document, in particular to examine the language used by the medieval city authority to describe dicers.

Generally, dicing in itself does not appear to have commanded the attention of the civic authorities. It is cheating, an action that subverts the nature of game, that becomes the focus of censure to the extent that the policing of dicing in late 14th century London was, essentially, linked to the safeguarding of the nature of game and play. A moral and social anxiety is triggered through the disintegration of the "play-zone" by means of cheating. Whilst the Spanish model attempted to define the conditions of play with detailed legislation, the boundaries of the game are more amorphous under the jurisdiction of London's civic courts. Scholarly analysis of the dicing indictments in the Rolls to this point has done little beyond noticing their existence. Historian of medieval games Teresa McLean simply mentions the "countless convictions recorded in the court rolls for playing with false dice and dicing by night to the nuisance of neighbours."[171] Jean-Michel Mehl, albeit working with French medieval civic records, has attempted to analyze the regulation of dicing in the context of social control, suggesting that it was dicing's association with petty violence that ensured it was subject to civic censure.[172] It is my intention, in regard to the City of London, to nuance Mehl's approach and interrogate how the incidences of dicing in the Plea and Memoranda Rolls are interested particularly in the status of games and their fair play.

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[171] Teresa McLean, *The English at Play in the Middle Ages*, Berkshire, 1983. 102.
[172] Jean-Michel Mehl, "Jeux de hasard et violence à la fin du Moyen Age: une alliance éternelle?" *Ludica* 11 (2007): 89 – 95.

Johan Huizinga, in *Homo Ludens*, differentiates two threats to the sealed world of game in the persons of the "spoilsport" and the "cheat". According to Huizinga, the spoilsport is the more potent threat to the fiction of the play-world because they contravene its "illusion"[173], the cheat, on the other hand, "attempts to exist within the play-world's parameters."[174] However, mapping Huizinga's analysis of play onto late medieval gambling is problematic because dicing can never be considered to be wholly game, to be pure play, as it, for reasons foregrounded in Chapter 1, does not enact the necessary separation from reality. An individual's investment into the play-world of the dice-game can only be partially playful, it is also financial. Huizinga argues that, "to our way of thinking, cheating as a means of winning a game robs the action of its play character and spoils it altogether, because for us the essence of play is that the rules be kept."[175] However, cheating at dice might spoil the game, but it also offers financial benefit for the dishonest player. Thus the dice-cheat is culpable for a double contravention of rules; he not only breaks the play-illusion of the game, but also, in real-world terms, steals from his victim.

When the tacit agreement between gamblers to play "fairly" is subverted there appears to be recourse to the civic authorities. The Roll for May 1370 records that two men, John Dale, a taverner, and William atte Wode were accused of deceiving and defrauding "a stranger" in a dice-game.[176] The text states that the men, "by means of lies, false

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[173] Huizinga, 52.
[174] Huizinga, 52.
[175] Huizinga, 53.
[176] *Calendar of Plea and Memoranda Rolls: Preserved among the Archives of the Corporation of the City at the Guildhall. A.D. 1364 – 81*, ed. A. H. Thomas (Cambridge: Cambridge University Press, 1929): Entry for 4 May 1370 from: 'Roll A 15: 1369-70', 132-149, http://www.british-

representations and deceit, enticed a stranger into the said John's tavern to play dice in order to cheat him out of his money."

The record appears to describe a premeditated, organised scam based around the playing of dice. It is not solely the playing of dice that forms the source of the complaint, rather it is the fraudulent apparatus surrounding the game. The *Roll* goes on to describe how the victim was prevented from leaving the tavern by Dale's holding shut the door until the unfortunate punter had lost "17s 8d".[177] This action contravenes a defining feature of play proposed by both Huizinga and Caillois that participation must be voluntary. The plaintiff's argument is that he lost his money *unfairly*; whilst he, supposedly, was observing the rules of the game, it is inferred that Dale and atte Wode were cheating, although the mechanics of any such cheating are not recorded. Their offence is to have subverted the boundaries and expectations of play to ensure personal profit.

In addition to the inherent interpretive problems of translation and editing mentioned above, the Rolls offer an incomplete, potentially unreliable, version of incidents. For all the information they purport to offer their legal prose may obfuscate actuality; they record but part of a narrative that tantalizes the reader with hidden voices and alternative interpretation. Does the above presentation, for example, disguise an embarrassed plaintiff's attempt to hide his foolish naivety in entering a tavern with a pair of dice-sharps? Perhaps no wrongdoing occurred and the text records a desperate bid to recoup

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history.ac.uk/catalogue.aspx?gid=60&type=3. Further references to the Plea and Memoranda Rolls use this online resource. Full, edited, and translated versions of the entries mentioned are available on the site.

[177] Such coercion is not so dissimilar to strategies employed by modern casinos to keep their visitors gambling, and losing, on their premises for as long as possible.

an irresponsible gambling loss. Such conjecture can only be speculative but is invited by the nature of the source. What can be inferred with some confidence, though, is an anxious interest, attested to by the form of the plaintiff's complaint and the record of the case, in upholding mutual fairness of play.

Nevertheless, William atte Wode is a man with form. Two years prior to the above incident the Roll records the William Ludryngton, a tailor, and John Oliver were presented for, "playing at dice and merels[178] and other fraudulent games."[179] During their trial they forswore such games and, "informed the court that William atte Wode and Cok atte Wode of Greenwich were hasardours like themselves and had been associated with them in deceiving the people." The original record uses the phrase "sunt talos hasardours".[180] This is interesting because the potentially tautologous collocation of "talos" [dice] and "hasardour" suggests that the label "hasardour", at the date of composition, signified gambling more generally and needed the qualification "talos" to make the term specific to dicing. Furthermore, the term also appears to imply criminality; the men are not merely dice-players, but dice-cheats.

This evidence suggests that in the London of the late 14th century there existed a subculture of men who played games for a living; whether we call them cheats or professional gamblers is a subjective matter of nomenclature. The reappearance of atte

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[178] Merels is a board-game played since antiquity that is roughly equivalent to the modern game "Nine Men's Morris". A game involving a significant element of strategy and skill that was often played for stakes.
[179] From: Roll A13: 1367-68.
[180] London, London Metropolitan Archive, Plea and Memoranda Roll A13, membrum 4. [CLA/024/01/02/014].

Wode in the Rolls at a later date suggests that he was more than a casual dicer, he appears to have been a career cheat. Tellingly though, for any scam to prove lucrative it must have a ready source of would-be victims. The fact that a number of dicing-scams are recorded suggests that gambling with dice enjoyed a significant level of popularity and participation within the city. The recorded existence of organised dice-cheats gives credence to the concern, documented and discussed in Chapter 3, of mid-status parents and masters of apprentices that their charges might be coerced into playing dice with such unscrupulous company and end up cheated financially and with their reputations besmirched.

A smith named Stephen Lalleford was imprisoned for "having cheated" William Brounyng out of £17.[181] In Thomas' translation he is called a "common gamester"[182], this label, alongside the large sum of money extracted from his victim suggest that Lalleford was persistently using dice-games as a source of income. In the several incidences of dicing reported in the Roll, individuals like Lalleford are identified as a threatening cultural phenomenon worthy of sanction.

In September 1371, Richard Scot, a hosier, was also imprisoned for "cheating John Green, servant of John Ellesworth, out of 40s of his master's money, by means of false dice."[183] This example offers an explanation as to why Perkyn Revelour's master might find his box "ful bare" after his apprentice has been out dicing. Interestingly, in this case

[181] An unusually large amount of money relative to the sums mentioned in other dicing incidences.
[182] From: Roll A 21: 1375-76.
[183] From: Roll A 16: 1370-71.

the duped servant who lost his master's money, is also punished with imprisonment. These two cases, both from the late fourteenth-century, confirm the fear expressed in both devotional and conduct texts that dicing could lead to financial ruin. Wasting ones personal wealth, as in the Brounyng case, is one manifestation of "foly pley", but more serious and more damaging altogether is to, like John Green, lose somebody else's money; in the urban economy this represented a more heinous misappropriation of resources.

Cheats cease to treat "hasard", "raffle" or "merels" as *game*, rather, through a premeditated strategy to skew the chances of victory in their favour, the games become a pseudo-professional activity. Huizinga analyzes this tension between the spheres of play and profession with a modern example: "the hazy border-line between play and seriousness is illustrated very tellingly by the use of the words "playing" or "gambling" for the machinations of the Stock Exchange. The gambler at the roulette table will readily concede he is playing; the stock-jobber will not."[184] The "gamester" of late medieval London, similarly, is not involved in *play* in its Huizingan sense. Caillois' suggestion that professional play does not "change the nature of the game in any way"[185] is not tenable in relation to dicing; the professional (or cheating) dicer shifts the parameters of the game from a zone of play to a zone of criminal theft. Lalleford, atte Wode and their like play not for entertainment or even the thrill of a potential win, they have turned the city's appetite for dicing to their own financial advancement.

[184] Huizinga, 54.
[185] Caillois, 45.

The *Roll* does not appear to censure dicing in itself. There are very few examples of individuals being presented solely for "playing dice" without any suggestion of coercion of sharp practice.[186] Whilst it is dangerous to draw conclusions from absence, this lack of evidence suggests that dicing, for the most part, was tolerated, or at least ignored, by the civic authority. There was no attempt to regulate dicing, and, as has been mentioned in Chapter 2, there was no meaningful legislation to criminalize the practice on a state level. Complaints are presented to the court when the accepted boundaries of play have been transgressed in some way, through cheating or fraudulent activity, whether it be actual or imagined by the victim. Nevertheless, this is not to imply that London authority necessarily approved of dicing and dicers. No, whilst its practice might have grudgingly been tolerated, a number of entries in the Roll reveal involvement in gambling being used as a signifier of social deviancy, even, criminality. As Majorie McIntosh demonstrates in her examination of misconduct trials in fifteenth-century local courts, we can see how, in relation to dicing in late fourteenth-century London, the "broader textual environment"[187], including devotional tracts and poetic works, provided a ready-formed idiom for talking about social misconduct. The negative stock-model of the dicer from homiletic and devotional texts is deployed in a legal context in order to tarnish a defendant's social standing.

For example, on 21 December 1371, a John Cheddele appeared having been indicted for being a "common player of dice by night"[188] and a "constant nightwalker to the nuisance

[186] In one case from 1366 John Baldok, tailor, and Walter Hardyng, cutler, were committed to prison for playing dice. From: Roll A 11: 1366.
[187] McIntosh, 87.
[188] Roll A 17: 1371-72.

of the neighbours, and also for having entered the house of James Skynnere, in John Wroth's Rents, against the will of the same John and James, and for having there eloigned and hidden both the goods and the wife of the said James." The focus of the trial is the accusation of trespass and subsequent misappropriation of property (both wife and goods). Nevertheless, the prosecutor, and the recording scribe, deem it worthwhile to mention the defendant's nocturnal dicing. Quite possibly, this represents an effort to discredit the reputation of the accused; to label an individual a "common player of dice" has clear pejorative intent. The signifying function of the dicer in literary sources has resonance within the court setting. Dicing alone has not brought Cheddele before the court, but his association with the game is exploited in an attempt to sully the defendant's character and social reputation.

At a later point in the same entry the text states:

> As regards dicing by night, he did not play more than was seemly, but his general behaviour against the peace was a nuisance to the neighbours and he was not fit to reside in the ward. The Court acquitted him as regards the dice and the goods, and committed him to prison on the other matters of which he was convicted.

The source attests that Cheddele's dicing was not the cause of his imprisonment. The fact that the court identifies a "seemly" level of dice-play implies that its practice, within limits, was tolerated, if not encouraged. However, as I demonstrated in *The Cook's Tale*,

we witness the juxtaposition of gambling and disruptive behaviour. There was undoubtedly a prevailing social concern that excessive dicing was a symptom of degeneracy and marginality.

Dicing attracts the attention of the City authorities when the boundaries of *game* are transgressed, when the play-nature of the activity is compromised by "professionals". Individuals are not punished for playing, but for cheating. They are penalised for subverting the unwritten rules governing the construction of the play-world. Whilst the Church, in the guises of the sermonizing priest and the compilers of devotional texts, could develop a position against gambling based, purportedly, on morality, the City, primarily, was concerned with maintaining social order. As long as dicing was engaged in voluntarily, fairly, and in moderation there was no pressing need to suppress its play. The evidence of these criminal cases involving dicing suggests that in addition to casual or occasional participation in dicing, there existed a subculture of dicers who, through various methods, used the game as a source of income. We are able to discover something of the people who might have used the loaded dice discussed in Chapter 1.

Conclusion

Playing with Alterity

Laura Kendrick, in her reading of Huizinga's *The Waning of the Middle Ages*, in relation to his later work on the theory of play, argues that:

> Huizinga's method […] was to treat interpretation and understanding of medieval texts or cultural artefacts as a kind of game requiring modern interpreters to accept the absolute alterity of the medieval, setting it within a kind of magic circle, defining it as definitely *not* our ordinary life.[189]

In asking what it meant to gamble in late medieval England, it is my contention that rather than invoking this "alterity topos"[190] it is instructive to consider the similarity in responses to the cultural phenomenon of gambling across history. Gamblers have consistently been treated with suspicion and disapproval by society, their activity hovering about the blurred boundary between criminality and legality. Indeed, the preamble to the UK government's most recent legislation pertaining to gambling, the 2005 Gambling Act, foregrounds objectives that, as this dissertation has demonstrated, were key anxieties concerning gambling in our period of study. The objectives of the 2005 Act are detailed as follows:

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[189] Laura Kendrick, "Games Medievalists Play: How to Make Earnest of Game and Still Enjoy It," *New Literary History* 40, no. 1 (2009): 44.
[190] Kendrick, 44.

> (a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
> (b) Ensuring that gambling is conducted in a fair and open way.
> (c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.[191]

Chapter 1's examination of the depiction of dicers in manuscript margins and Chapter 2's discussion of devotional literature foregrounded the association in the medieval mind between gambling and social disorder. Furthermore, Chapter 4 considered how the regulation of dicing in London was concerned with the "fairness" and "openness" of games. Finally, the notion that gambling can corrupt and damage an individual is evident in sources throughout this work, but particularly in Chapter 3's thinking about the reckless dicing of young men, prodigal sons and profligate apprentices. However, whilst we can see certain pervasive concerns in the medieval and modern responses to gambling, the purpose of this work has been to interrogate such anxieties in their medieval context.

This dissertation has gathered together material pertaining to medieval gambling, particularly dicing, from a range of sources of different types in an attempt to develop an understanding of the way that society thought about the activity. It is difficult to offer any firm conclusions or to propose a definitive reading of the cultural significance of

[191] Gambling Act, 2005, Part 1.

gambling in late medieval England because what has emerged from my study is, in fact, a decided lack of coherency in the way that gambling was represented, condemned, and regulated. Gambling, in relation to our period we have specifically been thinking about dicing, represented a social phenomenon to which religious and secular authorities were not exactly sure how to respond. Being explicitly forbidden neither in scripture nor, at least until the fifteenth-century, national law, the censure of gambling varied according to context.

Sermons and devotional literature constructed "hasardours" as tavern-dwelling wastrels, with one foot already on the path to a life of sin and, ultimately, damnation. However, there is no coherent understanding of gambling's sinfulness, or even whether it was intrinsically sinful or was a symptom of an unpalatable lifestyle. We see the influence of this homiletic model in marginal depictions and literary representations of gamblers, but the relationship these characters had with actuality is questionable.

Secular sources, especially those linked to the city, were more concerned with the affront that dicing presented to the urban economy. By offering a system of exchange that facilitated the transfer of wealth without the transfer of commodity dicing subverted the principles of the mercantile economy. This anxiety is particularly visible within the dynamic of the relationship between master and apprentice whereby masters were concerned that their charges' dicing would waste resources and sully reputations.

Nevertheless, despite condemnation by both Church and City, there is little evidence authorities were interested in preventing dicing from occurring. Indeed, dicing appears to have attracted the attention of city courts only when the fairness of the game is contravened by cheating or sharp-practice. It seems likely that, as long as it did not cause disruptive behaviour, dicing was begrudgingly tolerated, or ignored.

The main reason why it is problematic to locate the gambler's social position is that it is not altogether clear to what extent the sources analyzed represent a reflection of actuality or are the reactionary product of suspicion and disapproval. Whether we can think of medieval gamblers as forming a coherent subculture is debateable. Whilst it is likely that the figures of the degenerate gambler in devotional literature and the reckless young male of the *Tale of Beryn* represent exaggerated, propagandic models, there is enough evidence to suggest that gambling was sufficiently popular that it was taken seriously as a threat to social order and an individual's spiritual health. There was a tension between the desire to dice and the outlook of the authorities who found the form of play to be challenging.

The key theme which I have attempted to trace throughout this work relates to the sources' particular sensitivity towards the nature of play. Dicing was the source of great anxiety, fundamentally, because it functioned as a transgressive form of play; to dice was, as the author of *Jacob's Well* describes it, was to engage in "foly pley". Gambling is not compatible with the taxonomy of play posited by either Huizinga or Caillois and, as this dissertation contends, it is this problematic status which is at the root of the marginal social position of the gambler in late medieval England.

IMAGES

Image 1: Bone dice and shaker
Source: Museum of London, Medieval Collection

Image 2: Players sitting at a dice-table
Source: London, British Library, MS Yates Thompson 13, f.149^{v}

Image 3: A dice game in progress. Has the player on the right bet the cloak off his back?
Source: Oxford, Bodleian Library,MS Bodley, 264, f.64^{r}

Image 4: A crowd huddles around a dice-board
Source: Oxford, Bodleian Library, MS Bodley 264, f.109^{v}

Image 5: A man and a woman play “tables”
Source: Luttrell Psalter, London, British Library, MS Additional 42130

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