PREDECESSORS

Gerrit Smith

A Radical Nineteenth-Century Libertarian

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Gerrit Smith (1797–1874), in his day a well-known philanthropist, publicist, orator, abolitionist, temperance advocate, social reformer, and member of Congress, has been overshadowed by some of his better-known acquaintances, such as Frederick Douglass, Harriet Tubman, Lysander Spooner, Susan B. Anthony, and John Brown. He deserves to be better known, especially by libertarians, for his radical stand in defense of liberty.

Smith was born in Utica, New York, and settled in nearby Peterboro.[1] He was the son of Peter Smith (1768–1837), a partner of John Jacob Astor, and the cousin of Elizabeth Cady Stanton (1815–1902), a pioneer of the women's rights movement. He graduated from Hamilton College in Clinton, New York, in 1818 and soon began to manage his father's vast property holdings. This activity, together with some wise business decisions, made him one of the largest landowners in New York and a very wealthy man.

He began his political career with addresses to the New York conventions that nominated DeWitt Clinton for governor (1824) and John Quincy Adams for president (1828). In 1840, he helped to organize the Liberty Party, giving the party its name. He made several unsuccessful runs for governor of New York and president of

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1. The standard biography of Smith is Harlow 1939. The library at Syracuse University maintains the Gerrit Smith Broadside and Pamphlet Collection and the Gerrit Smith Papers. New York History Net hosts the Gerrit Smith Virtual Museum.

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the United States. Although he was elected to the U.S. House of Representatives as a Free Soiler in 1852, he resigned before the end of his term. While in Congress, he attempted to restrict the government to the narrowest possible limits. He opposed military appropriations, seed grants to farmers, land grants to railroads, and internal improvements, and he supported peace and free trade with the world, as well as the privatization of the post office at home.

Smith's laissez-faire ideas probably would have been buried forever in the *Congressional Globe* had he not given a speech on April 14, 1851, in Troy, New York, which was printed as a thirty-page booklet titled *The True Office of Civil Government*. Although themes from this speech appear in Smith's earlier correspondence, his complete political philosophy is clearly set forth in the speech. From a letter to Smith reproduced on the title page, we know that four men in Troy had requested that he make the speech available in print. From an extant printer's bill, we know that he had three thousand copies printed (Harlow 1939, 255).

The speech opens with a statement as radical now as it was then:

> The legitimate action of Civil Government is very simple. Its legitimate range is very narrow. Government owes nothing to its subjects but protection. And this is a protection, not from competitions, but from crimes. It owes them no protection from the foreign farmer, or foreign manufacturer, or foreign navigator. As it owes them no other protection from each other than from the crimes of each other, so it owes them no other protection from foreigners, than from the crimes of foreigners. Nor is it from all crimes, that Government is bound to protect its subjects. It is from such only, as are committed against their persons and possessions. Ingratitude is a crime: but, as it is not of this class of crimes, Government is not to be cognizant of it (5).

Smith's statement is reminiscent of a passage written by the Anti-Federalist who called himself Philadelphiensis: "The only thing in which a government should be efficient, is to protect the *liberties, lives,* and *property* of the people governed, from foreign and domestic violence. This, and this only is what every government should do effectually. For any government to do more than this is impossible, and every one that falls short of it is defective" (qtd. in Kaminski and Saladino 1983, 351).

The radicalism of Smith's opening statement was thus no aberation. He continued in the same vein:

> No protection does Government owe to the morals of its subjects. Still less is it bound to study to promote their morals. To call on Government to increase the wealth of its subjects, or to help the progress of religion among them, or, in short, to promote any of their interests, is to call on it to do that, which it has no right to do, and which, it is probably safe to add, it has no power to do. Were Government to aim to secure to its subjects the free

> and inviolable control of their persons and property—of life and of the means of sustaining life—it would be aiming at all, that it should aim at. And its subjects, if they get this security, should feel that they need nothing more at the hands of Government to enable them to work their way well through the world. Government, in a word, is to say to its subjects: "You must do for yourselves. My only part is to defend your right to do for yourselves. You must do your own work. I will but protect you in that work" (5–6).

Smith's speech may be divided into five parts: introductory remarks; five crimes that the government perpetrates against the people; an explanation of five subjects, four of which correspond to the aforementioned crimes; an excursus on the liquor traffic; and concluding remarks. The bulk of the address is devoted to discussions of the tariff and public education.

In the rest of his introductory remarks, Smith laments the people's universal dependence on government. As a consequence of that dependence, government occupies itself "for the most part, in doing that it belongs to the people to do" (6). This excessive engagement causes the government to become unduly prominent. Yet "the people of every nation are annoyed, enthralled, debased by this meddling of Government with the people's duties" (7). To restore "the liberty, dignity, and happiness of the people" (7), Smith declares, the people must rise up and drive the government back from its meddling. Maintaining that "every work to be well done must be done by its appropriate agent" (7), he contends that any work of the people that is done by government will be done badly. He then gives four examples that are as apt now as they were then: "Whenever Government builds railroads and canals, it builds them injudiciously and wastefully. So too, whenever Government meddles with schools, it proves, that it is out of its place by the pernicious influence it exerts upon them. And to whatever extent churches are controlled by Government, to that extent are they corrupted by it" (7).

Inefficiency is not Smith's chief complaint against government meddling, however. He lays greater stress on two other objections: "One of these is—that Government, being allowed to do the work of others, fails, for this reason, to do its own work—or, in other words, being allowed to do what it should not do, it fails to do what it should do. The other of these objections is, that the doing by Government of the work of the people has the effect to degrade and dwarf the people" (7–8).

To clarify his first objection, Smith introduces five crimes that the government perpetrates against the people: protecting slavery, permitting and practicing land monopoly, taxing future generations to pay the national debt, depriving women of property and voting rights, and imposing tariffs that violate the people's right to buy and sell freely. Not only is the government engaged in these wrongs, but it is also guilty of an even greater "variety of nefarious work" (9). He reasons that because government has "been allowed to neglect, and go beyond, its own proper and good work, no effectual limits can be set to its improper and bad work" (9).

"The character of the people suffers," Smith remarks in the course of explaining his second objection, "from the meddling hand of government" (10). The people who consent to government meddling in society and business are "shrivelled in self respect and manly spirit, and are fast tending to impotence. They are the servants and hangers-on of Government. They are swallowed up by it" (10). This indictment pertains to all people "who crave the guiding and sustaining hand of Government in their farming and manufacturing; in their road-building and canal-building; in their schools and churches" (10).

The remedy for these dire conditions should be obvious: less government, and the less, the better. Yet, as Smith points out, instead of grasping the true solution, people generally clamor for more government: "When smarting under the effect of their own follies, they will, instead of manfully undertaking to retrieve themselves, invoke the help of Government" (10).

Smith then brings up four of the points he previously introduced—slavery, land monopoly, the national debt, and the tariff—about which he deems it necessary to provide a further explanation. For some unknown reason, however, he omits any further comment on women's rights and instead introduces the subject of public education.

He dispenses with the subjects of slavery and land monopoly rather quickly. Should the government forbid slavery? "Yes—as invariably and absolutely, as it forbids murder. God no more creates men to be enslaved than to be murdered. And that does not deserve the name of Civil Government, which permits its subjects to be enslaved" (11). Do all men have an equal right to the soil? "Yes—as equal as to the light and the air" (11–12). What follows about land monopoly is the most unsatisfactory part of Smith's speech, but it can perhaps be understood, if not accepted, given that Smith was living in a predominately agrarian society.

In amplification of his earlier comments on the national debt, Smith raises an important point about war that remains relevant today:

> We are told, that a national debt is incurred in carrying on patriotic wars. To this we reply that wars, which the people, who are carrying them on, believe to be just, they are willing to pay for: and that, therefore, every generation may, reasonably, be expected, and required, to pay for its own wars. Far fewer would be wars, if they, who wage them, had to pay for them. Had President Polk sent round the hat for contributions to carry on the Mexican war, the sum total would have been insufficient to pay for one volley. His noisiest partizans and the most bloated patriots would have cast in not more than sixpence apiece. They loved the war; but they would have others pay for it. They delighted in the entertainment; since it was to be left to others to bear the expense of it. (13)

Smith likewise has no sympathy with the incurring of national debts to pay for

internal improvements. If a single generation could not build and pay for an Erie Canal "then, let one generation build it as far West as Utica; and the next extend it to Rochester; and the next to Buffalo" (14). But "let Government have no part in building it—let not Government be the owner of it, or of any canal, or of any railroad" (14). Government ownership is, among other things, a corrupting influence and occasions too much legislation. Smith concludes that national debts lead to a vast increase of governmental power, and he observes that if "the power of Government is to be kept within due limits, the nation must be kept out of debt" (15).

The tariff question was of central concern to many Americans in the period leading up to the War Between the States. Smith had strong feelings about tariffs, which he condemned as a government crime against the people. If the decision were his to make, he "would not have a Custom-House on the face of the earth" (15).

Smith begins his discussion of the "inhumanity and irreligion of Tariffs" with a simple example: "Would I send a barrel of flour to the starving family of my Canadian brother? Would he send a roll of cloth to my freezing family? The arresting, by an individual, of this mutual beneficence would be held by all to be very criminal. But the arresting of it by Government is surely no less criminal" (16).

Although Smith attacks tariffs because they fall disproportionately on the poor, he condemns them even more because he believes that if people were taxed directly, they would be much less tolerant of the amount that the government takes from them. How much less tolerant would they be? So much less that Smith believes the government take would be drastically reduced: "We now pay, even in time of peace, thirty millions a year to defray the expenses of the General Government. Let its expenses, however, be defrayed by direct taxes, and the thirty millions would be brought down to three" (17). That reduction is a 90 percent decrease. But what about during wartime? Won't the government need more money to prosecute the war? Smith says exactly the opposite. The government will not need any additional revenue in wartime because "when direct taxes shall have come into the place of Tariff-taxes, and the expenses of war shall, as well as other national expenses, have to be met by direct taxes, there will, probably, be no war" (17). Smith prefers direct to indirect taxation for a simple reason: "Never, never, will there be an honest or frugal Government, until it is sustained by direct taxation:—for never, never, will the people be duly watchful of the conduct of Government, until the cost of Government shall be directly felt by them" (17).

The longest section of Smith's speech is devoted to a topic he never mentions as one of the crimes the government perpetrates against the people—public education. He certainly believes that public education is in fact one of these crimes, but he gives no indication as to why he omits further discussion of the government's crimes against women and instead substitutes this lengthy discussion of public education. The material here calls to mind similar, more recent discussions, such as Murray Rothbard's *Education: Free and Compulsory* (1999) and Sheldon Richman's *Separating School & State* (1994).

Although Smith acknowledges that "in this country, nearly every person admits, that Government should not have aught to do with churches" (18), he notes that some believe that government should have something to do with schools. He, in contrast, maintains that government should have nothing to do with schools—absolutely nothing. He views the compelling of people to support public schools as "a no less offensive invasion, of the rights of conscience and of the liberty of religion, than is the compelled support of churches" (24). He considers compulsory public education to constitute a form of slavery, maintaining that people would be better off without a single government school.

A substantial reason Smith gives for rejecting government schools relates to religion: "In our esteem, the school is, in its true character, as fully identified with religion, as is the church: and, hence, when Government interferes with the school, it makes itself, in our esteem, as obnoxious to the charge of meddling with religion, as when it interferes with the church" (24). Smith considers an education to be not only worthless, but "positively and frightfully pernicious, which does not include religion; which is not, at every step of its progress, blended with religion, and identical with religion, and designed to promote religion" (18). Because "our school-years constitute that impressible period of life, which is far more hopeful than any or all after years to the plastic hand of the religious teacher," the school should be "the place to get religion" (18). Smith calls public education an "infidel system" because "it contemplates but the toleration, instead of the inculcation, of religion:—and, what is more, it will not even tolerate any other than a conventional and nominal religion. What positive and earnest religion there is among the people of a school district must, so far as the school is concerned, be held in abeyance" (19–20).

But what would happen to children if they were not compelled to attend school? Would they not roam the streets and get into trouble? Smith thinks they would not:

> A popular argument for Government or district schools is, that they are a cheap police. I admit, that good schools are. And so are good churches. Why, then, should not Government take upon itself the care of the churches, as well as of the schools? And since good family-government is, also, a cheap police, and a thousand fold more important to this end than either schools or churches, or both put together, why should not Government take under its supervision our family affairs also? In this cheap-police plea for Government schools, there is, at least, one thing taken for granted, which should not be. It is, that without the help of Government, there would not be schools, or, at least, not so many: whereas the probability is, that, were there no interference of Government, our schools would not only be better than they now are, but quite as numerous also (20–21).

What about the children of the poor? How will they be educated without a free public education courtesy of the taxpayers? Smith replies: "Let them do anything

rather than hang upon Government for an education—for an education, which, because it is Governmental, is emasculated of all positive, earnest, hearty religion—for an education, in which, because it is Governmental, the substance of morality is exchanged for the show of morality—and in which what is honest and uncompromising and robust and manly in character is made to give place to pusillanimity, effeminacy, calculation, baseness" (21).

Although Smith believes that "if Government will protect its subjects in their natural and absolute right to personal liberty, and to the soil, and to buy and sell where they please, and to choose their civil rulers—there will be but few poor" (23), he for the sake of argument raises and answers the question about what can be done if the poor were tenfold greater in number than they are now. He maintains that "private benevolence would, nevertheless, make abundant educational provision for them" (23). To prove his point, he returns once again to religion. "The voluntary principle is found to be sufficient in the case of churches. Why should it be distrusted in the case of schools?" (23–24).

While on the subject of the education of the poor, Smith digresses and brings up the issue of charity and the poor. Not only is he "totally opposed to charity at the hands of Government," but he does not suppose that "there would be much occasion for it, were Government to do its part toward a right construction of society" (25). If people must beg,

> let them beg, not of Government, but of one another. Let them never consent to gather into groups of mendicants around the almsgiving hand of Government. It is the gifts of Government, which bribe the people into acquiescence in the loss of their rights—of the very rights, which Government is bound to maintain, but of which it has robbed them—or suffered others to rob them. What is worse, these gifts to the people have the power to blind the people to their loss. They are robbed, without knowing, that they are robbed (26).

To those who argue that "the best way to defend Government for undertaking to educate the children of the poor is, on the ground, that this is a slight return for its robberies of the poor," Smith replies: "The highwayman does, sometimes, compound with his conscience by giving back enough of the spoil to furnish his victim with a supper, or a night's lodging. But better than all such generosity of the Government and the highwayman would be their ceasing from their robberies" (25–26).

Smith also asks and answers the question of why "the great mass of the people in this land are ready to make, and uphold laws for chasing down and enslaving the poor" (22). He maintains that they do so "because they were taught no better in their childhood. It is because they were cursed with a compromising education" (22).

He returns to the subject of religion in his closing remarks on education, raising the issue of separation of church and state. After pointing out that the American people rightly condemn the union of church and state as one of "the greatest of all evils," he remarks that "every admitted interference of Government with the duties and business of the people, is a step toward its union with the church, since every such interference prepares the way for another" (26). Moreover, because once the government gets into "the sanctuary of the people's business and interests," "no limits can be set to its meddling and mischief" (27). Nowadays, we would simply say that intervention begets intervention.

In his concluding remarks, Smith returns to his opening theme: "I close with saying, that the work of Civil Government is not so much to take care of its subjects, as to leave them in circumstances, in which they may take care of themselves:—and not so much to govern its subjects, as to leave them free to govern themselves. Civil Government is to hold a shield over the heads of its subjects, beneath which they may, in safety from one another, and from all others, pursue their respective callings, and discharge their respective duties" (29–30). A government that confines itself to this strictly limited role is "a blessing above all praise"; a government that does otherwise is "a curse and a monster, which deserves to be hated with all our hatred, and resisted at every hazard" (30).

Smith's design for government confines it strictly to activities aimed at the protection of the citizens' rights to life, liberty, and property. But if such a design be implemented, how will the various "public goods" be provided?

> Perhaps, it will be asked, whether Government, under my definition of its province, would be at liberty to carry the mail; build asylums; improve harbors; and build light-houses? I answer, that nothing of all this is, necessarily, the work of Government. The mail can be carried, as well without, as with, the help of Government. Some of the best and most extensive asylums in our country are those with which Government has nothing to do. And the interest and humanity of individuals and communities might be relied on to improve harbors and build light-houses, as well as to keep bridges and roads in repair (29).

Thus, Gerrit Smith's address on the true office of civil government, delivered more than 150 years ago, demonstrates to modern libertarians that they have another heretofore unheralded predecessor, a radical who recognized fully the follies of government intervention and the dangers of government power. A government that meets Smith's standards may still be too big to satisfy some contemporary libertarians; alongside the current monstrous government, however, it appears to be severely limited indeed.

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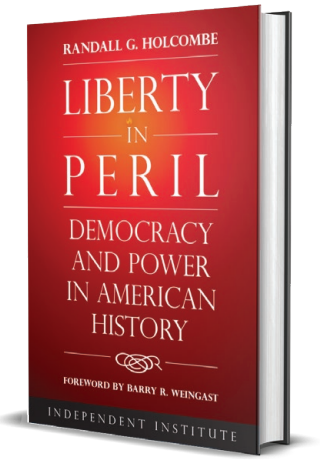

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