

# YES, STATES HAVE REPEALED THE LOTTERY

By Forrest Claunch

It is not uncommon for proponents of an Oklahoma lottery to ask, “*If a lottery is so bad, why is it that no state has repealed theirs?*” The simple answer is, they all repealed their lottery.

For those who do not know the history of lotteries in America, and pose similar questions or make flat statements, it is understandable they make such an error. For those who do know the history of lotteries in America, and advance the idea a lottery must be good because of permanence, it is regrettable they deny history and imply a truth yet undetermined.

In 1833 Pennsylvania, New York, and Massachusetts all put an end to state-authorized lotteries. First the northeastern states, then the southern and western states abolished lotteries until, by 1860, only three states – Delaware, Missouri, and Kentucky – still allowed them.<sup>1</sup> After the Civil War, a few states had brief flings with lotteries<sup>2</sup> but Louisiana, following the decision by Kentucky to stop their lottery in 1878, was the only legal state game in the country. By 1894, Louisiana had joined the other states and stopped their lottery. Congress had passes several effective restrictions on the use of the mails until 1895 brought a total prohibition of activity in interstate commerce.

By 1894 no state permitted the operation of lotteries, and thirty-five states had explicit prohibitions in their constitutions against them.<sup>3</sup> In 1964, the first state-run lottery of the twentieth century was legal – it was seven decades from prohibition to acceptance.

History shows the rise and fall of lotteries, their acceptance and rejection, and only the blind desire for money, by the state or by the individual, has brought them to prominence again. **The real question is, “*How long will it be until they are forbidden again?*”**

*Forrest Claunch is the Oklahoma District 101 Representative.*

---

<sup>1</sup> Ezell, *Fortune's Merry Wheel*, pp. 212-229, Clotfelter and Cook, *Selling Hope*, pp. 37-38

<sup>2</sup> IBID, p. 213, p. 37

<sup>3</sup> IBID, pp. 223-271, p. 37