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Kate Bedford

Birmingham Law School, University of Birmingham

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Regulation and Resistance in Canadian Bingo Halls: A Socio-Legal Account

KATE BEDFORD*

Le bingo est l'un des principaux angles sous lesquels étudier comment la réglementation façonne ou non les différentes significations du « jeu », notamment parce qu'on peut maintenant jouer au bingo dans un climat très distinctif, assujéti à davantage de règles normalisées. Dans cet article, je me penche sur la façon dont la transformation de la réglementation provinciale sur le bingo affecte les travailleurs et travailleuses et les joueurs et joueuses des salles de bingo canadiennes. En analysant l'interdiction de fumer et les nouveaux règlements concernant la manipulation de l'argent, je me pose ces questions : Qu'advient-il du bingo et des caractéristiques démographiques distinctives de ses joueurs et joueuses depuis que le gouvernement favorise de plus en plus les formes de jeu offertes dans les casinos? Qu'est-ce que cela peut révéler sur les effets de la réglementation sur les diverses cultures du jeu? Je tente d'y répondre pour en savoir plus sur la relation des gens avec la loi sur le jeu dans son application au monde ordinaire plutôt qu'au monde privilégié. Selon moi, il est capital que les mécanismes réglementaires cherchant à normaliser les diverses formes de jeu s'interrogent sur les facteurs sociojuridiques liés au jeu et sur la notion de résistance. Ils doivent aussi être attentifs aux expériences des travailleurs et travailleuses, et des joueurs et joueuses.

Bingo is a key lens through which to explore how regulation shapes (or fails to shape) different meanings of gambling, and by extension the different meanings attached to speculation in everyday life. In Canada, bingo is played in a highly distinctive gambling environment that is now being subjected to more standardised rules, often drawn from casinos. In this article, I consider how workers and players in Canadian bingo halls are affected by shifting landscapes of provincial bingo regulation. By exploring smoking bans and new rules on touching cash, I ask: what is happening to bingo and its distinctive player demographic as governments increasingly promote casino forms of play? What can that teach us about the impact of regulation on diverse gambling cultures? In posing these questions, I seek to learn more about how people are interacting with gambling law, in lowly realms rather than big law ones. I argue that the diverse meanings of gambling are under threat from regulatory homogenization, specifically from the spread of rules anchored in large-scale, profit-making play

* Kate Bedford is Professor of Law at Birmingham Law School, University of Birmingham. Her research interests are in the areas of socio-legal studies, political economy, and gender/sexuality. Recently, she has explored the gendered political economy of gambling regulation, by using commercial and non-commercial bingo to think in new ways about the regulation of everyday speculation. Funded by a large Economic and Social Sciences Research Council grant (ES/J02385X/1, *A Full House: Developing A New Socio-Legal Theory of Global Gambling Regulation*) she and a team of researchers at Kent Law School have explored bingo regulation around the world (see <https://www.kent.ac.uk/thebingoproject/>). She is currently finalizing a monograph on this topic. She would like to thank the interviewees who gave their time and expertise to help her understand bingo, and the colleagues who have provided feedback on versions of the argument provided here, including Donal Casey; Emma Casey; Colin Campbell; Rebecca Cassidy; Ruth Cherrington; Carolyn Downs; Alexandra Flynn; Johanna Järvinen-Tassopoulos; Luiza Jobim; Sytze Kingma; Sonia Lawrence; Alan Littler; Rianne Mahon; Fiona Nicoll; Pauliina Raento; Shirin Rai; Gerda Reith, Garry Smith; and Toni Williams.

experiences. I hereby suggest that the lower-level regulatory mechanisms that shape gambling forms and places need critical, socio-legal interrogation, attentive to worker and player experiences and accounts of resistance.

THIS ARTICLE STEMS FROM AN INTERNATIONAL RESEARCH PROJECT that asks what bingo can add to existing accounts of gambling and political economy.¹ Like many critical law and political economy scholars I am curious about gambling, because the distinctions made by lawmakers between gambling and legitimate forms of insurance, speculation, and investment have historically been central to how we understand, and regulate, capitalism.² More recently, and more specifically, many scholars have used casinos to think critically about neoliberalism. While for some casinos are a metaphor of reckless speculation rather than a research site,³ others have explored how casino gambling is materially linked to neoliberalism, both because it is increasingly used to fund essential services or regenerate impoverished regions in a context of lower taxes,⁴ and in terms of the celebratory, individualistic, entrepreneurial approach to risk involved.⁵ In particular, destination casino resorts, aimed at attracting visitors, have been widely promoted as regeneration anchors, including within the US, Holland, Australia, Mexico, Canada, Macao, South Africa, Cambodia, Laos, and, for a time, the UK.⁶ In recognition of the

¹ See Kate Bedford *et al.*, *The Bingo Project: Rethinking Gambling Regulation*. Final report (Canterbury, UK: 2016). Online: https://www.kent.ac.uk/thebingoproject/resources/Bingo_Project_report_final.pdf [perma.cc/98R4-P262].

² On how insurance was distinguished from gambling see, *inter alia*, Geoffrey Wilson Clark, *Betting on Lives: The Culture of Life Insurance in England, 1695-1775* (Manchester University Press, 1999). On stock markets see Urs Staheli, *Spectacular Speculation: Thrills, the Economy and Popular Discourse*, translated by Eric Savoth (Stanford, California: Stanford University Press, 2013); Marieke De Goede, *Virtue, Fortune, and Faith: A Genealogy of Finance* (Minneapolis, Minn: University of Minnesota Press, 2005); Samuel Randalls, “Weather trading in London: distinguishing finance from gambling” 187 and Claire Loussouarn, “Spread Betting and the City of London” 233 in Rebecca Cassidy, Andrea Pisac & Claire Loussouarn, eds, *Qualitative Research in Gambling: Exploring the production and consumption of risk* (New York: Routledge, 2013).

³ E.g. Susan Strange, *Casino Capitalism*, new ed (Manchester: Manchester University Press, 1997) expanded Keynes’ critique of ‘casino capitalism,’ focused on stock markets as risky ‘whirlpools of speculation,’ to discuss the new products and practices associated with deregulated financial markets, including hedging, spread betting, and derivatives trading. On the limits of using casinos as metaphors for stock markets see, *inter alia*, Rebecca Cassidy, “‘Casino capitalism’ and the financial crisis” (2009) 25:4 *Anthropology Today* 10. See also Gerda Reith’s caution against over-use of the casino capitalism analogy, in part because in gambling – unlike in finance capitalism – the rules of games are fixed, and the probabilities of winning are generally known in advance; Gerda Reith, “Techno economic systems and excessive consumption: a political economy of ‘pathological’ gambling” (2013) 64:4 *British Journal of Sociology* 717 at 720.

⁴ E.g. Sharon Zukin, *Naked City: The Death and Life of Authentic Urban Places*, reprint ed (Oxford: OUP USA, 2011); Juan Zhang, “Introduction: Integrated Mega-Casinos and Speculative Urbanism in Southeast Asia” (2017) 90:4 *Pacific Affairs* 651; Mimi Sheller, “Always turned on: Atlantic City as America’s accursed share” 107 in Anne M Cronin and Kevin Hetherington, eds, *Consuming the Entrepreneurial City: Image, Memory, Spectacle*. (Oxford: Routledge, 2008); James F Cosgrave, “Introduction: Gambling, Risk, and Late Capitalism” 1 in *The Sociology of Risk and Gambling Reader* (New York: Routledge, 2006).

⁵ Cosgrave, *ibid*; Gerda Reith, *The Age of Chance: Gambling in Western Culture* (London; New York: Routledge, 2002); Sytze F Kingma, “Paradoxes of risk management: Social responsibility and self-exclusion in Dutch casinos” (2015) 21:1 *Culture and Organization* 1.

⁶ David G Schwartz, *Suburban Xanadu: The Casino Resort on the Las Vegas Strip and Beyond* (New York; London: Routledge, 2003); Kearnin Sims, “Gambling on the Future: Casino Enclaves, Development, and Poverty Alleviation in Laos” (2017) 90:4 *Pacific Affairs* 675; Zukin, *supra* note 4; Linda Hancock, *Regulatory failure?: The Case of Crown Casino* (Melbourne: Australian Scholarly Publishing, 2011); Kingma, *supra* note 5; Zhang, *supra* note 4; Liu Shih-Diing, “Casino Colony” (2008) 50 *New Left Rev* 109; Kevin Ward, “Entrepreneurial urbanism, state restructuring and civilizing ‘New’ East Manchester” (2003) 35:2 *Area* 116. See also Alexandra Flynn, “Unequal Spaces of Local Governance in Toronto’s Casino Debates” (2018) 30 *Journal of Law and Social*

centrality of casinos to debates about economic restructuring and gambling, Jeffrey Sallaz uses an ethnography of card dealers in Nevada and Johannesburg casinos to theorize the relationship between consumers and workers in post-industrial workplaces.⁷ Ellen Mutari and Deborah Figart use the stories of casino employees to critique the precarity of life in ‘the casino economy.’⁸ Natasha Dow Schüll considers what excessive machine play in Las Vegas casinos can tell us about the design of addiction.⁹

I. A BINGO PERSPECTIVE ON GAMBLING REGULATION

While I have learned much from these accounts, casino resorts - with their glamorous allure as destination spectacles frequented by James Bond - seem distant from the everyday, distinctly non-Las Vegas worlds of gambling with which I am familiar. Instead, I am drawn to bingo, a lottery style game popular in many parts of the world about which there is almost no academic research.¹⁰ I am drawn to bingo for many reasons, including that it is one of the few forms of gambling that attracts more female than male players.¹¹ It is popular with older, working class women in particular.¹² As Stompin’ Tom Connors put it, when the male mine workers in Sudbury are getting drunk on a Saturday night, “the girls are out to bingo.”¹³ The game is also especially popular with Indigenous people in many settler colonial societies, including Canada.¹⁴ Bingo thus provides key insights into classed, aged, racialized, and gendered gambling cultures, and the ways in which they are shaped by law and regulation.

In addition, bingo is intriguing because in many places it is associated with self-organized mutual aid and charitable fundraising as much as, if not more than, commercial gambling.¹⁵ Hence it is a key example of the point made repeatedly within anthropological and

Policy 68; Alan Littler & Johanna Järvinen-Tassopoulos, “Online Gambling, Regulation, and Risks: A Comparison of Gambling Policies in Finland and the Netherlands” (2018) 30 *Journal of Law & Social Policy* 94; Fiona Nicoll, “Beyond the Figure of the Problem Gambler: Locating Race and Sovereignty Struggles in Everyday Cultural Spaces of Gambling” (2018) 30 *Journal of Law & Social Policy* 127.

⁷ Jeffrey J Sallaz, *The Labor of Luck: Casino Capitalism in the United States and South Africa* (Berkeley: University of California Press, 2009).

⁸ Ellen Mutari & Deborah M Figart, *Just One More Hand Life in the Casino Economy* (Rowman & Littlefield Publishers 2015)

⁹ Natasha Dow Schüll, *Addiction by Design: Machine Gambling in Las Vegas* (Princeton University Press, 2012) at 6.

¹⁰ For key exceptions see Carolyn Downs, *A Social, Economic and Cultural History of Bingo (1906-2005)* (Saarbrücken: VDM, 2009), Suzanne Morton, *At Odds: Gambling and Canadians, 1919-1969* (Toronto: University of Toronto Press, 2003), C Chapple & S Nofziger, “Bingo!: hints of deviance in the accounts of sociability and profit of bingo players” (2000) 21:6 *Deviant Behaviour* 489; Laurie Paarlberg *et al*, “Charitable bingo in Indiana: Issues and implications” (2005) 15:4 *Nonprofit Management & Leadership* 433; Mark White, Kitty Rogers Brown & Bevan Dowd, “Bingo in Alabama: More than just a game” (2010) 41 *Cumb Rev* 509; Jo-Anne Fiske, “Bingo: Winning and Losing in the Discourses of Problem Gambling” (2015) 57:2 *Anthropologica* 525. See also Thierry Depaulis “Bingo! A Material history of Modern Gaming” in Manfred Zollinger, ed, *Random Riches: Gambling Past and Present* (London: Routledge, 2016) 36 at 49, which is focused mostly on card gaming, lotteries, betting, and casino gaming, with a few lines devoted to bingo, as a table-based derivation of a lottery.

¹¹ Rachel A Volberg, “Has there been a ‘feminization’ of gambling and problem gambling in the United States?” (2003) 8 *J Gambling Issues*, doi: 10.4309/jgi.2003.8.7.

¹² *Ibid*; See Downs, *supra* note 10, Morton, *supra* note 10.

¹³ Tom Connors, “Sudbury Saturday Night,” *The Northlands’ Own Tom Connors* (1967).

¹⁴ See Fiske, *supra* note 10; Joan L Bottorff *et al*, “Bingo halls and smoking: Perspectives of First Nations women” (2009) 15:4 *Health Place* 1014; Kate Bedford *et al.*, *The Bingo Project*, *supra* note 1.

¹⁵ On the crucial distinction between charitable fundraising for good causes (often via lotteries, and often involving the state), and self-organized mutual aid gambling (where players and organisers are often the same people), and

sociological research on play: gambling has diverse political-economic meanings, and is not just about individuals winning money.¹⁶ Gambling can involve the celebration of individual risk-taking, in commercial environments, but it can also involve communal play;¹⁷ raising money for charity,¹⁸ escaping daily worries, sociality and group bonding;¹⁹ showing love to family;²⁰ sharing resources within the community;²¹ cementing national and imperial ties,²² or securing survival in informal economies.²³

However, according to many scholars these dimensions of play are being squeezed out by the global spread of US-style casino resorts, in a corporate steamrolling of gambling forms.²⁴ Associated with Big Gambling corporations, and governments eager to attract revenues and jobs,²⁵ such resorts typically offer a standardized gambling experience, in which electronic gambling machines play a key role. For example Natasha Dow Schüll has researched the processes involved in corporate efforts to increase the use of gambling machines in Macao's casinos, reducing labour costs and risks to the house associated with table games.²⁶ In a similar vein, Gerda Reith has examined the way that electronically mediated forms of play have fueled the growth of a highly efficient extractive gambling industry, with standardized digital products on offer almost everywhere.²⁷ Machines have spread "like kudzu" (an invasive weed) in casinos around the world,²⁸ taking over space that was previously devoted to table games; they are increasingly prevalent in other gambling environments as well, such as Australian hotels

the gradual erasure of the latter in benefit of the former, see Kate Bedford, *Bingo Capitalism: Regulating Gambling and Political Economy in Everyday Life* (manuscript under review).

¹⁶ See inter alia, Cosgrave, *supra* note 4; Rebecca Cassidy, "Horse versus machine: battles in the betting shop" (2012) 18:2 J R Anthropol Inst 266, 280; Per Binde, "Gambling, Exchange Systems, and Moralities" (2005) 21:4 J Gambl Stud 445; Rebecca Cassidy, Andrea Pisac and Claire Loussouarn, eds, *Qualitative Research in Gambling: Exploring the Production and Consumption of Risk* (London: Routledge 2013).

¹⁷ See e.g. Cassidy, *ibid*, on sharing winnings and communal play among bettors and machine players.

¹⁸ Robert K Christensen *et al*, "Light and Dark Sides of Nonprofit Activities and the Rules to Manage Them: The Case of Charitable Bingo" (2009) 41:2 Administration and Society 213.

¹⁹ Irving Kenneth Zola, "Observations on gambling in a lower-class setting" in Cosgrave, *supra* note 5 at 152; Cassidy, Pisac & Loussouarn, eds, *supra* note 16 at 87; Binde, *supra* note 16; Stine Simonsen Puri, "Relationships of Chance: Friendships in a Gambling Setting of Urban India" (2016) 39:1 South Asia Journal of South Asian Studies 109.

²⁰ Emma Casey, "Working class women, gambling and the dream of happiness" (2008) 89 Feminist Review 122.

²¹ Yale D Belanger, ed, *First Nations Gaming in Canada* (Winnipeg: University of Manitoba Press, 2011) especially Yale Belanger, "Towards an Innovative Understanding of North American Indigenous Gaming in Historical Perspective" at 10 and Sharon Yanicki *et al*, "Gambling Behaviours Among Aboriginal Peoples: Indigenous and Critical Socio-Ecological Perspectives" at 195.

²² Rebecca Cassidy, *The Sport of Kings: Kinship, Class and Thoroughbred Breeding in Newmarket* (Cambridge ; New York: Cambridge University Press, 2008).

²³ Amy Chazkel, *Laws of Chance: Brazil's Clandestine Lottery and the Making of Urban Public Life* (Durham, NC: Duke University Press Books, 2011); LaShawn Harris, *Sex Workers, Psychics, and Numbers Runners: Black Women in New York City's Underground Economy* (Urbana: University of Illinois Press, 2016).

²⁴ See e.g. Cosgrave, *supra* note 5; Sytze Kingma, ed, *Global gambling: cultural perspectives on gambling organizations*, Routledge advances in criminology 8 (New York: Routledge, 2010); Pauliina Raento & David G Schwartz, eds, *Gambling, space, and time: shifting boundaries and cultures* (Reno: University of Nevada Press, 2011).

²⁵ Francis Markham & Martin Young, "'Big Gambling': The rise of the global industry-state gambling complex" (2015) 23:1 Addiction Research and Theory 1.

²⁶ Natasha Dow Schüll, *Turning the Tables: the global gambling industry's crusade to sell slots in Macau* in Cassidy, Pisac, & Loussouarn, *supra* note 16 at 92.

²⁷ Reith, *supra* note 3 at 732.

²⁸ Natasha Dow Schüll, *supra* note 9 at 6.

and clubs,²⁹ and UK betting shops.³⁰ Their proliferation is part of a shift in gambling practices from local to global conditions, with Sytze Kingma arguing that diverse gambling forms are being “Las Vegasized,” or commodified into standard packages that extract profit in predictable — often automated — forms.³¹ In such ways, the dominance of standardized gambling products and environments has been linked to the growing homogenization of play and the erosion of localized gambling cultures.

In my view, the legal and regulatory mechanisms involved in these processes of standardization and homogenization need more critical interrogation. Some scholars have pointed to a global trend towards gambling liberalization, and a loosening of restrictions on electronic gambling machines,³² but they tend to view law as a straightforward instrument with which to achieve economic ends. Hence while law is seen to facilitate the expansion of mass commercial gambling, especially in machine form, it is not a focus on its own right. Conversely others point to ongoing divergence in national, and sub-national, legal approaches.³³ Moreover, while several gambling law scholars have explained the political context to legal changes around gambling,³⁴ there is a lack of research into how law and regulation touch down, or are resisted, in practice. People and their experiences usually appear only fleetingly, as individuals bringing cases that are analyzed for their broader principles. People’s engagements with law outside of courtrooms receive almost no attention.

By instead applying a socio-legal sensibility to bingo, I seek to move beyond these limits. As socio-legal scholars have long argued, we must look beyond courts and parliaments as sites of law making, to examine how law is invoked, ignored, strategically evaded, or resisted, in everyday realms.³⁵ As Alan Hyde explained, after having researched how the body was discursively framed in case law, he was left with a key question about the relationship of courtroom texts to actual people: “Where are all the physical bodies among all these discursive bodies?...What do we know about the appearance, posture, deportment of bodies as subjects and objects of legal regulation.”³⁶ A key priority is to explore what Mariana Valverde has

²⁹ Charles Livingstone, “The social economy of poker machine Gambling in Victoria” (2001) 1:1 International Gambling Studies 46; Martin Young, “Towards a Critical Geography of Gambling Spaces: The Australian Experience” (2011) 4:3 Human Geography 33; Nicoll, *supra* note 6.

³⁰ Cassidy, *supra* note 16 at 279.

³¹ See Sytze Kingma (2010) Global Gambling: Cultural Perspectives on Gambling; see also Cassidy, Pisac, & Loussouarn eds *supra* note 16.

³² Charles Livingstone & Richard Woolley, “Risky Business: A Few Provocations on the Regulation of Electronic Gaming Machines” (2007) International Gambling Studies 361; Zhang, *supra* note 4.

³³ E.g. Chazkel, *supra* note 23; Cyrille J C F Fijnaut & Alan Littler, eds, *The Regulation of Gambling: European and National Perspectives* (Leiden: Brill, 2006); Toni Williams, “All about that Place: The rise and demise of bingo liberalisation in Brazil” (2018) 30 Journal of Law and Social Policy 151; Littler and Järvinen-Tassopoulos, *supra* note 6.

³⁴ David Miers, *Regulating Commercial Gambling: Past, Present, and Future* (Oxford ; New York: OUP Oxford, 2004); Donald Bourgeois, *The Law of Charitable and Not-for-Profit Organizations*, 3d ed (Butterworths, 2002).

³⁵ Sally Engle Merry, “Everyday Understandings of the Law in Working-Class America” (1986) 13:2 American Ethnology 253; D Cooper, “Institutional illegality and disobedience: Local government narratives” (1996) 16:2 Oxford Journal of Legal Studies 255; Dermot Feenan, ed, *Exploring the “Socio” of Socio-Legal Studies* (Basingstoke, UK: Palgrave Macmillan, 2013); Patricia Ewick & Susan S Silbey, *The Common Place of Law: Stories from Everyday Life* (Chicago: University of Chicago Press, 1998); Nicholas Blomley, *Rights of Passage: Sidewalks and the Regulation of Public Flow* (Routledge, 2011); Michael McCann & Tracey March, “Law and everyday forms of resistance: A socio-political assessment.” (1996) 15 Studies in Law, Politics and Society 207.

³⁶ Alan Hyde, *Bodies of Law* (Princeton NJ: Princeton University Press, 1997) at ix. See also Shelley Day Sclater, Introduction, in Andrew Bainham, Shelley Day Sclater & Martin Richards, eds, *Body Lore and Laws: Essays on*

termed “lowly legal mechanisms”³⁷, or “everyday legal governance.”³⁸ Rather than ‘big law’ networks that use the language of constitutional challenges and abstract absolute rights,³⁹ her work has focused instead on pub and taxi licensing practices;⁴⁰ permits, park regulations; “low-key protocols” impacting city employees;⁴¹ and food cart rules.⁴² Through such work, she and others have charted the way in which legal mechanisms “come to exercise a certain unquantifiable constitutive power”⁴³, normalizing certain modes of life while contributing to the disappearance of others.

Bingo provides an excellent opportunity for a similarly-framed socio-legal inquiry into gambling regulation. Unlike resort casinos, bingo has a range of vernacular meanings. Although these vary by country,⁴⁴ in Canada bingo is partly about commercial entertainment, partly about donation to good causes, and partly about self-organized mutual aid. Unlike large scale lotteries, typically requiring significant state involvement and extensive collaboration with businesses, in bingo *charities themselves* have often retained a key role in operating the gaming. In Canada, organizations licensed to conduct and manage bingo games orchestrate – either directly or through donating to other organizations - a range of ‘good works,’ from rape crisis shelters to immigrant support groups, from right to life campaigns to youth sports and recreation organizations.⁴⁵ They are typically required to use their own volunteers to run the gambling.⁴⁶ Because it mixes self-organized civic activity, good works, and play in these ways, bingo is a key prism through which to explore the entanglement between different meanings of gambling, and how they are shaped by regulation.

Specifically, in this article I focus on how players and paid workers are regulated in provincially-licensed, land-based (as opposed to online) bingo in Canada. I focus especially, although not exclusively, on bingo halls in BC and Ontario that have moved from charitable to provincial control.⁴⁷ I ask: what is happening to bingo and its distinctive player demographic as governments increasingly promote casino forms of play? What can that teach us about the impact of regulation on diverse gambling cultures? Are casino forms and electronic gaming machines, and the individualistic, corporatized form of play that they represent, inevitably winning out, or are other gambling realities being sustained or re-invented in the socio-legal shadows? In posing these questions, I seek to learn more about how people are interacting with gambling law, in lowly realms rather than the spaces of big law.

Having briefly set out the methodology used (Part II), and the broader gambling law and policy context within which bingo regulation in Canada occurs (Part III), I move on to

Law and the Human Body (Portland: Hart Publishing, 2002) 1 at 8, and Anne Bottomley, “The Many Appearances of the Body in Feminist Scholarship” in Bainham, Sclater & Richards, *ibid*, 127 at 147.

³⁷ Mariana Valverde, “Seeing Like a City: The Dialectic of Modern and Premodern Ways of Seeing in Urban Governance” (2011) 45 *Law and Society Review* 277 at 297.

³⁸ Mariana Valverde, “Taking land use seriously: toward an ontology of municipal law” (2005) 9 *Law Text Culture* 34 at 55.

³⁹ *Ibid* at 40.

⁴⁰ Mariana Valverde, “The Ethic of Diversity: Local Law and the Negotiation of Urban Norms” (2008) 33:4 *Law & Social Inquiry* 895; Mariana Valverde, “Police science, British style: pub licensing and knowledges of urban disorder” (2003) 32:2 *Economy and Society* 234.

⁴¹ Valverde *supra* note 38 at 48.

⁴² *Ibid*; see also Blomley, *supra* note 34.

⁴³ Mariana Valverde, “Laws of the Street” (2009) 21:2 *City Soc* 163 at 164.

⁴⁴ See Bedford *et al.*, *The Bingo Project*, *supra* note 1.

⁴⁵ Kate Bedford, “Regulating Volunteers: Lessons from the Bingo Halls” (2015) 40:2 *Law and Social Inquiry* 461.

⁴⁶ *Ibid*.

⁴⁷ I have considered the regulation of volunteers, including via dress codes, in *ibid*.

describe the distinctive, and in many respects resistant, nature of Canadian bingo halls (Part IV). I then consider two key examples of recent regulatory changes in bingo: smoking bans (Part V) and the touching of cash (Part VI). I argue that smoking bans have harmed players' ability to cantankerously occupy the bingo hall space in two ways. Firstly, as smoking bans have spread to outdoor spaces around bingo halls, they become less about protecting the health of non-smokers and more about exiling smokers from public space, in part because they are seen to set a bad example. Secondly, the drop in business caused by provincial smoking bans has led to key changes in how bingo is played, in the side games run alongside it, and in the regulatory approach to bingo. Automated gambling forms have proliferated in halls as a result. Due to the intertwining of these two effects of smoking bans, notoriously stubborn bingo regulars, who appear to act like they own the place, are being replaced by machines, and the slots players who are drawn to them.

In the final example in the article, I explore how requirements to show 'clean hands' after touching cash have been received by workers and players. These rules were cut and paste from casinos into bingo halls. They reshape the familiar, close nature of connection between players and employees characteristic of bingo environments in Canada, and they are highly contentious. They distance players from staff, by professionalizing contact and increasing surveillance of touch. They also violate norms of trust that are fundamental to players' sense of belonging, and to many employees' enjoyment of the work. Hence I examine how these new casino-based rules have been resisted and mocked, sharing stories intended to register a bingo-based defiance.

In closing, I consider the lessons that the Canadian case study of bingo might hold for those interested in broader debates about gambling and law. I suggest that the *regulatory mechanisms* through which diverse gambling forms are being standardized, or Las Vegasized, need socio-legal interrogation. More precisely, I argue that regulations play a key role in restructuring gambling environments in more automated, standardized directions, where the diverse meanings of gambling are narrowed. Mutual aid practices and trust are decentered, player senses of ownership are interrupted, and the efficient extraction of profit is maximized. However, mine is not a straightforward story of the corporate trampling of non-casino gambling vernaculars. Looking to practices, we see that heterogeneous gambling cultures are being (re)made against the rules, if only on a small scale, non-spectacular basis.

II. METHODOLOGY

The multi-method approach used in the larger grant project, of which this article is a part, reflects a commitment to socio-legal research, wherein law is traced in its everyday manifestations rather than only as it appears in court cases, or legislative debates. The team researched four case studies of bingo regulation, in England and Wales, Canada, Brazil, and online in the European Union.⁴⁸ We used a multi-method qualitative approach including

⁴⁸ See Donal Casey, "Risk, Charity and Boundary Disputes: The Liberalisation and Commercialisation of Online Bingo in the European Union" (2018) 30 *Journal of Law and Social Policy* 27; Williams, *supra* note 33. See also Bedford *et al.*, *supra* note 1; Bedford, *supra* note 45; Kate Bedford, "Letting the Right Ones In: Whitelists, Jurisdictional Reputation, and the Racial Dynamics of Online Gambling Regulation" (2015) 34:1 *Environment and Planning D: Society and Space* 30; Kate Bedford, "Bingo Regulation and the Feminist Political Economy of Everyday Gambling" (2016) 13:6 *Globalizations* 801; Donal Casey, "The DNA of Bingo: Charity and Online Bingo" in Michael Egerer, Virve Marionneau & Janne Nikkinen eds *Gambling Policies in European Welfare States: Current Challenges and Future Prospects* (London: Palgrave Macmillan, 2018 forthcoming); Maria Luiza

interviews with two hundred and fifty-five regulatory stakeholders around the world, field notes from participant observation in legal bingo games, and analysis of case law, legislation, codes of practice and charity/company level rules. We interviewed a wide range of individuals involved in bingo, such as operators (commercial and non-commercial), regulators (at many levels, from the municipal to the supra-national), politicians, specialist lawyers, judges, employees, volunteers, software designers, and bingo equipment manufacturers. Interviews were semi-structured, so they ran more like a guided conversation than a survey. Notes or a full transcript of the interview (whichever the interviewee preferred) were sent back to the interviewee in case they wished to make changes. Once a final version had been agreed upon, an anonymised version was created for analysis. All data was uploaded to NVIVO (a qualitative data research tool), and coded manually for key themes and patterns. Coding collaboratively, with the data held on a server, we aimed to generate codes inductively for each case study. Towards the end of the research we were also able to compare the key themes across the case studies. In total we created codes for thirty-seven analytic themes (many with sub-themes).

For the Canadian case study, I analyzed relevant law, policy, and guidance (e.g. gambling legislation, licensing regulations at provincial, municipal, and First Nations levels; codes of practice; guidelines; information bulletins from regulators); annual reports from provincial gambling operators and regulators; and data on licensees and use of proceeds. I have records of official federal and provincial political debate on bingo (stretching back to 1938), and I collected and reviewed two hundred and seventy-one cases involving bingo. These ranged from high level cases involving constitutional debates at the Supreme Court of Canada, to divorce cases, labour disputes, and civil lawsuits over how to divide up bingo winnings.

In addition, in 2011 I conducted twenty-eight interviews (twenty-six recorded and transcribed) in Ontario with a mix of provincial government policy makers, bingo inspectors, suppliers, hall managers, volunteer coordinators, volunteers, presidents of charitable bingo hall associations, and bingo industry representatives. I repeated the study in Alberta in 2012, conducting twenty-seven interviews (twenty-three recorded and transcribed) with the same mix of stakeholders. In 2014 and 2015 I conducted a further fifty-nine interviews with seventy-five people involved in bingo in Ontario and British Columbia. Since I started research into Canadian bingo regulation in 2011, I have also travelled across several provinces to visit bingo facilities, ranging from large halls in major cities with life-changing jackpots on offer, to tiny pub bingos in rural communities where the top prize was a packet of chicken thighs.

III. THE LAW AND POLICY FRAMEWORK.

The federal legal framework for Canadian gambling is set out in part VII of the *Criminal Code*⁴⁹ a part otherwise preoccupied with prostitution, bawdy houses, and acts of indecency. This criminalizes those found gambling and betting, alongside those who offer gambling, promote

Kurban Jobim & Toni Williams, "Análise crítica à luz dos pilares da legislação consumerista e do "the bingo project" (2016) 103 *Revista do Direito do Consumidor* 359-379; Maria Luiza Kurban Jobim & Toni Williams, "Chance Developments: Bingo Regulation in Brazil," (2017) 35: *Revista Análise Econômica*; online: <<http://seer.ufrgs.br/index.php/AnaliseEconomica/article/view/70305>> [<https://perma.cc/EG8W-XA2N>]; Maria Luiza Kurban Jobim & Toni Williams, "Bingos no Brasil: fardo ou legado? Reflexões críticas e contribuições para a regulação dos jogos na atualidade" in Luiz Carlos Prestes Filho, ed *A Teoria das Probabilidades no Jogo, na Ciência e nas Políticas Públicas* (Rio de Janeiro, E-Papers, 2017) 85.

⁴⁹ *Criminal Code*, RSC 1985, c. C - 46. (hereinafter CC).

or advertise gambling, or supply gambling devices (s. 206).⁵⁰ However, under s. 207(1)(a), it is lawful:

for the government of a province, either alone or in conjunction with the government of another province, to conduct and manage a lottery scheme in that province, or in that and the other province, in accordance with any law enacted by the legislature of that province.

also, according to s. 207(1)(b):

for a charitable or religious organization, pursuant to a licence...to conduct and manage a lottery scheme in that province if the proceeds from the lottery scheme are used for a charitable or religious object or purpose.

Private sector businesses, known as gaming service providers, can only *assist* the provincial governments and charities allowed to conduct and manage legal games; the latter groups must retain the overall responsibility and control of the gaming. In an important further limitation on charitable gambling activity, s. 207 (4) (c) of the Criminal Code reserves to provinces the authority to run a lottery game “operated on or through a computer, video device or slot machine.”⁵¹ Hence charities are prohibited from conducting and managing games of chance that are computer-reliant (such as electronic bingo): such games have to be run by the province, under s.207 (1) (a) powers.

Typically, Crown corporations operate gaming facilities under s207(1)(a) powers, having been granted a monopoly by the province over casinos, race tracks, and lotteries. In so doing they generate significant provincial revenues. The British Columbia Lottery Corporation (BCLC) has raised over \$20 billion for the province since 1985.^{52,53} In 2016-7 it generated over \$1.3 billion in net income, \$96 million over budget.⁵⁴ The Ontario Lottery and Gaming Corporation (OLG) has generated \$44 billion since 1975.⁵⁵ In 2015-6 the OLG made \$2.2 billion in net profit,⁵⁶ making gambling the greatest source of non-tax revenue for the province.

I lack the space to detail how provinces have applied this law and policy framework to bingo.⁵⁷ For the purposes of this article, suffice it to say that the general trend has been towards

⁵⁰ Bourgeois, *supra* note 34.

⁵¹ CC, s. 207 (4) (c).

⁵² British Columbia Lottery Corporation [BCLC], Social Responsibility Report (2016) at 7, online <<http://corporate.bclc.com/content/dam/bclc/corporate/documents/corporate-reports/bclc-2016-2017-social-responsibility-report.pdf>> [perma.cc/2UUC-3Q8E].

⁵³ All dollar amounts in this article refer to Canadian dollars.

⁵⁴ BCLC, 2016/7 Annual Service Plan Report, (2016) at 5, online <<http://corporate.bclc.com/content/dam/bclc/corporate/documents/corporate-reports/bclc-2016-2017-annual-report.pdf>> [perma.cc/YZ2S-V7YS].

⁵⁵ OLG, Annual Report 2015-6, (2016) at 4 online <http://about.olg.ca/wp-content/uploads/sites/28/2017/03/OLG-AnnualReport1516_EN.pdf> [perma.cc/3ZEX-E2BC].

⁵⁶ *Ibid* at 3.

⁵⁷ *et al* see, inter alia, Bedford *et al.*, *supra* note 1.; Kate Bedford, “Regulating Volunteers: Lessons from the Bingo Halls” (2015) 40:2 *Law and Social Inquiry* 461; Colin S Campbell & Garry J Smith, “Canadian Gambling: Trends and Public Policy Issues” (1998) 556 *Gambling: Socioeconomic Impacts and Public Policy Annals of the American Academy of Political Science* 22; Colin S Campbell, Timothy F Hartnagel & Garry J Smith, *The*

greater provincial involvement in bingos outside of First Nations territories. When bingo boomed, nation-wide, in the 1980s, charities conducted and managed games under s207 (1) (b) provisions, in alliance with businesses. However as attendance declined through the 1990s and 2000s (in part because of competition from expanded provincial gambling activities run under s207 (1) (a) provisions, in casinos and race tracks that allowed slots), Crown corporations became more involved in bingo. In BC charities fought a losing legal battle to retain their independent role in conducting and managing bingo in full time, charity-association run halls, and in 2004 those halls were taken over by the Crown corporation.⁵⁸ Under s. 207 (1) (a) authority, many were re-positioned as community gaming centres (CGCs) which offer slot machines alongside bingo and are run by the BCLC in partnership with private businesses.

Ontario used a somewhat more negotiated approach. In 2005 the Alcohol and Gaming Commission of Ontario (AGCO) launched a Modernization of Charitable Gaming initiative, aiming to modernize regulation to protect charitable revenues and “to reflect the [bingo] industry’s changing needs in the 21st century.”⁵⁹ It piloted electronic bingo in Barrie, Kingston, Peterborough, Sudbury, Toronto, and Windsor. In order that the province stay in compliance with the Criminal Code (which reserves to provinces the authority to run games requiring a computer, under s.207 (4) (c)), the Ontario Lottery and Gaming corporation — the operational enterprise agency set up to operate gaming services on behalf of the province — thereby assumed responsibility for conducting and managing gambling in the e-bingo sites, taking over from the charities that had operated bingo under s.207 (1) (b) licenses. The pilot was given the ministerial green light for a province-wide rollout, which started in 2012. Of the sixty-one bingo halls remaining in Ontario, thirty are operated by associations of charities, and are regulated by the AGCO; the rest are operated by the OLG, on behalf of the province. The thirty-one under OLG control were rebranded as ‘c-gaming’ locations (with the ‘c’ designating that they were charitable and community forms of gaming), in part because of marketing research that suggested the word bingo was off-putting, being associated with the old, the poor, the Indigenous, and the decidedly non-glamorous.⁶⁰

It is important to underscore that greater provincial involvement in bingo in Ontario and BC has not lead to a revenue boom. From 2011-15, bingo revenue in BC declined on average 13 per cent per year.⁶¹ In 2015-6, when BCLC achieved its highest net income for the province to date, slot machines brought in \$1.2 billion in revenue, table games \$516 million, and bingo just \$71 million.⁶² In 2015-6, OLG made \$166 million in total revenue from its c-gaming operations, but after prizes, expenses, and payments to charities it posted a net loss of \$35 million.⁶³ Hall numbers and attendances have also fallen significantly: in Ontario there are

Legalization of Gambling in Canada in Law Commission of Canada, ed, *What is a Crime: Defining Criminal Conduct in Contemporary Society* (Vancouver: UBC Press 2005); Bourgeois, *supra* note 34.

⁵⁸ See *Bingo City Games Inc. et al v B.C. Lottery Corp. et al*, 2005 BCSC 25 (CanLII) and *Nanaimo Community Bingo Association v Attorney General of British Columbia*, 1998 BCSC 1192 and discussion in Colin S Campbell, *Non-profits and gambling expansion: the British Columbia experience. Gambling in Canada research Report no. 9* (Calgary: Canada West Foundation, 2000) at 9, online https://prism.ucalgary.ca/bitstream/handle/1880/315/Non_Profits_and_Gambling_Expansion.pdf [perma.cc/G2QH-EQGF]

⁵⁹ Alcohol and Gaming Commission of Ontario [AGCO], AGCO Bingo Revenue Model for Pooling Bingo Halls: One Year Review Results (Toronto: AGCO 2009) at 1.

⁶⁰ Ontario Bingo Development Fund, Market Research Toolkit. (Ontario, March 2010) online <<https://cgao.ca/docs/2011/OBDF-Market-Research-Tool-Kit.pdf>> [perma.cc/FQR9-ZYHX].

⁶¹ Bedford *et al*, *supra* note 1 at 26.

⁶² BCLC, Annual Service Plan Report 2014-15, *supra* note 54 at 28.

⁶³ OLG, Annual Report 2015-6, *supra* note 55 at 32.

now sixty-one bingo halls, down from two hundred and thirty in 2000. However money is being made from expanded electronic products available in bingo facilities, including slots in BC and play-on-demand and electronic break open ticket dispensers introduced in Ontario in the last few years.⁶⁴

Although there is much to be said about the implications of these changes for our understanding of the law, policy, and political economy of gambling, in Canada and beyond,⁶⁵ the aim in the rest of the article is to move past the squabbles between charities, businesses, and provinces over how to divide up bingo revenue, to instead consider how workers and players are affected by shifting landscapes of provincial bingo regulation. To do that I focus on the rules in bingo facilities that are being subjected to greater provincial oversight, to see how they ‘land’, how they are being resisted or evaded, and what that might tell us about the role of law and regulation in restructuring gambling environments.

IV. BINGO AND NON-COMPLIANCE

You’ve got people fighting over chairs. It’s four o’clock and it’s just opened and ‘That bitch is in my chair!’. There is 200 empty chairs. ‘Take another one.’ ‘No I want mine!’ I’ve seen fist fights. Little old ladies. They are zealots (laughs).
(male volunteer organizer of an independent charity bingo, BC).

Bingo is a distinctive game, and bingo halls are distinctive gambling environments. This distinctiveness stems from several sources, including the player demographics, and the game’s relationship to self-organized mutual aid (where organizations retain control over distribution of proceeds, and run games themselves, through finding and managing volunteers). Because of their more bottom-up origins, bingo halls are not standardized. Halls play different game variants, for example, and efforts to link venues (and hence scale up prizes) within provinces are frequently hampered because of local variations. Halls may refuse to alter their schedules so as to accommodate a linked game, because it interrupts their established rhythm of play.

Another key dimension of bingo’s distinctiveness concerns staff. Many of the people managing bingo halls in Canada started out as players, and/or as volunteers for games intended to benefit organizations of which they were a part. They thus learned the sector from the ground up. From the perspective of those working in other gambling sectors, these managers are sometimes seen as amateurish, as “housewives” (male, gambling industry executive, Alberta); it would, they feel, be better to pass control to gaming entrepreneurs and “business guys” who could better maximise revenue streams. However, the housewives have, stubbornly, stayed put. Moreover, historically they have been subjected to less regulatory oversight than people working in other gambling sectors. For example, while financial disclosure and due diligence rules were imposed on casino managers in Alberta from the start, they were proposed for bingo

Kevin Harrigan, Dan Brown & Vance MacLaren, “Gamble While You Gamble: Electronic Games in Ontario Charitable Gaming Centres” (2015) 13:6 *International Journal of Mental Health and Addiction* 740 [Harrigan, Brown & MacLaren, “Gamble While You Gamble”]; Vance V MacLaren, Kevin A Harrigan & Michael J Dixon, “An Introduction to Video Instant Ticket Vending Machines” (2015) 30 *Journal of Gambling Issues* 22 [MacLaren, Harrigan & Dixon, “Introduction”].

⁶⁵ E.g. Indiana had its own version of the B.C. bingo showdown in 2003, involving charity legal action against the state’s new bingo revenue model; see Paarlberg *et al*, *supra* note 10 at 231. Alabama’s bingo wars, which dominated the 2010 governor’s race, involved police clampdowns on electronic bingo in some of the poorest counties in the state, see White, Brown & Dowd, *supra* note 10.

staff in the early 2000s. Seeing questions about their mortgages, family sources of income and so on as an egregious violation of their privacy, bingo managers revolted, refusing en masse to fill in the forms. As one bingo hall manager explained:

Respondent: The big crux of what we had to face with AGLC (the Alberta Gaming and Liquor Commission) is they were putting due diligence onto bingo hall managers. And I don't know if you've ever seen the due diligence that casinos have been accepting, they all have to be idiots to accept this kind of... Where AGLC gets off thinking that they can invade the privacy of people the way that they do is beyond me.

Kate: So you mean their personal finances--

Respondent: Oh yeah.

Kate: --for bingo managers?

Respondent: And not just your personal; they want to know tenth generation great grandfather, great grandmother, who was married to who and they figure they have the right to delve into all of this. I have been personally divorced for (x) years. I would have to divulge my ex's finances... Do you think for one minute he would allow any of his information...? There's no way. I said to my (charity) association, I will resign. There's no way in hell's half acre I will fill out. None of their business. They want anything on me, that's fine. My kids, my ex, my sister, my brother, its got nothing to do with them. Like, where is that affiliated to my job?... We fought for months, we pounded the pavement, we went to MLAs, we went to heads of government. (female, Alberta, 2011)

The provincial regulator eventually backed down.

Staff also tend to have a close bond with players, not least because some bingo players are intensely attached to the game, and to their local hall. Workers express genuine care and fondness for these 'regulars,' addressing them by name, and even calling to check up on them when they do not come in. Indeed, I have been repeatedly told (by staff and customers) that when bingo halls close some of the most dedicated regular players die, their main social outlet gone. It is hard to imagine a more powerful assertion of the social value of the game.

Lest this account appear overly earnest, I should emphasise that there is also an element of teasing and banter between workers and players in Canadian bingo halls. Apparent insults and scowls are exchanged which look nothing like corporate models of good customer service, with its emphasis on polite smiling, but which create a sense of closeness and welcome familiar in more working-class milieu. Moreover, the banter is sometimes flirtatious or saucy, especially between male callers and female players, and halls have long cultivated this dimension of play. The pull-tab based side games introduced to run alongside main stage bingo are called 'balls tickets,' allowing endless opportunities for ribald jokes about hot, great, and steaming balls. Halls have organized popular dirty bingo nights for years (involving a mix of drag queen callers, sex toy prizes, and risqué jokes). One Ontario hall manager recalled working with the guest callers to ensure that the jokes were "naughty and fun without being offensive and obscene." This event was popular with regular customers, including "old ladies who giggled though the whole thing" (female, hall manager, Ontario). Interestingly, under provincial control

the banter (and the sex toy prizes) have had to be significantly toned down. The OLG had been perturbed by a ‘best orgasm’ contest in one hall, for example, and another had shifted to giving gift certificates to a local adult store as prizes rather than vibrators, due to concern that the provincial brand would be harmed if the latter were on display during a game. As one manager put it, the OLG “are a little bit prudish...”. But the point remains that bingo halls — even those subjected to increasing provincial oversight — are distinctive environments, offering players and workers a unique social space.

A further feature of this distinctiveness is that regular players exert a quite remarkable degree of control over bingo halls. With a declining player base, and struggling to stay open, keeping the regulars happy is a key concern for many halls. Hence halls will tolerate significant non-compliance with official rules. In particular, in a landmark article on everyday resistance based on 430 interviews with people about how they experience, interpret, and use law, Patricia Ewick and Susan Silbey highlighted the importance of “foot-dragging, taking time, colonizing space, camping out”.⁶⁶ They argued that violating norms about the length of time that people are present in particular places can be a way to disrupt power.⁶⁷ Bingo players know this very well. They sometimes arrive several hours before a game starts (sometimes before the hall officially opens, banging on the door until a cleaner lets them in), going to their regular table, stretching out their paper, or book, or knitting to claim it. They may bring in flasks of drink, sweets or snacks, and even full meals, eating them next to signs forbidding the consumption of food from outside. Fist fights have been had over favourite chairs, considered lucky by their wannabe occupants, although more often staff will simply reserve the best tables and chairs for regulars. During a renovation, one hall manager gave players control over the selection of new chairs, bringing in options for them to try out. Indeed, the sense from staff in Canadian bingo halls is that players think they own the place. Facility managers wisely avoid contesting this sense of ownership.

In turn regular players are usually the ones who enforce rules about noise, by ‘sshushing’ people (especially new players and young people, but sometimes staff and volunteers) who talk so as to make it hard to hear the caller, or (as commonly) so as to disturb a space that regulars think of as theirs. Being quiet is hence about deferring to those who own the place (and who will not be sshushed if they talk) as much as it is about hearing the caller clearly. Sometimes a side room or area, where additional noise is allowed, is carved out by a group of regulars. In one hall this was referred to as the ‘Native’s room,’ a reflection of the fact that race and indigeneity inflect everyday contestation over noise (and by default ownership) in bingo halls.

Indigenous players seemed disproportionately likely to be ‘sshushed’ by non-Indigenous players in provincially-licensed bingos, and in turn more likely to voice counter-objections that the bingo hall is a space for socializing, not just winning money. Sometimes a tipping point is reached such that the preferences of the noisy override those of the quiet. In one busy game I attended in a major city in BC, with a large roll-over prize on offer, players were rowdy throughout, banging their dabbers on the wooden tables when the caller made an error and shouting at him to slow down or speak up. There was a lot of chatting, laughing, and noisy food consumption during the play. A few times people shushed and at one point, when it was quite loud, the white male caller said “please be quiet during the game”. A woman in a

⁶⁶ Patricia Ewick & Susan Silbey, “Narrating Social Structure: Stories of Resistance to Legal Authority” (2003) 108:6 *American Journal of Sociology* 1328. See also McCann & March, *supra* note 35.

⁶⁷ *Ibid* at 1362.

motorized scooter with a large ‘free range Indian’ sticker pasted on the back and ‘STOP HARPER’ in a stop sign sticker on the front yelled back “no!.” People laughed and the noise went on as before.⁶⁸

I use these examples to highlight a key feature of bingo: that it is in many respects a realm of the rowdy, non-compliant, and cantankerous. Originating, in part, in self-organized mutual aid, it was subjected to looser oversight than provincially controlled gaming. Staff are not used to standardized corporate procedures, and sometimes resist them. Moreover, players have a distinctive sense of ownership of halls, frequently talking back to callers, spreading out to control the space, and staying far longer than they are officially supposed to. Given these features, what happens when new provincial regulations — often designed with other sectors in mind — are rolled out into bingo?

V. HUSSIES, SMOKING BANS, AND SLOT MACHINES

We fought tooth and nail against that smoking by-law, absolutely... We figured it was gonna be the end of gaming (in the area).
(female, hall manger, Ontario).

Games like electronic bingo, Play on Demand games and TapTix allow the 31 Charitable Gaming Centres to offer more customer choice and to appeal to a broader demographic while providing a different gaming entertainment experience from traditional bingo.⁶⁹

A key, and crucial, exception to the generally limited regulation of bingo environments concerns smoking. Provincially licensed bingo halls are governed by anti-smoking legislation. This gradually increased in scale during the 1990s and 2000s, moving from municipal by-laws to provincial bans. Ontario adopted a province wide smoking ban (Bill 164) in June 2005, enacted the following year: BC enacted one in 2008. Smoking is still permitted in some on-reserve bingos, and it is an important dimension of on-going debates about Indigenous sovereignty and pollution.⁷⁰ But otherwise the bingo environments encountered during field work in Canada were smoke-free.

⁶⁸ Author’s fieldwork notes.

⁶⁹ OLG, Annual report 2015-6, *supra* note 63 at 7 (in a section on the Charitable Gaming Revitalization Initiative).

⁷⁰ See Bottorff *et al*, *supra* note 14. I address the regulation of smoking in First Nations run bingos elsewhere, in a broader context whereby the ‘entrepreneurship’ of First Nations governments in undercutting environmental regulations designed to protect workers has long been championed by free market thinkers. See Robert J Miller, *Reservation “Capitalism”: Economic Development in Indian Country* (Lincoln: Bison Books, 2013). On the dumping of dangerous waste as an economic development strategy for marginalized communities see Dayna Nadine Scott, ed, *Our Chemical Selves: Gender, Toxics, and Environmental Health* (Vancouver: UBC Press, 2015); Robert D Bullard, “Race and Environmental Justice in the United States” (1993) 18 *Yale J Int Law* 319, Michael Mascarenhas, “Where the Waters Divide: First Nations, Tainted Water and Environmental Justice in Canada” (2007) 12:6 *Local Environment* 565. For a similar argument about smoking in tribal casinos in the US see Isaiah “Shaneequa” Brokenleg *et al*, “Gambling with Our Health: Smoke-Free Policy Would Not Reduce Tribal Casino Patronage” (2014) 47:3 *Am J Prev Med* 290.

As Kirsten Bell shows in her anthropological work on smoking regulation,⁷¹ most of the copious law and policy research on smoking bans lacks the affective and visceral dimensions.⁷² It has nothing to say about the disgust that non-smokers express, verbally and viscerally, when they encounter smoke; about the way that smoke functions as an in-between substance, ejected from one body and then unwillingly inhaled by another; about the *body politics* of smoking bans.⁷³ It also has little to say about the demographics of the people involved. “Smokers” and “non-smokers” are imagined as the only categories of differentiation that matter. While legislation purports to target a behaviour (smoking), a product (cigarettes), or a pollutant (smoke), of course smoking is far more prevalent among some groups than others.⁷⁴ The oft-invoked distinction between being anti-smoking and anti-smoker is thus more complex in practice. In Canada, smoking prevalence varies substantially between regions (from 53 per cent in Nunavut to 18 per cent in British Columbia), and according to demographic characteristics: according to one recent summary of data “smoking prevalence was greater among men, those with low household income, less than a high school education, and in manual occupations. Across racial/ethnic groups in Canada, smoking was greatest among those of Aboriginal identity (42.7 per cent).”⁷⁵ Smoking rates are also higher for older people.

This meant inevitably that bingo halls — populated disproportionately by the old, the poor, and the Indigenous (although admittedly skewed female) — would be heavily impacted by smoking bans. One Ontario bingo hall manager had counted customers in the smoking and non-smoking sections of his hall (based near the US border) prior to the introduction of a municipal smoking ban, and found 78 per cent in the smoking section. Another bingo hall manager in the east of Ontario estimated that at the time of the provincial ban 90 per cent of

⁷¹ Kirsten Bell, “Legislating abjection? Secondhand smoke, tobacco control policy and the public’s health” (2011) 21:1 *Critical Public Health* 49; Kirsten Bell, “Where There’s Smoke There’s Fire: Outdoor Smoking Bans and Claims to Public Space” (2013) 40:1 *Contemporary Drug Problems* 99.

⁷² Legal literature on smoking bans has focused mostly on the evolving case law, and on the level at which decisions about smoking bans should be made (tobacco lobbying is often more powerful at state level and hence local governments were key to initiating smoking bans in the US). See e.g. Collin Schueler, “Not out There: Why Outdoor Smoking Bans Finally Pass Constitutional Muster” (2011) 15 *Quinnipiac Health Law J* 127; Robert L. Rabin, “Some Thoughts on Smoking Regulation” (1990) 43 *Stanford Law Review* 475. Meanwhile politics literature has focused on competing explanations for why bans have been adopted when they have. See e.g. Valentina Mele & Amelia Compagni, “Explaining the Unexpected Success of the Smoking Ban in Italy: Political Strategy and Transition to Practice, 2000–2005” (2010) 88:3 *Public Administration* 819; Lars Thorup Larsen, “Framing knowledge and innocent victims. Europe bans smoking in public places” (2010) 7:1 *Critical Discourse Studies* 1; Dimiter Toshkov, “Policy-Making Beyond Political Ideology: The Adoption of Smoking Bans in Europe” (2013) 91:2 *Public Administration* 448; Donley T Studlar, “Punching Above Their Weight Through Policy Learning: Tobacco Control Policies in Ireland” (2015) 30:1 *Irish Political Studies* 41. Debate is dominated by those seeking comparative lessons for how to implement effective prohibitionist policies. If an alternative exists it is from free-market advocates using Hayek to argue that free markets will efficiently allocate space to those who value it most, and hereby resolve conflicts between smokers and non-smokers, not an especially sophisticated theory of regulation: see e.g. John Meadowcroft, “Economic and Political Solutions to Social Problems: The Case of Second-hand Smoke in Enclosed Public Places” (2011) 23:2 *Review of Political Economy* 233.

⁷³ For an account of tobacco lobby groups attempting to mobilise arguments that smokers are a disadvantaged minority, see Davina Cooper, *Challenging Diversity: Rethinking Equality and the Value of Difference* (Cambridge University Press, 2004) at 60-67. Although she concludes that smoking does not constitute a form of inequality that operates as a social principle (unlike race, or gender), she also notes that “having been turfed out of work and leisure venues, smokers are now facing removal from the open spaces in front of buildings on the grounds that they are unsightly — off-putting to customers and clients” at 61.

⁷⁴ Daniel J Corsi *et al*, “Smoking in Context: A Multilevel Analysis of 49,088 Communities in Canada” (2012) 43:6 *American Journal of Preventative Medicine* 601.

⁷⁵ *Ibid* at 604

his customers smoked. By 2003, local charities in Ottawa claimed to have lost \$4.7 million annually as a result of the non-smoking bylaw introduced in 2001.⁷⁶ When Ontario implemented a provincial ban in 2006, operators experienced similarly sharp drops in attendance and profitability, resulting in a vicious circle of lower prizes, lower attendance, and decline. A study of thirty-two bingo halls found an average reduction in profitability of 34 per cent between 2006 and 2007, and a 25 per cent reduction in charity revenues.⁷⁷ One Ontario manager recalled that the ban “took about 45 per cent of our business away overnight” (male, hall manager). One in BC remembered a 60 per cent drop. Anti-ban campaigns were mobilised: a Committee to Save Charity Bingo in Ontario was formed,⁷⁸ and angry letters were written to newspapers across the country.⁷⁹ However, such efforts failed.

With the benefit of hindsight most people involved in bingo recognize the health benefits of the smoking ban for staff, volunteers, and players, and they acknowledge that the rule has now become embedded such that players — younger ones especially (meaning under 50s in bingo) — would be put off if smoking was allowed. The bingo hall manager who had said that 90 per cent of his customers were smokers when a ban was introduced estimated that this had fallen to about 40 per cent a decade later. Heavy smoking also made it harder to secure volunteers to work in halls; when asked about the challenges of mobilising people one charity bingo organizer in BC responded that the second-hand smoke “was always the biggest issue” (male charity bingo organiser, BC 2015). The choice between exposing workers to such an environment, or turning away the considerable proceeds that could be made from bingo, was an impossible one for many organizations. Two lifelong bingo insiders in Ontario recalled bingos being run for sports clubs in smoky halls, with “kids thirteen, fourteen year old” used to work the games:

Respondent 2: and all that smoke, when I think what that might have done to those poor kids’ lungs, because that hall, he had had no bigger ceilings than this (points to a low ceiling in a domestic space)

Respondent 1: Oh God yeah

Respondent 2: It was terrible. But, we were walking out of there and first couple of years...over the first year, people saw the (sports) organizations going and depositing like 5 and \$6,000 for one night!

(females, bingo volunteers, Ontario).

The general consensus, then, is that the smoking ban was necessary for workers (paid and unpaid), if exceptionally hard on profits. There are, however, two further lessons to be learned about the experience of smoking bans in provincially-licensed bingo halls. Firstly, they are being expanded to cover outdoor space, and in so doing moving further away from a

⁷⁶ CRG Consulting, *Rideau Carleton Raceway Entertainment Centre, Market Study for Proposed Bingo Facility. Final report. CRG File # 08-182.* (Ottawa, Dec 16 2008) at 9, online <<http://ottawa.ca/calendar/ottawa/citycouncil/trc/2009/09-03/Document%204%20-%20RCR%20Bingo%20Hall%20Market%20Study%20Final%2020081216%20Revised.pdf>> [perma.cc/98XL-RNF4].

⁷⁷ *Ibid* at 1-3.

⁷⁸ The Committee to Save Charity Bingo, *McGuinty Smoking Ban, Day One: The Beginning of the End for Charity Bingo in Ontario* (Press Release June 1 2006). Cited in CRG Consulting, *supra* note 76 at 6.

⁷⁹ E.g. Joe Belanger, *Smoke Ban Hurts Bingo Halls*, *London Free Press* (1 December 2004), online <http://www.canoe.ca/NewsStand/LondonFreePress/News/2004/01/12/310886.html> [perma.cc/GQ6Q-EZQM].

rationale of protecting the health of non-smokers as ‘innocent bystanders,’⁸⁰ towards neo-prohibitionism aimed at banishing smokers.⁸¹ In BC, for example, when I was conducting fieldwork in spring 2015 new smoking regulations were introduced in Vancouver Island increasing the distance that smokers had to keep from doorways from 3m to 7m.⁸² Having been moved first outside, and then away from patios and decks and awnings (which counted as an enclosure), and then at least 3m from an entrance, smokers were to be moved further still. One popular bingo hall in a working class district of a small city was facing the prospect of chivvying its elderly customers away from the paved pedestrian area, where they currently clustered to smoke, into the busy car park near a main road. The manager feared that they would be run over. In other places, local businesses had complained that the sight of so many poor, old people, smoking while huddling under umbrellas in snow or rain, gave the area a bad name.

Given the lack of precision in studies of the links between outdoor smoking and harm to non-smokers’ health,⁸³ and the highly selective attention given to cigarettes as air pollutants (as opposed to, for example, exhaust fumes), it seems clear that such measures are intended to further stigmatise smoking, and to banish smokers out of distaste for their smoking, rather than to protect the health of ‘innocent bystanders.’ As Bell notes,⁸⁴ such measures work through shame and stigma — something that bingo hall staff knew very well. As one staff member said when explaining why she herself stopped smoking when the ban came in:

See, I smoked. Being in that smoky bingo hall meant nothing to me. But when the by-law was coming, I had to quit smoking, because I don’t smoke outside and never did. My mother always told me only hussies smoked outside. So I grew up thinking that was a bad thing to do.
(female, hall manager, Ontario).

Expanding the purview of outdoor bans is thus less about the health of non-smokers, and more about signalling the desire to exile smokers, for their own good, because they disgust non-smokers, and because they set a bad example. Whether or not this will work to reduce smoking

⁸⁰ Larsen, *supra* note 72.

⁸¹ Banishment is relative, of course, since outside smoking areas generate their own sociality (including the mix of flirting and smoking known in the UK as ‘smirting’ (see Bell (2013) *supra* note 71, 105) and circuits of use/exchange. While playing in Vancouver (BC) I had to go outside to top up parking, encountering a man out the back by the fire doors picking up cigarette ends from the previous break to reuse.

⁸² Capital Region District [Victoria, BC] *Clean Air Bylaw* No. 3962 (2014 (as revised)). Online, <https://www.crd.bc.ca/docs/default-source/crd-document-library/bylaws/publichealthcleanairidlingtanningtattoo/3962---consolidated-bylaw-to-promot-clean-air-by-regulating-environmental-smoke.pdf?sfvrsn=d435eaca_6> [perma.cc/ 7W5Z-W845]

⁸³ Non-smokers may find smoking in outdoor space unpleasant, or even disgusting, but evidence that it is a risk to their health remains contested. A 2012 study found that “[t]he magnitude of outdoor SHS (second hand smoke) exposure and associated health risks are relatively unknown”. See G St Helen *et al*, “Exposure to Secondhand Smoke Outside of a Bar and a Restaurant and Tobacco Exposure Biomarkers in Nonsmokers.” (2012) 120:7 *Environmental Health Perspectives* 1010 at 1010. According to a review of over 200 papers in PubMed on SHS and outdoor smoking, some studies have used a measure of airborne particulate matter to estimate SHS levels in outdoor areas, but did not control for other sources of particulates “such as... traffic related air pollution”: X Sureda *et al*, “Secondhand Tobacco Smoke Exposure in Open and Semi-Open Settings: A Systematic Review” (2013), 121:7, *Environmental Health Perspectives* 766 at 771.

⁸⁴ Bell (2011), *supra* note 71.

is unclear.⁸⁵ However the success of securing the law and policy change rests in part on the fact that smokers - more likely to be poor, Indigenous, and old — are increasingly unwelcome in public space. Hence the visceral dimension of the smoking bans in bingo halls is crucial to how leisure space is being reorganized.

The second lesson to draw from the smoking example is that the drop in business caused by provincial smoking bans in off-reserve bingo halls led to key changes in how bingo was played, in the side games run alongside it, and in regulatory approach. Bingo sessions were redesigned to allow for more breaks, and some halls introduced rapid play options (shorter drop-in sessions as opposed to the longer time frames that had characterized play in the past).⁸⁶ Furthermore, smoking bans created incentives to automate gambling, via introducing more slots machines in bingo environments so as to recoup profits. For example, when the first of BC's community gaming centres (CGCs) opened, they had smoking and non-smoking sections, and many also had a limited number of slot machines.⁸⁷ (CGCs are run by the BCLC, and are defined in BC's Gaming Regulations as "permanent facilities primarily for paper and electronic bingo games and other lottery schemes, but that also include at least one slot machine"⁸⁸). When the smoking ban was introduced, the non-smoking space was often re-purposed as a slots area, and the number of bingo seats was reduced. One CGC went from eight hundred bingo seats to four hundred, and the number of slots — originally fifty — gradually increased, first to seventy-five and then, after "bingo had just been decimated" (male, facility manager, BC) by the smoking ban, to one hundred and fifty. It now has two hundred and ninety-one slots machines, and there are plans to add more.⁸⁹ Importantly, this CGC facility is notable for its determination to retain and promote bingo. Its owners choose to invest in new bingo equipment, to refresh the product, and to reassure bingo players that they are still welcome in a facility that looks, in many respects, like a machine arcade — they even installed separate entrances so that bingo players did not have to walk in through the slots. In contrast many other CGC operators have reduced their bingo offering to the bare minimum, installing as many slot machines as possible. In some CGCs there is almost no bingo played at all. In one I visited, on an Easter holiday weekend, I had to ask at reception where the bingo was because there was no signage. The duty receptionist did not know, and had to ask a colleague. I eventually ascertained that it was offered upstairs, auto-called in a back room a few hours a day.

Importantly, this model — of increasing the availability of automated gambling products in response to a decline in bingo revenues caused by smoking bans - is being rolled

⁸⁵ On the self-stigma that smokers experience, see Rebecca J Evans-Polce *et al.*, "The Downside of Tobacco Control? Smoking and Self-Stigma: A systematic review" (2015) 145 Soc Sci Med 26. Their study concludes that "public health strategies which limit the stigmatization of smokers may be warranted" (at 26).

⁸⁶ Sometimes games were introduced that ran alongside main stage play, rather than in the breaks, so that additional revenue could be extracted from players while still allowing them to go outside to smoke. Key here were 'balls tickets', a form of pull-tab run in connection with a main stage bingo game. They rapidly became the survival route for halls faced with declining attendance, first in Alberta and then Ontario. An agreement to introduce them in BC is being negotiated now. See Kate Bedford *et al.*, *supra* note 1.

⁸⁷ The introduction of slots into BCLC bingo facilities has caused considerable anger in some areas, leading to legal and extra-legal local resistance. See e.g. *British Columbia Lottery Corp. v Vancouver (City)*, 1999 BCCA 18 (whether British Columbia Lottery Corporation regulations that allowed for expanded numbers of video lottery machines and slot machines in gaming facilities overrode a by-law passed by the Vancouver City Council prohibiting such machines). See also *Great Canadian Casino Company Ltd. v City of Surrey* (1998), [1999] BCSC 2894 (CanLII) (on slots in charitable casinos).

⁸⁸ *Gaming Control Regulation*, B.C. Reg 2008/2002, O.C. 645/202, s 2.1, Prescribed class of gaming facility. Online: http://www.bclaws.ca/civix/document/id/lc/statreg/208_2002#section2.1 [perma.cc/XQ2X-8Z92].

⁸⁹ Author's fieldwork notes.

out elsewhere, in provinces where charities are being kept in the stakeholder mix. For example the marketing plan for the OLG's introduction of bingo at the Rideau Carleton facility approvingly noted the profits that had been gained from BC's use of slots to rejuvenate bingo in the aftermath of a smoking ban.⁹⁰ Although OLG is constrained from introducing slot machines in its 207 (1) (a) c-gaming facilities,⁹¹ in part due to fears of provoking local resistance to exploitative forms of gaming, it has introduced a range of other forms of electronic gaming, including electronic break open ticket machines (or Video Instant Ticket Vending Machines) called TapTix. These were initially developed for Native American reservations in the US to circumvent restrictions on slot machines, but according to a recent study in Ontario they "have also been licensed for use in veterans organizations in Maryland, veteran and fraternal clubs in Missouri, and charitable bingo halls and clubs in New Mexico."⁹² For the player, the distinction between an electronic break open ticket dispenser and a slot machine can be almost imperceptible, but it is essential for the operators and charities banking on machines to rescue the bingo sector. The increase in c-gaming revenue experienced by OLG in 2015-6 was in part due to the expansion of TapTix; according to the OLG's 2015-6 annual report "revenue from TapTix increased by \$22.2 million or 90.1 per cent."⁹³

In short, the smoking ban did more than reduce custom. In an attempt to revitalize the industry operators, charities, and regulators have tried to replace a game notorious for its unruly people and resistant use of space with the predictability of profit-extraction that comes with machines. Already pushed outside by the smoking ban, the bingo player is now also being squeezed out by machines introduced to rejuvenate the sector, by moving it away from bingo.

Furthermore, the symbolism of taking up time and space is changing, since the economics of machine gaming (to induce repeat play, until money is exhausted) is the opposite of traditional bingo (a fixed price to stay for a long period, and where play is frequently interrupted). The conventional bingo hall space was designed so that players could comfortably do other things than play bingo in it — knit, read, talk, spread out their food and drink, do word puzzles etc. Slot machines are made to draw players into all-consuming interaction. As Natasha Dow Schüll notes in her damning indictment of slot machine design, machines are purposefully made to maximize 'time on device', via features such as near wins, and wins disguised as losses, all aiming to get players into a near hypnotic 'zone' of automated 'play.'⁹⁴ Hence slots players are fiercely protective of their favourite machines (often claiming them by putting problem gambling signs on them, in a rather ironic reservation signal), and some are in the space for so long, at least in casinos, that operators have to provide safe needle disposal bins

⁹⁰ See CRG Consulting, *supra* note 76 at 8.

⁹¹ See e.g., the specification that "no slot machines will be permitted in charitable gaming sites" in the OLG's information document about new gaming opportunities in OLG, RFPQ# 1213-072 Modernizing Land Based Gaming in Ontario Gaming Bundle 3 (North). (2012) at 15 online <<http://casinofreesudbury.com/Documents/RFPQ-1213-072-gaming-bundle-3-North.pdf>> [perma.cc/3J4H-W2S2].

⁹² MacLaren, Harrigan & Dixon, "Introduction", *supra* note 64 at 23; Harrigan, Brown & MacLaren, "Gamble While You Gamble", *supra* note 64. TapTix are considered a lower class of gaming machine because they do not produce outcomes by an internal random number generator. Instead lottery or break open tickets, with pre-determined outcomes, are dispensed. However the revealing of the outcome of the ticket is enhanced by animations and graphics, such that the player — unlike with a traditional break-open ticket — is "able to experience the anticipation and excitement of watching animated symbols similar to a slot machine" (MacLaren, Harrigan & Dixon, "Introduction" *supra* note 64 at 26). The machines also share with slot machines features such as losses disguised as wins, near misses, and deceptive bonus rounds.

⁹³ OLG, *supra* note 55 at 32.

⁹⁴ Schüll, *supra* note 9.

for diabetics, and rules on what to do with customers who are falling asleep at the machine. But such players' behaviour is less about resistant foot-dragging, colonising space, or camping out, and more about profit extraction. In such ways, rules intended to make bingo halls less comfortable for smokers have made those halls more conducive to automated play.

VI. CLEAN HANDS, HARD HABITS, AND CAULIFLOWERS: THE STAKES OF RESISTANCE TO CASH HANDLING RULES

There is still much to expose and critique in law, but we also have to be much more aware of the aspects of instability and seepage.⁹⁵

Resistance is enabled and collectivized, in part, by the circulation of stories, narrating moments when taken for granted social structure is exposed and the usual direction of constraint upended, if only for a moment. By telling stories of resistance, actors name and thus expose "what goes with-out saying". By narrating those moments when they were able to best power, actors extend temporally and spatially individual acts of resistance.⁹⁶

The previous Part, on smoking bans, points to a growing automation of play and the narrowing of possibilities for subversive use of the bingo hall space. In this Part, I turn to the fact that workers are also now being subjected to far higher levels of control than in the past. In particular, as provinces have expanded their role in bingo, they have cut and pasted rules designed for casinos into the bingo sector. As bingo moved from charitable to provincial control, rules that had once only impacted s.207(1)(a) gambling environments became applicable. This has led to an intensification of concern with workers' behaviour. Under increased surveillance by centralised systems, required to request provincial permission for activities that they previously ran and authorised themselves, staff are encountering a landscape of rules that seem completely disproportionate to the risk generated by bingo. In response, they make fun.

As many authors have noted, casino regulation typically involves very high levels of surveillance (of players and staff), and tight prescriptive rules around authorised games and the way in which they may be played.⁹⁷ Among other things, this impacts the rules governing the hand positions of dealers in table games. For example as summarised in a recent case in BC detailing surveillance of casino employees:

a Dealer is required to "dust off" when handling cash [and chips] before touching their body, which means to open their hands and show their palms [to a camera] to demonstrate that they are not

⁹⁵ Bottomley, *supra* note 36 at 147.

⁹⁶ Ewick & Silbey, *supra* note 66 at 1329.

⁹⁷ Sallaz, *supra* note 7; Mutari & Figart *supra* note 8; Terry Austrin & Jackie West, "Skills and surveillance in casino gaming: work, consumption and regulation" (2005) 19:2 Work Employment and Society 305; Jill B Jones & Susan Chandler, "Surveillance and Regulation: Control of Women Casino Workers' Bodies" (2007) 22:2 Affilia 150.

hiding money [or chips] away. When Surveillance Operators see a Dealer who does not dust off, they first confirm the incident [which they can do by reviewing the recorded footage], and then they report it to their Shift Supervisor or Manager. It is then up to the Shift Supervisor or Surveillance Manager to decide whether the matter should be entered as an incident report in I-Trak [the official centralised reporting system for casinos] or handled in a less formal way.⁹⁸

This account does not really explain the dusting off part: the act of wiping your empty palms together after touching cash or chips, before opening your hands to an overhead camera to prove that nothing is hidden. Dusting off started in Nevada casinos as a gaming integrity mechanism, and it has been adopted as an industry wide global standard. It is so familiar to casino employees that, as one BC interviewee noted, some “will go shopping and (taps hands together, in a gesture of dusting off). [Laughs]. It’s just become so natural, right.” (male, floor worker, BC). Jeffrey Sallaz’s ethnography of working as a blackjack dealer in Nevada and Johannesburg also describes the requirement to show clean hands, and in his case it became so routine that he did it when buying coffee outside of work.⁹⁹

When BCLC took over BC bingos, they did so with the same regulatory objectives, techniques, and standards used in other gambling sectors. Hence, dusting off was rolled out into bingos. A minority of operators accepted these new rules, seeing them as helpful in showing the legitimacy of the bingo sector to the province and the broader public. As one explained:

We have so many regulations about how we touch cash. Right, I mean, we can’t cup cash. It has to be very visible and it’s under camera... From our point of view as operators, it cost us more money, because you have got to install cameras... So systems cost money. But at the end of the day, it also brought a tremendous amount of credibility and peace of mind to owners and to government in the fact that at least the cash was being handled properly.... Any time we can have something that shows clearly that our staff are doing proper procedures and at the end of the day, this is a legitimate business, the stronger we all get.” (Female, bingo manager, BC)

However, many others resisted. Although imposed in 2004, when CGCs were introduced, in some places these rules were still causing consternation when I last visited in 2015, and the regulator was still checking regularly to see if they were being enforced. When asked what BC’s Gaming Policy and Enforcement Branch staff would be looking for when they inspected, one bingo hall manager said:

⁹⁸ *Gateway Casinos and Canadian Office and Professional Employees Union, Local 37*, BCLRB No. B80/2011 at 13. My additions are in square brackets. The case involved whether a union could represent casino surveillance operators, or whether such operators were more like management than employees. The Board found that they were employees and could be represented by the union. However the case is noteworthy also for its detailed account of the heavy surveillance of BC’s casino employees, covering things like use of customer toilets (something for which an employee could expect to be immediately fired), and – as detailed above – touching of cash.

⁹⁹ Sallaz, *supra* note 7 at xiv.

Respondent: cash handling, they'll literally going in and view random days on our CCTV to make sure all the staff are following proper cash handling.

Kate: I saw you rub your hands there?

Respondent: dust off, yeah. Literally. That's one of the things they check. (female, hall manager, BC)

An auditor explained that some staff in bingos (and horseracing facilities) still resist complying with cash handling rules, asking:

'Why do we have to do it like this?'. I walked in one time for an audit and the cashier looked at me and went like this (loud, obvious dusting off with hands). Coz he thought, 'I am going to show you' (Laughs)
(female, auditor, BC).

Another hall manager noted that although employees had now learned to comply with dusting off, customers still tried to initiate hand-to-hand contact when using cash, and they had to be reminded. When asked about the rules on cash handling, she explained:

Respondent: Everyone has to dust off. So you can't do hand to hand contact for any cash. It must be laid on the counter and then we take it and count it out on the counter and then put it in the till and then we have to dust off to show that we don't have any cash in our hands and then can hand something to the customer. And we also have to dust off to show nothing is in our hands when we leave the cash area as well. Same with going with our floor sellers or prize pay outs and it's counted out on the counter and then they take it and count it themselves.

Kate: So the floor sellers don't accept money to hand to hand?

Respondent: Correct. Yes.

Kate: Talk to me about enforcing that rule?

Respondent: It's fairly easy now, like customers do, of course automatically go to hand it in in our hand. It's just like, 'oh, if you could just put the money on the counter, please.' They will say something like 'it's a hard habit to get into'. [Laughs]. Yes.
(female, hall manager, BC).

I did the same the first time I purchased tickets in a BC hall, trying to place money in the cashier's hand. He backed away, showing his empty hands to the camera above him, and told me to put it on the counter. I felt extremely affronted. Over the subsequent weeks of fieldwork I saw the same thing happen again and again with other customers, in other locations: employees backed away from the player's hands, glanced up at the camera, and told the player to place their cash on the counter. The customer often looked affronted.

In other instances, staff shared stories of how they made fun of the rules. As Ewick and Silbey note, passing on stories about individual acts of resistance — however small — is a collective enterprise. The stories acquire value as they circulate, which is one reason that it is so important for researchers to repeat stories that are told to them for these purposes. Consider,

for example, a story from Ontario, in which bingo staff performed for the cameras, dancing and singing when doing cash drops. Here the heavy surveillance of cash handling was an occasion for mockery, both of the procedures and the officials tasked with remotely monitoring cash handling compliance. As an employee explained:

I have fun with this every time I have to do it, because I just think it's so silly... If you've got money on the counter, right and if you drop any, hands up, everybody has to back away, because it's cameraed [sic] and with sound. And you yell 'money on the floor!', right. [laughs] I'm sorry, but we kill ourselves laughing, because we are not used to that. In the beginning of bingo, we used to like sit in an office and have money all over the desk! Whatever, right [laughs]. And so, I mean, I know like last week, X (name) said to me that he was starving, because he didn't have time to eat. So we were doing the (cash) drop and he had a veggie tray in there he was eating, which we're probably gonna get to find out you weren't supposed to do that either, because I don't know, you might tuck money in a piece of broccoli, I don't know [laughs]. But anyway, he dropped a piece of cauliflower on the floor and he jumped off the chair and went, 'cauliflower on the floor !' [laughs]. We both burst out laughing and the OLG like they are watching!. They think we're idiots, but I don't care. We are having fun with it.
(male, manager, Ontario).

He went on, immediately after telling this story, to link it to other frustrating experiences of rules that were unnecessary or overkill – like having to fill in an incident report for a minor being in the hall if “a lady carried her baby into buy a gift certificate, my God!” These experiences had contributed to an environment so stressful that some staff had been signed off work for lengthy periods. He was fully cognizant that they had to comply with such rules - but they would do so while trying to retain a sense of humour, not caring that the OLG thought them idiots.

Why would these new rules about touching cash and bodies (one's own, and those of others), cause such consternation, offence, and pointedly exaggerated performances of compliance in bingo? In my view, the answer lies in the distinctive nature of conventional interactions between players and staff in bingo, and the physical and emotional closeness between them. In her research in Slovenia's casinos, Andrea Pisac has explored how croupiers perform complex emotional labour to bond with players, and to manage their experiences of winning and losing.¹⁰⁰ In turn, as I outlined in Part IV, emotional labour is much more central to bingo than casinos. Workers express genuine care and fondness for regulars, addressing them by name, and even calling to check up on them when they do not come in. As a result of the familiar, close nature of connection between players and employees characteristic of bingo environments in Canada, rules that distance players from staff by professionalizing contact, and increasing surveillance of touch, are highly contentious, since they violate norms of trust

¹⁰⁰ Andrea Pisac, “Croupiers Sleight of Mind: Playing with Unmanaged ‘Spaces’ in the Casino Industry” 59 in Cassidy, Pisac & Loussouarn, supra note 2; Arlie Hochschild, *The Managed Heart: The Commercialization of Human Feeling* 3d ed (Berkeley: University of California Press, 2012) at 7-12 distinguished emotional labour (sold for a wage, having exchange value, socially engineered, and managed top-down) from emotion work (done in private, having use value), although she noted the gendered connections between them.

that are fundamental to players' sense of belonging, and to many employees' enjoyment of the work. Players became offended, over and over again, when the money they tried to exchange by hand is treated as untrustworthy, because the trust is anchored not just in the cash as object, but viscerally, in the act of passing it to another person with whom — in bingo but not casinos — there had always been a sense of closeness and camaraderie.

Once the stakes of these new rules are clear, it is easier to understand why some players reacted with consternation, and why some staff responded with farcical performances of compliance. Part of what is being mocked is the distrust held by the regulator, experienced as unfair by workers who have acted honestly for decades, channelling bingo proceeds to good causes when governments were largely uninterested. In addition, however, their performances sustain *them*, whether regulators are watching or not. In the face of rules cut and pasted from corporate casino environments, and which are experienced as disproportionate to the risk generated by bingo, workers re-make, if only for a little longer, a distinctive, more self-organized bingo environment. In sharing their stories, these workers reanimate non-casino forms of play that are only in part about winning money, and are also about sociality, teasing, bonding, and horizontal relations of mutuality.

VII. CONCLUSION: SOME LESSONS BEYOND BINGO AND GAMBLING?

Bingo is a distinctive game, and bingo halls are distinctive gambling environments. This distinctiveness stems from several sources, including the player demographics, the game's peculiar relationship to self-organized mutual aid and commercial entertainment, and the regulatory framework through which it is governed. Given the widespread academic neglect of the sector (a factor not unrelated to the demographics of its players), it is important to assert that the changes affecting it matter in their own right: it is well past time that accounts of gambling took bingo more seriously.

However in this article I have suggested that bingo also matters because of what it can add to our socio-legal accounts of gambling. More precisely, attention to bingo shows that standardized regulation, often derived from casinos, plays a key role in the erosion of local gambling cultures. In Canada, rules are central to provincial efforts to restructure gambling environments into casino-like forms, such that mutual aid practices are decentered, player and worker senses of ownership are interrupted, and the efficient extraction of profit is maximized. As governments have extended control over provincially licensed bingo, in alliance with charities and businesses, a key concern has been to reign in unruly workers and players. Notoriously stubborn bingo regulars, who act like they own the place, are being replaced by machines, and employees are being subjected to much stricter surveillance mechanisms, intended to stop them spreading money out all over the place, or being too close to players.

These examples may seem esoteric. However for me they shed helpful light on the *regulatory* ways in which gambling becomes homogenized. It is not just that gambling products, technologies, and environments are increasingly cut and paste from one place to another, but that the *rules* are standardized as well. Diverse meanings of gambling are hereby under threat from regulatory homogenization, specifically from the spread of rules anchored in large-scale, profit-making play experiences. Corporate orientations to extracting revenue efficiently are being gradually normalised, while other forms of play — involving notoriously cantankerous players and non-compliant workers — are increasingly threatened. With smoking

bans, for example, while there was no master plan to replace bingo-playing smokers with gambling machines, over time this emerged as the most likely solution to the profit-crunch occasioned by the need to banish smokers. Law and regulation land in ways that contribute to the Las Vegasization of gambling environments, not in a straightforward or quick way, but nonetheless perceptibly.

Simultaneously, however, consideration of bingo sheds light on the resistance to these homogenizing rules. Although I have shown the effects of new regulations on workers and players, I have tried to avoid an account that frames law as an all-powerful force impacting passive recipients. While province-wide smoking bans seem to have been largely effective, in compliance terms, dusting off rules were less so, and efforts to impose financial disclosure rules on bingo workers have in some cases failed. (The variation in compliance levels is beyond the scope of this article, although I suspect that it relates in part to the prevalence of shame in the smoking example). I have examined how workers narrated their encounters with new casino-based regulations, sometimes making fun, talking back, and sharing stories intended to register a bingo-based defiance. For them, expensive camera systems cannot secure trust, and there is a place for noisy occupation, defiant flasks and sandwiches, and women bringing in babies. Bonds between players and workers are reaffirmed, not as bonds between services providers (controlled by provinces, businesses, or charities) and clients, but as bonds between participants in a mutual aid venture. These are not big law victories, by any means, and they will not register in gambling law debates that focus on courtrooms or legislatures. However in an everyday way these actions help reanimate alternative meanings of gambling, and — for that reason alone — they are worth sharing more broadly.

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