Thomas Paine

RIGHTS OF MAN

Among the incivilities by which nations or individuals provoke and irritate each other, Mr Burke's pamphlet on the French Revolution is an extraordinary instance. Neither the People of France, nor the National Assembly, were troubling themselves about the affairs of England, or the English Parliament; and why Mr Burke should commence an unprovoked attack upon them, both in parliament and in public, is a conduct that cannot be pardoned on the score of manners, nor justified on that of policy.

There is scarcely an epithet of abuse to be found in the English language, with which Mr Burke has not loaded the French Nation and the National Assembly. Everything which rancour, prejudice, ignorance, or knowledge could suggest, are poured forth in the copious fury of near four hundred pages. In the strain and on the plan Mr Burke was writing, he might have written on to as many thousands. When the tongue or the pen is let loose in a frenzy of passion, it is the man, and not the subject, that becomes exhausted.

Hitherto Mr Burke has been mistaken and disappointed in the opinions he had formed of the affairs of France; but such is the ingenuity of his hope, or the malignancy of his despair, that it furnishes him with new pretences to go on. There was a time when it was impossible to make Mr Burke believe there would be any revolution in France. His opinion then was, that the French had neither spirit to undertake it, nor fortitude to support it; and now that there is one, he seeks an escape, by condemning it.

Not sufficiently content with abusing the National Assembly, a great part of his work is taken up with abusing Dr Price (one of the best-hearted men that lives), and the two societies in
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England known by the name of the Revolution Society, and the Society for Constitutional Information.

Dr Price had preached a sermon on the 4th of November 1789, being the anniversary of what is called in England, the Revolution which took place 1688. Mr Burke, speaking of this sermon, says, 'The Political Divine proceeds dogmatically to assert, that, by the principles of the Revolution, the people of England have acquired three fundamental rights:

1. To choose their own governors.
2. To cashier them for misconduct.
3. To frame a government for ourselves.'

Dr Price does not say that the right to do these things exists in this or in that person, or in this or in that description of persons, but that it exists in the whole; that it is a right resident in the nation. -- Mr Burke, on the contrary, denies that such a right exists in the nation, either in whole or in part, or that it exists anywhere; and, what is still more strange and marvellous, he says, 'that the people of England utterly disclaim such a right, and that they will resist the practical assertion of it with their lives and fortunes.' That men should take up arms, and spend their lives and fortunes, not to maintain their rights, but to maintain they have not rights, is an entirely new species of discovery, and suited to the paradoxical genius of Mr Burke.

The method which Mr Burke takes to prove that the people of England have no such rights, and that such rights do not now exist in the nation, either in whole or in part, or anywhere at all, is of the same marvellous and monstrous kind with what he has already said; for his arguments are, that the persons, or the generation of persons, in whom they did exist, are dead, and with them the right is dead also. To prove this, he quotes a declaration made by parliament about a hundred years ago, to William and Mary, In these words: 'The Lords Spiritual and Temporal, and Commons, do, in the name of the people aforesaid,' -- (meaning the people of England then living) -- 'most humbly and faithfully submit themselves, their heirs and posterity, for ever.' He also quotes a clause of another act of parliament made in the same reign, the terms of which, he says, 'bind us' -- (meaning the people of that day) -- 'our heirs, and

our posterity, to them, their heirs and posterity, to the end of time.'

Mr Burke conceives his point sufficiently established by producing those clauses, which he enforces by saying that they exclude the right of the nation for ever: And not yet content with making such declarations, repeated over and over again, he farther says, 'that if the people of England possessed such a right before the Revolution, (which he acknowledges to have been the case, not only in England, but throughout Europe, at an early period), yet that the English nation did, at the time of the Revolution, most solemnly renounce and abdicate it, for themselves, and for all their posterity, for ever.'

As Mr Burke occasionally applies the poison drawn from his horrid principles, not only to the English nation, but to the French Revolution and the National Assembly, and charges that august, illuminated and illuminating body of men with the epithet of usurpers, I shall, sans ceremonie, place another system of principles in opposition to his.

The English Parliament of 1688 did a certain thing, which, for themselves and their constituents, they had a right to do, and which it appeared right should be done: But, in addition to this right, which they possessed by delegation, they set up another right by assumption, that of binding and controlling posterity to the end of time. The case, therefore, divides itself into two parts; the right which they possessed by delegation, and the right which they set up by assumption. The first is admitted; but, with respect to the second, I reply --

There never did, there never will, and there never can exist a parliament, or any description of men, or any generation of men, in any country, possessed of the right or the power of binding and controlling posterity to the 'end of time,' or of commanding for ever how the world shall be governed, or who shall govern it; and therefore, all such clauses, acts or declarations, by which the makers of them attempt to do what they have neither the right nor the power to do, nor the power to execute, are in themselves null and void. -- Every age and generation must be as free to act for itself, in all cases, as the ages and generations which preceded it. The vanity and presumption of

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governing beyond the grave, is the most ridiculous and insolent of all tyrannies. Man has no property in man; neither has any generation a property in the generations which are to follow. The parliament or the people of 1688, or of any other period, has no more right to dispose of the people of the present day, or to bind or to control them in any shape whatever, than the parliament or the people of the present day have to dispose of, bind or control those who are to live a hundred or a thousand years hence. Every generation is, and must be, competent to all the purposes which its occasions require. It is the living, and not the dead, that are to be accommodated. When man ceases to be, his power and his wants cease with him; and having no longer any participation in the concerns of this world, he has no longer any authority in directing who shall be its governors, or how its government shall be organized, or how administered.

I am not contending for nor against any form of government, nor for nor against any party here or elsewhere. That which a whole nation chooses to do, it has a right to do. Mr Burke says, No. Where then does the right exist? I am contending for the rights of the living, and against their being willed away, and controlled and contracted for, by the manuscript assumed authority of the dead; and Mr Burke is contending for the authority of the dead over the rights and freedom of the living. There was a time when kings disposed of their crowns by will upon their deathbeds, and consigned the people, like beasts of the field, to whatever successor they appointed. This is now so exploded as scarcely to be remembered, and so monstrous as hardly to be believed: But the parliamentary clauses upon which Mr Burke builds his political church, are of the same nature.

The laws of every country must be analogous to some common principle. In England, no parent or master, nor all the authority of parliament, omnipotent as it has called itself, can bind or control the personal freedom even of an individual beyond the age of twenty-one years. On what ground of right, then, could the parliament of 1688, or any other parliament, bind all posterity for ever?

Those who have quitted the world, and those who are not yet arrived at it, are as remote from each other, as the utmost stretch of mortal imagination can conceive: What possible obligation, then, can exist between them; what rule or principle can be laid down, that of two non-entities, the one out of existence, and the other not in, and who never can meet in this world, the one should control the other to the end of time?

In England, it is said that money cannot be taken out of the pockets of the people without their consent: But who authorized, or who could authorize the parliament of 1688 to control and take away the freedom of posterity, (who were not in existence to give or to withhold their consent,) and limit and confine their right of acting in certain cases for ever?

A greater absurdity cannot present itself to the understanding of man, than what Mr Burke offers to his readers. He tells them, and he tells the world to come, that a certain body of men, who existed a hundred years ago, made a law; and that there does not now exist in the nation, nor ever will, nor ever can, a power to alter it. Under how many subtleties, or absurdities, has the divine right to govern been imposed on the credulity of mankind! Mr Burke has discovered a new one, and he has shortened his journey to Rome, by appealing to the power of this infallible parliament of former days; and he produces what it has done, as of divine authority; for that power must certainly be more than human, which no human power to the end of time can alter.

But Mr Burke has done some service, not to his cause, but to his country, by bringing those clauses into public view. They serve to demonstrate how necessary it is at all times to watch against the attempted encroachment of power, and to prevent its running to excess. It is somewhat extraordinary, that the offence for which James II was expelled, that of setting up power by assumption, should be re-acted, under another shape and form, by the parliament that expelled him. It shows, that the rights of man were but imperfectly understood at the Revolution; for, certain it is, that the right which that parliament set up by assumption (for by delegation it had it not, and could not have it, because none could give it) over the persons and freedom of posterity for ever, was of the same tyrannical unfounded kind which James attempted to set up over the parliament and the nation, and for which he was expelled. The only difference
is (for in principle they differ not), that the one was an usurper over the living, and the other over the unborn; and as the one has no better authority to stand upon than the other, both of them must be equally null and void, and of no effect.

From what, or from whence, does Mr Burke prove the right of any human power to bind posterity for ever? He has produced his clauses; but he must produce also his proofs, that such a right existed, and show how it existed. If it ever existed, it must now exist; for whatever appertains to the nature of man, cannot be annihilated by man. It is the nature of man to die, and he will continue to die as long as he continues to be born. But Mr Burke has set up a sort of political Adam, in whom all posterity are bound for ever, he must therefore prove that his Adam possessed such a power, or such a right.

The weaker any cord is, the less will it bear to be stretched, and the worse is the policy to stretch it, unless it is intended to break it. Had any one purposed the overthrow of Mr Burke's positions, he would have proceeded as Mr Burke has done. He would have magnified the authorities, on purpose to have called the right of them into question; and the instant the question of right was started, the authorities must have been given up.

It requires but a very small glance of thought to perceive, that although 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. A law not repealed continues in force, not because it cannot be repealed, but because it is not repealed; and the non-repealing passes for consent.

But Mr Burke's clauses have not even this qualification in their favour. They become null, by attempting to become immortal. The nature of them precludes consent. They destroy the right which they might have, by grounding it on a right which they cannot have. Immortal power is not a human right, and therefore cannot be a right of parliament. The parliament of 1688 might as well have passed an act to have authorized themselves to live for ever, as to make their authority live for ever. All therefore that can be said of those clauses is, that they are a formality of words, of as much import, as if those who used them had addressed a congratulation to themselves, and, in the
declaration and his arguments, compared with these clear, concise, and soul-animated sentiments! Few and short as they are, they lead on to a vast field of generous and manly thinking, and do not finish, like Mr Burke’s periods, with music in the ear, and nothing in the heart.

As I have introduced M. de Lafayette, I will take the liberty of adding an anecdote respecting his farewell address to the Congress of America in 1783, and which occurred fresh to my mind when I saw Mr Burke’s thundering attack on the French Revolution. - M. de Lafayette went to America at an early period of the war, and continued a volunteer in her service to the end. His conduct through the whole of that enterprise is one of the most extraordinary that is to be found in the history of a young man, scarcely then twenty years of age. Situated in a country that was like the lap of sensual pleasure, and with the means of enjoying it, how few are there to be found who would exchange such a scene for the woods and wildernesses of America, and pass the flowery years of youth in unprofitable danger and hardship! but such is the fact. When the war ended, and he was on the point of taking his final departure, he presented himself to Congress, and contemplating, in his affectionate farewell, the revolution he had seen, expressed himself in these words: ‘May this great monument, raised to Liberty, serve as a lesson to the oppressor, and an example to the oppressed!’ - When this address came to the hands of Dr Franklin, who was then in France, he applied to Count Vergennes to have it inserted in the French Gazette, but never could obtain his consent. The fact was, that Count Vergennes was an aristocratical despot at home, and dreaded the example of the American revolution in France, as certain other persons now dread the example of the French revolution in England; and Mr Burke’s tribute of fear (for in this light his book must be considered) runs parallel with Count Vergennes’ refusal. But, to return more particularly to his work - ‘We have seen’ (says Mr Burke) ‘the French rebel against a mild and lawful Monarch, with more fury, outrage, and insult, than any people has been known to rise against the most illegal usurper, or the most sanguinary tyrant.’ - This is one among a thousand other instances, in which Mr Burke shows that he is ignorant of the springs and principles of the French revolution.

It was not against Louis the XVIIth, but against the despotic principles of the government, that the nation revolted. These principles had not their origin in him, but in the original establishment, many centuries back; and they were become too deeply rooted to be removed, and the augean stable of parasites and plunderers too abominably filthy to be cleansed, by anything short of a complete and universal revolution. When it becomes necessary to do a thing, the whole heart and soul should go into the measure, or not attempt it. That crisis was then arrived, and there remained no choice but to act with determined vigour, or not to act at all. The king was known to be the friend of the nation, and this circumstance was favourable to the enterprise. Perhaps no man bred up in the style of an absolute King, ever possessed a heart so little disposed to the exercise of that species of power as the present King of France. But the principles of the government itself still remained the same. The Monarch and the Monarchy were distinct and separate things; and it was against the established despotism of the latter, and not against the person or principles of the former, that the revolt commenced, and the revolution has been carried.

Mr Burke does not attend to the distinction between men and principles; and therefore, he does not see that a revolt may take place against the despotism of the latter, while there lies no charge of despotism against the former.

The natural moderation of Louis XVI contributed nothing to alter the hereditary despotism of the monarchy. All the tyrannies of former reigns, acted under that hereditary despotism, were still liable to be revived in the hands of a successor. It was not the respite of a reign that would satisfy France, enlightened as she was then become. A casual discontinuance of the practice of despotism, is not a discontinuance of its principles; the former depends on the virtue of the individual who is in immediate possession of the power; the latter, on the virtue and fortitude of the nation. In the case of Charles I and James II of England, the revolt was against the personal despotism of the men; whereas in France, it was against the hereditary despotism of the established government. But men who can consign over the
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were the same in both reigns, though the dispositions of the men were as remote as tyranny and benevolence.

What Mr Burke considers as a reproach to the French Revolution, (that of bringing it forward under a reign more mild than the preceding ones), is one of its highest honours. The revolutions that have taken place in other European countries, have been excited by personal hatred. The rage was against the man, and he became the victim. But, in the instance of France, we see a revolution generated in the rational contemplation of the rights of man, and distinguishing from the beginning between persons and principles.

But Mr Burke appears to have no idea of principles, when he is contemplating governments. 'Then years ago' (says he) 'I could have felicitated France on her having a government, without inquiring what the nature of that government was, or how it was administered.' Is this the language of a rational man? Is it the language of a heart feeling as it ought to feel for the rights and happiness of the human race? On this ground, Mr Burke must compliment all the governments in the world, while the victims who suffer under them, whether sold into slavery, or tortured out of existence, are wholly forgotten. It is power, and not principles, that Mr Burke venerates; and under this abominable depravity, he is disqualified to judge between them. Thus much for his opinion as to the occasions of the French Revolution. I now proceed to other considerations.

I know a place in America called Point-no-Point; because as you proceed along the shore, gay and flowery as Mr Burke’s language, it continually recedes and presents itself at a distance before you; but when you have got as far as you can go, there is no point at all. Just thus it is with Mr Burke’s three hundred and fifty-six pages. It is therefore difficult to reply to him. But as the points he wishes to establish, may be inferred from what he abuses, it is in his paradoxes that we must look for his arguments.

As to the tragic paintings by which Mr Burke has outraged his own imagination, and seeks to work upon that of his readers, they are very well calculated for theatrical representation, where facts are manufactured for the sake of show, and accommodated
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France.* As to what a madman, like the person called Lord G— G—, might say, and to whom Newgate is rather a bedlam than a prison, it is unworthy a rational consideration. It was a madman that libelled—and that is sufficient apology; and it afforded an opportunity for confining him, which was the thing that was wished for: But certain it is that Mr Burke, who does not call himself a madman, (whatever other people may do), has libelled, in the most unprovoked manner, and in the grossest style of the most vulgar abuse, the whole representative authority of France; and yet Mr Burke takes his seat in the House of Commons! From his violence and his grief, his silence on some points, and his excess on others, it is difficult not to believe that Mr Burke is sorry, extremely sorry, that arbitrary power, the power of the Pope, and the Bastille, are pulled down.

Not one glance of compassion, not one commiserating reflection, that I can find throughout his book, has he bestowed on those who lingered out the most wretched of lives, a life without hope, in the most miserable of prisons. It is painful to behold a man employing his talents to corrupt himself. Nature has been kinder to Mr Burke than he is to her. He is not affected by the reality of distress touching his heart, but by the showy resemblance of it striking his imagination. He pities the plumage, but forgets the dying bird. Acustomed to kiss the aristocratical hand that had purloined him from himself, he degenerates into a composition of art, and the genuine soul of nature forsakes him. His hero or his heroine must be a tragedy-victim expiring in show, and not the real prisoner of misery, sliding into death in the silence of a dungeon.

*Since writing the above, two other places occur in Mr Burke's pamphlet, in which the name of the Bastille is mentioned, but in the same manner. In the one, he introduces it in a sort of obscure question, and asks—"Will any minister who now serve such a king, with but a decent appearance of respect, cordially obey the orders of those whom but the other day, in his name, they had committed to the Bastille?" In the other, the taking it is mentioned as implying criminality in the French guards who assisted in demolishing it. — "They have not" (says he) "forgotten the taking the king's castles at Paris." — This is Mr Burke, who pretends to write on constitutional freedom.