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# Laissez-Faire and the Chinese Persecutions in San Francisco

by Thomas Jacobsen

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Many historians of America's "gilded age" seem to believe that an attitude of laissez-faire predominated in the government of the period. As one historian has written, in the late nineteenth century, although "the problems arising out of the recurrent industrial crises and depressions of the period demanded vigorous government action laissez-faire prevailed and most Americans regarded government intervention as unnecessary, unjust, and even immoral."<sup>1</sup> Of course, it is easy enough to point to the contradiction between laissez-faire and the national government's subsidies for the railroads and tariffs for certain industries, actions which may well have contributed, as Henry George and others have argued, to the economic dislocations precipitating industrial crises and depressions. The purpose here, however, is to measure the degree of laissez-faire in the affairs of municipal government rather than national government. In San Francisco, the municipality given most consideration here, the Chinese problem dominated the politics and government of the 1870's and 1880's. And it is with San Francisco's response to the Chinese problem, and the implications of that response for laissez-faire and municipal government action in general, that this paper concerns itself.

Coming to California in the 1850's and 1860's, the Chinese at first worked primarily in the mines and on the transcontinental railroad. By 1870, however, with the railroad completed and with many Chinese barred from mining by law or intimidation, the greatest portion of the Chinese lived in San Francisco. There they concentrated themselves into an area called "Chinatown" by white San Franciscans. In China town shoe, cigar, and clothing manufactures flourished alongside laundry and culinary operations; and white workers, many of whom were

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<sup>1</sup> Vincent P. DeSantis, "The Republican Party Revisited, 1877-1897," H. Wayne Morgan, ed., *The Gilded Age: A Reappraisal* (Syracuse, New York: Syracuse University Press, 1963), pp. 95-6.

left unemployed in the wake of the completion of the railroad, began to view Chinatown and its cheap manufactures as the cause of economic hard times.

Anti-Chinese demonstrations of July and August, 1870, spurred the board of supervisors to enact what was called the cubic air ordinance. The ordinance required each dwelling unit to provide at least five hundred cubic feet of air per person, and it was vigorously enforced in Chinatown, especially in 1873. In that year the board added ordinances to ban the carrying of baskets suspended by poles, the transporting of the dead to China, and the wearing of the queue, the "pig-tail" worn by Chinese, the latter two of which, however, were vetoed by the mayor.<sup>2</sup>

Anti-Chinese agitation in San Francisco intensified after 1879, when Isaac S. Kalloch of the Workingmen's Party became the new mayor. The Workingmen's Party stood for the elimination of Chinese labor. Mayor Kalloch wasted no time enforcing new state laws prohibiting aliens from receiving commercial fishing licenses, and he signed a new city ordinance requiring laundries to be one-story brick or stone buildings with metal roofs.<sup>3</sup> Kalloch himself journeyed to Sacramento to facilitate the passage of a bill to compel corporations to discharge Chinese laborers. Unfortunately for the Workingmen, the Supreme Court declared many of their laws and ordinances unconstitutional and the board of supervisors, which was controlled by conservative-minded Republicans, voted down many of Kalloch's proposals.

In 1880, Kalloch reintroduced the tactic, first employed in 1854, of launching an investigation, under the auspices of the board of health, into the sanitary conditions of Chinatown.<sup>4</sup> Subsequent administrations would adopt the tactic and use it again and again to secure the support of labor.

The motive behind Kalloch's and subsequent investigations of China town was quite clear; it was to rid the city of Chinese labor. In a pamphlet entitled "Chinatown Declared a Nuisance!", the Working men demanded the expulsion of the Chinese in the interest of health and sanitation. The worst crime the Anti-Chinese Council could uncover was that the Chinese manufactured in the "filthiest holes imaginable."<sup>5</sup> During the 1882 movement to boycott Chinese-made shoes, the leader of the group of anti-Chinese manufacturers declared that the cubic air ordinance and other sanitary laws had to be "rigidly enforced under the greatest penalty until they (the Chinese) shall live more like white people."<sup>6</sup> Supervisor Willard B. Farwell, in his

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<sup>2</sup> "Mary Roberts Coolidge, *Chinese Immigration* (New York: H. Holt and Company, 1909), pp. 254-64; Lucille Eaves, *A History of California Labor Legislation, with an Introductory of the San Francisco Labor Movement* (Berkeley, California: The University Press, 1910), pp. 142-3.

<sup>3</sup> Elmer Clarence Sandmeyer, *The Anti-Chinese Movement in California* (Urbana, Illinois: University of Illinois Press, 1939), pp. 73-6. IM. M.[arion Marberry, *The Golden Voice: A Biography of Isaac Kalloch* (New York: Farrar, Straus and Company, 1947), pp. 281-4, 331, and 343.

<sup>4</sup> M. M.[arion] Marberry, *The Golden Voice: A Biography of Isaac Kalloch* (New York: Farrar, Straus and Company, 1947), pp. 281-4, 331, and 343.

<sup>5</sup> Investigating Committee of the Anti-Chinese Council, "Chinatown Declared a Nuisance!" March 10, 1880 (pamphlet).

<sup>6</sup> *San Francisco Journal of Commerce*, June 22, 1882.

report of 1885, argued that the best way to keep the Chinese out of San Francisco and to drive those already there out of the city would be to enact municipal laws to “enforce upon the heathen a cost of living that shall approach as nearly as possible that of the ordinary white laborer.” That is, the Chinaman could not be allowed to enjoy *laissez-faire*, but had to be forced to live like a white man. Thus, Farwell, as had the Workingmen, recommended the vigorous enforcement of the cubic air and sanitary ordinances, and the passage of new ordinances to restrict prostitution and the use of Chinese theatres.<sup>7</sup>

Ironically enough, not only the manufacturers and workers of San Francisco but also the altruistic social reformer from New York, Jacob Riis, advocated government action to force Chinese to live like “white people.” Riis conceded that the Chinese distinguished themselves by their scrupulous neatness and that Chinatown, New York, ranked above the rest of the city in cleanliness.<sup>8</sup> But, although the Oriental above all demanded only “to be let alone” (*laissez-faire*), he could not be allowed this, the social reformer decided. Aside from their economic influence, the “exclusiveness and reserve” of the Chinese made them “a constant and terrible menace to society.” Riis concluded that “the severest official scrutiny, the harshest repressive measures are justifiable in Chinatown, orderly as it appears on the surface ...”<sup>9</sup> In other words, Riis, as well as the workingmen and manufacturers of San Francisco, subscribed to the philosophy that government should exist, not to protect individuals from outside force, but to initiate force itself, to make the non-conformist conform to the majority's economic and moral values. (By government action, Riis meant government action consistent with his own system of morality. But what if other forces held the reins of government?)

In San Francisco, labor and business interests dictated government action with respect to the Chinese. The sanitary laws there were enacted and enforced, not for the good of society, but for the benefit of white workers and manufacturers. As election time approached in San Francisco, the board of supervisors, fully aware that the vast majority of voters were white workers, would routinely investigate Chinatown and oppress the Chinese with newer and more stringent ordinances. Ordinances against prostitution and gambling, enforced in Chinatown, went unenforced in white neighborhoods. During the campaign of 1885, the board conducted an investigation of Chinatown and drafted a report detailing cases of filth and lawlessness. The supervisors at the same time could not account for the relative absence of disease in the Chinese quarter, so they attributed the immunity to the smoking of opium.<sup>10</sup> For good measure, the board cracked down on cubic air ordinance violations by sentencing them to hard labor or public

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<sup>7</sup> Willard B. Farwell, *The Chinese at Home and Abroad, Together with the Report of the Special Committee of the Board of Supervisors of San Francisco, on the Condition of the Chinese Quarter of That City* (San Francisco, 1885), part 2, pp. 67 and 72-73.

<sup>8</sup> Jacob Riis, *How the Other Half Lives* (New York: Hill and Wang, 1957), p. 71.

<sup>9</sup> *Ibid.*, p. 75.

<sup>10</sup> Coolidge, *Chinese Immigration*, p. 414.

projects.<sup>11</sup> Because the Chinese were "a constant and terrible menace to society" and themselves, the San Francisco government could not allow them laissez-faire.

The government of San Francisco could not allow the Chinese laissez-faire, not because the heathen manufactured inferior products dangerous to the health of the consumers, but rather because the Chinese manufactured a product comparable to the white product at a cheaper price, Supervisor Farwell admitted in his report of 1885 that Chinese labor managed "more than successful competition" for white labor in the production of clothing, cigars, and other products. The Chinese workman, he acknowledged, became adept in a short time at operating machines with the same degree of skill as the white workman. Noting that one Chinese shoe factory employed up to three hundred men and found markets as far away as Salt Lake City. Farwell concluded that the Chinese, too successful as they were, had to go."<sup>12</sup> Henry Edwards, manager of one white shoe company participating in the boycott of 1882, complained that Chinese manufacturers possessed the greater part of the home market. Through price warfare the "heathen" had monopolized the slipper market. Nevertheless, Edwards had to admit that the Chinese produced better slippers at six dollars per case than they had at eighteen dollars per case before the "monopolization". Thus, the only "crime" the Chinese had committed was producing a better product at a lower cost.<sup>13</sup>

To punish the Chinese for their "crime," white San Francisco workers and some businessmen first organized a boycott, in which "all retailers who have the least grain of public spirit" would buy no Chinese goods. The boycott failed. And then the manufacturers demanded that "legal means be devised to determine the difference of labor" between white and heathen manufacture. Even though the Chinese product may "bear every resemblance" to the white product, people "acting un-scrupulously" by "securing the cheapest from whatever source," would innocently support the Chinese, one manufacturer contended.<sup>14</sup> To accommodate San Francisco workers and manufacturers, the state legislature, at the recommendation of John Summerfield Enos, head of the State Bureau of Labor Statistics, passed a law forcing producers to stamp their output with the race of the workers involved in its production. Enos reported in 1887 that numerous Chinese, as a result of the new law, had been discharged and that the business of the Chinese manufacturers had decreased and was continuing to decrease "very rapidly."<sup>15</sup> While it may not be possible to condone the actions of the white workers and businessmen, it may be possible to understand their desperate desire for government action to protect themselves from the uncertainty and competition under laissez-faire.

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<sup>11</sup> San Francisco Board of Supervisors, *San Francisco Municipal Reports for the Fiscal Year 1884-5, Ending June 30, 1885* (San Francisco, 1885), appendix, p. 229.

<sup>12</sup> Farwell, *The Chinese at Home and Abroad*, part 2, pp. 32-4 and 67.

<sup>13</sup> *San Francisco Journal of Commerce*, June 22, 1882.

<sup>14</sup> *Ibid.*, June 8 and 22, 1882.

<sup>15</sup> John Summerfield Enos, *Second Biennial Report of the Bureau of Labor Statistics of the State of California for the Years 1885 and 1886* (Sacramento, 1887), pp. 420-1 and 442.

Even though the substitution of government oppression for laissez-faire in San Francisco was so blatant and racist, one must not conclude that among the municipalities San Francisco constituted a unique case. Government actions to eliminate the economic competition posed by immigrant groups occurred, although possibly to a lesser extent, in almost every large city. Like their brethren in San Francisco, New York cigar makers, for example, managed for a time to stifle the competition of tenement cigar makers by illuminating the immigrants' "unsanitary" working conditions and passing a "corrective" ordinance. In the same city, Italian garbage collectors succeeded in securing city ordinances restricting entry into their business.<sup>16</sup> Aided by Jane Addams and other social reformers, Chicago labor unions gained first city and then state statutes outlawing manufactures in the "unsanitary" immigrant tenements. Organized labor there, as well, promoted successfully the same kind of union label campaign conducted in San Francisco.<sup>17</sup> Once the law had become perverted, once it had been transformed from an instrument to protect individual rights into an instrument to enhance the economic well-being of whoever happened to be in the seat of government, American democracy had become ripe for corruption and bossism. To eschew prosecution under the sanitary laws, Chinese proprietors of houses of gambling and prostitution in San Francisco often bribed the appropriate protector of the people.<sup>18</sup> The same sort of protectionism thrived in other corrupt cities and became a source of income and a means of controlling votes for political machines.

Laissez-faire prevailed neither in San Francisco nor in Chicago, nor in New York, nor in the nation at large, in the "gilded age," an age when to a great extent Americans regarded government intervention as necessary, moral, and just.

Government action merely reflects the desires and prejudices of whoever occupies its offices. In San Francisco in the 1870's and 1880's, government rested in the hands of white workers and manufacturers, who used the power of government, within some bounds set by court decisions, to enact discriminatory laws and ordinances designed to evict the Chinese from the West Coast. For white workers and businessmen, the problems arising out of Chinese competition demanded "vigorous government action."

The case of the Chinese persecutions demonstrates what follows logically from the definition of laissez-faire, namely, that laissez-faire does not imply "pro-business" and, similarly, that government action does not imply action favorable to the "people" or labor. Laissez-faire means "letting people do as they choose." That is all the Chinese asked.

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<sup>16</sup> Riis, *How the Other Half Lives*, pp. 40 and 103.

<sup>17</sup> Jane Addams, *Twenty Years at Hull House* (New York: New American Library, 1938), pp. 150-5.

<sup>18</sup> Coolidge, *Chinese Immigration*, pp. 413-7.