

On Rules, Subsidiarity, and on Beyond Trump

By Carl Nelson

“I got tossed out of the pool yesterday,” I said to my wife, as a starter to a bit of conversation I intended to have.

“Oh, you’re making friends everywhere,” she noted.

Never nonplussed, because I knew this was going to be an uphill conversation, I continued on because there was a point I was going to make. It was about rules, and their avoidably constrictive nature when used inappropriately, and about how they often become the signage of the hidebound mind, and toolbox the calcified organization. Quite a bit of baggage to unpack, there, you see. And all of this because my wife, who tends to come down on the side of convention whenever challenged, and I, often differ in this regard as to how rules should be enforced... or whether rules are even needed. I continued on.

But first a sidebar:

(It occurred to me that if you wonder why Americans will so easily surrender their freedoms for some small benefit (something like the Indians selling Manhattan for a bag of Dutch Guilders worth \$24.00) – you should examine how many of their rights homeowners will sign away in an HOA agreement in order that their neighbors are forced to mow their yard regularly, or to monitor their dandelion count. It’s ghastly, actually. In fact, I feel this so, that whenever I see a car parked in a front yard or up on blocks in the driveway upon which it seems repairs have stalled in my neighborhood – I see a free flag waving. “Go ahead,” I say. “And leave a pile of beer cans in the yard, too. Defend our liberties (to live poorly and err)!”



So I was doing my balance and flexibility exercises (something my wife had insisted upon) at the shallow end of the larger group pool after finishing doing my half mile in the lap section. The water aerobics class – full of mostly women waving sponge noodles and

sponge weights, (while putting a not-negligible portion of their efforts into being supportive of each other's efforts) – was using the other half or so. I was quietly going through my routine while supported by one hand on the pool wall, when the lifeguard walked all the way around the pool from the other end to inform me that I couldn't be in that portion of the pool while the aerobics class was in session.

My routine takes about twenty minutes, when I finish and leave. I've been doing this for several years. This was the first time someone had made it an issue.

I argued my case with the 'life guard'. "I'm way down here. They are way up there. There's no way I am interfering in whatever it is that they do."

"It's the rules that others can't be in this part of the pool while the water aerobics class is in session."

"Even when it bothers nobody?"

"If I allow you to do it, then others would want to also," she

said.

There was nobody else around to “want to”.

If I had thought of it at the time, I would have rebutted: “Well then, why can’t you wait to invoke the rule until others actually do this? (Because, to date, that hasn’t happened.)”

The more general, ‘global’, observation I wanted to make to my wife was that rules can either solve problems – or they can create them. In this example, I went on to say, we had no problem. No one was inconvenienced by my use of a small peripheral portion of the pool. But by invoking the rule, a problem was created. That is, I was denied joint use now – and forever after apparently.

It seems likely that the rule was probably created so that the class would not be disrupted by free swimmers using the same portion of the pool while the class was running. If, when this happened, the disruptive swimmers were told of the rule and instructed to leave, then the rule would have solved a problem.

“But without a problem to solve, the life guard’s invoking of the rule only created one,” I summarized. “For me, granted. But this is the point I was trying to make.”

‘And making friends everywhere,’ my wife’s glance noted.

Unless it’s my wife causing the disruption, she generally doesn’t like them. Granted, she’s not alone here. But it does prick my indignation, as her attitude seems to be the default nowadays.

For another example, we often eat breakfast out at the Omelet Shop, off I-50 east of Parkersburg. The clientele is fairly pure hill country, the breakfast offerings hearty fare, and the waitresses brisk but with an welcome to their home kitchen table sensibility. A problem recently on our most recent visit

though was the overhead music... some generic, wall-of-sound, mediocre pop casserole of emotive notes with all the requisite vocals and instruments. It was fill in noise; what you'd hear if you recruited your music like day laborers. In short, it just interfered. It added nothing. So, I asked the waitress if they could turn the sound down or off?

My wife thought I was being troublesome. My son, who works in a restaurant, said that the music belonged to the ambience and was the province of the owner to set; that customers shouldn't have a say. I didn't ask him if this was also true of the food's taste and whether it must be cooked thoroughly, and whether or not the table was clean, and etc, etc...? I just made my request. Usually, I get blown off anyway. (This wasn't my first rodeo.)

But, lo and behold, a bit later we noticed that the music had indeed been turned off. I could now hear the chatter of other customers, the waitresses, and the cooks working the grill behind the counter. I could hear the clatter of the utensils, plates, cup and dishes. The local charm had reasserted itself. My wife and son and I had a relaxed conversation. We all clearly liked this absence of nonsensical music much better. They even agreed that it was much nicer.

Nevertheless, my wife made me thank the waitress for acceding to my request.

I did, but it seemed a rather upside down way of looking at things. Since I had made things better, shouldn't the waitress have thanked me?

Actually, she did, somewhat. She responded to my courtesy, by replying that sometimes the musical tunes varied in both their volume and musicality, and that some could come on a bit too strong.

In our post-modern world, transgressive acts such as loud music, loud TVs, and just disturbances of the peace in general

are countenanced – but to ask that they stop is classed by many as rudeness, or even tyrannical? It seems topsy turvy. Nevertheless, the majority of people won't support objections to whatever the default position appears to be.

I'm reminded of the news story from decades past about the Murder of Kitty Genovese. The New York Times of the period reported that there were thirty-eight eyewitnesses who either saw or heard the attack but did nothing. Research since has indicated this was not entirely the case. But that, "In 1964, reporters at a competing news organization discovered that the *Times* article was inconsistent with the facts, but they were unwilling at the time to challenge *Times* editor [Abe Rosenthal](#)." – Wikipedia Which rather makes the case for the phenomenon they are tending to dismiss.

Why is all this so?

The answer seems not to have much to do with conjugality, nor tolerance, nor obeying the social graces, woke qualities, or just not making waves" – as it does with the exercise of raw power. Surely in today's woke political climate it is all too obvious that the social currency is raw power, as evidenced by the rampant bullying – and not the sugar and spice they pretend to traffic in.

My wife and son seemed to feel I was rather daft, not understanding that in regards to where I was coming from, I was a person of little power – and that I should comport myself as such and conform.

I'm reminded of an incident I was once a party to in a bar.

Years ago, I was in a small corner tavern in Seattle having a beer with a fellow I had just met. He was a rather volatile, opinionated fellow but we were getting along fine while having an animated discussion about something or other while my companion was trying hard to nail his point. All the while this drunk, who had settled himself to the other side of my

friend, seemed envious of our lively time and sought to insert himself with one daft remark after another.

My gabbing companion brushed his first few intrusions off with a few variations on "f*ck off". But on the third interruption to his increasingly finely wrought philosophical exegesis, my companion grabbed the drunk by his shirtfront, heaved him up and off the stool and flung him onto the floor, where the surprised drunk slide some distance before gliding to a stop.

I was surprised as hell too. I hadn't realized that my companion had quite that short a fuse to a fairly violent streak. But before I could react, the bartender had leapt over the counter before the drunk could right himself for a return engagement, and pitched him from the pub.

Again, I was surprised.

I had figured I would lose my acquaintance for causing a violence. Instead, it was the reverse.

But I learned something that evening: They don't throw out the instigator of a confrontation, they toss out the loser.

So, I think things are currently topsy-turvy in this life, and the reasons the rules are pitched against us is because we have lost the power of our agency. If we truly want to get back to a society based on subsidiarity – where the decisions are made at the lowest practical level, (that is, by the individual citizen) – we are going to have to use our own elbows. And we're going to have to push our way right back in. We men are going to have to start doing the hard work right where we live. And perhaps toss a few fuzzy gendered scofflaws from off their barstools in the process.

We have gotten ourselves pitched from the bar of life, because we have proxied our agency to higher-ups. And power is something people (especially those higher-ups) don't give back. You have to take it back. It's not going to be enough to

“vote them in (or out)”, to outsource, and/or to let some third party accomplish.

To quote Harrison Butker, champion place kicker: “To the gentlemen here today... Be unapologetic in your masculinity...”

Author’s note: In keeping with the philosophy of subsidiarity, I endeavor to build my essays on examples from my own experience. And this can sometimes make it personal – for everyone involved. But perhaps that’s the core of subsidiarity: “skin in the game” and all that.