

## CHAPTER XX

### THE ECONOMIC FOUNDATIONS OF MORALS

JUST as the politics of a country reflect the interests of an ascendant economic class, so the ideas of right and wrong of any age mirror the will of the same economic ascendancy. Ethics, the current sense of morality, even the criminal laws are made to serve a class. So too the agencies of public opinion are enlisted in its service. The press is largely owned by the privileged interests. News and publicity bureaus are organized and consciously employed for the purpose of moulding public opinion, while the press that is free is colored by the same influences. Even the universities, both those that are privately endowed as well as those that are supported by the state, the institutions for scientific research as well as the Church, the philanthropic agencies, and the learned professions, are all dependent upon those who have favors to grant. They are unconsciously coerced into an alliance with the economic interests that are dominant, just as they were in the days of feudalism, when the learned professions, the bench, the bar the Church. and the universities, were the

servitors of the ruling aristocracy. It is these agencies which make the morals and the public opinion of an age.

That the morality of an age is moulded by the interests of the ascendant class has frequently been remarked by those who were not socialists.

“Whenever there is an ascendant class,” says John Stuart Mill, “a large portion of the morality of that country emanates from its class interests and its feelings of class superiority. The morality between Spartans and Helots, between planters and negroes, between princes and subjects, between nobles and roturiers, between men and women has been, for the most part, the creation of these class interests and feelings.”<sup>1</sup>

And the ideas of right and wrong in America are essentially the ideals of the privileged class. The current conceptions of liberty and of duty, of obedience and of reverence, of submission and contentment have been implanted in our minds by these influences. So are our ideas of crime. It is not so much that the rich offender is not as rigorously prosecuted as are the poor for the same offence. It is the absence of a moral code or penal statutes directed against the offences of the ascendant class that stamps the ethics of to-day as class ethics. We can see this in the criminal codes of our states. Crimes against property are relatively more serious

<sup>1</sup> Essay on “Liberty.”

than crimes against the person, while crimes against the state, and especially crimes against society, are scarcely provided for at all. Thus the criminal code of New York provides a *maximum* sentence of ten years' imprisonment for criminal assault with intent to kill or commit a felony, and a *minimum* sentence of ten years' imprisonment for first degree burglary. The minimum punishment for rape and for manslaughter in the first degree is twenty years' imprisonment, while for arson it is forty years' imprisonment. The abandonment of a child under six years of age is punishable by a maximum sentence of seven years' imprisonment, while the sale of impure food, even though it may poison a whole community, is only a misdemeanor, and the violation of laws for the protection of railway workers from death and accident is punishable only by a fine of \$500.

The offences of the ascendant class against those who are dependent upon them, or for a breach of trust to the many, are but mildly punished. Certain kinds of fraud by the directors and officers of a bank by which thousands of depositors may be robbed of their savings are punishable by imprisonment for but one year and a fine of \$500, or both; while a corporation which commits an offence which would be a felony were it committed by an individual may only be fined, and then not in excess of \$5,000.

The same class instinct characterizes the Federal law. Bribery of a member of Congress is punishable by three years' imprisonment; while the counterfeiter of a coin may be sentenced to ten years of hard labor. Moonshine or illicit distilling by the poor whites of the South to defraud the revenue is ruthlessly pursued; while smuggling, which is an offence of the richer class, and for the same motive, is practically ignored. All of the power of the National Government is turned against him who rifles a mail-bag; while he who rifles a nation of a million-acre estate is unmolested in his theft, and even more rarely punished for it.

When it comes to the administration of the law, the disproportion is even more conspicuous. Our penal institutions are filled with minor offenders who, in the great majority of instances, have been driven to the commission of some petty offence by industrial conditions over which they have no control. In the police courts of our cities men and women are committed to the workhouse at the rate of a score every hour, and are started on a career of vice and crime which destroys every chance of recovery, and in many instances leads inevitably to the penitentiary.

The corrupt alderman who accepts a bribe is shunned by all men, and his prosecution is vigorously supported by public opinion and reform organizations, while he who gives the bribe is often

fêted by his associates, and the prosecuting attorney who would indict him as a criminal is treated as a social pariah.<sup>1</sup> While he who *innocently* buys a stolen horse gets no better title than the thief, he who *knowingly* buys a stolen franchise is protected by the courts in his grant. Jacob Sharp and his associates were sent to Sing Sing for corrupt connection with the Broadway Street Railway franchise in New York; but the franchise itself was upheld, even though the title was known to be tainted with fraud.

The same class ethics appear in the proceedings against the railways and industrial combinations, and the land and timber thieves of the West. These offences involve hundreds of millions of dollars. They are knowingly committed against a sovereign state. Their number runs into the tens of thousands. Yet there have been rare imprisonments of the offenders, and but few fines collected. Anti-trust laws and laws against rebates and discriminations are still openly ignored. The orders of the Interstate Commerce Commission are contemptuously violated, while mine operators and manufacturers refuse to obey the laws for the protection of their employees.<sup>2</sup>

<sup>1</sup> For examples of evidence of this class-conscious morality see the contemporary accounts of the graft prosecutions in St. Louis and San Francisco and the attitude of the press and public opinion toward Folk and Heney.

<sup>2</sup> Within the last year the case of the United States against the Standard Oil Company for violation of the statutes directed against

It is not alone that these offences are committed. It is the acquiescence on the part of the public in their commission that stamps the ethics of the day as those of a class. We do not protest against the crimes of the business world, certainly not as we protest against the offences of organized labor or of those who violate the excise laws of the state. The offences of the former do not fall within the present day ethical code, neither do they violate the public opinion which makes that code. But the same public opinion rings with outraged morality at the action of the Western Federation of Miners, the boycott of an "unfair" house, or the criticism of a decision of the courts by the representatives of organized labor. It is aroused to frenzy over the tyranny of the closed shop, but not over the tyrannies of the closed corporation.

It demands as a sacred and inviolable right the freedom of the non-union man to work where he will, irrespective of organized labor, but denies in the same breath the sacred and inviolable right of the same man to buy or sell in the markets of the world irrespective of organized capital, unionized by the tariff. Privilege compares the dilatory criminal proceedings of the American courts with the expeditious punishment of offenders in England,

rebates was dismissed by the courts, while the officers of the American Federation of Labor were committed to jail for alleged violation of a court order.

but makes no reference to the prolonged delay in the payment of franchise taxes by the corporations of New York city or the litigation over the eighty-cent gas legislation in that state. It is silent about the endless litigation over every petty order of the Interstate Commerce Commission, the statutes of our states, or the exhausting policy adopted to resist the payment of personal injury claims by the corporations. It identifies itself with agitation to close the saloon and to punish petty vice, but betrays no interest in any movement to discover the cause of these evils or to control the privileged interests which lie back of their existence.

How, it may be asked, does all this accord with the recent activity of the state and the nation against the big business interests? As a matter of fact, there comes a time in the evolution of class morality when the very excesses of the dominant class must be checked in order to preserve the class. And an examination of the recent legislation against corporate abuses will show that it is designed for the protection of the ascendant class rather than the destruction of its privileges. The worst offenders must be held in check. Monopoly must be regulated or it will be destroyed; the railways must abandon discrimination if they would check the movement for government ownership. The more far-sighted owners of the franchise corporations have approved of the creation of state commissions for

the same purpose, just as the brewers and distillers have drafted model license laws to check the movement for prohibition. Such restrictive legislation is designed to save the institution, by the creation of a legal code which will restrain the irresponsible offender. By these means the public will be diverted from the fact that the institution itself is wrong, to the idea that it is the occasional offender who is at fault.

The same sinister influence exercises its power over the agencies of public opinion. It tempers the pulpit and the university. It limits discussion to other than vital questions. The abuses of the business world, and the wrongs of humanity, are excluded from investigation. Preferment is closed to those who look too closely into the cause of existing conditions. The daily press is even more openly controlled. Editorial discussion is for the most part commonplace, while the news columns are made to mirror the will of the counting-room. News and telegraphic agencies are controlled with the same end in view, while at Washington and in the capitals of our states subsidized news and plate-matter bureaus are maintained which feed the rural papers with matter favorable to the interests which support them.

The metropolitan press as well as that of the larger inland cities is largely owned by the franchise corporations or other interests, or is subjected to

such pressure through its advertising patrons that it is muzzled. This fact is admitted by many editors who deplore it. The Philadelphia *North American* asserts that the press of America is no longer to be trusted. It says:

“The influence for real, patriotic, right thinking exerted by the daily newspapers of America was dwindling almost to the degree of degeneracy. . . . The world’s strongest people are sinking into subserviency to a sordid power, only because the people were being served by a press that was worse than subsidized, a press that had become enslaved. . . . The predatory interests were not slow to estimate how easily they could control certain newspapers by the granting or the withdrawal of profits. From the allotment of official printing in the cities to the appointment of an able and, therefore, a dangerous man in the town to be postmaster, by grace, of a corrupt state machine, the system has been the same.

“Debauchery has come from many an angle. The same bankers, suppliant to Wall Street, are the ones from whom favors were asked by newspaper managers, cramped financially, to keep pace with modern development. Volumes instead of brief comment could be written concerning pressure brought to bear by railroads, the liquor traffic, the poisoners of food and medicines, the promoters of swindling mining and other stock schemes.

“But two things above all others stand out as factors in the lessening of the influence of the daily press: The first is the purchase of newspapers by rich men utterly destitute of any comprehension of the right function of journalism. Jay Gould failed

in his attempt at this sort of prostitution of public opinion. From Huntingdon in California, to Morgan and Belmont in New York, and from 'Fingy' Connors in Buffalo, to Oliver in Pittsburg, we have only too many proofs that the plan now succeeds."

It is by ownership, by advertising coercion, by the distribution of official printing, by the control of the news agencies, but most of all by the coercive power of the banks, to which the newspaper of the day must go, that the making of news as well as the public opinion which emanates from the press has passed into the hands of the predatory class. They not only make or mar the career of political leaders who are inimical to privilege, they distort and color the facts which take place. As the *North American* says, when the newspaper ceased to be an agency of enlightened public opinion a new agency arose to take its place. The weekly and monthly magazine has become the tribune of fearless speech.

And just as the economic interests of the ascendant class mould the ethics of an age, so the same economic interests mould our outlook on the past. History is written by men from the same class which makes the public opinion of to-day. Their standards of right and wrong are those of the class to which they belong. It is for this reason that history is blind, just as are the law and contemporary opinion, to the crimes which have been committed against hu-

manity. The eye of research is closed to the great social forces which underlie the decay of nations and the destruction of liberty by the aggressions of the privileged orders. We read the chronicles of Greece, of Rome, of Spain, or of Great Britain almost in vain for any guidance in the solution of the menacing problems which confront the twentieth century. Like the science of political economy, history stops short at the interpretation of social movements. The science of history awaits some great mind like that of Darwin to construct from out the neglected records of the past the evolution of the economic foundations of society. When that has been done we shall see that the great crimes of history, like those of the present day, are not those upon which the historian dwells. The great crimes across the face of Christendom are those which have enjoyed every sanction which the law could give. They were envired, just as they are to-day, with every approval which respect could add. They were achieved so quietly that the voice of protest was stilled. Yet the effects of these crimes linger on from generation to generation, even from century to century.

When we see history in its real perspective, it will be apparent that the great crimes of every age have been committed through legislation. They will be found carefully written upon the statute books of the age. They are the crimes of an ascendant class in control of the government, making use of that

control for the impoverishment of their peoples. When history is so written, we shall see that the servitude, the poverty, the famines, and the ruthless destruction of peoples is the product of law. We need not go back to the Roman senate, to the privileged orders in France, to the crimes against Ireland by the landlords of England, for proof of this statement. Confirmation may be found in the law-made crimes of America, as well as of Europe, to-day. For law is the handmaiden of absolutism just as it is of freedom, of endless wars as well as of peace, of slavery as well as of liberty, of decadence as well as of splendor. Through privileges created by law untold millions have died of starvation. Through privileges created by law untold millions are suffering from starvation and disease in America to-day. Through class-made law civilization has been set back centuries in its growth, while liberty, the liberty that involves the economic as well as the political freedom of the individual, has all but disappeared from the face of the Western world.