Common Sense

By Thomas Paine

Of the Origin and Design of Government in General, with Concise Remarks on the English Constitution

SOME writers have so confounded society with government, as to leave little or no distinction between them; whereas they are not only different, but have different origins. Society is produced by our wants, and government by our wickedness; the former promotes our happiness POSITIVELY by uniting our affections, the latter NEGATIVELY by restraining our vices. The one encourages intercourse, the other creates distinctions. The first is a patron, the last a punisher.

Society in every state is a blessing, but Government, even in its best state, is but a necessary evil; in its worst state an intolerable one: for when we suffer, or are exposed to the same miseries BY A GOVERNMENT, which we might expect in a country WITHOUT GOVERNMENT, our calamity is heightened by reflecting that we

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furnish the means by which we suffer. Government, like dress, is the
badge of lost innocence; the palaces of kings are built upon the ruins
of the bowers of paradise. For were the impulses of conscience clear,
uniform and irresistibly obeyed, man would need no other lawgiver;
but that not being the case, he finds it necessary to surrender up a part
of his property to furnish means for the protection of the rest; and this
he is induced to do by the same prudence which in every other case
advises him, out of two evils to choose the least. Wherefore, security
being the true design and end of government, it unanswerably follows
that whatever form thereof appears most likely to ensure it to us, with
the least expense and greatest benefit, is preferable to all others.
In order to gain a clear and just idea of the design and end of
government, let us suppose a small number of persons settled in some
sequestered part of the earth, unconnected with the rest; they will then
represent the first peopling of any country, or of the world. In this
state of natural liberty, society will be their first thought. A thousand
motives will excite them thereto; the strength of one man is so
unequal to his wants, and his mind so unfitted for perpetual solitude,
that he is soon obliged to seek assistance and relief of another, who in
his turn requires the same. Four or five united would be able to raise a
tolerable dwelling in the midst of a wilderness, but one man might
labour out the common period of life without accomplishing any
thing; when he had felled his timber he could not remove it, nor erect
it after it was removed; hunger in the mean time would urge him to
quit his work, and every different want would call him a different
way. Disease, nay even misfortune, would be death; for, though
neither might be mortal, yet either would disable him from living, and
reduce him to a state in which he might rather be said to perish than
to die.

Thus necessity, like a gravitating power, would soon form our
newly arrived emigrants into society, the reciprocal blessings of
which would supersede, and render the obligations of law and
government unnecessary while they remained perfectly just to each
other; but as nothing but Heaven is impregnable to vice, it will
unavoidably happen that in proportion as they surmount the first
difficulties of emigration, which bound them together in a common
cause, they will begin to relax in their duty and attachment to each other: and this remissness will point out the necessity of establishing some form of government to supply the defect of moral virtue. Some convenient tree will afford them a State House, under the branches of which the whole Colony may assemble to deliberate on public matters. It is more than probable that their first laws will have the title only of Regulations and be enforced by no other penalty than public disesteem. In this first parliament every man by natural right will have a seat.

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

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

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

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

I know it is difficult to get over local or long standing prejudices, yet if we will suffer ourselves to examine the component parts of the English Constitution, we shall find them to be the base remains of two ancient tyrannies, compounded with some new Republican materials.

First. — The remains of Monarchical tyranny in the person of the King.

Secondly. — The remains of Aristocratical tyranny in the persons of the Peers.

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

The two first, by being hereditary, are independent of the People; wherefore in a CONSTITUTIONAL SENSE they contribute nothing towards the freedom of the State.
To say that the constitution of England is an UNION of three powers, reciprocally CHECKING each other, is farcical; either the words have no meaning, or they are flat contradictions.

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

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

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

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

Some writers have explained the English constitution thus: the
King, say they, is one, the people another; the Peers are a house in
behalf of the King, the commons in behalf of the people; but this hath
all the distinctions of a house divided against itself; and though the
expressions be pleasantly arranged, yet when examined they appear
idle and ambiguous; and it will always happen, that the nicest
construction that words are capable of, when applied to the
description of something which either cannot exist, or is too
incomprehensible to be within the compass of description, will be
words of sound only, and though they may amuse the ear, they cannot
inform the mind: for this explanation includes a previous question,
viz. HOW CAME THE KING BY A POWER WHICH THE
PEOPLE ARE AFRAID TO TRUST, AND ALWAYS OBLIGED
TO CHECK? Such a power could not be the gift of a wise people,
neither can any power, WHICH NEEDS CHECKING, be from God;
yet the provision which the constitution makes supposes such a power
to exist.

But the provision is unequal to the task; the means either cannot
or will not accomplish the end, and the whole affair is a Felo de se:
for as the greater weight will always carry up the less, and as all the
wheels of a machine are put in motion by one, it only remains to
know which power in the constitution has the most weight, for that
will govern: and tho' the others, or a part of them, may clog, or, as the
phrase is, check the rapidity of its motion, yet so long as they cannot
stop it, their endeavours will be ineffectual: The first moving power
will at last have its way, and what it wants in speed is supplied by
time.

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

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

Wherefore, laying aside all national pride and prejudice in
favour of modes and forms, the plain truth is that IT IS WHOLLY
OWING TO THE CONSTITUTION OF THE PEOPLE, AND NOT
TO THE CONSTITUTION OF THE GOVERNMENT that the crown
is not as oppressive in England as in Turkey.

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