

THEY CALL IT MORALITY

There are men
we don't know
wanting not only to tell us
what is Right and Wrong
they want to hurt us
if we disobey.
Some even want the State
to hurt us
if we disobey.
They call it Morality.

Most everyone understands
that society
needs rules.
People are born into
networks of rules,
rules of custom
and rules of legislation.
Both custom and legislation
represent an historical
development,
their reality constructed
in specific place centered contexts.
Custom is the common practice,
the habits
of a community:
family, clan, tribe, institution.
Legislation
is the act of authority
governing the common practice
of a total polity.

The polities of civilization:

cities and kingdoms,
 nations
 empire
 coalesce or force together
 many peoples and their customs.
 Through millennia,
 through great transformations,
 the steady march of technologies of war and power,
 the fusion, the functional clashing of peoples
 cut the organic, place centered roots
 of customs
 and fractured them into competing expressions,
 insulating interest groups,
 codified and self-conscious social classes:
 the better classes, the middling classes,
 working classes,
 the family
 the poor
 criminals
 the vagrant
 slaves
 women,
 with class customs
 and class legislation.

Within classes customs varied
 sometimes widely according to such as:
 ancient ethnic histories
 language
 occupational realities
 religion
 politics
 generational perspectives.
 The diversity of class forms and sub forms
 in the cities
 resembled the diversity
 of life forms
 in the Appalachians and Amazon.

Authorities

wrote law to regulate class relations
and protect property and its growth.
Except in the most democratic polity
legislation
often enacts some group's
custom
interfering with the custom of other groups.

Steam powered mechanizing the industry of the world
produced great wealth
and cities containing sections with public healthscapes
of disease and disability.
These sections grew with waves of migrating persons
fleeing lost livelihood in the soil or social structure,
or hoping for better conditions and opportunity.
Only the very lucky and those with special skill,
or those welcomed by people from where they came,
found steady employment,
steady food, shelter, bodily security.
As with most of history
those with wealth
resisted paying taxes sufficient
to support public services in the neighborhoods
of these lesser people packed together
with fleas, flies, lice and mosquitos
where the air was black, water foul,
housing unsafe, untoileted streets glazed with waste.
But they did pay for police.
And in nineteenth century Britain and United States
they organized committees
to investigate immoral behavior
in the neighborhoods.
Middle class women marched out of the home as Virtue
went to war on Vice:
saloons and drunkenness, gambling, fornication and
adultery, violation of the Sabbath, profanity and
pornography, and especially

prostitution, bawdy houses, begging and homosexuals.
 Some moral reformers made a good living fundraising,
 lecturing and pamphleteering.
 They delivered education of moral purity
 to the undisciplined agents of vice.
 Some pressured for legislation to punish the perpetrators.
 Of course, in the neighborhoods gangs organized
 to defend their livelihood, to corrupt the police
 and legislators, and deceive courts.
 Mobs gathered periodically
 to riotously adjust the balances of power.
 Luddites, Chartists, trade unions, cooperatives,
 socialists and communists, populists and progressives
 organized political action.

Some reformers responded to miserable conditions
 of the lesser neighborhoods,
 to the epidemics of cholera, typhus and typhoid
 dysentery and diphtheria, smallpox
 tuberculosis and the yet unnamed,
 to hazardous housing and workplace,
 to insufficient water and sewerage,
 to conditions impacting the whole society,
 with ideas of science
 advocating for laws engineering
 spaces for
 health and safety.

The “Welfare State”
 began in the nineteenth century
 with laws regulating and punishing
 immorality
 with laws
 creating government services
 regulating
 industry and city and rural environments.
 The relentless opposition of powerful forces
 weakened the laws with compromise

and the implementation
with resistance.

Mostly,
moral reformers used
Hebrew Mosaic scriptures, and Paul,
to sanction their concepts.
Reformers of the Gospel,
of Good News to the poor
and oppressed,
with different concepts,
found sanction in Jesus, and Paul.
These approaches to the problems of the
emerging new, modern, world
struggled for control of Theology
in seminary, college and university,
the social sphere of imagination.
Men lost their jobs
in fiery denunciations.
Media boomed with
broadside.

The new, modern, world rolled on:
aggressive concentration of ownership
of property and public services,
exponentially expanding
powered machine factories,
painful production
booms and busts,
reckless financial speculation,
women rising
voting,
the wars of Prohibition,
labor wars,
a great war of Empires
and a near total collapse
of Economy.

The Philosophers of Business
 fell back on the Market
 as medicine for the worldwide paralysis of business.
 But the Market
 being only a philosophical idea
 could not move money credit
 and the limbs of commerce.

In the United States
 after years of suffering,
 a coalition of Democrats and Republicans,
 labor and farmer unions, academics, NAACP,
 religious organizations, city political machines,
 recent immigrants and grass roots activists
 put Frank and Eleanor Roosevelt
 and a New Deal in the White House.
 Frank said: Get a grip. We're going to get through this.
 They assembled a team
 of Republicans and Democrats, academics,
 journalists, bankers, businessmen, social workers,
 Frances Perkins, first woman Cabinet member,
 with a Congress ready to work
 and got crackin' ...
 They cracked the bank panic
 with an agency to assess solvency and
 a simple technical idea:
 FDIC deposit insurance.
 Though Frank hated borrowing money,
 they started credit flowing through programs:
 Civilian Conservation Corp,
 Tennessee Valley Authority,
 Works Progress Authority,
 Federal Housing Authority
 insuring mortgages for middle class homes,
 and Social Security.

Especially in the nineteenth century,
 legislators, judges and presidents

permitted the corporate takeover
 of the Economy and emerging technology.
 Corporate custom, often called Common Law, ruled.
 Rolling on the iron rails
 corporations accumulated great wealth
 but ruined many communities and repeatedly
 crashed the Economy.
 To apply to corporations standards and processes
 for the General Welfare
 the New Deal team
 legislated little corporations
 they called Commissions,
 like the Interstate Commerce Commission
 of 1887 regulating railroads:
 Securities and Exchange Commission,
 National Labor Relations Commission,
 Federal Communications Commission,
 Civil Aeronautics Board
 perhaps with intention to engage expertise
 or not growing government while growing government
 or seeking consensual, moderate
 rules and judgment.
 They also legislated specific acts
 to improve economic functions:
 repeal of Prohibition,
 Glass-Steagall-Banking Act, Gold Reserve Act,
 Agricultural Adjustment Act,
 National Recovery Act,
 Fair Labor Standards Act,
 Federal Unemployment Tax Act.

Though imperfectly,
 the New Deal
 advanced the new, modern, world
 with an American Spirit
 of inclusion and cooperation,
 of cultivation of the Public Space,
 experimental science,
 promoting enterprise and labor peace,

balancing Liberty with Welfare.

Especially after
 the next great war of Empires
 wealthy families, wealthy persons
 and companies large and small
 funded opposition
 to the new, modern, world,
 New Deal institutions
 “the Welfare State”
 with the voice of the old world
 of divinely ordained betters
 and lessers,
 masters and slaves,
 the chosen and the enemies,
 divinely elected creators
 of wealth,
 divinely determined
 Right and Wrong,
 an idea weapon
 aimed at dividing the American People
 where their unity was weakest:
 class
 ethnic identity
 gender,
 a weapon
 of Free Market and
 Morality.

Money made
 a counter-culture
 to put women
 back in their place,
 sex back in procreation,
 wage earners and black people
 back in their place,
 gay people

back in the closet,
 censorship
 back in media and schools,
 government back in its little place,
 and Emperors of Commerce
 back in unencumbered
 control.
 They called it
 Morality.

This old world counter-culture
 underwrote
 a whole lot of misery
 in America and the World
 with its enemy
 socialism
 and with its saviors:
 the individual
 the family
 free enterprise
 the American Imperial Exceptionalism,
 with its custom it called
 Judeo-Christianity.

In a Public Good federalism
 of democratic political bodies
 from tiny towns
 to central government
 where democratic law
 respects diversity of custom,
 individual customs,
 what standards would apply
 to the entire polity
 for judging acceptability
 of those customs
 and emerging customs?
 An obvious answer
 is Human Nature.
 Custom must not violate Human Nature.

But what is Human Nature?

In mid-twentieth century
 after the war of Empires,
 after one of the most
 evil
 expressions of human intelligence,
 the multi-ethnic international
 United Nations
 instead of mass punishment
 for perpetrators of the evil,
 created
 The United Nations Declaration of Human Rights
 and later the
 Convention on the Elimination of All Forms
 of Discrimination Against Women.
 Does a group's custom
 violate these standards?

A Public Good federalism
 would embrace the great diversity
 of the Public,
 the old and new
 myths and metaphysics
 sacred rituals and artwork
 rites of passage
 days of celebration
 patterns of interaction,
 a communities' common practice,
 custom,
 if people live well in it.

Some Healthy Reading

- Karl Polanyi: *The Great Transformation: The Political and Economic Origins of Our Time*, 1944
- Charles Perrow: *Organizing America: Wealth, Power, and the Origins of Corporate Capitalism*, 2002
- Gerald Berk: *Alternative Tracks: The Constitution of American Industrial Order, 1865-1917*, 1994
- George Rosen: *A History of Public Health*, 1958(2015)
- G. Geltner, J. Coomans: "The Healthscaping Approach: Towards a Global History of Early Public Health," *Historical Methods*, Vol 56#1 2023 Ebsco
- E. J. Hobsbawm: "The Standard of Living During the Industrial Revolution: A Discussion," *The Economic History Review*, NS Vol 16#1 1963 Jstor
- Alan Hunt: *Governing Morals: A Social History of Moral Regulation*, 1999
- Max Hocutt: "Morality: What in the World is It," *Behavior and Philosophy*, Vol 38 2010 Jstor
- Jonathan Haidt: "Morality," *Perspective on Psychological Science*, Vol 3#1 2008 Jstor
- Helen J. Self: *Prostitution, Women and the Misuse of the Law: The Fallen Daughters of Eve*, 2003
- Anna Lvovsky: *Vice Patrol: Cops, Courts, and the Struggle Over Urban Gay Life Before Stonewall*, 2021
- Brittney M. Welch: "Public Health and Sex Work: Using History to Motivate Change," *Journal of Legal Medicine*, Vol 41#1 2021 Ebsco
- Melissa Murray: "Rights and Regulation: The Evolution of Sexual Regulation," *Columbia Law Review*, Vol 116#2 2016 Jstor
- Ian Hinckfuss: "Legislating for Morality," *Social Alternatives*, Vol 14#3 1995 Ebsco
- Michael J. Braddock, John Walter: *Negotiating Power in Early Modern Society: Order, Hierarchy and Subordination in Britain and Ireland*, 2001
- Gary B. Nash: "The Transformation of Urban Politics 1700-1765," *The Journal of American History*, Vol 60#3 1973 Jstor

- Dmitri N. Shalin: "Progressivism, Old and New: The Spiritual Moorings of Progressive Reforms," *Society*, Vol 59#6 2022 Ebsco
- Maurice C. Latta: "The Background for the Social Gospel in American Protestantism," *Church History*, Vol 5#3 1936 Jstor
- Grant Wacker: "The Holy Spirit and the Spirit of the Age in American Protestantism, 1880-1910," *The Journal of American History*, Vol 72#1 1985 Jstor
- Cornelius L. Bynum: "'An Equal Chance in the Race for Life': Reverdy C. Ransom, Socialism, and the Social Gospel Movement, 1890-1920," *The Journal of African American History*, Vol 93#1 2008 Jstor
- Michael Hiltzik: *The New Deal: A Modern History*, 2011
- Nancy Maclean: "Getting New Deal History Wrong," *International Labor and Working-Class History* #74 2008 Jstor
- Brian Stipelman: "The New Deal's Theory of Practice," *New Political Science*, Vol 32#2 2010 Ebsco
- Kim Phillips-Fein: *Invisible Hands: The Businessmen's Crusade Against the New Deal*, 2009
- William P. Barr: "The Judeo-Christian Tradition vs. Secularism: Public Morality is Essential for Public Government," *Vital Speeches of the Day*, Vol 59#2 1992 Ebsco
- Armstrong Williams: "Legislating Morality is the American Way," *National Minority Politics*, Vol 6#11 1994 Ebsco
- The Falwell Follies: "From the Moral Majority to Tinky Winky," *Church & State*, Vol 53#5 2000 Ebsco
- Sidney E. Mead: "Denominationalism: The Shape of Protestantism in America," *Church History* Vol 23#4 1954 Jstor
- Seth Dowland: "'Family Values' and the Formations of a Christian Right Agenda," *Church History*, Vol 78#3 2009 Jstor
- Jennifer Delton: "Historians and the Conservative Ascendancy," *Salmagundi* #168/169 2010 Jstor
- "Why the American Center Held-And Then Fell Apart," *Current History*, Vol 116#793 2017 Jstor
- Nick Fischer: "The Founders of American Anti-Communism," *American Communist History* Vol 5#1 2006 Jstor