

# **Rights of Man Study Guide**

## **Rights of Man by Thomas Paine**

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# Plot Summary

Thomas Paine's *Rights of Man* is one of the great political tracks of history. The French Revolution occurred in 1789, overthrowing the French Monarchy and establishing what was arguably the first representative democracy in Europe. However, the revolution had been violent and led to a series of shocking massacres, despite the promise it held for the poor and the oppressed in France and Europe generally speaking.

The great English conservative, Edmund Burke, had written a famous pamphlet in November 1790. The work brutally criticized the Revolution as a revolt against the fundamental institutions of Western societies: the Monarchy, the Aristocracy and the Established Church. These institutions were upheld by tradition and contained the wisdom of the ages within their institutional structures. He also made claims about the savagery of the French Revolution that surprised many in England and the United States.

Thomas Paine was once friends with Edmund Burke but was outraged by Burke's *Reflections on the Revolution in France* and published Part One of *Rights of Man* three months after the publication of Burke's *Reflections*. The document is a fierce defense of the French Revolution on two grounds. First, Paine claims that Burke has misrepresented the facts on the ground. Paine was actually present for the Revolution and aims to correct what he sees as a campaign of misinformation that Burke has pursued on behalf of the major historical sources of oppression of the European masses.

Second, Paine has several arguments to make about the principles of justice, the origin of governmental authority, proper institutional design and public policy. He argues that all men and women, everywhere, have natural rights. These rights hold regardless of whatever laws or on the books or what practices hold. They include the rights to liberty, property and security. All governments receive their authority only through the delegation of power directly from the individuals that comprise a nation. They only receive these rights to the degree needed to protect the natural rights of individuals and advance the common good subject to the constraints of these rights.

Any other action by government is unjust and the people may 'fire' their government through altering it or abolishing it. Paine argues that reason itself tells us that humans have these rights and that reason demands that representative democracy is the only form of government that will effectively promote these rights. He then defends the French National Assembly's Declaration of Rights on the grounds that it is compatible with these principles and argues that Burke's traditionalism is a mere rationale for oppression.

Part Two is published a year later. Paine seeks to respond to further work by Burke and others. He first argues that the social order is not due to government power but exists despite it and has existed without it. Governments should remain small. Second, he argues that hereditary monarchy could only arise through savage violations of the moral



law and so are unjust. He then compares monarchy to democracy and finds it vastly inferior on every ground. Next Paine lays out what he believes to be the ideal structure and conception of a democratic constitution and ends by arguing that the English people, had they a democracy, would have enough money, managed wisely enough, to have radical free trade, no corporate monopolies, to abolish taxes on the poor and provide a wide array of anti-poverty programs for the old, the sick, the injured, the youth and veterans.



# Prefaces

## Prefaces Summary and Analysis

Thomas Paine is one of the great political thinkers and activists of the 18th century, playing a major role in building the ideological case for the American Revolution and consoling American soldiers as they fought to secede from Britain. He also strongly favored the French Revolution. The Rights of Man was written as a response to the major British criticism of the French Revolution, written by Edmund Burke, Reflections on the Revolution in France. The entire first part of the book is dedicated to correcting the factual errors in Burke's account of the revolution, as Paine was one the ground when the revolution occurred. The second part, however, is more philosophical in nature; in it, Paine outlines his theory of natural rights, just and legitimate government and various related policy proposals.

The Rights of Man has three prefaces, a preface to the English edition, a preface to the French edition and a general preface. In the English preface, Paine first notes his shock that Burke, while supporting the American Revolution, does not support the French revolution. He reports of Burke's 'violent speech' to the English Parliament against the revolution and Paine was able to acquire and read his famous pamphlet decrying the war. Paine sees a deep analogy between the two revolutions and cannot understand how Burke could support the one and not the other. Paine also notes that while he supports these revolutions, he is no friend of war.

The French preface opens with a declaration of Paine's excitement at the prospects for the French revolution. He wants to consider the revolution's impact on both France itself and on other countries. Paine believes that the French cause of liberty and equality is the cause of the entire world. He notes that the English government opposes the revolution and criticizes them for hypocritical kindness to the new French government. However, the English people support the revolution because they support the progress of liberty. Paine tells his French audience that he writes Rights of Man to give the English people an accurate account of events there. He emphasizes the distinction between the state and the nation, arguing that reasoning with states is pointless but that the defenders of liberty should go to the people themselves.

In the general preface, Paine opens by noting his desire to collect his political opinions in one place. He is also resentful that readers of his work in some countries are being punished due to Paine's criticism of their governments. Paine maintains that his audience is now the whole world and that his theory of rights includes civil, natural and divine rights defended through pure reason, which he believes will vindicate the values of liberty and equality. The people of any nation have the right to alter or abolish their government when it fails to defend their rights or encroaches upon them. No state has the natural right to rule. Instead, Paine accuses those who defend this view of vanity and arrogant. He also argues that if people come to see the Truth that Liberty cannot be far behind. Paine regrets the backlash of 'degraded nature' against the use of reason,

particularly in England. But he believes in his heart that the Despots of the world are threatened and beginning to fall.



# Rights of Man

## Rights of Man Summary and Analysis

Paine believes that Mr. Burke's pamphlet on the French Revolution is an insult to the people of France, as it is full of lies, bigotry and hatred. He has also maligned Dr. Price, a good man, and the English Revolution Society and the Society for Constitutional Information. Dr. Price argues that the people of England have the right to (a) choose their own governors, (b) cashier them for misconduct, and (c) frame a government for themselves. The people possess these rights as a whole, according to Price, but Burke denies this. Burke's argument is poor, arguing only from past, dead documents of law. He also claims that these preclude the establishment of these rights at any point in the future. This cannot be, for it would commit us to absurd principles. No governing body can bind all men to the end of time, and every age and generation must set for themselves their rights, lest they be the servants of the past.

Paine argues for the rights of living persons and that they cannot alienate their basic rights through the authority of the dead. Laws must be justified by principles, not by a bizarre tie between a non-existent group and an existent one. If in England, incomes cannot be taxed without consent, how can the dead have control without consent. Burke holds that the English cannot alter past laws, but this is ridiculous, as it justifies all manner of tyranny; he has produced clauses in his arguments, not rights. What is worse, Mr. Burke's positions could be refuted simply by holding arguing that the laws which preceded and precluded his preferred form of law and social organization are still in effect; Burke's own principle defeats itself. Another problem with rights for the dead is that no one can arbitrate disputes about them.

Paine next argues that Mr. Burke's account of the revolution is flawed. He cites a proposal for a declaration of rights by the Marquis de la Fayette which proclaims rights for the living and not the dead. He reminds the reader of the Marquis's service to the American Revolution. When the document was to be given to Benjamin Franklin in France, a despotic aristocrat prevented it, so when Burke claims that the French Revolution was a violent revolt against a modern monarch, he drastically underestimates the level of tyranny in France. Furthermore, the French people rebelled against principles that empower tyrants, not men themselves. Burke fails to distinguish between these two factors, so Louis XVI's moderation had nothing to do with the potential for despotism. Even if the practice of tyranny wanes from time to time, the principle does not. Such a tyrannical historical office has a symbolic power to communicate domination beyond its current holder. And the monarchy was not the only despotism, but the parliament, church and those of remaining feudal lords.

Mr. Burke should not decry the loss of chivalry or the loss of the glory of Europe for the French will achieve freedom. Principles are the object of revolt. Mr. Burke ignores the tyranny of the Bastille, hardly mentioning it. He has not compassion for those Frenchmen who live wretched lives. Seeing Paris during the storming of the Bastille was



a symbolic act over the overthrow of despotism and after the overthrow, the people uncovered a plot by the King's youngest brother to abolish parliament. Paine begins to recount the tensions that surrounded the storming of the Bastille, where the people rose upon against the tyrannical French state. They defended not only themselves but their freedom. Mr. Burke did not know about the plot against the National Assembly; and the Assembly has executed no one.

Mr. Burke insults the French people when he calls them the 'mob'. Those who burned and devastated London in 1780 were only a portion of the English people, and the same would be true in France. Burke should remember the circumstances of these people; when he understands them, he will know why the revolution was necessary. Paine is impressed by the National Assembly's ability to restrain revolt. Burke only focuses on plots against the government, not those on its behalf. Paine next documents the abuses of the Garde du Corps and the proud resistance against them and of the King and Queen's final moments, arguing that Burke misrepresents what occurred.

Burke also misrepresents the Declaration of the Rights of Man; it almost looks as if Burke wants to deny that men have any non-historical rights. But men's rights come from God. Human authority cannot establish rights because its authority is always derivative. Further, all men are equal and so no one has natural authority over anyone else. Paine argues that the Mosaic account of creation shows that all men and women are made equal because humanity itself - all humans - were created in the image of God. All temporary rules and traditions must submit to this fact. Accordingly the duties of man are simple - duties to God and neighbor.

The natural rights of men are the only ground of his civil rights. Men only entered into society and ceded the full exercise of their natural rights to improve their state, not to make it worse, and so civil rights must promote what natural rights cannot. Men primarily hand over their right to judge for themselves, and hand it over to a governing body so as to preclude war. Society grants men nothing, however, but the other way around. Therefore, civil rights are grounded in natural rights, civil power is composed of the aggregate of individual natural rights and this power cannot invade natural rights that the individual retains.

Applying these principles to government, we can see that few governments have arisen out of a social compact which reveals these governments to be tyrannies. There are three general forms of government authority: Superstition, Power and Common Interest. The first government, theocracy, was rooted in superstition, the second rooted in conquest, generates monarchy, but the third is rooted in reason and gives rise to democracy. Paine sees history as a transition between these three forms of government. The theocracies in the Middle Ages mixed Church and State and had to be separated and now the monarchies must be destroyed too. They only have authority from individuals and are their citizens' agents. When they abuse that power, they may be overthrown.

Constitutional governments, furthermore, cannot have the right of altering themselves; if they did, their power would be arbitrary. What is good about the French Constitution is





that it allows every man who pays some minimal amount of tax a vote, and this is a check on government power, so long as it is constrained by individual rights. Further, the number of French representatives must be in proportion to the number of taxpaying inhabitants of an area. The National Assembly must be elected every two years and the Constitution forbids game laws, monopolies, and restrictions on trade. How could Burke object to any of this? The French Constitution also prevents members of the Assembly from being officers of government, which is an improvement on the English Constitution.

The French people have the power of war and peace, but this right is not secure for the English. The English government is not the perfect model Burke thinks it is. At least the French have explicit rights. Paine then goes into a detailed discussion of the rights of war and peace in the French people; he emphasizes the abolition of aristocratic title, and how this abolition is demanded by human equality. Abolishing primogeniture follows from this commitment. The French government will no longer force tithes and it has established the universal right of conscience. It has abolished merely tolerating other religions until they get out of hand or of destroying them altogether. And liberty of conscience is a glorious right. The British people do not have this. Religions are only made awful when united to state power, according to Paine.

The legislative power in France is Supreme, always before the King, for the people are the sources of sovereignty. The French people have the freedom of speech as well, another right they have that the British lack. The French Constitution established a rational order. Burke refused to compare the British and French Constitutions for a reason - the French Constitution is better. And without writing on the French Constitution, he has not written on the French Revolution. Paine then discusses the signs of the spirit of Liberty in previous French intellectuals, like Montesquieu and Voltaire, Rousseau and Raynal, Quesnay and Turgot, among others. Many great men advocate views compatible with the French revolution.

Next Paine clarifies some confusion about the structure of the French government, and discusses the place of M. de la Fayette in the government. He separates the General Assembly from the Assembly of the Notables and describes the workings of the French government prior to the revolution. He records some of the disputes and political maneuvering that led to the present French Constitution and government. He emphasizes that intelligent, cool-headed men were involved in the process. He reports on new development as well and the recent exposing and quelling of a plot.



# **Declaration of the Rights of Man and of Citizens, by the National Assembly of France, Observations on the Declarations of Rights, Miscellaneous Chapter, Conclusion**

## **Declaration of the Rights of Man and of Citizens, by the National Assembly of France, Observations on the Declarations of Rights, Miscellaneous Chapter, Conclusion Summary and Analysis**

The following summarizes three documents. The first of these is the Declaration of the Rights of Man and Of Citizens, By the National Assembly of France. It declares that the purpose of government is to protect and promote natural, inalienable human rights; asserts that all men are born free and equal; guarantees the rights of liberty, property, security, and resistance; that the people are sovereign; that the law should only stop actions that hurt society; and that law expresses the will of the community and many of the other rights and liberties that Paine mentioned in Rights of Man.

In the next document, Paine discusses and interprets the main articles. The first three articles, Article I, which guarantees that men are free and equal, Article II, which claims that the purpose of all political association is to protect natural rights, and Article III, which claims that the nation is the source of all sovereignty and that all authority is expressly derived from individuals, imply the rest. Articles IV, V, and VI extend the first three articles and the 7th through 11th articles declare the principles on which the laws of France must be built. The twelfth articles and those that follow it unpack the previous five articles. Paine hails the document as a spectacular accomplishment.

The Miscellaneous Chapter is written to collect miscellaneous observations in one place so as not to interrupt the flow of the previous parts of the book. He apologizes for the miscellany and then maintains that Mr. Burke's book is 'all miscellany.' Paine critiques Burke's idea that government is the contrivance of human wisdom and claims that Burke believes that government has a monopoly on wisdom. He believes that Burke's principles lead to the view that government is governed by no principles and may make actions right or wrong merely be stipulation.

Burke's argument has problems. First, he cannot account for the origin of governmental wisdom and second, he cannot prove that it ever had authority. He notes that men's opinions of government are quickly changing due to the American and French Revolutions, and that Mr. Burke cannot stop the progress of knowledge. Paine heaps



scorn on Burke for proclaiming that the dignity of the English King stands in contempt of French Revolutionary society. Burke proclaims that the only common, stable form of government yet known is hereditary monarchy, but Paine resists the inference that therefore governments should continue to be hereditary monarchies.

Paine next sets up a reduction ad absurdum argument against the authority of hereditary monarchy. Suppose that power originates in the family and that families then give the king authority; this already presupposes that families have the authority to delegate power. Since we know that families precede kings, the king could not come to have authority without them. Thus, the first generation of king cannot get authority, and so neither can those that follow from it. Rights originate in the individuals and cannot be transferred or annihilated. On Burke's view, when the people of England overthrew the monarch in 1688, they permanently abdicated their rights; this follows if their rights flow from the king. And in any event, power cannot be inherited. If A is given power by B, he cannot hand it off to C without B's consent.

To Paine's eyes, Burke's view ultimately boils down to the claim that individuals have no rights. Really, monarchy is a fraud. Additionally, the United States seems to be getting along fine without one. He then complains about the inefficiency of the English government and argues the tyranny of the English Kings led to political instability and discusses some key events in the history of interactions between the King and the House of Commons. Paine next begins to compare the economies and treasuries of England and France, pointing out various French advantages. He claims that the mismanagement of the finances of the government, shocking in countries as rich as England and France, are due to monarchical rule. Paine ends the Miscellaneous Chapter observing how odd it is that Burke is so angry about the French Revolution. He writes without honor, as merely a Courtier, a servant of the state.

In the conclusion of Part One, Paine argues that mankind is influenced by two forces: reason and ignorance. Countries can survive under the rule of either but not both. If we have reason, we will be government by democracy, and if we have ignorance, we will be governed by hereditary monarchy. Corruption is a problem in both but is worse in monarchy. And in mixed governments, responsibility is lost. And the parts help one another increase their mutual power. In a well-constituted republic, this can be avoided.

Paine transitions to the observation that the American and French Revolutions are changing the world and undermining the legitimacy of old governments. This is good because men have lived wretched lives under hereditary monarchy. Government should manage the affairs of a nation and monarchs do not do this. Revolutions before only replaced kings but these new revolutions replace monarchy itself. To maintain freedom in this new form, we must always remember that men are born free and equal and that civil distinctions are based only on public utility, that the point of political associations is to preserve natural rights, which include property, security and resistance of oppression, and that sovereignty lies in the people and must be derived from it if governments are to have it.

Republics are less war-like, Paine argues, because their interests are those of the people. War is rooted in the old form of government. A world of republics would be more peaceful and prosperous. The hereditary governments are in decline and it will be best to embrace the 'age of Revolutions' which Paine hopes will produce a European Congress that will abolish war in Europe.



# **Part the Second, Combining Principle of Practice, Preface and Introduction, Chapter 1, Of Society and Civilization, Chapter 2, Of the Origin of the Present Old Governments, Chapter 3, Of the Old and New Systems of Government**

## **Part the Second, Combining Principle of Practice, Preface and Introduction, Chapter 1, Of Society and Civilization, Chapter 2, Of the Origin of the Present Old Governments, Chapter 3, Of the Old and New Systems of Government Summary and Analysis**

Part Two of Rights of Man is published a year after the first part. In the preface, Paine tells the reader that there were matters he wanted to add but he decided to wait until a later work. The first part was written in a more popular style; the second part is intended to be more measured and thoughtful. Further, Burke has refused to respond to Part One, and Paine finds this frustrating. Paine does not think much of Burke's new work and will confine himself to discussing a small part of it. Burke rejects Paine's views on criminal prosecution. Paine defends his criticisms by arguing that it is the duty of just men to criticize the errors and injustices of their governments. Governments should only make laws compatible with natural right and nothing more. Paine defends his views that juries produce unjust verdicts by arguing that their decisions are arbitrary. He continues to maintain that the forms of European governments must change.

Paine follows the preface with an introduction. He begins by pointing out that the American Revolution put democratic theory into practice for the first time and American independence has shown that it can work. America was the only place in the world, free of history, where this experiment could be tried. America is also a country of rapid progress. However, developed countries have corrupt governments that constantly intrude. Again, Paine insists that more revolutions are to come and that they will be less expensive and more conducive to the general welfare. Reason, universal peace and commerce will progress. Governments only claim accomplishments from themselves that are in fact due to business and civil society. The aim of Part Two is to show that the claims of government to produce order are in error.

In Chapter I, Society and Civilization, Paine argues that the social order is not due to government. Instead, the natural constitution of man and the principles of society



generate it. Social order preceded government and would continue were government abolished. The mutual dependence of man and their reciprocal interests can drive the social order forward. The natural law is common interest. Paine maintains that nature has given man wants that exceed his ability alone to provide so that he must cooperate to survive and be satisfied and nature has also given man social affections which allow him to enjoy cooperating with others and accommodating the wants of others. Government is only necessary in those small domains where society is not competent.

Paine points out that prior to the American Revolution, American States had very weak governments, and the frontier areas had not formal government at all. Society maintained itself. Formal government adds only a bit to civilization; it is not the whole. When a society has a good moral character, government is needed even less. Society's greatest laws are the laws of nature. When internal riots occur and external wars, government is typically behind them. America demonstrates this principle; it is full of diverse individuals with different languages, cultures and religions; everyone would have said prior to its establishment that it could not work, and yet they prosper - the poor are not oppressed, the rich are not privileged, industry is not extravagant, taxes are low and so there are few causes of dissension. Burke could not imagine such order. We should understand government merely as a 'national association acting on the principles of society.' With this established, Paine will proceed to review contemporary old governments and evaluate their practices and principles.

Chapter two opens with the claim that the only way that the governments of the present world could have arisen is through violating every known moral or sacred principle. We do not know their origins for sure, but it is hard to imagine otherwise. The little bit known about the origins of the English government show its source to be the Norman Conquest. The conquerors were no more than bands of robbers. It should be no surprise that if governments began as robbers that they would continue to be robbers in the present day.

Chapter three asserts that the principles on which old governments were founded are unjust. Old government is rooted in mere power and self-aggrandizement. However, the new principles of government are the delegation of power and the common good. War supports the former and peace the latter; the former promotes prejudice, the latter universal society.

Paine points out that this chapter is devoted to the Abbe Sieyes. First, new government is based on the ancient, natural rights of man, but it is best to call it 'new' because tyranny has ruled mankind for so long. Natural right rejects hereditary government because it is (a) unjustly coercive, (b) unable to perform government's basic task. Paine then defends these points.

Some have objected to Paine's Rights of Man as a 'leveling' system, of forcing the great down into the rabble but Paine insists that he only advocated mental leveling, where all believe themselves each to one another, and as rational beings. Even Sieyes agrees that hereditary transmission of power is incompatible with representative government but he worries that other forms of government will be worse since they are untried.



Paine thinks that the present governments are so bad, that trying something new is worthwhile. Mr. Burke's views are much worse though, since he embraces monarchy. Sieyes prefers elective monarchy which would be better than hereditary monarchy.

The representative system, again, is superior because it is based in society and uses nature, reason and experience to guide it. Since talents appear randomly distributed, reason dictates that power should not be handed down by heredity, but instead by merit. Further, revolution and protest exercises talent and promotes genius. The Athenian democracy compares favorably to the rest of ancient human governments. Paine then points out that Burke's attacks are on a straw man, 'republicanism.' It is not a form of government itself. It is simply a description of a governmental form that promotes the common good. So the main question of what government societies should have is left unanswered. Monarchy is awful, aristocracy is better but still inferior to democracy. Thus democracy should be preferred, specifically representative democracy. Simple, direct democracy is not feasible.

Paine argues that Mr. Burke's major points are scored only against a phantom recommendation. He endorses the American Presidency as built on a foundation of wisdom and far superior to monarchy. Monarchy is simply the popery of government, only maintained to amuse the stupid and subdue them into submission. Free government lies in law, not persons.



# Of Constitutions

## Of Constitutions Summary and Analysis

Constitutions and governments are distinct, Paine argues. Constitution is the act of a people constituting a government with rights. It is the origin of the delegated power of a government. The United States is a unique example. Paine discusses the nature of the American Constitutions. States initially formed their own governments but on the same general principles. Pennsylvania initially had twelve counties and Philadelphia had its own committee. The committees of the counties and the city were elected by the people but not to form a constitution. The constitutional convention occurred in the United States and was signed there with the authority of the representatives who in turn had the authority of the people.

Congress met in September 1774 and May 1775, but they were only a deputation from regional legislatures. Congress merely issued recommendations. After the Declaration of Independence, a new sense of the goodness of representative government prevailed and the Articles of Confederation was written, debated and then passed in 1781, but it had difficulties because it was ineffective and not representative enough. However, in both Pennsylvania and the United States there was a compact between the people to create and sustain a government. Thus, these events can occur.

Things have changed since these governments were established. The Articles gave the states too much power and publications and pamphlets appeared arguing as much. This led to the constitutional convention in Philadelphia in May 1787; General Washington was president. The men debated fiercely but eventually ratified a constitution with a president and two houses of Congress, a Senate and a Legislature. When the Constitution was taken to the states, it was eventually passed, but many objected because they believed the document would be interpreted differently by the federal government than was represented to them.

A new government was constituted, with George Washington as president, who, Paine adds, had a character that put all kings to shame. The Pennsylvania constitution was altered in accord with the new federal constitution and again, the people peacefully constituted a new government. The constitution of a people is owned by the people, not the government. Paine then argues at length that the 'implicit' constitution of England is much inferior, although the Magna Carta and other advances were important achievements. Paine then continues to review the development of British government.

Paine turns his attention back to Burke. Burke claims that the American Constitution and the French Constitution are very different in principle and philosophy but Paine dismisses this. Again, governments must be founded on the rights of individuals. The English government is undisciplined and wrapped up in foreign affairs. This results from the unfortunate reliance of the English on law by precedence, which Paine rejects because it keeps men in a state of ignorance of the law.





The principles of composing a constitution are next discussed. Paine first maintains that all nations have the right to establish constitutions; the constitutions are binding because nations have no interest in being wrong. Constitutions should recognize that governments are mere national associations meant to promote the individual and collective good; men should have freedom of occupation, rights to private property and peace guaranteed at minimal cost. Paine regards government as fundamentally divided into two functions - passing laws and enforcing them. The judicial power should be the executive power. Paine does not like the two houses of the American Congress because it produces inconsistency and allows the minority to govern the majority. Paine gives other objections. He then concludes that governments should have but one representative body. Representation should be divided by lot into two or three parts and every proposed bill should be debated in succession before a vote.

Paine denigrates hereditary monarchy and nationalist sentiment. The Constitutions of America avoid childish embarrassment of the monarchical governments. For one, tax collection is not in the hands of any one person. This power corrupts the monarch. Neither can the president bequeath his wealth to a next generation. Foreigners can hold any office but president as well. Plus, democratic nations will take more interest in their good. No nation should have the right to a person's time or services at his expense. Government departments should be well provided for. Americans take oaths of allegiance but this is a bad thing. Crucial to a good constitution is the power to revise, alter or amend it. Paine then ends the chapter with more posturing about how the future of Western government is constitutional.



# Ways and Means of Improving the Conditions of Europe, Interspersed with Miscellaneous Observations

## Ways and Means of Improving the Conditions of Europe, Interspersed with Miscellaneous Observations Summary and Analysis

The last chapter of Rights of Man concludes with practical recommendations for government policy in Europe, particularly on how to improve its material and social conditions. Again, he emphasizes that the American Revolution has lit a flame across the world and the freedom is within the grasp of the peoples of Europe. Their new governments must aim at the general happiness. Their principles must be practiced and European governments should be constructed on the idea of a universal civilization, in part to spite their violent governments. So much of tax revenue is wasted. Civil government must be distinguished from the state itself; and the people must believe in their ability to organize themselves.

Paine advocates commerce; he is a friend to its effects, and believes that commerce leads to peace, cordiality and prosperity. Universal trade would destroy war, and whatever promotes peace must be good. Nations should not and cannot flourish alone in commerce and the increase in commerce should never be attributed to the nation-state. Paine then refutes some pragmatic arguments against free trade. He argues that 'the principle of all commerce is the same' such that if domestic commerce is good, the foreign commerce is too and for the same reason. It is delusional to think that bureaucrats will manage trade properly.

Paine next turns to the plight of the elderly in the workhouse and the children in the gallows. The elderly are exhausted and the children are criminal. The poor are oppressed and force to finance their oppression. Paine argues that the young need moral instruction and cites his own experience as proof of his expertise. He then turns to general defects in the English government.

Corporate charters destroy rights by preventing the people from exercising political power, they produce endless fighting where they exist and destroy the common rights of national societies. Corporations circumscribe the rights of people in the towns they dominate. Corporate towns are pictures of decay and oppression. In fact, corporations must be abolished; businesses should be free to compete with one another. The influence of the corporations in the English parliament must be limited.

Paine turns his focus to aristocracy, particularly to the House of Lords or 'Peers.' There should be no house of men whose only claim to fame is that they are rich through



landed property; such a house serves no positive function. Mr. Burke defends the House of Lords as the pillar of security, but this is false. They have no more interest in good government than anyone else, and push the costs of government on to others. Their taxes are relatively low and disproportionate with what the poor pay. They are exempt from the most burdensome taxes as well and this is the direct result of the House of Lords. No other special interest has so much power. Their power represents political inequality. They should pay the same proportion as the poor because they consume more in proportion to their property. Mr. Burke supports the House of Lords because of precedence and because they preserve a 'character of weight and consequence.' In fact, however, the laws protecting the aristocracy are brutal and unjust. In fact, preserving the aristocracy is a taint on the English character.

As far as the monarchy, its costs are obscene and insane. It acts in superstitious ignorance and exercises arbitrary power. It does not serve an executive function. Further the King has too much power of collecting taxes, which he should not. Paine then attempts to use economic statistics to demonstrate that the English King consumes increasingly more of the wealth of England since the Norman Conquest in 1066. Although since the Glorious Revolution in 1688, taxes have been cut back. The French Revolution, Paine argues, will lead to a reduction in taxes and this will embarrass the English government; this is why the English government is unfriendly to the French Revolution. Nations should not be governed for the benefit of their rulers.

Trade and taxes should be separated as much as they can be. Then Paine proceeds to document how intertwined they have been and how taxes on trade further impoverish the poor. Taxes on the poor should be significantly lessened and money for the poor-houses, and redistribution should be increased. Only children and the elderly should be supported, however. Paine then tries to show, again with economic statistics, that England can easily afford these anti-poverty programs. Poor families would receive this money through tax remissions, in proportion to their number of children - a kind of per-child tax credit. Extra revenue should also be used to pay for school for children under fourteen to teach them to read, write and do arithmetic. Again, England can afford this. Schooling will help to reduce the poverty of parents and the cycle of the ignorant raising the ignorant can be broken.

There are two groups of elderly, those over fifty, and those over sixty. At fifty, the mental faculties of men are at their top capacities but his bodily faculties are in decline. His labor becomes accordingly less productive. At sixty, men should not longer have to work for bread. Paine has made rough estimates of those over sixty in England and believes that England can afford a pension program from them as well. Workplace accident insurance should be implemented as well, for those over fifty. These forms of support are the right of the people of England, not charity. All the English pay taxes and so all are entitled to receive some of it back in ways that will help them. Ideally, the English government would finance education even for the lower-middle class.

Paine focuses on the conditions of London, which needs particular forms of relief. Boys are in particularly difficult conditions, with poverty often forcing them to steal. Buildings should be erected to contain the poor and give them employment, so they will not



contribute to crime. These buildings should receive anyone who comes to them, not asking who or what they are. The only condition is that if they work, they eat and receive lodging. So long as each person only stayed three months, England could afford the program. The poor laws can then be abolished and the humane need no longer be shocked by poverty and the poor will have an interest in good government.

Paine supports an alliance with France; if the alliance is achieved, much of the English fleet and army will be useless. A part of the army and navy should be retained at home and be paid pensions for their service to the country. Their taxes will be reduced and their pensions continue as they reintegrate themselves into the English economy. He also recommends major cuts in tariff rates but a dramatic increase in inheritance taxes.

Paine next outlines in detail a proposed budget for the British government. He continues to recommend reducing regulations on business, extending freedom of contract to the poor, cutting taxes on the poor, and extended the welfare state. Further, the salaries of government employees should be raised in order to draw more talent into government management. Lower level priests should be paid a small sum and the national debt must be paid off, along with the interest. Taxes on houses, windows, commutation and poor-rates must be abolished. Paine explains how the debt can be paid off with remaining funds.

Paine digresses to discuss the appointment of Mr. Pitt as Chancellor of the Exchequer. He returns to arguing that the national debt should be paid off; he believes it should be paid off in installments and not be taxing capital but interest through a progressive ratio on earnings from stocks. He then falls into a rhetorical proclamation that this revolutionary change in government will sweep the world and free the poor. He recommends an alliance between American, England and France and perhaps Holland; they could then propose to dismantle their navies and agree not to build warships individually. Eventually others can be stitched into this alliance and South America could eventually be brought into world commerce. Representative government is coming and revolution should be contemplated carefully and embarked upon prudently. People must remember the great benefit of liberating the poor from poverty.

Finally, Paine states his views on religion. He believes that many religions are good so long as they promote the good. Men should not torment each other or make each other miserable. Religions should seek to unite nations and end feuds, stopping war, abolishing slavery and oppression, and so on. Differing on doctrinal points should not be a source of fighting. No religion should be explicitly national anymore than there should be national gods.



# Characters

## Thomas Paine

Thomas Paine was born in 1737 and died in 1809, living in one of the most revolutionary periods in human history and playing a key role in both the American and French Revolutions. He was a famous author and intellectual radical. His first great pamphlet *Common Sense*, written in 1776, helped to produce ideological support for the American Revolution. Paine later played a central role in generating ideological support for the French Revolution and in response to the criticisms of Edmund Burke, he wrote *Rights of Man* in 1791 to explain what he regarded as the core ideas of Enlightenment political thought.

The point of *Rights of Man*, in Paine's mind, is to defend the French Revolution and the principles upon which (Paine believes) it is based against the attacks of Edmund Burke in *Reflections on the Revolution in France*. He argues that the rights of humans are not rooted in law or government but instead in nature and reason itself. Rights cannot be lost or alienated and they extend across societies and through every social class.

Government authority derives only from the consent of the government and exists solely to protect these rights and promote the common good. He argues that all monarchies should be abolished and that representative democracy is not only morally superior, but economically superior. He also proclaims that democratic revolution is inevitable. Despite his allegiance to the concept of natural rights to property, towards the end of the Second Part of *Rights of Man*, Paine defends many policies at the core of the modern welfare state.

## Edmund Burke

Edmund Burke was born in 1729 and died in 1797, spanning much the same time period as Paine. He was an Irish parliamentarian and author and political theorist. He is perhaps the great articulator of the political philosophy of the English Whigs, particularly the "Old Whigs" and is seen as the founder of modern Anglo-American conservatism. Burke was deeply hostile to the French Revolution and made the case for his hostility in *Reflections on the Revolution in France*.

Burke had defended the Americans against the oppression of the English government and advocated independence for the United States, something which led Paine to be surprised by his opposition to the French Revolution. To his mind, however, the French Revolution was very different from both the American Revolution and the Glorious Revolution in Britain in 1688. The French Revolution was different because it overthrew the fundamental traditions and institutions of the French people, whereas the American and Glorious Revolutions preserved social practices that had been encroached upon by various governments.



Burke believed that despite the hopes of the French Revolutionaries, that the French Revolution, because it had destroyed France's basic social institutions, would generate a vacuum of power and decay into tyranny and dictatorship. Traditional institutions existed for a reason - they at least had a tendency to embody the wisdom, and trial and error of social life that had accumulated from past generations.

Paine bitterly criticized Burke because he saw that French traditions and ancient institutions embodied only tyranny, criminality, and oppression; to see them as embodying 'wisdom' was to either be willfully apologizing for power or woefully ignorant of the circumstances of the French poor. Throughout Rights of Man, Paine constantly criticizes Burke for defending hereditary monarchy and aristocracy, arguing that representative democracy would be more functional and more just; further, Paine maintained, contrary to what he believed to be Burke's position, that the rights of men did not rely on tradition or law but were rooted in reason itself.

## **Marquis de la Fayette**

The Marquis de la Fayette was a friend and ally of Thomas Paine's and a famous French military officer who aided the United States in the American Revolution. It was Lafayette who presented the Declaration of the Rights of Man and of the Citizen to the French Assembly. The Second Part of Rights of Man is dedicated to Lafayette.

## **George Washington**

General George Washington was greatly admired by Thomas Paine and the first part of Rights of Man is dedicated to him.

## **The English Government**

Paine believed the English government disapproved of the French Revolution because it threatened their power. Paine believed that the English government should become a representative democracy.

## **The National Assembly of France**

The National Assembly was the French legislative body that aided in the transition from the Estates-General to the Democratic government of France following the Revolution. Paine supports and praises the National Assembly throughout the Rights of Man.

## **The English People**

Paine believes that the English people support the French Revolution, in contrast to the English government.



## **The French People**

Paine sees the French people as greatly oppressed and impoverished by the state, and thinks that whatever costs the revolution might present to them, the potential benefits are rather greater.

## **Monarchs**

Paine wants to abolish all monarchs and replace them with democratic governments.

## **The Poor**

Paine believed that a democratic government in England could easily afford to dramatically reduce taxes on the poor and the tariffs that fell most heavily on them. He also defended anti-poverty programs for them as well.

## **The Elderly**

Paine thought that a democratic government in England could easily afford to provide the elderly with retirement assistance.

## **The Youth**

Paine thought that the youth of England and London were destroying it because they were not in school or at work; he proposed programs to fund their education and employment.



# Objects/Places

## The United States

Tom Paine played a major role in the American Revolution and believed that the democratic government of the United States was a model for the whole world.

## England

Paine was originally from England, as was his great opponent, Burke. However, Paine saw the English as resisting the revolutionary spirit of the Americans and the French.

## France

Paine wrote Rights of Man to defend the French Revolution and was in France during the revolution.

## The American Revolution

The American Revolution, lasting from 1775 to 1781, where the United States broke away from Great Britain creating the United States of America.

## The French Revolution

Beginning in 1789, the French Revolution sought to overthrow the French monarchy and replace it with a democracy. Paine writes Rights of Man to defend the French Revolution in 1791 and 1792.

## The English Crown

Paine bitterly opposed the English Crown, the set of power of English Kings and Queens.

## Natural Rights of Man

Paine believed that all men by nature possessed natural rights, which were derived from God. These rights including liberty, property and security and could not be revoked by any person, law or institution.





## **The United States Constitution**

The United States Constitution was, to Thomas Paine, the greatest political achievement to date in human history.

## **The French Declaration of the Rights of Man**

The Marquis de la Fayette had written the Declaration of the Rights of Man and of the Citizen to be passed by the French National Assembly. Its first three articles, in Paine's view, embodied the obviously true principles of justice.

## **Philadelphia**

The American city where the Constitutional Convention was held.

## **Paris**

The site of the French Revolution.

## **The Bastille**

The Bastille is a fortress and prison in Paris which was used to imprison large numbers of people and was widely seen as a symbol of the oppression of the French poor. The Bastille was stormed by a mass of French people on July 14th, 1789; this event marks the beginning of the French Revolution.

## **The House of Lords**

The upper house of British Parliament composed of England's landed aristocracy. Paine believed its very existence produced injustice and waste.

## **Burke's Pamphlets**

Edmund Burke not only wrote Reflections on the Revolution in France but a variety of other documents intended to defend traditional social institutions against the French revolutionaries.

## **Paine's Writings**

Paine had many radical political writings, of which Rights of Man is only one.

## **Representative Government**

Paine believes that the only legitimate form of government was one where the people elected their own representatives.

## **Anti-Poverty Programs**

Paine supported a wide range of anti-poverty policies, arguing towards the end of Rights of Man that a frugal, democratic government in England could easily afford such programs.

# Themes

## Reason vs. Ignorance

'Reason' is the watchword of the Enlightenment, in which Thomas Paine is a major figure. Enlightenment intellectuals tended to see themselves as the defenders of pure reason against superstition and of science and liberty against ignorance. Thomas Paine is not exception. The primary distinction, the ultimate distinction he wants to draw between the old governments and the new between post-revolutionary American and France on the one hand and England and the other monarchies of the world on the other, is the distinction between reason and ignorance.

For Paine, ignorance is the heart of the old system, or ancient regime, as it came to be known. This system of social order included a powerful, hereditary monarch, disproportionate political representation of a historically entrenched landed aristocracy and a powerful established church. It subsisted on class hierarchy and often on feudal and later mercantilist forms of economic organization. The monarch, aristocrats and priests formed a ruling class but their power came from ignorance alone. The priests used superstition to keep the people ignorant of their ability to rebel against their oppressors, and the monarch used power. The aristocrats were happy to go along for the ride. Hereditary monarchy is so irrational on Paine's view, that only ignorance could sustain it.

Constitutional democracy, on the other hand, is the only governmental form demanded by Reason-with-a-capital-R. Anyone who uses Reason detached from ignorant superstition will see that all people have natural rights and that only democracy can protect them.

## Freedom vs. Slavery

Thomas Paine, however, was primarily a defender and theorist of freedom. First, Paine argued that men were free when their natural rights were not violated. The individual's natural rights consisted in liberty of conscience, speech and press, security from harm, and the right to private property, among other rights. Hereditary monarchy violated these rights, for it cannot and has never secured the consent of the people. The natural rights of men cannot be alienated; men can only delegate their power to an agent who protects their rights and serves their individual and common interests. If the agent does a poor job, the people have the right to alter or abolish the government. If a government consistently violates natural rights and oppresses the people, then it must be radically altered.

Paine argues that the peoples of Europe were, by and large, slaves of the ancient regime, the social order ruled by a hereditary monarch, an entrenched aristocracy and an established church. Under this system, taxes fell disproportionately on the poor and



the large majority of people were prevented from improving their lot in life with government and social controls.

Paine is determined to defend a system of government that is compatible with the natural rights of all persons. He believes that under a system of representative, constitutional democracy that the liberties of the people will be protected and that the government will be responsible and serve the common good. As a result, the people will be free under such a regime, not only because their natural rights are respected but because they have a hand in shaping their government.

## **Democracy vs. Monarchy**

The French Revolution, in Paine's mind, bears the promise of democratic, constitutional government in France. Paine had already fought hard to bring democracy to the United States and believed that the American Revolution would set the European World on fire for democratic government. Only the United States could have led the way because it had no history of oppressive, hierarchical institutions (he omits slavery here). However, now he sees democratic revolution extending itself into France and he also sees Edmund Burke criticizing the revolt of the oppressed against their oppressors. This, in Paine's mind, is an almost unmitigated good, and he cannot understand why Burke would oppose it.

To Paine's mind, hereditary monarchy is rooted in ignorance and slavery. Kings only came to power through murder, conquest and theft; they mismanaged the finances of their regimes, collected harsh taxes and distributed them unjustly; they had arbitrary power which they were permitted to exercise at their whim and the only way that anyone anywhere would submit to them is out of ignorance or fear.

Burke's traditionalist argument, his view that the institutions of the ancient regime embodied the collective wisdom of ages past, is dismissed by Burke as a mere rationale for oppression. Instead, to be truly free, to be governed by reason and to be liberated from economic oppression, the peoples of the world must have democratic government. Only then can they have a government that protects their rights and serves the common good.

# Style

## Perspective

The perspective of Rights of Man is that of its author, Thomas Paine. Thomas Paine is one of the great figures of the Enlightenment, particularly its social and political thought. Specifically, Paine was an early radical liberal. Understand that at the end of the 18th century a 'liberal' was something very different from a liberal today.

Liberalism typically referred to a political philosophy and political program that endorsed (a) reduction of the power or disestablishment of state churches, (b) representative democratic government, (c) constitutionalism and the rule of law, (d) natural rights, including rights of free speech, press, religion and private property, (e) free trade and free markets, as opposed to corporate and government control of the economy, (f) moral cosmopolitanism, or the view that the people of one nation were not superior to another and that all humans had equal worth, (g) hostility to class structures, particularly the hereditary class structures entrenched in Europe (h) a rejection of imperialism and colonialism, and (i) 'social contract' theory, which holds that governments derive their authority from the consent of the government and may only protect the natural rights of the people.

Paine endorsed all of these positions, yet unlike many classical liberals, he supported a series of political programs that would come to be called 'social democratic'; in simpler terms, they are the policies - writ small - of the modern welfare state, including public education, old age government pensions, mandatory workplace safety insurance, and so on.

Paine's radical liberalism led him to support not only the American Revolution but the French Revolution as well. In later years, liberals would often regard the French Revolution with great skepticism, as it led to the instability that gave rise to Napoleon and the Napoleonic Wars and ultimately led to a much stronger central state in France. But Paine is writing at the very inception of the French Revolution and sees it - as many radical liberals at the time did - as the second of a series of great democratic revolutions that began with the American Revolution.

For this reason, Paine is bitterly opposed to Edmund Burke's criticisms of the French Revolution; one can see that they are directly in line with his deep ideological commitments.

## Tone

The tone of Rights of Man contains four main elements. Its tone involves scorn, triumphalism, self-righteousness and a thirst for justice. First, the tone is full of scorn aimed at three main groups: (i) Edmund Burke and those who support him, (ii) The



English Monarch and monarchs generally, and (iii) The House of Lords and any aristocratic powers that oppress the poor.

Edmund Burke comes in for criticism because he has stridently criticized the French Revolution; the entirety of Rights of Man is devoted to refuting Burke and - apparently - insulting him as well. The English monarch is criticized for being wasteful, corrupt and having arbitrary power. And the House of Lords is criticized because its members systematically skew government policies so as to place financial burdens on the poor rather than themselves.

The tone includes a strong air of triumphalism, however. Thomas Paine believes that he is on the side of justice and the inevitable triumph of liberty. Over and over again in Rights of Man Paine proclaims that the American and French Revolutions are just the beginning of a Europe-wide and perhaps world-wide overthrow of hereditary monarchy and the embrace of democratic government, which Paine believes will be vastly superior economically and morally to what came before.

The tone contains self-righteousness because Paine is convinced that he clearly sees the principles of justice and Burke does not; he admits no merit in Burke's points whatsoever and presumes that Burke's criticisms indicate moral vice. Finally, the book is full of a thirst for justice; Paine not only wants to figure out what the principles of justice are but he wants to apply them to political practice in American, France and England. In Rights of Man, Paine not only gives a theory of justice and government legitimacy, he also makes practical recommendations for how to improve the stead of the oppressed and poor across Europe.

## Structure

Rights of Man is divided into two parts which were initially published separately. Part One was written and published within three months of the publication of Edmund Burke's Reflections on the Revolution in France. It had two primary purposes: (a) to set the facts straight about how the French Revolution was proceeding, facts which he believed Burke willfully distorted and (b) to defend the French Revolution against Burke's criticisms.

After setting the facts straight, Paine proceeds to give his theory about the principles of justice, the origin of governmental authority, proper constitutional design. He argues that all men and women, everywhere, have natural rights. These rights hold regardless of whatever laws or on the books or what practices hold. They include the rights to liberty, property and security. All governments receive their authority only through the delegation of power directly from the individuals that comprise a nation. And they only receive these rights to the degree needed to protect the natural rights of individuals and advance the common good subject to the constraints of these rights. Any other action by government is unjust and the people may 'fire' their government through altering it or abolishing it.



Paine argues that reason itself tells us that humans have these rights and that reason demands that representative democracy is the only form of government that will effectively promote these rights. He then defends the French National Assembly's Declaration of Rights on the grounds that it is compatible with these principles and argues that Burke's traditionalism is a mere rationale for oppression.

Part Two is published a year later. Paine seeks to respond to further work by Burke and others. He first argues that the social order is not due to government power but exists despite it and has existed without it. Governments should remain small. Second, he argues that hereditary monarchy could only arise through savage violations of the moral law and so are unjust. He then compares monarchy to democracy and finds it vastly inferior on every ground.

Next Paine lays out what he believes to be the ideal structure and conception of a democratic constitution and ends by arguing that the English people, had they a democracy, would have enough money, managed wisely enough, to have radical free trade, no corporate monopolies, to abolish taxes on the poor and provide a wide array of anti-poverty programs for the old, the sick, the injured, the youth and veterans.

## Quotes

"The cause of the French people is that of all Europe, or rather that of the whole world." (Preface to the French Edition, 6)

"I write now for the world at large." (Preface to the Abridged Edition, 9)

"Lay then the axe to the root, and teach governments humanity." (Rights of Man, 29)

"The Mosaic account of the creation, whether taken as divine authority, or merely historical, is full to this point, the unity or equality of man. The expressions admit of no controversy." (Rights of Man, 38)

"As Mr. Burke has not written on constitutions, so neither has he written on the French revolution." (Rights of Man, 62)

"May this great monument raised to Liberty, serve as a lesson to the oppressor, and an example to the oppressed!" (Observations on the Declaration of Rights, 83)

"He [Burke] writes neither in the character of a Frenchman nor an Englishman, but in the fawning character of that creature known in all countries, and a friend to none, a Courtier." (Miscellaneous Chapter, 105)

"Great part of that order which reigns among mankind is not the effect of government. It has its origin in the principle of society and the natural constitution of man." (Of Society and Civilization, 127)

"... government is nothing more than a national association acting on the principles of society." (Of Society and Civilization, 131)

"One of the greatest improvements that has been made for the perpetual security and progress of constitutional liberty, is the provision which the new constitutions make for occasionally revising, altering and amending them." (Of Constitutions, 167)

"From a small spark, kindled in America, a flame has arisen, not to be extinguished." (, 170)

"... my religion is to do good." (Ways and Means of Improving the Condition of Europe, Interspersed with Miscellaneous Observations, 186)





## Topics for Discussion

Why does Paine write different prefaces for different audiences? What are these differences in emphases?

What was Mr. Burke's argument against the French Revolution? Why did Paine disagree?

What are Burke and Paine's differences on the matters of fact concerning the French Revolution?

What does Paine think are Burke's main arguments for the retention of the Monarchy? What are Paine's counterarguments?

Why does Paine believe that Monarchy is inferior to Democracy? Give three of his arguments.

What does Paine believe makes for a just government? Where does a just government get its authority? What do the first three articles of the French Declaration have to do with this?

Paine was a strong believer in the right to private property, yet he also believes in implementing a wide range of anti-poverty programs, which he outlines at the end of the book. Are these two commitments compatible? Why or why not?

To what extent did Paine's predictions about the future come true? How prescient was Paine?