Born in England, **Thomas Paine** (1737–1809) worked as a maker of stays, storekeeper, customs inspector, and schoolteacher before moving to Philadelphia in 1774. He quickly acquired a reputation as a journalist and his enormously successful and influential pamphlet *Common Sense* (1776) caused an immediate sensation. After the American Revolution, he agitated for political change in Europe. To honor him for defending the French Revolution in *Rights of Man*, the French made him a citizen and elected him to their constitutional convention.

Sidney Hook (1902–89) was born in Brooklyn, New York, and received his B.S. degree from the City College of New York and his M.A. and Ph.D. from Columbia University, where he studied under John Dewey. He chaired the department of philosophy at New York University and headed the graduate department from 1948 to 1970. He then became a senior research fellow at the Hoover Institution on War, Revolution, and Peace at Stanford University in California. The author of numerous books, including *Revolution, Reform, and Social Justice*, he received the Presidential Medal of Freedom in 1985.

Jack Fruchtman Jr. is professor of political science and director of the program in law and American civilization at Maryland's Towson University. The author of four books, including *Thomas Paine and the Religion of Nature* (1993) and *Thomas Paine: Apostle of Freedom* (1994), he has edited, annotated, or coedited three others. His work on historical figures other than Paine has focused on Richard Price, Joseph Priestley, Thomas Reid, Helen Maria

CONTENTS

FOREWORD

With his wide-ranging interests in politics, society, and religion as well as science and technology, Thomas Paine was the most colorful and successful pamphleteer in the age of the American and French Revolutions. Arguably America's first "bestseller," *Common Sense* sold as many as 150,000 copies and the *Rights of Man* well into the hundreds of thousands, but Paine never earned a penny from their extraordinary sales. Often reprinted in England, they were also translated into French, Dutch, Russian, and many other European languages. His writing was as fiery as it was earthy. A master wordsmith, Paine wrote directly to plain people, not to monarchs, aristocrats, or the wealthy. He wanted to persuade his readers of their human rights and democratic equality, and he wanted them to abandon the discredited ideas of hereditary rule, rank, and privilege.

Yet this bestselling author had no formal training as a writer. Nor did he have sufficient schooling to be a philosopher. We remember him today as a crusading journalist who gave birth to several familiar slogans that we associate with his turbulent era: "we have it in our power to begin the world over again," "the birthday of a new world is at hand," and "these are the times that try men's souls." Most vividly, he gave life to the phrase that we typically associate with the eighteenth-century Enlightenment: "the Age of Reason." Even in our own time, American politicians (including presidents of the United States), journalists, and teachers use Paine's words to amplify and give authority to their

own ideas.

Friends and Enemies

Paine had many friends and many enemies. He was a lightning rod who attracted either grand praise or shocked anger. When he was with those he liked and respected, even if he was gruff and unpolished, he could be polite and courteous. He loved to spend time in taverns, where he told stories, usually about men in politics, and sang songs. More important, he debated current issues with his friends while eating a plate of oysters and drinking his fair share of Madeira or beer.

Born in Thetford, England, in 1737, Paine spent his first thirty-seven years as a man in quest of a mission. Wandering from his hometown to London and throughout the English Midlands, he searched for a profession that would be both lucrative and satisfying. He first tried and failed to follow his father's trade of making stays for women's corsets. He also tried to teach in a grammar school, but gave it up after a few months. His two marriages both ended in failure: his first wife died in childbirth, and he and his second wife separated shortly after the dry goods store her father owned went bankrupt under Paine's management. He served on two occasions as an excise tax collector, but he was dismissed both times: once for allowing goods to pass through without collecting the tax and once for leaving his post to advocate before Parliament an increase in the wages of his fellow tax

collectors. This plea to Parliament, though filled with facts about the rough and dangerous life that the taxmen faced, was ignored. While it became his first major piece of writing, it was not printed until 1793, twenty-one years after he wrote it.

These experiences throughout the English countryside shaped his thinking about life, politics, and society. He lived for a while in Lewes, where he was elected to the town council, whose meetings were held in the White Hart Inn, where decisions were made, drinks and food passed around, and debate ongoing.

It was on one of his trips to London, when he met Benjamin Franklin, the American colonial agent for Pennsylvania, that his life dramatically changed. Despite his modest birth and common-man pleasures, Paine traveled from then on in the highest intellectual and social circles in America, England, and France. Soon Franklin, his closest friend and greatest mentor, was taking him to his favorite inn, where his Club of Honest Whigs met to wine and dine and discuss the great political, social, and scientific issues of the day. There, Paine met several political radicals such as Richard Price and Joseph Priestley, who demanded the total reform of the English government.

When Paine finally immigrated to America in the fall of 1774, he carried with him a letter of introduction from Franklin, who himself returned to Philadelphia the following year.

As a writer and editor for the monthly *Pennsylvania Magazine*, Paine was soon recognized as the man who could best express the reasons for America's separation from Britain. In drafting *Common Sense*, he was assisted not only by Franklin but also by the renowned physician and republican writer Dr. Benjamin Rush;

David Rittenhouse, the astronomer, who noted the transit of Venus; and the Boston firebrand Samuel Adams. Though published anonymously (most people thought that Franklin or John Adams had written it), the pamphlet was soon identified with the newly arrived Thomas Paine. George Washington, Thomas Jefferson, and many others praised it.

But not everyone agreed. *Common Sense* argued for American independence, just as Rush, Franklin, and Sam Adams desired. But it did so in such charged language that some American leaders thought it went too far. John Adams wrote a blistering response in his *Thoughts on Government*. In a letter to James Warren, Adams wrote that "'Common Sense'...will do more Mischief.... He is a keen Writer but very ignorant of the Science of Government." Franklin's Tory son, William, then serving as the royal governor of New Jersey, was appalled by "the inflammatory Pamphlet in which the horrid Measure [of independence] is strongly and artfully recommended." Another writer, James Chalmers, despised Paine because he had disputed the English Constitution, "the pride and envy of all mankind."

Still, when regarded from a more modern perspective, *Common Sense* was the January heat of 1776 that balanced the July light of Thomas Jefferson's Declaration of Independence. It might even be said that while Jefferson's abstract diction justified rebellion, Paine's explosive words got rebel men and muskets into the field.

So when Paine finally sailed from America in 1787, he left behind a new country, a trail of friends, and a host of enemies. His reason for leaving his "adopted country," as he called it, was to promote his design of an iron bridge without piers to replace

wooden bridges that broke apart during the winter months when their piers stood in icy waters. Although his design was heartily approved by both the Royal Society of London and the Royal Academy of Sciences in Paris, the bridge was never built. In the meantime, Paine became deeply involved in European politics two years later with the outbreak of the French Revolution. The first part of his *Rights of Man* (1791) responded directly to Edmund Burke's great work condemning the French Revolution.

Paine and Burke had become close friends just after Paine's return to England. Paine had long admired the member of Parliament from Bristol for his strong defense of the Americans during the revolutionary crisis in the 1770s. Burke thought the Americans had a right to independence if they wanted it, especially because separation would bring no changes to the historic structure of the British government. The two men had even traveled together throughout England, inspecting various ironworks for Paine's bridge project. But after 1790 these friends became implacable enemies and never spoke to each other again.

Paine's *Rights of Man* was a sharp refutation of Burke's *Reflections on the Revolution in France*: as Burke defended tradition, church, and aristocracy, Paine attacked them with the weapons of innovation, free thought, and democracy.

Meantime, Paine's English radical friends in the London Corresponding Society, who demanded political reform of the English government, and his French revolutionary colleagues in the Jacobin Club all extolled his ideas. Richard Brinsley Sheridan, a famous playwright and member of Parliament, defended them. The leader of the ill-fated 1798 Irish Rebellion, Edward Lord

Fitzgerald, was so profoundly moved that he traveled to Paris to meet the great man.

While living in Paris, Paine was watched by English spies, who reported back to the British ministry. By the end of 1792, the English government, tired of Paine's unyielding attacks, tried and convicted him in absentia for treason. It dared him to return to England. If captured, he faced imprisonment or, worse, the gallows. But his troubles were not solely with the English.

At the time of his trial, the French Revolution fell into the Reign of Terror. Its leaders, Robespierre and Saint-Just, saw enemies and traitors all around them. France was at war against all of Europe, including England, after the execution of King Louis XVI in January 1793. Meanwhile, uprisings against the revolutionary regime opened a new front, a civil war within France itself. Soon thousands were arrested, some accused of nothing more than refusing to wear the *bonnet rouge*, the revolutionary red cap. Hundreds faced the guillotine.

In December, Paine himself was arrested for simply being English, although he considered himself an American. Confined to the Luxembourg Prison (a former palace and today the home of the French senate), he languished in fear for his life for more than a year. He wrote the American ambassador, Gouverneur Morris, the only foreign diplomat to remain in France during the Terror, begging for help. But Morris, who hated Paine as much as Adams did for his extreme, fiery language, caustically wrote that he hoped that Paine "may see [his own dim future] in the fate" of those already executed.

Finally released from prison after the fall of the Jacobins and

the end of the Terror, Paine wrote an open letter to President George Washington, still the most famous, most popular man in America, criticizing him for failing to help him. He claimed that he had done as much as any man to further the goals of the Americans in combating the British during the Revolutionary War and had deserved the president's assistance. After the letter appeared in print in America, most newspaper editorials supported the president and condemned Paine. A friend to America, Paine now had a continent full of new American enemies.

At last, Paine's longtime friend Thomas Jefferson, whom he had known from the early days of the American Revolution, was elected president in 1800. Two years later, he sent a ship to France to pick up his old comrade. Paine returned to America and lived the rest of his life railing against enemies like John Adams and Gouverneur Morris. He died in New York City in 1809.

Politics and Society

Thomas Paine's political agenda was as controversial as his personality. Some scholars have correctly seen him as the great advocate of American independence and human rights. But most overlook the most important part of his message. While separation from England was certainly a key to understanding *Common Sense*, and the title of his work *Rights of Man* clearly tells us that he despised any attempt to limit our rights and liberties, Paine went further. He was so sickened by the misery, poverty, and

degradation caused by hereditary rank and privilege that he championed revolution not only in America, but worldwide.

We can see this as early as *Common Sense* (1776) just by his language. While he certainly condemns the English government's mistreatment of the American colonies and even refers to King George III as "the Brute of Britain," "Savage," and "Pharaoh," he has bigger game in his sights. The world was ruled by monarchies, and monarchies had to be destroyed. Aristocracies deserved the same fate because, like monarchies, they were based on heredity. Not only the English king, but all kings everywhere were useless. "In England a king hath little more to do than to make war and give away places; which in plain terms is to impoverish a nation and set it together by the ears. A pretty business indeed for a man to be allowed eight hundred thousand sterling for a year, and worshiped into the bargain" (p. 21). Surely a fine condemnation of George III, but he does not stop there. Immediately, he launches into a universal assault that goes beyond England: "Of more worth is one honest man to society and in the sight of God, than *all the crowned ruffians that ever lived*" [emphasis added](p. 21).

We have seen how his critic James Chalmers attacked Paine for denouncing the English Constitution. Paine was mild in his *Common Sense* attack compared to what he would say in the *Rights of Man*. In *Common Sense*, he had argued that the division of power among King, Lords, and Commons was hardly defensible: the King and Lords were two ancient tyrannies that dominated the Commons. In answering Burke, he argued that while the British might talk about their great and "happy" constitution that divided power between an executive and two legislative branches, "[the] continual use of

the word *Constitution* in the English Parliament shews there is none; and that the whole is merely a form of Government without a Constitution, and constituting itself with what powers it pleases. As long as England had no *written* document, no one can rightly argue that England ever had a constitution" (pp. 239–40).

Paine's philosophical objective was a government that truly respects and protects human rights. One practical way to achieve it, he thought, was by instituting a freely elected single-house legislature. Like his mentor, Franklin, who had argued for a unicameral Pennsylvania assembly, Paine believed that such a national legislature would more easily avoid divisiveness and be more answerable to the people, the true source of government.

For Paine, ridding the world of kings and aristocrats was the only way to advance the cause of human rights. Edmund Burke attacked the French Revolution because it was based solely on abstract rights. He believed that reform came as a long, slow historical evolution of political and social institutions. To uproot them in the name of human rights undermined hundreds of years of custom and history. Institutions lasted because they worked.

Paine's counterargument to Burke was the most famous of some forty-five published responses: "It requires but a very small glance of thought to perceive that altho' laws made in one generation often continue in force through succeeding generations, yet that they continue to derive their force from the consent of the living" (p. 141). This was Paine's famous reiteration of Jefferson's principle that the earth belonged to the living. Any attempt by one generation to bind the next—to rule from the grave—was the moral and political equivalent of despotism. Kings and

members of Parliament had no authority to bind anyone except themselves. "I smile to myself when I contemplate the ridiculous insignificance into which literature and all the sciences would sink, were they made hereditary," he mused, "and I carry the same idea into Governments" (p. 284).

Rights and liberties were the essence of a person's humanity. Every person is born with them because they came into being "under the auspices of [their] Creator." They were the "illuminating and divine principle of the equal rights of man" (p. 167) and they were the same for all human beings regardless of their social or economic status. Once a government becomes so tyrannical that these rights no longer exist, "a Nation has at all times an inherent, indefeasible right to abolish" (p. 252) that government and set up a new one.

At the same time, to help those citizens caught in the wellspring of poverty, he proposed in the second part of the *Rights of Man* (1792) a series of social welfare programs, such as monetary assistance for the poor, young married couples, children, and the elderly. He even suggested that public money should be set aside to pay for the funerals of those who could not afford them. In his last great work, *Agrarian Justice* (1797), he went even further to argue that the government should create a special fund from high inheritance taxes to pay for public assistance.

Paine ended his *Rights of Man* by extolling the two major revolutions of his time. He expected that all the other European nations would soon follow: "To use a trite expression, the iron is hot all over Europe. The insulted German and the enslaved Spaniard, the Russ and the Pole, are beginning to think. The

present age will hereafter merit to be called the Age of Reason, and the present generation will appear to the future as the Adam of a new world" (p. 344). Soon, even South America would create independent republics. No less than world revolution would reform the entire world in this new and advanced era.

Religion

If revolution was the main part of Thomas Paine's agenda, what are we to make of his reference to the Creator in the origins of human rights or to the criticism he faced when he returned to America as being anti-Christian? Enemies like John Adams and Gouverneur Morris and even his old friend Sam Adams condemned him for being a "nonbeliever." Morris declined to help Paine while he was imprisoned in the Luxembourg because he thought that Paine "amuses himself with publishing a pamphlet against Jesus Christ."

In fact, this pamphlet was another two-volume work, *The Age of Reason* (1794–95), in which Paine explained in some detail and with great bravado and irreverence his hatred of organized religion. He was careful to attack only churches, not God, but even so, John Adams characterized him as "profligate and impious." Although baptized in the Church of England, Paine followed his father's religion and became a Quaker (a member of the Society of Friends), though on his own terms. He was attracted by the inner-light spirituality of the Friends and their belief that every person

possessed a divine spark that impelled him to do good for all people, but he firmly rejected their pacifism, especially when he chose to support American efforts to fight the British.

As a Quaker, Paine announced his belief in God and an afterlife in the opening lines of *The Age of Reason*. Even more important, he was certain that God chose some men in particular to perform good works. In the *Rights of Man*, for example, he revealed that he thought he was such a man: "For my own part," he wrote in this work,

> I am fully satisfied that what I am now doing, with an endeavour to conciliate mankind, to render their condition happy, to unite Nations that have hitherto been enemies, and to extirpate the horrid practice of war, and break the chains of slavery and oppression, is acceptable in his [God's] sight; and being the best service I can perform I act it cheerfully. (p. 348)

Soon after the publication of the second part of the *Rights of Man*, a major shift in his religious beliefs occurred that took him from the Quakerism of his father to the Deism of Franklin, Jefferson, Voltaire, and many of the other great names of the century. When this transition occurred is impossible to trace because he never said. He may not even have noticed it himself. Perhaps he became a Deist when he first wrote about religion in the first part of *The Age of Reason*. (He had told John Adams in 1776 that someday he would do so, but "it will be best to postpone it to the latter part of life.")

As a Deist and a republican writer and activist, Paine believed that religious beliefs had to be reasonable and that God had given human beings control over their lives to perform good deeds. Paine believed that a truly religious man need not belong to a church or even attend religious services. He now gave up as absurd his belief that he had been God's chosen instrument to lead the world to revolution. A man was his own instrument. A man must devote his life, as he had, to performing good works and leave the world a better place than he found it. His writings display his dedication to the principle that people everywhere would see that rights and liberty form the very foundation of human life and that no person should ever willingly relinquish them without a fierce struggle. By his rational analysis of God, government, and society, Thomas Paine personified the Age of Reason.

—Jack Fruchtman Jr.

INTRODUCTION

I

Thomas Paine lived in a blaze of political glory and died in relative obscurity. His philosophy inspired two of the greatest revolutions in human history—the American Revolution and the French Revolution. In gratitude both the United States and France bestowed great honor as well as citizenship upon him. Yet his memory has been dimmed in the first nation, and all but forgotten in the second. If any man is entitled to be called the Father of American Independence, it is Thomas Paine, whose *Common Sense* stated the case for freedom from England's rule with a logic and a passion that roused the public opinion of the Colonies to a white heat. Just as essential in preserving the cause of independence was the series of pamphlets, *The American Crisis,* published to sustain the morale of Washington's army and the patriotic cause in the darkest days of the conflict. The first of them, written on a drumhead by the flickering light of a campfire during Washington's retreat before greatly superior forces, with its ringing opening sentence: "These are the times that try men's souls," galvanized the soldiers before whom it was read, at Washington's orders, into spirited and successful resistance and counterattack.

Paine's pamphlet *Rights of Man* brought him international fame —but in England, where his earlier works had been forgiven after

the recognition of American sovereignty, only infamy. Written as a reply to *Reflections on the Revolution in France,* by Edmund Burke—whom Paine had regarded as "a friend of mankind" because of his defense of the American cause—it presented the severest indictment of hereditary monarchy and privilege that had ever been penned until that time. In consequence he was elected a deputy to the French National Convention. He was the chief, if not the sole author—Condorcet was a collaborator—of the *Declaration of the Rights of Man and of the Citizen,* which Burke vehemently attacked.

In virtue of his devotion to the provisions of that declaration, Paine opposed the incipient terrorist practices of the French revolutionists and courageously pleaded against the proposed execution of Louis XVI and Marie Antoinette. On Robespierre's orders he was arrested and jailed. Although some of his American friends intervened on his behalf, the French authorities refused to recognize his American citizenship or to release him. By a lucky chance he escaped the guillotine—his cell had been improperly marked. After Robespierre's downfall he was released and restored to his post in the Convention, but by this time he had become disillusioned by the fanaticism and extremism that had betrayed the rights of man he had so zealously defended against Burke's animadversions.

It was during the days immediately preceding his arrest, when Paine was convinced that he would be sacrificed on the bloody altars of the Jacobins, that he composed the first part of *The Age of Reason.* The action and its significance can be compared to Condorcet's composition of his great work on *The Outlines of the*

*Progress of the Human Spirit** as he lay hiding from those who had come to execute him in the name of human progress. In a letter to Samuel Adams in 1803 Paine relates the dramatic circumstances under which he wrote the first part of *The Age of Reason:*

> My friends were falling as fast as the guillotine could cut their heads off, and I every day expected the same fate...I appeared to myself to be on the death-bed, for death was on every side of me, and I had no time to lose.

By one of the greatest ironies in intellectual history, this work —which Paine in a dedicatory epistle put under the protection of "My Fellow Citizens of the United States of America" as he slipped the manuscript to a friend under the eyes of his captors and which he wrote to combat the atheism and infidelity of the French revolutionists—became the cause of his unpopularity in the only country he adopted as his own. Never was there so gross and inexcusable an act of historical ingratitude as that suffered by Thomas Paine at the hands of his former comrades-in-arms on the occasion of his second visit to America.

The irony was all the greater because Thomas Paine's *Age of Reason* expressed the religious faith of the great architects of the American Revolution—of philosopher-statesmen like Thomas Jefferson, Benjamin Franklin, John Adams, and others. It was an impassioned plea for Deism and the religion of reason, and a criticism of the literal reading of the Old and the New Testament, a criticism which grounded orthodoxy in primitive superstition and sublimated violence and lust. Paine was a man of naive but moving

natural piety. He had already proclaimed in *Rights of Man,* while contending that religion was a private matter, that *"every religion is good that teaches man to be good,"* but in his *Age of Reason* he made quite explicit his fervent belief in the existence of God and the immortality of the soul. Paine had underestimated the hold that institutional religion had on the belief and behavior of the American people even though religion was not a part of the legal establishment as it was in England. His experience in America was to teach him that religious intolerance does not disappear merely because religion is disestablished. Although he loved America, he did not understand her very well and overlooked the fact that for most of his countrymen religious tolerance at that time did not flow from conviction—as was the case for Jefferson and his circle—but from the plurality of religious sects, no one of which was strong enough to crush the others.

At any rate when Theodore Roosevelt, to his lasting discredit, referred to Thomas Paine, without having read him, as "a filthy little atheist," he was slandering someone whose belief in the traditional doctrines of the existence of a Supreme Power and the immortality of the Soul was much more unqualified than the belief of two thinkers who have been characterized as the leading Protestant theologians of the twentieth century—Paul Tillich and Reinhold Niebuhr.

II

Thomas Paine was a typical figure of the Enlightenment. He was not a profound thinker but a remarkable popularizer whose gift

for bold and graphic expression made him a natural pamphleteer. It was the cause of American independence that drew him into politics and his pen onto paper. Although he firmly believed that the American colonists had right on their side, it was not merely as an American or in behalf of narrow American interests that he threw himself so completely into the struggle, but as a free man, a cosmopolitan citizen of the world, who was convinced that when he struck a blow for freedom in America he was doing so for England and France or wherever arbitrary authority ruled. "My principle is universal. My attachment is to all the world, and not to any particular part, and if what I advance is right—no matter where or who it comes from."

What was the source of his principle? Theoretically, it stemmed from his ambiguous doctrine of natural rights. Psychologically, it was rooted in the man himself—proud and sensitive, simple yet dignified—who turned aside a fortune by refusing to profit a penny from any of the pamphlets that he wrote. The excesses of his style flowed from a hatred "of cruel men and cruel measures." He was a compassionate and modest person, prepared to risk his life in action, who sought no compensation or rewards except the goodwill and good judgment of his fellowmen.

Of all his writings only his *Rights of Man* remains topical, and relevant to contemporary concerns. It is not a profound work. Paine answers Burke brilliantly and effectively but does not do justice to the subtleties of Burke's position. And although he properly defines human rights, he offers little by way of justification for them.

Insofar as Burke attacked the French Revolution on the

grounds that it opposed the principle of hereditary succession, undermined the authority of the past, discarded hereditary rights, and scorned hereditary wisdom, Paine is on solid ground in revealing the insufficiency and arbitrariness of Burke's position. He emphasizes that every people has a right to govern itself and that it can set up any regime, republican or monarchical, to which it delegates power. Actually Burke admits that this is a right which the people of England and of other countries once had. But—and with this we reach the nub of the difference between Burke and Paine—for Burke, once this choice was made—as the English Parliament had made it in 1688—any further right to change was forsworn: "The English *nation* did, at the time of the Revolution, most solemnly renounce and abdicate it, for themselves, and for *all their posterity, forever.*" Burke has no difficulty in citing the official documents of the past in which Parliament claims "to bind" the nation and its posterity to perpetual fealty.

Paine has no difficulty in showing that Burke confuses right by delegation with the right by assumption, "that of binding and controlling posterity to the end of time." He is most eloquent in repudiating the claim of authority based on anything but consent. This was the principle already expressed in the Declaration of Independence:

> Every age and generation must be as free to act for itself, *in all* cases, as the ages and generation which preceded it. The vanity and presumption of governing beyond the grave, is the most ridiculous and insolent of all tyrannies.

Both in his defense of government by consent and in his repudiation of the tyranny of the past, Paine invokes the rights of man. It is his discussion of the rights of man that gives Paine's work its perennial importance, for the implicit or explicit appeal to human rights underlies every large movement of human protest in history, and we can be confident that it will continue to be so in the future.

Paine's analysis of human rights was not undertaken as a theoretical exercise but delivered in the course of the polemical defense of a revolution in which he had great hope and whose excesses he was prepared to condemn as vigorously as most of its critics. We must therefore not look for precision in his language but sympathetically enter into the intent of his thought. His discussion may most fruitfully be considered under three heads: (1) What are human rights or natural rights? (2) What is their origin? (3) What is their objective justification?

Paine is at his best in identifying and defining human or natural rights. They are "those which appertain to man in right of his existence. Of this kind are all the intellectual rights, or rights of the mind, and also all those rights of acting as an individual for his own comfort and happiness, which are not injurious to the natural rights of others." This is obviously circular. What Paine clearly means is that a natural right is a moral claim to the exercise of certain human powers and to the enjoyment of certain goods. It is a claim against all men and governments. Civil rights are natural rights that appertain to man in virtue of his being a member of society. They are moral claims individuals recognize as necessary to safeguard and to implement more effectively their natural

rights. "The rights of men in society are neither divisible nor transferable, nor annihilable, but are discardible only." Human beings can forgo asserting their rights. They may, in extreme cases, even voluntarily enslave themselves to others. But if they do, they do not extinguish their rights, which they or others may subsequently reclaim for them, and above all, they do not extinguish the natural rights of their posterity. "If the present generation, or any other, are disposed to be slaves, it does not lessen the right of the succeeding generation to be free: wrongs cannot have a legal descent."

From whence come these rights? Strictly speaking this is an illegitimate question which Paine should not have asked. For if rights are natural, coeval with the existence of man as such, they have no origin. Paine asks the question because he is following Burke, for whom rights are always special or partial, historical, and limited. Paine has no difficulty in exposing the arbitrariness and invalidity of the view that any human being or beings, whether a tyrant or a tyrannical corporation, has the authority to endow human beings with rights. Trace human rights back as far as you wish and you will discover that human beings already had them, or, if they were denied by a king or bishop, that they should have had them. No one can grant human rights to human beings, who already possess them once we classify them as men. History is irrelevant. If we undertake historical excursions, then we must go beyond antiquity to the beginning of man, "when man came from the hand of his Maker."

The natural rights of man according to Paine derive from the *equality* and *unity of man,* by which he means:

> ...that men are all of *one degree,* and consequently that all men are born equal, and with equal natural rights, in the same manner as if posterity had been continued by *creation* instead of *generation;* and consequently every child born into the world must be considered as deriving its existence from God. The world is as new to him as it was to the first man that existed, and his natural right in it is of the same kind.

Two things must be said about Paine's attempt to justify the rights of man. On the basis of his own theory, a religious justification is superfluous. God may have created man in his own image, but the rights of man do not depend on that creation. If the rights of man are also possessed by God, they would be divine and man would not possess them. If men as such have them in virtue of their being men, this would be unaffected by the existence or nonexistence of God.

Nor are the rights of man logically justified because all men are equal in the sight of the Lord. Men could all be recognized as equal in the sight of the Lord but not before the Law. The inference from one to the other is not logical. The strength of Burke's position appears in his repudiation of any religious, logical, or metaphysical justification of human rights. For Burke "government is a contrivance of human wisdom," and the "rights of man" are the reasonable claims that men make when they choose between goods and between evils, when they make decisions concerning the better when goods conflict, or decisions concerning the lesser evil when choice is limited to alternatives *both* of which are evil. To Paine this is tantamount to saying that government is ruled by no

principle and that it is the expression of arbitrary power.

Paine is unjust to Burke's position on this point, for even if one holds that the natural rights of man are absolute, the conflict of rights is an inescapable fact of moral and political experience. In the end our wisdom must decide which rights are to be given priority and emphasis. Where Burke erred—and here Paine's criticism is completely warranted—is in ascribing a kind of hereditary wisdom to hereditary political and social rights. But, as Paine caustically argues, "...it is impossible to make wisdom hereditary...that cannot be a wise contrivance, which in its operation may commit the government of a nation to the wisdom of an idiot."

Once the question is posed not as, What is natural to man? but as, What is reasonable for man? questions of origin become largely irrelevant. What man *is now* and what he is likely *to become,* and not what he originally was, are pertinent in considering what he *should do* and how he should live now. Contemporary human needs and wants, not hereditary forms, are focal for Paine. Society is described as the set of institutions that enables men to gratify their needs and wants. Like Jefferson, whom he strongly influenced, Paine felt that government, whose scope should be restricted merely to state power, was an intrusion into society, unfortunately made necessary by violations of the moral duties men owed to each other. Both Paine and Jefferson underestimated the role of government in strengthening the social institutions required to gratify contemporary human needs and wants. The state of England was such, however, that Paine at the close of his *Rights of Man* proposes that the government undertake measures

for the amelioration of distress—which entitles him to be considered almost despite himself a forerunner of the Welfare State. In his views on land rent and agrarian justice, shortly afterward, he strikingly anticipates the doctrines of Henry George.

This inconsistency in Paine is a tribute to his sense of compassion for human suffering, but it reveals a political naiveté, probably strengthened by his reading of Rousseau, that blinded him to the realities not only of American life but of life in modern society. For him it is not the absence of government which is anomalous and must be explained, but its presence. "The instant formal government is abolished," he writes, "society begins to act." In the absence of formal government, Paine relies upon the diversity of human needs and the necessity of reciprocal help to gratify them to provide the bonds that hold society together. He assumes that these bonds must be harmonious and ignores the possibility that the social bonds themselves may reflect not only dependence of some upon others but exploitation and enslavement. The unconscious assumption is that until government interferes with its operations, society can be considered as one great happy family capable of resolving its disputes without establishing governments and states. "The more perfect civilization is, the less occasion has it for government, because the more does it regulate its own affairs, and govern itself." The tumults and riots that afflict society, in Paine's view, are the consequence not of absence of government but of its presence. How is this possible if, as Paine admits, poverty and unhappiness are the ultimate source of social disorder? "Whatever the apparent cause of any riots may be, the real one is always want

of happiness." His reply is that even here government is at fault because poverty is caused by excessive and inequitable taxation. Presumably, under an equitable tax-system there would be no poverty or social distress. Aside from the dubious economics involved, this overlooks the obvious fact that a tax system cannot be enforced without the existence of a government. Paine cites the instance of America as a community which suffered from excessive government under the British, yet carried on without difficulty when the authority of government was destroyed during the War of Independence. It is quite clear, however, that the subsequent development of the United States could never have taken place under the aegis of a *laissez-faire* regime such as Paine favored.

III

It may be instructive to examine Thomas Paine's position on some special questions of topical importance such as the right to revolution, civil disobedience, and the limits of dissent. Since the legitimacy of government rests upon the freely given consent of the governed, any government that is imposed upon the people by conquest or fraud or usurpation, no matter how benevolent its intention or beneficial its rule, is *morally* illegitimate. The people have a moral right—"the simple voice of nature and reason"—to overthrow it and to act on that right whenever their discretion and judgment deem it wise to do so. For basically—in a logical if not a historical sense—all men are legislators. "In this first parliament every man by natural right has a seat."

The actual making and enforcing of laws cannot be done by

society at large. For that we need government. But what kind of government men should have, what kind of constitution should be adopted, modified, or amended, is a subject always before a country *as a matter of right.* This leaves men free to discuss and advocate any system of government they please, provided its establishment rests upon the free consent of their fellows and is not imposed upon them by dictators or would-be saviors. Paine rather optimistically believed that if monarchy and aristocracy were to be judged by their fruits in experience mankind would reject them in favor of republican regimes. Meanwhile, men must be free to say, to read, and to print what they think about existing governments and to make any proposals to change or modify them without let or hindrance by civil authority. Such rights "cannot without invading the general rights of the country, be made subjects for prosecution."

Paine grounds the ultimate authority of government in "a convention of the whole nation fairly elected." But why trust the decision to such a convention, why risk the danger that prejudice and passion will triumph and the convention of the whole nation degenerate into a mob? Paine's answer is the answer of an optimistic democrat to the pessimistic Plato, who is convinced that the generality of mankind is too unintelligent and/or too vicious to be entrusted with the power of self-government. Paine believes that prejudice is the result of moral ignorance. "No man is prejudiced in favor of a thing, knowing it to be wrong." Once prejudices are compelled to face the test and challenge of reason, they will give way. This faith in the power of reason to affect prejudice reflects the assumptions of the Enlightenment. It is

oversimple in that it does not understand the springs of action—which, often concealed and obscure, flow from vested personal and social interest, vanity, ambition, and sheer love of power. Less weak is Paine's retort to those who hold that a people is unfit for freedom because men are afflicted with some natural depravity. Even if this were so, it would be better to trust the many than the few, who are also infected with the plague of self-interest and selfishness. Although Paine's arguments can be developed to a point where they possess considerable validity, he really begs the question in his defense of the natural virtue of man, uncorrupted by customary prejudices.

Once we start from the premise that the only right or justified government is one based on consent, all is smooth sailing. Revolutions then are justified because they restore to men the power of choice. But once the mechanisms by which popular sovereignty expresses itself have been established, then—within the provision that men's natural rights—the rights to speech, press, and assembly—be scrupulously preserved—there is no longer a right to forcible revolution. That is why Paine opposed not only the royalist conspiracies to overthrow the French Republic but the conspiracy of Babeuf. He agreed with Babeuf that it was a serious flaw to limit suffrage in any way, but he denounced him because instead of "seeking a remedy by legitimate and constitutional means" he sought to establish "a directorship usurped by violence." This crucial point is overlooked by those who assume that the Boston Tea Party is a precedent for similar action when one encounters a bad or iniquitous law. For Paine, the Boston Tea Party and the resort to revolution was justified only

because there were no means by which grievances could peacefully be redressed. The crimes of tyranny are a standing justification for resistance. But where tyranny has been replaced by government based on consent, then although such government may enact measures that are unjust, so long as criticism and the right to dissent are not abridged, so long as means exist to repeal or amend them, they should be obeyed. For if one's private judgment becomes the sole arbiter of what should be obeyed or not obeyed, good laws as well as bad laws will be undermined.

> I have always held it an opinion (making it also my practice) that it is better to obey a bad law, making use at the same time of every argument to show its errors and procure its repeal, than forcibly to violate it; because the precedent of breaking a bad law might weaken the force, and lead to a discretionary violation of those which are good.

In this connection, it is interesting to note that Paine, whose own antecedents were Quakers, speaks very harshly of the Quakers in and around Philadelphia. The Quakers were not required by the newly independent State, in its struggle for survival against England, to engage in any action contrary to the spirit of their religion. Paine severely castigates them for advising their members to resist the American authorities in carrying out their tasks of defense against British aggression, and for actions which made them in his eyes "three-quarter Tories." In terms of our own times, Paine was zealous in defending civil disobedience if it meant refusal to do what strained a man's religious conscience. But he

condemned actions that, under the plea of conscience, interfered with the prosecution of the war for freedom and independence. The Quakers could refuse on grounds of conscience to bear arms in any war under any circumstances, but to the extent that they prevented others from bearing arms, according to Paine, they were insofar forth guilty of treason.

IV

Thomas Paine has not yet received his due measure of homage from the peoples and nations of the world whose aspirations he expressed with such force and clarity. His passion for human freedom shines through everything he wrote. An autodidact, he acquired sufficient knowledge of literature and science to make him one of the company of the immortals of the Enlightenment. Like Franklin and Jefferson he was an inventor, the first one to create a working model of an iron bridge. He was a true cosmopolitan who felt that he was personally engaged wherever injustice was committed or freedom denied. He was the great phrasemaker of his age, and his complete sincerity and dedication to the cause of human dignity and freedom were evident in the details of his daily life.

To most Americans Paine has been seen through a mist thrown up around him by the confluence of different streams of thought. It is safe to predict, however, that if he is read, these mists will vanish, and the man and his thought emerge in clearer and sharper focus as one of the great figures in American political thought.

—Sidney Hook

COMMON SENSE

1776

INTRODUCTION

Perhaps the sentiments contained in the following pages, are not *yet* sufficiently fashionable to procure them general favor; a long habit of not thinking a thing *wrong,* gives it a superficial appearance of being *right,* and raises at first a formidable outcry in defence of custom. But the tumult soon subsides. Time makes more converts than reason.

As a long and violent abuse of power, is generally the Means of calling the right of it in question (and in Matters too which might never have been thought of, had not the Sufferers been aggravated into the inquiry) and as the King of England hath undertaken in his *own Right,* to support the Parliament in what he calls *Theirs,* and as the good people of this country are grievously oppressed by the combination, they have an undoubted privilege to inquire into the pretensions of both, and equally to reject the usurpation of either.

In the following sheets, the author hath studiously avoided every thing which is personal among ourselves. Compliments as well as censure to individuals make no part thereof. The wise, and the worthy, need not the triumph of a pamphlet; and those whose sentiments are injudicious, or unfriendly, will cease of themselves unless too much pains are bestowed upon their conversion.

The cause of America is in a great measure the cause of all mankind. Many circumstances hath, and will arise, which are not local, but universal, and through which the principles of all Lovers of Mankind are affected, and in the Event of which, their

Affections are interested. The laying a Country desolate with Fire and Sword, declaring War against the natural rights of all Mankind, and extirpating the Defenders thereof from the Face of the Earth, is the Concern of every Man to whom Nature hath given the Power of feeling; of which Class, regardless of Party Censure, is the

AUTHOR.

P. S. The Publication of this new Edition hath been delayed, with a View of taking notice (had it been necessary) of any Attempt to refute the Doctrine of Independance: As no Answer hath yet appeared, it is now presumed that none will, the Time needful for getting such a Performance ready for the Public being considerably past.

Who the Author of this Production is, is wholly unnecessary to the Public, as the Object for Attention is the *Doctrine itself,* not the *Man.* Yet it may not be unnecessary to say, That he is unconnected with any Party, and under no sort of Influence public or private, but the influence of reason and principle.

Philadelphia, February 14, 1776

Of the origin and design of government in general. With concise remarks on the English constitution

Some writers have so confounded society with government, as to leave little or no distinction between them; whereas they are not

only different, but have different origins. Society is produced by our wants, and government by our wickedness; the former promotes our happiness *positively* by uniting our affections, the latter *negatively* by restraining our vices. The one encourages intercourse, the other creates distinctions. The first is a patron, the last a punisher.

Society in every state is a blessing, but government even in its best state is but a necessary evil; in its worst state an intolerable one; for when we suffer, or are exposed to the same miseries *by a government,* which we might expect in a country *without government,* our calamity is heightened by reflecting that we furnish the means by which we suffer. Government, like dress, is the badge of lost innocence; the palaces of kings are built on the ruins of the bowers of paradise. For were the impulses of conscience clear, uniform, and irresistibly obeyed, man would need no other lawgiver; but that not being the case, he finds it necessary to surrender up a part of his property to furnish means for the protection of the rest; and this he is induced to do by the same prudence which in every other case advises him out of two evils to choose the least. *Wherefore,* security being the true design and end of government, it unanswerably follows, that whatever *form* thereof appears most likely to ensure it to us, with the least expence and greatest benefit, is preferable to all others.

In order to gain a clear and just idea of the design and end of government, let us suppose a small number of persons settled in some sequestered part of the earth, unconnected with the rest, they will then represent the first peopling of any country, or of the world. In this state of natural liberty, society will be their first

thought. A thousand motives will excite them thereto, the strength of one man is so unequal to his wants, and his mind so unfitted for perpetual solitude, that he is soon obliged to seek assistance and relief of another, who in his turn requires the same. Four or five united would be able to raise a tolerable dwelling in the midst of a wilderness, but *one* man might labour out the common period of life without accomplishing any thing; when he had felled his timber he could not remove it, nor erect it after it was removed; hunger in the mean time would urge him from his work, and every different want call him a different way. Disease, nay even misfortune would be death, for though neither might be mortal, yet either would disable him from living, and reduce him to a state in which he might rather be said to perish than to die.

Thus necessity, like a gravitating power, would soon form our newly arrived emigrants into society, the reciprocal blessings of which, would supersede, and render the obligations of law and government unnecessary while they remained perfectly just to each other; but as nothing but heaven is impregnable to vice, it will unavoidably happen, that in proportion as they surmount the first difficulties of emigration, which bound them together in a common cause, they will begin to relax in their duty and attachment to each other; and this remissness will point out the necessity of establishing some form of government to supply the defect of moral virtue.

Some convenient tree will afford them a State-House, under the branches of which, the whole colony may assemble to deliberate on public matters. It is more than probable that their first laws will have the title only of REGULATIONS, and be enforced by no other

penalty than public disesteem. In this first parliament every man, by natural right, will have a seat.

But as the colony increases, the public concerns will increase likewise, and the distance at which the members may be separated, will render it too inconvenient for all of them to meet on every occasion as at first, when their number was small, their habitations near, and the public concerns few and trifling. This will point out the convenience of their consenting to leave the legislative part to be managed by a select number chosen from the whole body, who are supposed to have the same concerns at stake which those have who appointed them, and who will act in the same manner as the whole body would act, were they present. If the colony continue increasing, it will become necessary to augment the number of the representatives, and that the interest of every part of the colony may be attended to, it will be found best to divide the whole into convenient parts, each part sending its proper number; and that the *elected* might never form to themselves an interest separate from the *electors,* prudence will point out the propriety of having elections often; because as the *elected* might by that means return and mix again with the general body of the *electors* in a few months, their fidelity to the public will be secured by the prudent reflexion of not making a rod for themselves. And as this frequent interchange will establish a common interest with every part of the community, they will mutually and naturally support each other, and on this (not on the unmeaning name of king) depends the *strength of government, and the happiness of the governed.*

Here then is the origin and rise of government; namely, a mode

rendered necessary by the inability of moral virtue to govern the world; here too is the design and end of government, viz. freedom and security. And however our eyes may be dazzled with show, or our ears deceived by sound; however prejudice may warp our wills, or interest darken our understanding, the simple voice of nature and of reason will say, it is right.

I draw my idea of the form of government from a principle in nature, which no art can overturn, viz. that the more simple any thing is, the less liable it is to be disordered, and the easier repaired when disordered; and with this maxim in view, I offer a few remarks on the so much boasted constitution of England. That it was noble for the dark and slavish times in which it was erected, is granted. When the world was overrun with tyranny the least remove therefrom was a glorious rescue. But that it is imperfect, subject to convulsions, and incapable of producing what it seems to promise, is easily demonstrated.

Absolute governments (tho' the disgrace of human nature) have this advantage with them, that they are simple; if the people suffer, they know the head from which their suffering springs, know likewise the remedy, and are not bewildered by a variety of causes and cures. But the constitution of England is so exceedingly complex, that the nation may suffer for years together without being able to discover in which part the fault lies; some will say in one and some in another, and every political physician will advise a different medicine.

I know it is difficult to get over local or long standing prejudices, yet if we will suffer ourselves to examine the component parts of the English constitution, we shall find them to

be the base remains of two ancient tyrannies, compounded with some new republican materials.

First.—The remains of monarchical tyranny in the person of the king.

Secondly.—The remains of aristocratical tyranny in the persons of the peers.

Thirdly.—The new republican materials in the persons of the commons, on whose virtue depends the freedom of England.

The two first, by being hereditary, are independent of the people; wherefore in a *constitutional sense* they contribute nothing towards the freedom of the state.

To say that the constitution of England is a *union* of three powers reciprocally *checking* each other, is farcical, either the words have no meaning, or they are flat contradictions.

To say that the commons is a check upon the king, presupposes two things:

First.—That the king is not to be trusted without being looked after, or in other words, that a thirst for absolute power is the natural disease of monarchy.

Secondly.—That the commons, by being appointed for that purpose, are either wiser or more worthy of confidence than the crown.

But as the same constitution which gives the commons a power to check the king by withholding the supplies, gives afterwards the king a power to check the commons, by empowering him to reject their other bills; it again supposes that the king is wiser than those whom it has already supposed to be wiser than him. A mere absurdity!

There is something exceedingly ridiculous in the composition of monarchy; it first excludes a man from the means of information, yet empowers him to act in cases where the highest judgment is required. The state of a king shuts him from the world, yet the business of a king requires him to know it thoroughly; wherefore the different parts, by unnaturally opposing and destroying each other, prove the whole character to be absurd and useless.

Some writers have explained the English constitution thus: The king, say they, is one, the people another; the peers are an house in behalf of the king, the commons in behalf of the people; but this hath all the distinctions of an house divided against itself; and though the expressions be pleasantly arranged, yet when examined, they appear idle and ambiguous; and it will always happen, that the nicest construction that words are capable of, when applied to the description of some thing which either cannot exist, or is too incomprehensible to be within the compass of description, will be words of sound only, and though they may amuse the ear, they cannot inform the mind, for this explanation includes a previous question, viz. *How came the king by a power which the people are afraid to trust, and always obliged to check?* Such a power could not be the gift of a wise people, neither can any power, *which needs checking,* be from God; yet the provision, which the constitution makes, supposes such a power to exist.

But the provision is unequal to the task; the means either cannot or will not accomplish the end, and the whole affair is a felo de se; for as the greater weight will always carry up the less, and as all the wheels of a machine are put in motion by one, it only

remains to know which power in the constitution has the most weight, for that will govern; and though the others, or a part of them, may clog, or, as the phrase is, check the rapidity of its motion, yet so long as they cannot stop it, their endeavours will be ineffectual; the first moving power will at last have its way, and what it wants in speed, is supplied by time.

That the crown is this overbearing part in the English constitution, needs not be mentioned, and that it derives its whole consequence merely from being the giver of places and pensions, is self-evident, wherefore, though we have been wise enough to shut and lock a door against absolute monarchy, we at the same time have been foolish enough to put the crown in possession of the key.

The prejudice of Englishmen in favour of their own government by king, lords and commons, arises as much or more from national pride than reason. Individuals are undoubtedly safer in England than in some other countries, but the *will* of the king is as much the *law* of the land in Britain as in France, with this difference, that instead of proceeding directly from his mouth, it is handed to the people under the more formidable shape of an act of parliament. For the fate of Charles the First hath only made kings more subtle—not more just.

Wherefore, laying aside all national pride and prejudice in favour of modes and forms, the plain truth is, that *it is wholly owing to the constitution of the people,and not to the constitution of the government,* that the crown is not as oppressive in England as in Turkey.

An inquiry into the *constitutional errors* in the English form of

government is at this time highly necessary; for as we are never in a proper condition of doing justice to others, while we continue under the influence of some leading partiality, so neither are we capable of doing it to ourselves while we remain fettered by any obstinate prejudice. And as a man, who is attached to a prostitute, is unfitted to choose or judge a wife, so any prepossession in favour of a rotten constitution of government will disable us from discerning a good one.

Of monarchy and hereditary succession

Mankind being originally equals in the order of creation, the equality could only be destroyed by some subsequent circumstance; the distinctions of rich, and poor, may in a great measure be accounted for, and that without having recourse to the harsh, ill-sounding names of oppression and avarice. Oppression is often the *consequence,* but seldom or never the *means* of riches; and though avarice will preserve a man from being necessitously poor, it generally makes him too timorous to be wealthy.

But there is another and greater distinction, for which no truly natural or religious reason can be assigned, and that is, the distinction of men into KINGS and SUBJECTS. Male and female are the distinctions of nature, good and bad are distinctions of heaven; but how a race of men came into the world so exalted above the rest, and distinguished like some new species, is worth inquiring into, and whether they are the means of happiness or of misery to mankind.

In the early ages of the world, according to the scripture

idolatrous customs of the Heathens, is something exceedingly unaccountable; but so it was, that laying hold of the misconduct of Samuel's two sons, who were entrusted with some secular concerns, they came in an abrupt and clamorous manner to Samuel, saying, *Behold thou art old, and thy sonswalk not in thy ways, now make us a king to judge us, like all the other nations.* And here we cannot but observe that their motives were bad, viz. that they might be *like* unto other nations, i.e. the Heathens, whereas their true glory laid in being as much *unlike* them as possible. *But the thing displeased Samuel when they said, Give us a king to judge us; and Samuel prayed unto the Lord, and the Lord said unto Samuel, Hearken unto the voice of the people in all that they say unto thee, for they have not rejected thee, but they have rejected me,*THAT I SHOULD NOT REIGN OVER THEM.*According to all the works which they have done since the day that I brought them up out of Egypt, even unto this day; wherewith they have forsaken me and served other Gods; so do they also unto thee. Now therefore hearken unto their voice, howbeit, protest solemnly unto them and shew them the manner of the king that shall reign over them, i.e.* not of any particular king, but the general manner of the kings of the earth, whom Israel was so eagerly copying after. And notwithstanding the great distance of time and difference of manners, the character is still in fashion. *And Samuel told all the words of the Lord unto the people, that asked of him a king. And he said, This shall be the manner of the king that shall reign over you: he will take your sons and appoint them for himself, for his chariots, and to be his horsemen, and some shall run before his chariots* (this description agrees with the present mode of impressing men) *and he will appoint him captains over thousands and captains over fifties, and will*

set them to ear his ground and to reap his harvest, and to make his instruments of war, and instruments of his chariots; and he will take your daughters to be confectionaries, and to be cooks and to be bakers (this describes the expence and luxury as well as the oppression of kings) *and he will take your fields and your olive yards, even the best of them, and give them to his servants; and he will take the tenth ofyour seed, and of your vineyards, and give them to his officers and to his servants* (by which we see that bribery, corruption and favouritism are the standing vices of kings) *and he will take the tenth of your men servants, and your maid servants, and your goodliest young men and your asses, and put them to his work; and he will take the tenth of your sheep, and ye shall be his servants, and ye shall cry out in that day because of your king which ye shall have chosen,*AND THE LORD WILL NOT HEAR YOU IN THAT DAY. This accounts for the continuation of monarchy; neither do the characters of the few good kings which have lived since, either sanctify the title, or blot out the sinfulness of the origin; the high encomium given of David takes no notice of him *officially as a king,* but only as a *man* after God's own heart. *Nevertheless the people refused to obey the voice of Samuel, and they said, Nay, but we will have a king over us, that we may be like all the nations, and that our king may judge us, and go out before us, and fight our battles.* Samuel continued to reason with them, but to no purpose; he set before them their ingratitude, but all would not avail; and seeing them bent on their folly, he cried out, *I will call unto the Lord, and he shall send thunder and rain* (which then was a punishment, being in the time of wheat harvest) *that ye may perceive and see that your wickedness is great which ye have done in the sight of the Lord,*IN ASKING YOU A KING. *So Samuel called unto the Lord, and the Lord sent thunder and rain that day,*

*and all the people greatly feared the Lord and Samuel. And all the people said unto Samuel, pray for thy servants unto the Lord thy God that we die not, for*WE HAVE ADDED UNTO OUR SINS THIS EVIL, TO ASK A KING. These portions of scripture are direct and positive. They admit of no equivocal construction. That the Almighty hath here entered his protest against monarchical government, is true, or the scripture is false. And a man hath good reason to believe that there is as much of king-craft, as priest-craft, in withholding the scripture from the public in Popish countries. For monarchy in every instance is the Popery of government.

To the evil of monarchy we have added that of hereditary succession; and as the first is a degradation and lessening of ourselves, so the second, claimed as a matter of right, is an insult and an imposition on posterity. For all men being originally equals, no *one* by *birth* could have a right to set up his own family in perpetual preference to all others for ever, and though himself might deserve *some* decent degree of honors of his contemporaries, yet his descendants might be far too unworthy to inherit them. One of the strongest *natural* proofs of the folly of hereditary right in kings, is, that nature disapproves it, otherwise she would not so frequently turn it into ridicule by giving mankind an *Ass for a Lion.*

Secondly, as no man at first could possess any other public honors than were bestowed upon him, so the givers of those honors could have no power to give away the right of posterity. And though they might say, "We choose you for *our* head," they could not, without manifest injustice to their children, say "that your children and your children's children shall reign over *ours* for ever." Because such an unwise, unjust, unnatural compact might

(perhaps) in the next succession put them under the government of a rogue or a fool. Most wise men, in their private sentiments, have ever treated hereditary right with contempt; yet it is one of those evils, which when once established is not easily removed; many submit from fear, others from superstition, and the more powerful part shares with the king the plunder of the rest.

This is supposing the present race of kings in the world to have had an honorable origin; whereas it is more than probable, that could we take off the dark covering of antiquity, and trace them to their first rise, that we should find the first of them nothing better than the principal ruffian of some restless gang, whose savage manners or pre-eminence in subtilty obtained him the title of chief among plunderers; and who by increasing in power, and extending his depredations, overawed the quiet and defenceless to purchase their safety by frequent contributions. Yet his electors could have no idea of giving hereditary right to his descendants, because such a perpetual exclusion of themselves was incompatible with the free and unrestrained principles they professed to live by. Wherefore, hereditary succession in the early ages of monarchy could not take place as a matter of claim, but as something casual or complimental; but as few or no records were extant in those days, and traditionary history stuffed with fables, it was very easy, after the lapse of a few generations, to trump up some superstitious tale, conveniently timed, Mahomet like, to cram hereditary right down the throats of the vulgar. Perhaps the disorders which threatened, or seemed to threaten, on the decease of a leader and the choice of a new one (for elections among ruffians could not be very orderly) induced many at first to favor

hereditary pretensions; by which means it happened, as it hath happened since, that what at first was submitted to as a convenience, was afterwards claimed as a right.

England, since the conquest, hath known some few good monarchs, but groaned beneath a much larger number of bad ones; yet no man in his senses can say that their claim under William the Conqueror is a very honorable one. A French bastard landing with an armed banditti, and establishing himself king of England against the consent of the natives, is in plain terms a very paltry rascally original.—It certainly hath no divinity in it. However, it is needless to spend much time in exposing the folly of hereditary right; if there are any so weak as to believe it, let them promiscuously worship the ass and lion, and welcome. I shall neither copy their humility, nor disturb their devotion.

Yet I should be glad to ask how they suppose kings came at first? The question admits but of three answers, viz. either by lot, by election, or by usurpation. If the first king was taken by lot, it establishes a precedent for the next, which excludes hereditary succession. Saul was by lot, yet the succession was not hereditary, neither does it appear from that transaction there was any intention it ever should. If the first king of any country was by election, that likewise establishes a precedent for the next; for to say, that the *right* of all future generations is taken away, by the act of the first electors, in their choice not only of a king, but of a family of kings for ever, hath no parallel in or out of scripture but the doctrine of original sin, which supposes the free will of all men lost in Adam; and from such comparison, and it will admit of no other, hereditary succession can derive no glory. For as in Adam

In short, monarchy and succession have laid (not this or that kingdom only) but the world in blood and ashes. 'Tis a form of government which the word of God bears testimony against, and blood will attend it.

If we inquire into the business of a king, we shall find that in some countries they have none; and after sauntering away their lives without pleasure to themselves or advantage to the nation, withdraw from the scene, and leave their successors to tread the same idle ground. In absolute monarchies the whole weight of business, civil and military, lies on the king; the children of Israel in their request for a king, urged this plea "that he may judge us, and go out before us and fight our battles." But in countries where he is neither a judge nor a general, as in England, a man would be puzzled to know what *is* his business.

The nearer any government approaches to a republic the less business there is for a king. It is somewhat difficult to find a proper name for the government of England. Sir William Meredith calls it a republic; but in its present state it is unworthy of the name, because the corrupt influence of the crown, by having all the places in its disposal, hath so effectually swallowed up the power, and eaten out the virtue of the house of commons (the republican part in the constitution) that the government of England is nearly as monarchical as that of France or Spain. Men fall out with names without understanding them. For it is the republican and not the monarchical part of the constitution of England which Englishmen glory in, viz. the liberty of choosing an house of commons from out of their own body—and it is easy to see that when republican virtue fails, slavery ensues. Why is the constitution of England

sickly, but because monarchy hath poisoned the republic, the crown hath engrossed the commons?

In England a king hath little more to do than to make war and give away places; which in plain terms, is to impoverish the nation and set it together by the ears. A pretty business indeed for a man to be allowed eight hundred thousand sterling for a year, and worshipped into the bargain! Of more worth is one honest man to society and in the sight of God, than all the crowned ruffians that ever lived.

Thoughts on the present state of American affairs

In the following pages I offer nothing more than simple facts, plain arguments, and common sense; and have no other preliminaries to settle with the reader, than that he will divest himself of prejudice and prepossession, and suffer his reason and his feelings to determine for themselves; that he will put *on,* or rather that he will not put *off* the true character of a man, and generously enlarge his views beyond the present day.

Volumes have been written on the subject of the struggle between England and America. Men of all ranks have embarked in the controversy, from different motives, and with various designs; but all have been ineffectual, and the period of debate is closed. Arms, as the last resource, decide the contest; the appeal was the choice of the king, and the continent hath accepted the challenge.

It hath been reported of the late Mr. Pelham (who tho' an able minister was not without his faults) that on his being attacked in

the house of commons, on the score, that his measures were only of a temporary kind, replied *"they will last my time."* Should a thought so fatal and unmanly possess the colonies in the present contest, the name of ancestors will be remembered by future generations with detestation.

The sun never shined on a cause of greater worth. 'Tis not the affair of a city, a county, a province, or a kingdom, but of a continent—of at least one eighth part of the habitable globe. 'Tis not the concern of a day, a year, or an age; posterity are virtually involved in the contest, and will be more or less affected, even to the end of time, by the proceedings now. Now is the seed-time of continental union, faith and honor. The least fracture now will be like a name engraved with the point of a pin on the tender rind of a young oak; the wound will enlarge with the tree, and posterity read it in full grown characters.

By referring the matter from argument to arms, a new aera for politics is struck; a new method of thinking hath arisen. All plans, proposals, &c. prior to the nineteenth of April, *i.e.* to the commencement of hostilities, are like the almanacks of the last year; which, though proper then are superseded and useless now. Whatever was advanced by the advocates on either side of the question then, terminated in one and the same point, viz. a union with Great-Britain; the only difference between the parties was the method of effecting it; the one proposing force, the other friendship; but it hath so far happened that the first hath failed, and the second hath withdrawn her influence.

As much hath been said of the advantages of reconciliation, which, like an agreeable dream, hath passed away and left us as we

were, it is but right, that we should examine the contrary side of the argument, and inquire into some of the many material injuries which these colonies sustain, and always will sustain, by being connected with, and dependant on Great-Britain: To examine that connexion and dependance, on the principles of nature and common sense, to see what we have to trust to, if separated, and what we are to expect, if dependant.

I have heard it asserted by some, that as America hath flourished under her former connexion with Great-Britain, that the same connexion is necessary towards her future happiness, and will always have the same effect. Nothing can be more fallacious than this kind of argument. We may as well assert that because a child has thrived upon milk, that it is never to have meat, or that the first twenty years of our lives is to become a precedent for the next twenty. But even this is admitting more than is true, for I answer roundly, that America would have flourished as much, and probably much more, had no European power had any thing to do with her. The commerce, by which she hath enriched herself, are the necessaries of life, and will always have a market while eating is the custom of Europe.

But she has protected us, say some. That she has engrossed us is true, and defended the continent at our expence as well as her own is admitted, and she would have defended Turkey from the same motive, viz. the sake of trade and dominion.

Alas, we have been long led away by ancient prejudices, and made large sacrifices to superstition. We have boasted the protection of Great-Britain, without considering, that her motive was *interest* not *attachment;* that she did not protect us from *our*

enemies on *our account,* but from *her enemies* on *her own account,* from those who had no quarrel with us on any *other account,* and who will always be our enemies on the *same account.* Let Britain waive her pretensions to the continent, or the continent throw off the dependance, and we should be at peace with France and Spain were they at war with Britain. The miseries of Hanover last war ought to warn us against connexions.

It has lately been asserted in parliament, that the colonies have no relation to each other but through the parent country, *i.e.* that Pennsylvania and the Jerseys, and so on for the rest, are sister colonies by the way of England; this is certainly a very round-about way of proving relationship, but it is the nearest and only true way of proving enemyship, if I may so call it. France and Spain never were, nor perhaps ever will be our enemies as *Americans,* but as our being the *subjects of Great-Britain.*

But Britain is the parent country, say some. Then the more shame upon her conduct. Even brutes do not devour their young, nor savages make war upon their families; wherefore the assertion, if true, turns to her reproach; but it happens not to be true, or only partly so, and the phrase *parent* or *mother country* hath been jesuitically adopted by the king and his parasites, with a low papistical design of gaining an unfair bias on the credulous weakness of our minds. Europe, and not England, is the parent country of America. This new world hath been the asylum for the persecuted lovers of civil and religious liberty from *every part* of Europe. Hither have they fled, not from the tender embraces of the mother, but from the cruelty of the monster; and it is so far true of England, that the same tyranny which drove the first emigrants

Because, any submission to, or dependance on Great-Britain, tends directly to involve this continent in European wars and quarrels; and sets us at variance with nations, who would otherwise seek our friendship, and against whom, we have neither anger nor complaint. As Europe is our market for trade, we ought to form no partial connexion with any part of it. It is the true interest of America to steer clear of European contentions, which she never can do, while by her dependance on Britain, she is made the make-weight in the scale of British politics.

Europe is too thickly planted with kingdoms to be long at peace, and whenever a war breaks out between England and any foreign power, the trade of America goes to ruin, *because of her connexion with Britain.* The next war may not turn out like the last, and should it not, the advocates for reconciliation now, will be wishing for separation then, because, neutrality in that case, would be a safer convoy than a man of war. Every thing that is right or natural pleads for separation. The blood of the slain, the weeping voice of nature cries, 'TIS TIME TO PART. Even the distance at which the Almighty hath placed England and America, is a strong and natural proof, that the authority of the one, over the other, was never the design of Heaven. The time likewise at which the continent was discovered, adds weight to the argument, and the manner in which it was peopled increases the force of it. The reformation was preceded by the discovery of America, as if the Almighty graciously meant to open a sanctuary to the persecuted in future years, when home should afford neither friendship nor safety.

The authority of Great-Britain over this continent, is a form of

government, which sooner or later must have an end: And a serious mind can draw no true pleasure by looking forward, under the painful and positive conviction, that what he calls "the present constitution" is merely temporary. As parents, we can have no joy, knowing that *this government* is not sufficiently lasting to ensure any thing which we may bequeath to posterity: And by a plain method of argument, as we are running the next generation into debt, we ought to do the work of it, otherwise we use them meanly and pitifully. In order to discover the line of our duty rightly, we should take our children in our hand, and fix our station a few years farther into life; that eminence will present a prospect, which a few present fears and prejudices conceal from our sight.

Though I would carefully avoid giving unnecessary offence, yet I am inclined to believe, that all those who espouse the doctrine of reconciliation, may be included within the following descriptions. Interested men, who are not to be trusted; weak men, who *cannot* see; prejudiced men, who *will not* see; and a certain set of moderate men, who think better of the European world than it deserves; and this last class, by an ill-judged deliberation, will be the cause of more calamities to this continent, than all the other three.

It is the good fortune of many to live distant from the scene of sorrow; the evil is not sufficient brought to *their* doors to make *them* feel the precariousness with which all American property is possessed. But let our imaginations transport us for a few moments to Boston, that seat of wretchedness will teach us wisdom, and instruct us for ever to renounce a power in whom we can have no trust. The inhabitants of that unfortunate city, who but a few months ago were in ease and affluence, have now, no

other alternative than to stay and starve, or turn out to beg. Endangered by the fire of their friends if they continue within the city, and plundered by the soldiery if they leave it. In their present condition they are prisoners without the hope of redemption, and in a general attack for their relief, they would be exposed to the fury of both armies.

Men of passive tempers look somewhat lightly over the offences of Britain, and, still hoping for the best, are apt to call out, *"Come, come, we shall be friends again, for all this."* But examine the passions and feelings of mankind, bring the doctrine of reconciliation to the touchstone of nature, and then tell me, whether you can hereafter love, honor, and faithfully serve the power that hath carried fire and sword into your land? If you cannot do all these, then are you only deceiving yourselves, and by your delay bringing ruin upon posterity. Your future connexion with Britain, whom you can neither love nor honor, will be forced and unnatural, and being formed only on the plan of present convenience, will in a little time fall into a relapse more wretched than the first. But if you say, you can still pass the violations over, then I ask, Hath your house been burnt? Hath your property been destroyed before your face? Are your wife and children destitute of a bed to lie on, or bread to live on? Have you lost a parent or a child by their hands, and yourself the ruined and wretched survivor? If you have not, then are you not a judge of those who have. But if you have, and still can shake hands with the murderers, then you are unworthy the name of husband, father, friend, or lover, and whatever may be your rank or title in life, you have the heart of a coward, and the spirit of a sycophant.

This is not inflaming or exaggerating matters, but trying them by those feelings and affections which nature justifies, and without which, we should be incapable of discharging the social duties of life, or enjoying the felicities of it. I mean not to exhibit horror for the purpose of provoking revenge, but to awaken us from fatal and unmanly slumbers, that we may pursue determinately some fixed object. It is not in the power of Britain or of Europe to conquer America, if she do not conquer herself by *delay* and *timidity.* The present winter is worth an age if rightly employed, but if lost or neglected, the whole continent will partake of the misfortune; and there is no punishment which that man will not deserve, be he who, or what, or where he will, that may be the means of sacrificing a season so precious and useful.

It is repugnant to reason, to the universal order of things, to all examples from former ages, to suppose, that this continent can longer remain subject to any external power. The most sanguine in Britain does not think so. The utmost stretch of human wisdom cannot, at this time, compass a plan short of separation, which can promise the continent even a year's security. Reconciliation is *now* a fallacious dream. Nature hath deserted the connexion, and Art cannot supply her place. For, as Milton wisely expresses, "never can true reconcilement grow, where wounds of deadly hate have pierc'd so deep."

Every quiet method for peace hath been ineffectual. Our prayers have been rejected with disdain; and only tended to convince us, that nothing flatters vanity, or confirms obstinacy in Kings more than repeated petitioning—and nothing hath contributed more than that very measure to make the Kings of

Europe absolute: Witness Denmark and Sweden. Wherefore, since nothing but blows will do, for God's sake, let us come to a final separation, and not leave the next generation to be cutting throats, under the violated unmeaning names of parent and child.

To say, they will never attempt it again is idle and visionary, we thought so at the repeal of the stamp-act, yet a year or two undeceived us; as well may we suppose that nations, which have been once defeated, will never renew the quarrel.

As to government matters, it is not in the power of Britain to do this continent justice: The business of it will soon be too weighty, and intricate, to be managed with any tolerable degree of convenience, by a power so distant from us, and so very ignorant of us; for if they cannot conquer us, they cannot govern us. To be always running three or four thousand miles with a tale or a petition, waiting four or five months for an answer, which when obtained requires five or six more to explain it in, will in a few years be looked upon as folly and childishness—There was a time when it was proper, and there is a proper time for it to cease.

Small islands not capable of protecting themselves, are the proper objects for kingdoms to take under their care; but there is something very absurd, in supposing a continent to be perpetually governed by an island. In no instance hath nature made the satellite larger than its primary planet, and as England and America, with respect to each other, reverses the common order of nature, it is evident they belong to different systems; England to Europe, America to itself.

I am not induced by motives of pride, party, or resentment to espouse the doctrine of separation and independance; I am clearly,

and will he not hereafter endeavour to make us less? To bring the matter to one point. Is the power who is jealous of our prosperity, a proper power to govern us? Whoever says *No* to this question, is an *independent,* for independancy means no more, than, whether we shall make our own laws, or whether the king, the greatest enemy this continent hath, or can have, shall tell us *"there shall be no laws but such as I like."*

But the king you will say has a negative in England; the people there can make no laws without his consent. In point of right and good order, there is something very ridiculous, that a youth of twenty-one (which hath often happened) shall say to several millions of people, older and wiser than himself, I forbid this or that act of yours to be law. But in this place I decline this sort of reply, though I will never cease to expose the absurdity of it, and only answer, that England being the King's residence, and America not so, makes quite another case. The king's negative *here* is ten times more dangerous and fatal than it can be in England, for *there* he will scarcely refuse his consent to a bill for putting England into as strong a state of defence as possible, and in America he would never suffer such a bill to be passed.

America is only a secondary object in the system of British politics, England consults the good of *this* country, no farther than it answers her *own* purpose. Wherefore, her own interest leads her to suppress the growth of *ours* in every case which doth not promote her advantage, or in the least interferes with it. A pretty state we should soon be in under such a secondhand government, considering what has happened! Men do not change from enemies to friends by the alteration of a name: And in order to shew that

reconciliation *now* is a dangerous doctrine, I affirm, *that it would be policy in the king at this time, to repeal the acts for the sake of reinstating himself in the government of the provinces;* in order, that HE MAY ACCOMPLISH BY CRAFT AND SUBTILTY, IN THE LONG RUN, WHAT HE CANNOT DO BY FORCE AND VIOLENCE IN THE SHORT ONE. Reconciliation and ruin are nearly related.

Secondly. That as even the best terms, which we can expect to obtain, can amount to no more than a temporary expedient, or a kind of government by guardianship, which can last no longer than till the colonies come of age, so the general face and state of things, in the interim, will be unsettled and unpromising. Emigrants of property will not choose to come to a country whose form of government hangs but by a thread, and who is every day tottering on the brink of commotion and disturbance; and numbers of the present inhabitants would lay hold of the interval, to dispose of their effects, and quit the continent.

But the most powerful of all arguments, is, that nothing but independance, i.e. a continental form of government, can keep the peace of the continent and preserve it inviolate from civil wars. I dread the event of a reconciliation with Britain now, as it is more than probable, that it will be followed by a revolt somewhere or other, the consequences of which may be far more fatal than all the malice of Britain.

Thousands are already ruined by British barbarity; (thousands more will probably suffer the same fate). Those men have other feelings than us who have nothing suffered. All they *now* possess is liberty, what they before enjoyed is sacrificed to its service, and having nothing more to lose, they disdain submission. Besides, the

general temper of the colonies, towards a British government, will be like that of a youth, who is nearly out of his time; they will care very little about her. And a government which cannot preserve the peace, is no government at all, and in that case we pay our money for nothing; and pray what is it that Britain can do whose power will be wholly on paper, should a civil tumult break out the very day after reconciliation? I have heard some men say, many of whom I believe spoke without thinking, that they dreaded an independance, fearing that it would produce civil wars. It is but seldom that our first thoughts are truly correct, and that is the case here; for there are ten times more to dread from a patched up connexion than from independance. I make the sufferers case my own, and I protest, that were I driven from house and home, my property destroyed, and my circumstances ruined, that as man, sensible of injuries, I could never relish the doctrine of reconciliation, or consider myself bound thereby.

The colonies have manifested such a spirit of good order and obedience to continental government, as is sufficient to make every reasonable person easy and happy on that head. No man can assign the least pretence for his fears, on any other grounds, than such as are truly childish and ridiculous, viz. that one colony will be striving for superiority over another.

Where there are no distinctions there can be no superiority, perfect equality affords no temptation. The republics of Europe are all (and we may say always) in peace. Holland and Swisserland are without wars, foreign or domestic: Monarchical governments, it is true, are never long at rest; the crown itself is a temptation to enterprizing ruffians at *home;* and that degree of pride and

insolence ever attendant on regal authority, swells into a rupture with foreign powers, in instances, where a republican government, by being formed on more natural principles, would negotiate the mistake.

If there is any true cause of fear respecting independance, it is because no plan is yet laid down. Men do not see their way out—Wherefore, as an opening into that business, I offer the following hints; at the same time modestly affirming, that I have no other opinion of them myself, than that they may be the means of giving rise to something better. Could the straggling thoughts of individuals be collected, they would frequently form materials for wise and able men to improve into useful matter.

LET the assemblies be annual, with a President only. The representation more equal. Their business wholly domestic, and subject to the authority of a Continental Congress.

Let each colony be divided into six, eight, or ten, convenient districts, each district to send a proper number of delegates to Congress, so that each colony send at least thirty. The whole number in Congress will be at least 390. Each Congress to sit and to choose a president by the following method. When the delegates are met, let a colony be taken from the whole thirteen colonies by lot, after which, let the whole Congress choose (by ballot) a president from out of the delegates of *that* province. In the next Congress, let a colony be taken by lot from twelve only, omitting that colony from which the president was taken in the former Congress, and so proceeding on till the whole thirteen shall have had their proper rotation. And in order that nothing may pass into a law but what is satisfactorily just, not less than three fifths of the

members of Assembly, with their date of sitting, and drawing the line of business and jurisdiction between them: (Always remembering, that our strength is continental, not provincial:) Securing freedom and property to all men, and above all things, the free exercise of religion, according to the dictates of conscience; with such other matter as is necessary for a charter to contain. Immediately after which, the said Conference to dissolve, and the bodies which shall be chosen conformable to the said charter, to be the legislators and governors of this continent for the time being: Whose peace and happiness may God preserve, Amen.

Should any body of men be hereafter delegated for this or some similar purpose, I offer them the following extracts from that wise observer on governments *Dragonetti*. "The science" says he "of the politician consists in fixing the true point of happiness and freedom. Those men would deserve the gratitude of ages, who should discover a mode of government that contained the greatest sum of individual happiness, with the least national expence.

Dragonetti on virtue and rewards."

But where, says some, is the King of America? I'll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far we approve of monarchy,