The Survival of an Immoral Business

*British Horse Racing in the Late 19\textsuperscript{th} and Early 20\textsuperscript{th} Century*

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History 83a: The History of Economic Thought Since 1750
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December 11, 2009
Introduction

Ever since King James I formalized the rules of horse racing in the early 17th century, the “sport of kings” has occupied a unique place in British history. As the pastime of aristocracy, a respite for the working class, and a haven for the bookmaker, horse racing developed widespread popularity and demand that made it one of Britain’s most sacred forms of entertainment.

Where there is demand, there is also business, and horse racing was no exception. Rooted in providing a spectacle for customers, the business model of racing seemed to be the prototype of an entertainment enterprise. During major events, tracks and their investors generated noticeable revenue as early as the middle of the 19th century. An 1896 income statement for the Doncaster Borough Corporation demonstrates that the group made about £18,740 at the Doncaster races in seating and refreshment sales.1 Local companies, such as transportation services and inns, also benefited indirectly from the sport. Although it retained the appearance of an ordinary business in the 19th and early 20th century, horse racing had one distinguishing feature that separated it from other forms of popular leisure: the sport was inextricably linked with and dependent upon gambling. “Betting, in short, has become the life and soul of racing,” wrote the Leeds Mercury in 1867.2

The connection between horse racing and betting put the business on a questionable ethical footing. The sport drew most of its appeal and resulting revenue from gambling, which was historically seen as an immoral practice in Britain as

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evidenced by popular opinion and legislation. Horse racing, therefore, developed what can be considered an immoral business model.

In addition to providing a look at a unique business at the turn of the 20th century, this paper will investigate a contentious question. Can something compensate a business for its lack of ethics and allow it to avoid severe government regulation? In the case of horse racing, the answer seems to be affirmative. Racing may have operated through immoral means, but the British government never issued crippling legislation against the sport in response to ethical issues. Through an examination of a case study, it becomes apparent that the business of horse racing survived because the sport provided several benefits to the country. In 1915, a debate swelled in The Times regarding whether horse racing ought to be stopped, and in the correspondence, many articles defended the sport. Writers argued that horse racing’s proud history, economic strength, and military usefulness justified the continued and unbridled prosperity of the horse racing business. The case study demonstrates that a business’s practical contributions can possibly outweigh negative ethical considerations, allowing the business to continue operations.

The Immoral Business Model

Horse Racing and Gambling

Before World War I, horse racing maintained a strong popular following in Britain as the aristocracy and working class both considered the sport to be the national pastime.3 The sport developed a distinctive culture, and a major part of that culture was betting. The connection between racing and betting has a history that stretches back

3 Huggins, Flat Racing and British Society 1790-1914: a social and economic history, 38-87.
longer than the history of Britain; since the time of ancient Rome, races have provided a means for spectators to gamble. In Britain, betting at the track became prevalent enough that in 1664 Parliament issued 16 Car. II, c. 7. This law, which deemed it illegal to win money at the track through fraud, was the first to mention horse racing in the Statute Book. Despite additional regulatory legislation, gambling remained at the core of horse racing into the 19th century with the development of bookmaking. Overall gambling volume reached its peak in Britain in the early 1800s, and betting in horse racing showed minimal signs of decline throughout the rest of the century. As early as 1851, it was estimated that wagers on the Chester Cup horse race totaled £1 million. A boom in the construction of British railways, the technological development of the telegraph, and a rise in the income of the working class then increased betting at the track in the 1860s. Though regulations by Parliament and the Jockey Club—horse racing’s most important organizational body—slowed down the expansion of new racing venues in the late 19th century, the growth in street betting, enclosed tracks, and racing publications, such as Sportsman and Sporting Life, provided additional wagering opportunities in the early 1900s. A survey conducted by The Times in 1927 noted that horse racing was the principal form of gambling in Britain, and to this day, horse racing’s most defining feature may be its connection to betting.

Gambling was more than just a feature of British horse racing—the business of the “sport of kings” in the 1800s was dependent on betting for the popularity and

4 George Henry Hewitt Oliphant, *The law concerning horses, racing, wagers, and gaming: with an appendix, containing recent cases, statues, etc.* (London: S. Sweet, 1847), 183.
5 Roger Munting, *An economic and social history of gambling in Britain and the USA* (Manchester: Manchester University Press, 1996), 171.
attendance that drove its operation. Betting lured the crowds (attendance was estimated at 100,000 for Derby Day at Epsom in the 1830s), and it was likely that putting an end to gambling would eliminate racing’s supporters, thus dooming the entire business at the track. Admiral Rous, a steward of the Jockey Club who stood decidedly against excessive betting in racing, believed that four-fifths of race meetings in 1856 would end if betting were removed from the sport. A contributing writer also noted in a 1917 letter to the editor in *The Times* that he believed the stability of the sport rested upon its ability to attract attendees through the betting allure.

The whole trouble about racing and the attendance at races, &c., would come to an end if the Government would by a stroke of the pen forbid betting on the course, and forbid the publication of racing odds in the Press...The majority of the people who expended 2,500 gallons of petrol in visiting Gatwick last week do not care twopence about horse-breeding or anything of that nature—they go there to bet.

Once a sport known mostly for its aristocratic history, horse racing underwent a commercialization in the 19th century that made the business more reliant on money wagering and the ring of British bookmakers. As Louis Henry Curzon noted, horse racing by the end of the 19th century had transformed from a pastime into a business, with gambling as its chief end. The race and the horse, it appeared, had become secondary concerns to the concerns of the bet. In an 1895 article in *The Times*, Robert Black lamented that horse racing’s betting ring controlled the sport.

The opponents of the [Anti-Gambling League], on the other hand, assure us that upon the support of this ‘[Betting] Ring,’ which is of comparatively mushroom growth, depends the prosperity of our almost immemorial sport of horse-racing...In conclusion, if we really have come to this, that, without our dear

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9 Huggins, *Flat Racing and British Society 1790-1914: a social and economic history*, 54.
11 Louis Henry Curzon, *A Mirror of the Turf: or the machinery of horse-racing revealed showing the sport of kings as it is to-day* (London, Chapman and Hall, 1892), 315.
‘Betting Ring’ we cannot have our national pastime, the outlook is very black indeed. Gambling will have completely dominated our sport and may be expected ere long to dominate every other."^{12}

**Ethical Concerns**

The interconnectedness of horse racing and gambling shrouded the sport and business in immorality, since gambling has historically been looked upon as a vice. Even in ancient Rome and Egypt, legislators found the negative consequences of gambling critical enough to enact laws in order to suppress the practice."^{13} Gaming, in general, has been considered an act of greed and irresponsibility that is intrinsically unethical.

“Gaming is so destructive to the happiness of society and so subversive of the comfort of individuals, that every friend to good morals must wish, as far as it may be found practicable, the entire eradication of it,” wrote John Disney in the 1806 edition of *The laws of gaming, wagers, horse-racing, and gaming-houses*.^{14} Frederic Edwards took a similar stance in an 1839 treatise on gambling.

> [G]ambling operates as a poison to the mind and the body. It leads to the cultivation of vicious passions inimical to every noble pursuit and intellectual achievements...The practice of gaming is one so destructive to individuals and so detrimental to society at large, that it is impossible that any legislative body, having an honest wish to promote the happiness of the community over which they are called to preside, should do otherwise than exert their power for the suppression of so monstrous an evil."^{15}

Horse racing faced the same ethical critiques that other forms of gaming did. In 1658, Oliver Cromwell found the “wicked, and secret Plots and Devices” of horse racing

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^{14} Disney. *The laws of gaming, wagers, horse-racing, and gaming-houses*, iii.
harmful enough to warrant an eight-month ban of the sport in England and Wales.\textsuperscript{16}

Religious groups also took harsh stances against gambling at the track. In a sermon delivered in Elizabeth-town, New Jersey in 1809, John McDowell chastised the horse race and the evils that came with it.

I view [horse racing] to be of such a heinous nature—so disgraceful to the character of this place—so offensive to heaven—so dangerous to the interests of civil order, morality, and religion—and such a source of corruption to the rising generation, that I cannot keep silence...These, my brethren, are some of the sins connected with this horse-racing. Review the long and black catalogue—idleness, gaming, Sabbath-breaking, prophane swearing, intoxication, debauchery, and reveling; and to these we might add cheating, quarrelling, fighting, and perhaps many more.\textsuperscript{17}

McDowell preached that track gambling in itself was immoral, but he also believed that betting spawned other evils. The story of Hon. Berkeley Craven, provided by the \textit{American Turf Register and Sporting Magazine} in 1836, serves as evidence for the “melancholy catastrophes that can result from excessive gambling.” Craven, who lost an estimated £8,000 to £9,000 at the Epsom races in Britain, took his life the morning after the event.\textsuperscript{18} In addition to suicide, the racetrack was a venue that included robbery, drinking, prostitution, and violence. Moreover, gaming, especially among the poor, jeopardized a family’s wealth and the ability to live a secure life. In a book of poems written by the British ‘Society for the Suppression of Vice’, one work addresses the issue of financial irresponsibility at the races. The poem reads, “Remark how many huts and booths, in every part we trace/ For selling brandy, beer, and gin, to those who see the

\textsuperscript{16} England and Wales. Lord Protector (1653-1658; O. Cromwell), \textit{By the Protector. A proclamation of His Highness prohibiting horse-races in England and Wales for eight moneths} (London: Henry Hills and John Field, 1658).

\textsuperscript{17} John McDowell, \textit{Sermon on horse racing: preached in the Presbyterian Church, Elizabeth-town, September 17, 1809} (Elizabeth-town, NJ: Isaac U. Kollock, 1809), 7.

Race/ What numbers spend their money here, and health and soul embrace/ And rob their families of bread, to spend it at the Race.”

There was nothing especially secretive about the gambling that occurred at the British races. Magazines and newspapers published odds before important events, and bookmakers occupied tents and booths at the track for the purpose of taking wagers. The Manchester Times and Gazette wrote in 1829 that the tents of the lawmakers were just ten paces off from the tents of the bookmakers. Overall, gambling at the races was widespread, was necessary for the business, and had serious moral questions surrounding it. Therefore, the “sport of kings” had developed what looked to be an immoral business model. The Western Mail, a newspaper in Wales, noted in 1873 that, “...the baneful results of the present system of horse-racing are eating into the moral life-blood of the nation.”

**Regulation**

As a result of gambling’s immorality and negative impact on society, British government regulated the business of horse racing to a certain extent. Parliament, however, never banned or tried to drastically limit betting at the track. Statutes on gambling in horse racing in the 18th and 19th centuries attempted to restrict excessive betting, limit fraud, reduce race expansion, place rules on prize winning, and limit advertising. There were also laws against off-track betting, betting houses, and street and

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19 The Entertaining, moral & religious repository; containing, many separate performance, all of which are written in a pleasing stile, and are eminently calculated for the amusement and instruction of the youth of both sexes: Published by a society in Great Britain, instituted for the beneficient purpose of aiding the intention of His Majesty, as expressed in his royal proclamation for the suppression of vice an immorality (New York: G. and R. Waite, 1801), 17.

20 “English Horse Racing.” Manchester Times and Gazette, Aug. 29, 1829, 1.

21 “The Morality of Horse Racing,” Western Mail, June 16, 1873, 1.
highway gaming. These laws, however, were not particularly effective in the early 19th century. Some of the more serious legal action occurred around 1879, when Parliamentary legislation shut down a group of suburban races that had turned violent. Rules by the Jockey Club around the same time also ended a number of low stake events. For the most part though, betting in horse racing escaped bans in the 19th and early 20th century and got away with simple regulations instead. Even under the harshest attacks by the National Anti-Gambling League at the turn of the 20th century, the British government ruled that betting at the track was legal in *Hawke v. Dunn* (1897). A ban on gambling in horse racing, perhaps, was not a practical solution. An 1870 edition of *The Economist* noted, “The evil of the existing system is undoubted, but it is one of those evils which we can at best only hope to restrict to those who are determined to indulge their taste.”

If the “evil of a system” was undoubted, why were minor restrictions and not an outright ban the solution? In other words, how can an immoral business like horse racing be allowed to stay in operation? Other forms of gambling did fall victim to anti-gambling legislation. Prizefighting was deemed illegal in 1750 and a ban on cricket gambling appeared in 1825. British government banned dice games and roulette in 1739 and 1745, respectively, and cock fighting was banned in 1849. In popular opinion and under the law, horse racing was put on a pedestal compared to these other gaming attractions.

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26 Munting, *An economic and social history of gambling in Britain and the USA*, 17-18.
“We are no enemies to horse racing,” wrote The Economist in 1852. “It is a better amusement than dice throwing or card playing.”\(^\text{27}\)

The legal status that the business of horse racing held was paradoxical considering its immoral foundation. Was there something about horse racing that allowed its immoral business to survive in the 19\(^{\text{th}}\) and early 20\(^{\text{th}}\) century? A case study demonstrates that horse racing indeed provided practical benefits to Britain that other forms of gaming did not.

**Case Study**

*The Times Debates: Racing and War*

In March 1915, a debate took over *The Times* newspaper and triggered a number of articles in other publications. The subject of the debate was whether horse racing should be suspended because of World War I or allowed to continue operations. The discussion focused on two races in particular—Epsom and Ascot—which were two of the more storied British venues. Although the articles featured had little direct commentary on gambling, analyzing the arguments given in news articles and letters to the editor provides insight into the business of horse racing, specifically what reasons there were to keep the business of horse racing alive. In the defenses of the horse racing business, it becomes apparent why it would have been difficult in the past for Parliament to cripple the sport with legislation against gambling. Horse racing, as evidenced by commentary in *The Times*, provided several practical benefits for Britain. It seems as if these practical benefits, which included the national pride in the sport, the economic strength of the

business, and the usefulness of horse racing for military purposes, outweighed the
negative moral pressure of gambling.

In August 1914, World War I had its first direct effect on horse racing when the
races were shut down for three weeks. Railroads were needed for the military and could
not be used to transport horses or people to the tracks. Although racing did reconvene
later in the summer, whether or not racing should resume was a point of contention. The
Jockey Club decided not to cancel racing despite discussions on the matter in September
1914 and March 1915, but Parliament decided to suspend most racing events because of
the war in May 1915.28

*The Times* debates featured several arguments in favor of canceling the races. A
major attack was that sport took resources away from the war effort. Others claimed that
the crowds and revelry of the races would be seen by citizens in Britain and its allied
nations as being unpatriotic and not serious enough for a time of disaster.29 Two
contributing writers referred to as A.S.30 and Dunraven31 made this argument, and so did
Curzon of Kedleston when he asked the rhetorical question, “Are we to persevere in our
two great yearly ‘beanfests’ against a background of awful tragedy and amid a world of
tears?”32 Contributing writer Henry Cust, took a similar stance when he appealed to end
horse racing on March 6, 1915.

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28 Vamplew, *The Turf: a social and economic history of horse racing*, 64.
Letters to Editor, 23.
30 Dunraven, “Racing and War. The Popular Festivals. Growing Opposition.” *The Times*, Mar. 8,
1915, Letters to the Editor, 9.
the Editor, 9.
32 Curzon of Kedleston, “Racing and War. Our Good Name. Lord Curzon on Junketing.” *The
When many thousands of men have given their lives for their country, and while many more tens of thousands are following their high example, and will certainly be dying and suffering while crowds cheer and lunch at Epsom, it is merely monstrous and indecent to celebrate the Great National festival and Royal Ascot, &c., with all their gay traditions and associations.\textsuperscript{33}

For the purposes of this paper, however, the defenses of, not the attacks on horse racing are the more relevant arguments. The stances taken in support of horse racing will identify why horse racing was considered necessary or at least beneficial for the nation and why Parliament would have been hard-pressed to end the business through extreme betting regulation. These defenses can shed light on why regulation of gambling in horse racing was lighter than regulation of other forms of gaming.

\textit{National Pride}

The first group of defenses of the horse racing business highlighted by \textit{The Times} debates involved national pride. Ending the “sport of kings,” writers said, would crush the nation’s valued pastime, an action that would deal Britain a blow to its character. A description of the sport by William IV portrays how the British viewed racing. “I consider this to be a national sport—the manly and noble sport of a free people, and I deeply feel the pride of being able to encourage these pastimes.”\textsuperscript{34}

William IV notes the “noble” nature of horse racing, and this qualifier made sense because throughout Britain’s history, racing was considered a pursuit of the royalty. James I and George IV were recorded as fanatics of the sport, and the aristocracy often attended the largest races of the year such as the Epsom Derby, which began in 1780. “Noble” was a common word used to label the “sport of kings.” \textit{The Economist} wrote in

\textsuperscript{34} Quoted in Vamplew, \textit{The Turf: a social and economic history of horse racing}, 17.
1852 that, “[horse racing] is, at least, as ennobling as the ballets at the opera.” In *The Times*, an article about the funeral of the Duke of Westminster explains the late duke’s thoughts on the track.

...[The Duke of Westminster], with full knowledge of the subject in all its bearings, upheld and cultivated horse-racing not merely or chiefly because he delighted and excelled in it, but because he honestly believed it to be in itself a noble sport which the nation could not and would not afford to part with.

Led by the aristocracy, the fans of horse racing grew in numbers in the 19th century and created even more pride in the sport and in the quality of the British races. Newmarket, a racing venue which had previously encouraged only attendance by the upper class, opened up its gates to the commoner in the late 1800s. All classes of people eventually took delight in outcomes of races, and it is likely that many would be disappointed if the sport ended. Horse racing gained popularity that cut across social status and geographic location, and for that reason, pride in the sport became a truly national attribute. In the specific case of World War I, canceling horse racing would take away pride and excitement from the armed forces, according to a letter to the editor by C.L.R on March 9, 1915.

Friar Marcus, the King’s horse, is at present first favourite. Should he win, the effect on the sporting public and the country at large will be electrical. And who shall deny that the men in the trenches hail the news of a Royal winner at Epsom with delight?

Others noted that the enthusiasm created by horse racing was a national benefit. Curzon of Kedleston in a March 13, 1915 letter to the editor in *The Times* argued that a

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poll would show that the armed forces would cheer for the maintenance of horse racing.\textsuperscript{39}

Sir H. Meux also wrote in \textit{The Times} that he believed that the troops would be disappointed if they were denied the ability to read about the races, and Albert Brassey noted on March 16, 1915 that the races would provide a “gleam of sunshine” to the troops.\textsuperscript{40}

Suspending horse racing, it was feared, could appear as a weakness for Britain, because the countries of the world recognized how much the nation valued its horses and races. Britain considered itself the center of the horse breeding and horse racing industry. “It is, however, in England that Horse Races have assumed their highest perfection,” wrote \textit{The Era} in 1860.\textsuperscript{41} Because intra-European nationalist movements were peaking at the turn of the 20\textsuperscript{th} century, Britain’s pride in its mighty and “perfect” sport of horse racing would have been a major consideration.\textsuperscript{42} Britain was the distinguished world leader in horse racing, and this status gave the nation patriotic sentiments. The \textit{Doncaster Gazette} wrote in 1841 that British horses, which were unrivalled in Europe and drew the admiration of its surrounding nations, were indeed reflections of the country’s patriotism.\textsuperscript{43} Mr. H.T. Kemball Cook wrote about this defense on March 9, 1915.

[The French] admire our refusal to be put out of our stride. If we abandoned the Derby they would be convinced that our hearts are failing us at last and that we are giving up hope. They believe that the Derby is to us more sacred than even

\textsuperscript{41} “Historical Account of Horse Racing.” \textit{The Era}, Sept. 16, 1860, 1.
\textsuperscript{43} \textit{Doncaster Gazette}, Sept. 3, 1841, quoted in Huggins, \textit{Flat Racing and British Society 1790-1914: a social and economic history}, 49.
Because Britain had developed such a devotion to and pride in the “sport of kings,” horse racing separated itself from other forms of gambling, probably making it harder for Parliament to regulate the sport. It may have been considered more practical and popular to maintain the national pastime instead of banning it due to ethical reasons.

**Economic Strength**

The second benefit that horse racing brought to Britain was the economic strength of a successful business. *Sporting Magazine* wrote in 1830 that horse racing was a business that amounted to “many millions” of pounds. The commercialization of the sport in the 1800s increased employment at the track, and *Ruff’s Guide* estimated that the horse races in 1900 led to the employment of 1,300 owners, 164 trainers, 95 jockeys, 92 apprentices, and 1,500 stable boys. *The Times* commented on March 9, 1915 that, “If racing were stopped, the price that would be paid would be the dismissal of hundreds of men and boys who are absolutely incapable from physical disability of serving their King and country.”

These figures given by *Ruff’s Guide* and *The Times*, however, do not include secretaries, telegraphers, officials, breeders, and other positions dependent on operations at the racetrack. Sports journalists, veterinarians, blacksmiths, and people who worked to produce food for the horses and transport the horses also directly depended on racetrack activity. And of course, the bookmakers—the center of the success of the horse racing business—would largely be put out of business if horse racing were canceled. Albert

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46 Huggins, *Flat Racing and British Society 1790-1914: a social and economic history*, 165.
Brassey gave his opinion in a letter to the editor on March 16, 1915, in which he noted that major economic distress would result from suspending the races.\textsuperscript{48} The Times also wrote in August 1914 that economic concerns associated with ending racing were more important than most people realized. “A cessation of racing would be a more serious matter than probably most people suppose, as it is not generally realized how many men derive their livelihood more or less directly from the Turf.”\textsuperscript{49}

The horse races indirectly brought business to other industries, as well. In many instances, hotels and businesses of a town depended on the tourism generated by the horse racing events. The \textit{Carlisle Journal} expressed in 1838 that the Carlisle horse races were of major significance to the town’s economy since the sporting events led to revenue for other shops in the town.\textsuperscript{50} The companies and residents of a town also invested as shareholders in the races, generating dividends from the sale of tickets, food, and drink. The Doncaster Corporation books show a direct profit of £1,600 from the Doncaster races in 1856, and Admiral Rous, a steward of the Jockey Club, claimed that the Doncaster Corporation made an indirect profit of £50,000 that year.\textsuperscript{51}

Because so many individuals made their living from the track, imposing a ban on horse racing could have been an economic disaster. The result of a ban would have been substantial unemployment and a major decrease in consumer spending. Similarly, ending gambling in horse racing would have decreased the demand of the sport enough to create the same negative consequences. Horse racing, more so than other forms of gaming, had

\textsuperscript{48} Albert Brassey, “Racing and War. Meeting of the Jockey Club To-Day. Further Correspondence.” \textit{The Times}, Mar. 16, 1915, Letters to the Editor, 11.


\textsuperscript{50} \textit{Carlisle Journal}, Sept. 15, 1838, quoted in Huggins, \textit{Flat Racing and British Society 1790-1914: a social and economic history}, 144.

\textsuperscript{51} Huggins, \textit{Flat Racing and British Society 1790-1914: a social and economic history}, 144.
a strong business that provided monetary benefits that extended beyond betting. This is likely to have made matters difficult for Parliament when assessing whether horse racing ought to be cancelled because of questionable ethics.

On September 16, 1914, the Jockey Club met in London and decided to vote in favor of maintaining horse racing during the war. The statement released by a steward and quoted in The Times on March 9, 1915 demonstrates that the strength of the horse racing business was indeed a major concern.

When [the stewards of the Jockey Club] considered the large and important businesses of horse breeding, training stables, and race-courses...and when they realized the effect that racing had had upon the blood and stamina of horses on which our cavalry were now depending for their success in war, it seemed to the steward that the businesses connected with racing were at least as well worth preserving as any of the other industries of the country.\(^{52}\)

**Importance to the Military**

The statement by the Jockey Club also mentions the third reason why ending horse racing would create a problem: suspending the races would harm the breed of horses used by the military. Britain benefited from horse racing because racing provided incentives for breeders to raise fast and strong horses. Many of these horses could in turn be used as cavalry. Although concerns over the nation’s cavalry largely disappeared with technological progress after World War I, during the Great War horses were vital parts of British military.

The ability to mobilize a vast force of animals for transportation, reconnaissance and raiding purposes was crucial to the efficient conduct of war in the early twentieth century. Horses were as indispensable to the war effort as machine guns, dreadnoughts, railways and heavy artillery, yet because of our fascination with the history of technology we never give them a second thought.\(^{53}\)


In the 1800s, horse breeding was taken to a new level because prizes awarded to
the winners of horse races grew substantially. Total prize money increased from £71,780
in 1802 to £280,406 in 1862, and £573,188 in 1913. The money at stake enticed more
owners to breed horses. This competition likely led to a better breed of thoroughbreds
and unintentionally led to an increase in the number of suitable half-breds that could be
used by the military. Robert Wallace in a 1917 letter to the editor in The Times expressed
that races were necessary tests of horse quality. Without the races, he added, effective
horse breeding would be impossible and the results to the nation would be fatal.

“Thoroughbred blood is the one and only fountainhead of quality of horses in all
temperate climates. The thoroughbred is the only sire of any repute for the getting of
Army remounts,” A correspondent to The Times seconded Wallace’s remarks in 1919.

Racing and its corollary, breeding, are inseparably allied. The test of the
racecourse is absolutely necessary, in the first place for the improvement of
thoroughbreds, and in the next for the production of half-breds suitable for
military purposes. By means of racing the best and soundest horses are
discovered.

Horse breeding and horse racing were interconnected even before the business of
the “sport of kings” found its strength. John Disney wrote in 1806, that horse racing was
more favored than other “species of play” by Parliament because of the usefulness of the
horse for other pursuits. Disney declared that the legislature put certain restrictions on

54 Huggins, Flat Racing and British Society 1790-1914: a social and economic history, 165.
55 Robert Wallace, “Horse-Breeding and Horse-Racing.” The Times, May 17, 1917, Letters to the
Editor, 3.
56 “Horse-Racing. A Welcome Invasion. Some Famous Runners.” The Times, Nov. 4, 1919, 47.
57 Disney, The laws of gaming, wagers, horse-racing, an gaming-houses, x.
horse racing, but because of the breeding benefit, “when those regulations are complied with, [horse racing] receives a certain protection.”

A 1799 legal case—Whaley v. Pajot—demonstrates the importance that Parliament put on horse breeding. In the case, two men placed a wager of “500 guineas and a dinner” on the outcome of a race between their horses from London to Kent. Parliamentary law (13th Geo. II), however, deemed this bet illegal, because betting on horse racing was only legal if a horse race was run with horses bred specifically for the purpose of racing.

Horse racing was unique among other forms of gaming in its ability to provide practical assistance to the military. In a discussion of the ethics surrounding greyhound racing in 1927, The Economist mentioned horse racing’s distinctive benefit.

Nor is this new ‘gambling-sport’ defensible on the ground adduced in defence of the ‘gambling-sport’ of horse-racing—namely, that it is necessary to have betting to keep horse-racing alive, and that it is necessary to keep horse-racing going in order to maintain the quality of horse breeding.

Along with national pride and economic strength, horse breeding for the military was considered a great benefit to the nation. With three important reasons to keep horse racing, Parliament likely weighed the practical with the ethical when determining whether to ban wagering at the races. As evidenced by the lack of extreme legislation against gambling in horse racing, the practical was heavier than the moral. In the case of horse racing in the late 19th and early 20th century, ethical concerns did not trump all other issues—the immoral business model survived.

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58 Disney, The laws of gaming, wagers, horse-racing, an gaming-houses, 27.
Conclusion

British horse racing in the 19th and early 20th century was a distinctive and influential business. It was a leading sports and entertainment industry that captivated public attention and captured demand from all social classes. The business, however, is all the more fascinating because it provides a lens into the study of both business ethics and government regulation. Racing, as it was commercialized from a pastime into a business in the 19th century, retained a dependence on gambling. Without the historically unethical practice of gambling, the business probably would have crumbled. Despite the integration of immorality into its business model, horse racing saw no major regulation from British Parliament throughout the 1800s and the early 20th century. Why was this the case? As this paper suggests, the practical benefits that the horse racing business provided likely trumped ethical concerns. Government, perhaps, believed it would be too controversial and too detrimental to the nation’s pride, economy, and military, to break the horse racing business through anti-gambling legislation.

The history of the racing business presents a scenario where an immoral business survived due to rationalization. All concerns—practical and philosophical—were weighed into an equation, and ethics, it appears, was not the end-all-be-all in determining whether horse racing would survive. The importance of ethics versus practicality is a debate that extends beyond the scope of this paper. Did Parliament act correctly by protecting horse racing because of its advantageous by-products? Or more generally—should the practical hold more esteem than the ethical when deciding how to regulate a business? Undoubtedly, the answers to these questions are not simple, but when forming opinions about the issues, an analysis of horse racing is an interesting place to start.
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