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978-1-108-04545-2 - Rights of Man: Being an Answer to Mr. Burke's Attack on the French Revolution

Thomas Paine

Excerpt

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RIGHTS OF MAN,

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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. Every thing 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

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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 furnisheshim 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 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 our own governors.
- ' 2. To cashier them for misconduct.
- ' 3. To frame a government for ourselves.'

Dr.

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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 any where; 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 entire 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 any where 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 Com-
mons, do, in the name of the people aforesaid,
—(meaning the people of England then living)—
“ most humbly and faithfully *submit* themselves,
“ their *heirs* and *posterities*, for EVER.” He also
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quotes a clause of another act of parliament made in the same reign, the terms of which, he says, “ binds 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 further 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, (if it is not a profanation to call them by the name of 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

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they set up another right by assumption, that of binding and controuling 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 controuling 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 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, had no more right to dispose of the people of the present day, or to bind or to controul them *in any shape whatever,* than the parliament or the people of the present day have to dispose of, bind or controul those who are to live a hundred or a thousand years hence.

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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 controuled 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
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bind or controul 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 two non-entities, the one out of existence, and the other not in, and who never can meet in this world, that the one should controul 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 controul and take away the freedom of posterity, and limit and confine their right of acting in certain cases for ever, who were not in existence to give or to withhold their consent?

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 subtilties, or absurdities, has the divine right to govern been imposed on the credulity of mankind! Mr. Burke has discovered a new

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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 shews, 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.

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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 shew 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 a person contemplated 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 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. 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 attempt-

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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 them 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 oriental stile of antiquity, had said, O Parliament, live for ever!

The circumstances of the world are continually changing, and the opinions of men change also; and as government is for the living, and not for the dead, it is the living only that has any right in it. That which may be thought right and found convenient in one age, may be thought wrong and found inconvenient in another. In such cases, Who is to decide, the living, or the dead?

As almost one hundred pages of Mr. Burke's book are employed upon these clauses, it will consequently follow, that if the clauses themselves, so far as they set up an *assumed, usurped* dominion over posterity for ever, are unauthoritative, and in their nature null and void; that all his voluminous inferences and declamation drawn therefrom, or founded thereon, are null and void also: and on this ground I rest the matter.

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