The Liberal Cosmopolitanism of Thomas Paine

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This article offers an interpretation of Thomas Paine's unduly neglected political theory, focusing in particular on his account of international relations. I argue that in addition to the cosmopolitanism prominent in his thought, there is also a clear commitment to national sovereignty. This commitment presents a real tension between the universalistic rights of individuals and the particularistic rights of nations. I argue that this tension is resolved by viewing national sovereignty as conditional on the adoption of a liberal constitution and then consider the implications of this resolution for Paine's theory of international relations, specifically whether it contains an account of liberal intervention and a commitment to global justice.

The tension between commitments to a cosmopolitan vision of global justice and to the rights of individual communities—whether characterized as nations, states, or peoples—to autonomy and self-determination is keenly felt by liberal political theorists.1 This is because a possible entailment of any unqualified respect for the latter is that the former can be wholly undermined: the concept of self-determination would seem to imply the rights of a community to establish its own legal and political norms, and such norms need not themselves be liberal. This possibility then raises the question of whether liberals should respect the rights of illiberal communities and whether such rights extend to some principle of noninterference. In this article I explore how these issues emerge in the political writings of late eighteenth-century liberal thinker Thomas Paine. While Paine undoubtedly retains a unique and prominent place in the American popular imagination—invoked warmly and authoritatively by Presidential voices as divergent as Ronald Reagan and Barack Obama—as a political actor and icon, the precise character and identity of his political theory remains somewhat opaque. His interpreters have focused their attention largely on the novelty of his demotic rhetoric, on his role as a political activist, and on the influence and reception of his writings during the American and French Revolutions, at the expense of the theoretical content of his writing and any enduring interest it might have.2

With this relative scholarly neglect in mind, the aim of this article is to take the theoretical content of Paine's political writing seriously. My focus is on his international political theory: specifically, how the liberal commitment to individual rights that defines and underpins his thought coheres with his account of international relations. I argue that in addition to the cosmopolitanism evident in his political theory—which emerges prominently in his defences of both the American and French Revolutions—close inspection of his writing also reveals a clear commitment to the idea of national sovereignty. If taken seriously, this commitment then presents a real tension between the moral universalism implied by rights of individuals on the one hand and the political particularism implied by rights of nations on the other. My argument is that this tension can ultimately be resolved by viewing national sovereignty as being, for Paine, conditional on the protection of individual rights and the adoption of a liberal constitution. In the final section of the article, I consider the tricky questions raised by this resolution: namely, how Paine conceives the relationship between liberal and nonliberal nations and whether his thought can be said to reveal any commitment to a principle of just intervention and, if so, of what sort. The significance of my argument

1Paine's major essays are abbreviated herein as follows: "Common Sense" = CS "Rights of Man" = ROM, "Rights of Man, Part the Second" = ROM II.

2Exceptions include Claeyds (1989); Philp (1989); Fruchtman Jr. (1993); Fruchtman Jr. (2009). There have been a number of biographies of Paine, of which Keane (1995) is, by some distance, the most comprehensive.
LINDON KANT AND JOHN RAWLS. Third, this historical distinctness has resonance for contemporary liberalism insofar as Paine offers an account of the international sphere that fuses commitments to cosmopolitanism and nationhood without invoking controversial assumptions either about the impossibility of a world state or the legitimacy of established political borders.

Before proceeding any further, it is necessary to clarify what I take the term “cosmopolitanism” to denote. For the purposes of this discussion, cosmopolitanism is best appreciated as an intellectual tradition, one constituted by a family of related strands of thought rather than any singularly discernible political theory. Nevertheless, some kind of individuated definition is clearly required, if only one of a somewhat rough, stipulative nature. The feature of cosmopolitan moral and political theories that is usually thought definitive is a commitment to the global reach of normative values: that is to say, if there is any core cosmopolitan belief it is that there are certain matters of moral and political right that transcend any geographical borders and therefore trump the sovereignty of otherwise legitimate nation-states. It is worth saying a bit more about this. It is, for instance, necessary to emphasize that cosmopolitans need not be committed to the view that all moral or political issues must be understood in universalistic terms. Cosmopolitans need not decry the legitimacy or regret the existence of established nation-states, nor need they suggest that there are political issues that should not be handled purely at a localized or national level. So understood, a cosmopolitan perspective does not undermine local sovereignty except over certain specific issues that are classified as universalistic. The point is that a commitment to global standards of justice need not entail any radically internationalized understanding of political institutions nor need it imply any substantive idea of world citizenship, though both developments might well be pursued or welcomed by some cosmopolitans.

"Citizen of the World": Paine’s Cosmopolitanism

In January 1793, Thomas Paine intervened in the political debate taking place in Revolutionary France about whether or not to execute the recently deposed monarch, Louis XVI. Paine advanced a case in opposition to the proposed execution, arguing that Louis should instead be banished and that “enlightened politicians and lovers of humanity” should support the abolition of capital punishment (1793: 1969, 555). When his opinions on the fate of the King were read out to the National Convention—they had to be translated because he did not speak French—the suggestion was made that they were politically irrelevant. For the leading Jacobin figure Jean-Paul Marat, this was because Paine was a Quaker and thus predisposed towards clemency, but for others it was because he was essentially an outsider, despite the fact that he had by this time become an officially recognized “Citizen of the Republic.” Paine had already anticipated such complaints and his response was to assert that while he had not in fact been a citizen of France at the time of Louis’ flight from or return to

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3This view of cosmopolitanism as an intellectual tradition comprised of arguments with family resemblances implies that we must be cautious about ascribing it any ahistorical, essential characteristics and also of treating any particular contemporary or influential theory as a privileged version, to which historical writings must somehow measure up. So, for example, the eight “paramount” principles identified by David Held (2005) as characteristic of cosmopolitanism cannot be regarded as in any way definitive of the tradition.

4Some care must be taken even here. As Jeremy Waldron (1999) points out, it is possible to conceive of cosmopolitanism in almost value-neutral terms, with Kant’s realm of “cosmopolitan right” referring merely to what we would now regard as the arena of international law, without also implying any one particular thesis about how that arena should be organized. On this understanding a cosmopolitan theory is simply one that addresses that arena regardless of the particular thesis advanced about it. It is nevertheless the case—as Waldron also acknowledges—that the term does seem to have value-laden substance by the very fact that it identifies such an arena, the existence or relevance of which could presumably be rejected outright by non- or anticospopolitans.

5Such issues provide much of the ground for internal disagreement among cosmopolitan theorists, and another distinction can be drawn between moral cosmopolitanism and institutional cosmopolitanism and those who endorse the former need not endorse the latter. See Beitz (1994).

6Although there was almost no opposition to finding Louis guilty of the various charges made against him, the decision to execute him proved far more controversial. Of the 721 deputies that comprised the National Convention, almost forty per cent (288) voted against the death penalty.
Paris, he was nevertheless a "citizen of the world" and that his opinions on the matter were therefore of as much relevance as those of anybody else ([1793] 1969, 552).

Although this self-description—"citizen of the world"—has an ancient lineage that can be traced as far back as Diogenes and through the Stoic and Ciceronian traditions, it has arguably come to be associated more with Paine than with any other modern political thinker. This is perhaps unsurprising given the cosmopolitan sentiments that litter his late eighteenth-century writing, which often appears to epitomize the rootless political futurism of Enlightenment thought. Therein he frequently and exuberantly expresses his belief in the universal validity (and falsity) of moral and political claims and, correspondingly, the view that their evaluation can never be confined to one particular national, historical, or cultural context. Such a stance is clearly visible in his early, polemical interventions in the years surrounding the American Revolution. In the seventh of his articles on The American Crisis, which was addressed to "the people of England" and which marshalled an economic and political case for a swift end to the Revolutionary war, he is careful to stress that his arguments should not be traced to any, narrow American "interest" he might be thought to hold. His contrary insistence is that "my attachment is to all the world, and not to any particular part, and if what I advance is right" then it is of "no matter where or who it comes from" ([1778b] 1969, 146).

In addition to this negative formulation of a cosmopolitan standpoint that rejects the political relevance of national boundaries, Paine's American writings also reveal his commitment to its positive corollary, the view that there are important evaluative questions that are of necessarily global concern. This is perhaps clearest in Common Sense, when he asserts that "the cause of America is in great measure the cause of all mankind" (CS, 3, emphasis added). He explains that "many circumstances hath, and will arise, which are not local, but universal, and through which the principles of all Lovers of Mankind are affected" and that the American Revolution is one such circumstance (CS, 3). The success of America in the Revolutionary War is a matter of concern to all mankind: it is a matter of global justice. The reason for this is that, for Paine, the principles at stake in the Revolution are representative of moral and political progress. The British treatment of America should thus be understood not merely as a localized colonial dispute but rather as a "war against the natural rights of mankind" (CS, 3). As he subsequently described it, "The independence of America, considered merely as a separation from England, would have been a matter but of little importance, had it not been accompanied by a revolution in the principles and practise of governments. She made a stand, not for herself only, but for the world" (ROM II, 354). His view is that the success and survival of the form of government established in America—one in which "the law is king" (CS, 29) rather than the inverted form of that maxim—is something in which the entire world has an interest.

The same cosmopolitan beliefs are then later repeated in Paine's European political writings of the 1790s, which are dominated by his defense of the French Revolution and extolment of the principles that it enshrined. In Rights of Man, Part the Second, in particular, he again outlines his personal cosmopolitan moral commitments through his ambition to "view things as they are, without regard to place or person" and his announcement that "my country is the world and my religion is to do good" (ROM II, 414). In his "Address to the People of France" (written upon his election to the National Assembly), rather than merely declare particular loyalty to the nation he was now formally a member of, he instead emphasizes his global affiliation, asserting that, as in the case of America, "the cause of France is the cause of all mankind" ([1792a] 1969, 538, emphasis added). "It is," he continued, "to the peculiar honor of France, that she now raises the standard of liberty for all nations; and in fighting her own battles, contends for the rights of all mankind" ([1792a] 1969, 539, emphasis added). The French Revolution, like the American, is regarded by Paine as part of a global movement towards "universal civilization" (e.g. ROM II, 355, 398–99) and cannot thus be viewed as merely an issue of local importance. The fact that the Revolution had, for him, now recognized liberal standards of justice—and codified them

"For some discussion of the historical roots of cosmopolitan thought, see Heather (1996).

"The ancient understanding of cosmopolitanism was often a purely negative one in this sense: in declaring his status as "citizen of the world" Diogenes was denying that he had any particular obligations to Sinope rather than positively affirming any obligations of a universal nature.

"On the appointment of William Pitt to the office of British Prime Minister, Paine writes "...though it was a matter of no concern to me as a citizen of America, I felt it as a man" (ROM II, 443)."
through a constitution\(^{10}\)—meant that any of her future conflicts with rival, “despotic” nations would be fought in the name of “the great Republic of Man” rather than according to any narrow national interest ([1792a] 1969, 538).

The universality of normative truths is a consistent theme in Paine’s account of natural and civil rights. In texts such as Rights of Man and Dissertation on First Principles of Government, he defends a catalogue of fundamental, inviolable, and inalienable entitlements—such as rights to freedom of thought, speech, worship, and to democratic representation—that are held by all individuals, alongside a latent right to rebel against any government that seeks to deny such rights.\(^{11}\) The economic rights he ascribes to individuals are likewise presented in universalistic terms. Thus, in Agrarian Justice he puts forward the view that because the earth was initially bequeathed by God as the “common property of the human race,” it is the case that “every person born into the world” has the right to a means of subsistence ([1796a] 1969, 610–11).\(^{12}\) Paine consistently presents individual rights as entitlements held by all, regardless of location or context: “time,” he suggests “with respect to principles, is an eternal NOW; it has no operation upon them: it changes nothing of their nature and qualities” ([1795] 1969, 574). Such a commitment to universalism is grounded in his ultimate and axiomatic belief in human moral equality. “Man is all of one degree,” he writes in Rights of Man, “and consequently . . . all men are born equal and with equal rights” (ROM, 274).

For Paine, this presumption of moral equality also implies the existence of inviolable rights that precede any membership of national communities. As he put it in a 1789 letter to Thomas Jefferson: “Suppose 20 persons, strangers to each other, to meet in a country not before inhabited. Each would be a Sovereign in his own natural right” ([1789] 1969, 1298). Individuals are bearers of fundamental rights prior to the establishment of governments and nations.

### The Rights of a “Nation”

Given the views observed thus far—the universalistic understanding of the principles represented by the American and French Revolutions and of the fundamental rights that all individuals hold both prior and subsequent to any membership of particular political communities—it is not at all surprising that interpreters have tended to present Paine’s thought in straightforwardly cosmopolitan terms. Ian Dyck, for example, draws a clear contrast between Paine’s universalism and the particularism of his 1790s political nemesis, Edmund Burke. According to Dyck, whereas Burke conceptualizes the “nation” as a sort of “moral essence” to be celebrated and protected, Paine is an unequivocal “internationalist,” one that is openly dismissive of “local and national attachments” (1993, 125). Gregory Claesys offers a similar reading: when assessing the importance of Paine’s thought as a whole, Claesys concludes that its legacy is to be found in the way in which he “transformed the narrow vision of the “liberties of Englishmen [but not Frenchmen]” . . . and the natural rights of Christians [but not infidels], into a cosmopolitan vision” of politics (1989, 216). Claesys regards the articulation of a genuinely comprehensive cosmopolitanism as something that marks Paine as unique within modern political thought. Thomas Walker fleshes the significance of this claim out even further to argue that it is Paine and not Kant that should be viewed as “the first to offer an integrated, modern, cosmopolitan vision of international relations,” one that posits a “defiance of strict national attachments and a commitment to world citizenship” (2000, 52; 2008).

In their keenness to stress his cosmopolitan credentials, however, these scholars have arguably overlooked, or at least severely played down, a significant aspect of Paine’s thought: his account of the moral relevance of nationhood and the potential political implications that follow from it. The preceding description of his cosmopolitanism would seem to suggest that there is no room for such an account, and it is on this basis that Walker draws an ostensibly plausible contrast between the way in which Paine and Kant each conceptualize the nation within their...
writings (Walker 2000, 68). Kant’s thought is customarily presented as the modern exemplar of liberal cosmopolitanism and the original source for contemporary democratic peace theory. For Kant, consideration of human history reveals the prospect of future cosmopolitan peace. He observes that individual nations have been continuously altering their relationships in such a way as to gradually recoil from armed conflict and the corresponding problems it entails, generating instead the “hope” that eventually “after many revolutions...the highest purpose of nature, a universal cosmopolitan existence, will at last be realised as the matrix within which all the original capacities of the human race may develop” (1991a, 51). In spite of this cosmopolitan position, Kant nevertheless rejects the idea of world citizenship and offers instead a defense of the autonomy of individual states within an international “federation of peoples” (1991b, 102). He is particularly explicit that such a federation “would not be the same thing as an international state” and that no state can acquire the right to interfere in the affairs of another (1991b, 102).14 Such external intervention even at the time of civil war would constitute “a violation of the rights of an independent people” (Kant 1991b, 96). The form of cosmopolitanism defended by Kant is thus one that recognizes the fundamental sanctity of localized sovereignty. Walker presents Paine’s version as significantly more far-reaching and suggests that it incorporates a vision of “world citizenship” and a commitment to a “new democratic world founded on international brotherhood” (2008, 457).

Yet it is actually not clear that Paine and Kant do diverge on the question of world citizenship, at least insofar as the legitimacy of national boundaries are concerned. Indeed, despite the previous discussion of Paine’s cosmopolitan sentiments—his dismissal of any restrictive relevance to local attachments and corresponding insistence of the universality of certain matters of moral political principle—he nevertheless does defend the idea of national sovereignty. Rights of Man, for example, contains arguments that would seem to undermine any ideal of world citizenship and the global governance that might be expected to follow from this. It might at first seem quite strange to find any recognition of the sanctity of national political communities in this text, since its main target is Burke’s Reflections on the Revolution in France. Key to Burke’s understanding of politics therein is the idea that the legitimacy of political institutions is something assessable only within the internal logics of particular cultural traditions, the vehicle for which tends to be the nation. One of his arguments is that the English Glorious Revolution of 1688 did not actually establish any inalienable rights for Britons to select (or remove) a particular sovereign but rather merely represented “a small and temporary deviation from the strict national order of a regular hereditary succession” ([1790]1968, 101). The installation of William of Orange should thus be regarded as a “law made in a special case” ([1790]1968, 101), one that can be subsumed within a distinct, authoritative national constitutional tradition, a tradition that involves a number of legitimately hereditary political institutions.15

It is this defense of hereditary sovereignty that Paine is anxious to dismiss in Rights of Man. According to Paine, Burke’s case for inherited sovereignty essentially assumes an authority that does not exist: being bound by tradition is equivalent to granting the “dead” authority over the living.16 For Paine, one of the inalienable rights that individuals hold is to express or withdraw consent to any political authority, and because of this they also have the right to make constitutional arrangements anew whenever they are so inclined. Nevertheless, despite Paine’s attempt to defend an inviolable right of consent for individuals that undermines the possibility of permanent legitimacy for constitutional settlements, he also claims that the English parliament of 1688 did act legitimately for themselves: he insists that “they had a right” to establish a constitution by virtue of representative “delegation,” even if the legitimacy of that constitution could not be perpetual (ROM, 251).

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13 Kant’s language is more comnotive of expectation rather than hope when discussing cosmopolitan peace in “Perpetual Peace: A Philosophical Sketch,” wherein he refers to its “guarantee” by “no less an authority than the great artist Nature herself” (1991b, 108).

14 This duty of noninterference holds except in circumstances of verifiable “anarchy,” the situation in which a state “split into two parts, each of which set itself up as a separate state and claimed authority for the whole” (Kant, 1991b, 96).

15a “...our constitution preserves an unity in so great a diversity of its parts. We have an inheritable crown; an inheritable peerage; and an house of commons and a people inheriting privileges, franchises, and liberties, from a long line of ancestors” (Burke [1790]1968, 119).

16a There never did, nor 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 or controlling posterity to the “end of time,” or of commanding forever 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” (ROM, 251).
Paine's argument is that the parliament was able to act on behalf of the political community because (and only for as long as) it had the consent of its members. The consent of an entire community is necessary to confer legitimacy on the political institutions that govern it, and "Every generation must be as free to act for itself, in all cases, as the ages and generations which preceded it" (ROM, 251). Putting aside the myriad logistical questions such an account of political authority undoubtedly raises, what is of relevance to the present discussion is the need to clarify the exact scope of the right to give consent: it is necessary to establish exactly who constitutes the community of political rights holders in the first place. Interestingly, Paine's view in Rights of Man appears to be that the right to consent and thus legitimize political authority is actually located within nations. He seems to suggest that individual members of a national political community can comprise a unique network of rights and obligations and that will necessarily exclude nonmembers and correspondingly limit the scope of citizenship.

The apparent sympathy Paine has towards this view reveals itself at one point during his attack on Burke. It is rarely acknowledged that when Paine criticizes Burke, he does so not only for the content of his attack on the French Revolution but also for actually launching it in the first place. Reflections is construed by Paine not merely as a work replete with "flagrant misrepresentations" and "outrageous abuse" (ROM, 245). It is also tellingly cast as an ultimately illegitimate political intervention. According to Paine,

\[\text{Neither the people of France nor the national assembly were troubling themselves about the affairs of England or the English parliament; and why Mr. Burke should commence an unprovoked attack upon them, both in parliament and in public, is a conduct that cannot be pardoned on the score of manners, nor justified on that of policy. (ROM, 249)}\]

The problem identified in this passage is not that Burke's criticisms misfire but rather that the act of criticism itself—the "unprovoked attack"—is unjustified and "cannot be pardoned." The explanation for this that Paine gestures towards is that it is not the business of Britons to animadvert on the internal affairs of the French polity. The implication is that there are certain political matters of purely national concern, a norm respected by "the people of France" but violated by Burke. Furthermore, given what the French had actually done in terms of overhauling their entire political and cultural life, these matters would seem to be quite extensive in their scope.

To ascribe such censorious views to Paine might seem at first blush unjustified. It might be tempting to instead regard this particular criticism of Burke as a typically theatrical piece of rhetoric rather than view it as theoretically substantive. Nevertheless, other key passages in Rights of Man show that there are grounds to take Paine's sentiment quite seriously and not reduce it to merely performative polemic. There are in fact several instances where Paine appears to place real moral weight on the idea of the nation as a source of sovereignty. As noted already, during his discussion of the English parliament of 1688, Paine does admit that while that body lacked the power to bind future generations, it still acted legitimately for its own time. The stark and arresting reason he provides in support of this view is "that which a whole nation chooses to do, it has a right to do" (ROM, 251). When he then comes to further justify this claim, he does so on the grounds that, "that which may be thought right and found convenient in one age may be thought wrong and found inconvenient in another" (ROM, 254). Nations, it would seem, have the right to do whatever they choose to be "convenient" for particular historical circumstances.

It is also the case—although interpreters have almost universally ignored it—that Paine's discussions of the concept of sovereignty in Rights of Man are couched in terms that are often emphatically nationalistic. This is especially apparent during his discussion of the French "Declaration of the Rights of Man and the Citizen" and his identification of its first three articles as an encapsulation of the "basis of liberty" (ROM, 316). The third article of the Declaration is of particular interest here because it stipulates that it is "the nation" that is "the source of all sovereignty" and that no "individual or . . . body of men [are] entitled to any authority which is not expressly derived from it" (ROM, 314).\(^{17}\) It is hard to imagine the expression of a viewpoint less suited to a cosmopolitan political theory, and yet he reiterates it again elsewhere in the work, when he comes to consider the very definition of sovereignty: "What is government more than the management of the affairs of a nation? . . . Sovereignty, as a matter of right, appertains to the nation only, and not to any individual" (ROM, 341).\(^{18}\)

\(^{17}\)See also Paine (ROM, 294, 342).

\(^{18}\)The view expressed here by Paine seems strikingly similar to that offered by Sieyès in his essay "What is the Third Estate?" regarded as one of the theoretical justifications of the French Revolution. According to Sieyès, "the nation exists prior to everything; it is the origin of everything. . . . It is the law itself" (2003, 136).
This passage is part of Paine’s denial of the possibility of legitimate monarchical sovereignty and the rejection of “the romantic and barbarous distinction of [making] men into kings and subjects” that he thinks it entails (ROM, 341). But what is nevertheless importantly implicit in this appeal to the rightful power of the collective citizenry at the expense of single monarch is a national conception of sovereignty: it is the collective defined as a “nation” that Paine thinks has the “inherent, indefeasible right” to establish or abolish government on the basis of its own convenience and according to its own consent. So understood, it is hard to distinguish this right of governance without external interference from a robust right of national self-determination. If a nation has the right to construct a particular form of government according to what it judges convenient, this does not only exclude the tyranny of a single monarch; it also surely implies a category of people that can be rightly classified as nonnationals. Furthermore, and crucially, because nonnationals are not party to this political community and the right of self-determination it has, they will necessarily owe duties of noninterference towards its exercise by the nation in question. The existence of such duties of noninterference is then capable of explaining why Paine considers Burke’s criticisms of political developments in France to be inappropriate.

It is important to emphasize that Paine’s ascription of sovereignty to nations and his apparently corresponding endorsement of rights to national self-determination are not confined to his writings on the French Revolution. Indeed, despite his claims about the universalistic nature of the American Revolution noted earlier, underlying the prominent egalitarian, republican, and commercial themes of Common Sense is undoubtedly an argument about the right of self-determination for a political community. Paine identifies a plethora of reasons that America will flourish by unfastening itself from British colonial rule, but what his various claims comprise is ultimately a case for national independence, the right of a specifically identified people to sovereignty, autonomy, and the lack of external interference this entails. He thus frequently abstracts from the American case to make generalized claims, such as that “no nation in a state of foreign dependence, limited in its commerce, and cramped and fettered in its legislative powers, can ever arrive at any material eminence” (CS, 41) and his various criticisms of British colonial rule rest on the contention that “a government of our own is our natural right” (CS, 29). It appears then not only that both American and French Revolutions represent the “cause of all mankind,” but also that part of that cause is the protection of the natural right to national self-determination.

The Limits of National Rights

The presence of a commitment to national sovereignty is obviously problematic for the dominant reading of Paine as an exponent of a radical cosmopolitanism that affords no legitimacy to local attachments. If nations are to be regarded as distinct sovereign entities, each of which has the right to determine the forms of government most convenient to them, then this is clearly suggestive of a commitment to autonomy when it comes to their relationships with others: the duty of noninterference is correlative to the right to self-determination. This makes the aforementioned distinction, alleged by Walker, between Paine’s cosmopolitanism and that of Kant look decidedly shaky, since both theorists can be seen to conceive legitimate political membership in national terms.19 The ascription to Paine of any normative political commitment to “world citizenship” likewise appears somewhat doubtful in light of his remarks about national sovereignty.

As explicated thus far, the national right to self-determination raises a number of pertinent questions about the overall coherence of Paine’s liberal theory of rights. How do rights of national sovereignty fit with the other, universalistic, cosmopolitan claims discussed earlier? If a nation chooses to, can it legitimately establish a political system that denies such individual rights? How can we best make sense of this apparent tension between the universal and the particular that exist within Paine’s writing? It seems that the only way to answer these questions and reconcile Paine’s defence of the rights of nations with his overarching cosmopolitanism is to subsume the former within the overall framework of universalist liberal egalitarianism that runs throughout his writing. Doing so would understand the relationship between his cosmopolitanism and nationhood in the following terms: the right of nations to do anything at all—including organize their political affairs and determine their destiny through the expressed consent of their members—is always conditional on the recognition and protection of fundamental individual rights. This would mean that nations do have substantial

19 In “Perpetual Peace,” Kant appears to use the terms “nations,” “states” and “peoples” interchangeably.
rights of sovereignty, but they cannot trump the rights of individuals. Indeed, it is only when nations act to protect such individual rights that duties of noninterference on nonnationals are generated. Conceived in this way, there is no contradiction between Paine’s underlying cosmopolitan commitment to a universal set of liberal rights and his defense of the rights of nations to self-determination.

Is this interpretation, which ascribes coherence to Paine’s theory of individual and national rights, justifiable for any reason other than that it ironizes a glaring theoretical tension? Further consideration of Rights of Man suggests that it is. Recall that Paine reserves particular commendation for the first three articles of the French “Declaration of the Rights of Man and the Citizen.” His claim is that “the three first articles are the basis of liberty, as well individual as national; nor can any country be called free whose government does not take its beginning from the principles they contain” (ROM, 316). As noted above, the third article identifies the nation as the source of sovereignty. The first article asserts, meanwhile, that “men are born, and always continue, free, and equal in respect of their rights,” and the second states, even more importantly, that “the end of all political associations, is, the preservation of the natural and imprescriptible rights of man; and these rights are liberty, property, security, and resistance of oppression” (ROM, 314). So both the first and second articles unambiguously defend the rights of individuals. It would seem that in order for these first three articles in the Declaration to fully cohere, the first two must be understood as having some kind of normative priority over the third: the “preservation” of the freedom, equality and rights of individuals must surely, under certain circumstances, trump the rights of nations to organize their political life however they please. It would make no sense, in the context of Paine’s writing, for the third article to have such priority as there would always be the possibility that the first two could be legitimately ignored. It is not difficult to envisage circumstances in which the three articles could not be simultaneously upheld in accordance with Paine’s commitments. One example would be where an individual’s freedom of religious belief and worship, defended so unequivocally throughout Paine’s writing, is not recognized by a nation as an individual right. In such a case, the right of the nation could not be upheld without violating that of the individual. When taken together, the first three articles of the French Declaration appear potentially incoherent unless the protection of the individual is accorded normative priority over that of the nation, and only the minimal presumption

of authorial coherence is necessary to endorse this interpretation.

For Paine, then, the right that nations have to organize their internal affairs is always limited by the universal rights of individuals. With this in mind, it is now possible to understand why he thinks that Burke is not entitled to criticize the French Revolution. It is not because the French have the right to arrange their political affairs without interference because they are a nation. It is rather the qualified version of that proposition: that the French have the right to arrange their political affairs without interferences because they are a nation, for as long as the organizational principles in question are ones that safeguard individual rights. In other words, a nation has a right to autonomy and self-determination provided that it adheres to a certain set of liberal values, the protection of the fundamental rights of individuals. This reading also befits the way in which Paine conceptualizes a nation. At no point in his writings does he refer to any kind of organic vision of the nation or posit one that views it as some kind of natural or fixed entity. Nor does he tie his conception of a national political community to any account of identity or culture. Paine instead defines a nation in resolutely individualist terms, as a collective united by economic and political interests, but little more. For him,

A nation is composed of distinct, unconnected individuals, following various trades, employments and pursuits; continually meeting, crossing, uniting, opposing and separating from each other, as accident, interest and circumstance shall direct. ([1786] 1969, 371)

The idea that a nation is an entity made up of “unconnected” individuals whose relationships begin, end, and are motivated by their separate interests is a world away from any kind of organicist or identity-based understanding. The precise boundaries and borders of particular nations would thus, for Paine, seem to be a matter of contingency, historical accident, and collectively intentional judgments about expediency. Such an ultimately individualistic understanding of the nation also fits with Paine’s emphasis on the aforementioned power of consent in establishing political legitimacy. Any moral commitment to the expression of consent implies a commitment to its nonexpression or withdrawal, which makes the composition of nations look malleable, with individuals seemingly able to move freely and legitimately between nations. 20

20Paine’s favorable attitude to immigration is further suggested in Rights of Man, where he celebrates the fact that, unlike the nations of the old world, “France and America bid all comers welcome, and initiate them into all the rights of citizenship” in an egalitarian manner (ROM, 293, n. 15).
Paine and the Question of Liberal Intervention

If rights of self-determination are indeed conditional upon the adoption of a liberal constitution and the protection of individual rights, national sovereignty will then be obviously restricted to liberal societies. This then raises a crucial question about the relationship between liberal and nonliberal nations: if nonliberal nations lack any right of self-determination and liberal nations correspondingly have no duty of noninterference in their affairs, might this actually facilitate legitimate intervention by force? On Paine’s view, do liberal nations ever have the right to interfere in the affairs of nonliberal ones, either as a preemptive action or even as a revolutionary one designed to export the liberal values to which he was so committed? As mentioned earlier, Kant explicitly disavows such intervention: for him the realm of cosmopolitan right offers individual states protection from the danger of external interference regardless of whether their internal constitution is a liberal one or not. State sovereignty cannot be threatened because each has a “moral personality” that must be respected (Kant 1991b, 94).\(^{21}\) For Paine, however, the question clearly does arise, because such rights of national sovereignty are restricted to liberal nations.

Paine’s thoughts on war are scattered across his writings and letters and are occupied with several conflicts, involving various nations under different sets of circumstances.\(^{22}\) He is undoubtedly committed to international peace as a normative ideal and advocates forms of international cooperation in the name of reducing conflict, including a confederation between major countries that would enable “a limitation to, and a general dismantling of, all the navies in Europe” (ROM II, 448, 419). In addition to the strictly normative arguments he advances, Paine’s writing also reveals a commitment to empirical claims akin to those found in modern democratic peace theory: for him, the prevalence of war is a phenomenon necessarily attributable to the monopolization of “the system of old governments” and is encouraged by the burgeoning national debt of such nations, which can be contrasted to the peaceable liberal, commercial republics that he expects to follow the American and French examples (ROM, 343). For Paine, such nations will in future have no need to pursue war as a means of satisfying their interests. In Rights of Man, Part the Second, his claim is that “if commerce were permitted to act to the universal extent it is capable of, it would extirpate the system of war, and produce a revolution in the uncivilized state of governments,” which would seem to suggest a disposition towards nonmilitary means to facilitate “revolution” in illiberal nations (ROM II, 400). His view would appear to be that the spread of international trade between liberal republics will remove the motivations for military conflict.

In spite of his rejection of war as something tied to unenlightened nations marked by political corruption, it would be a mistake to think that Paine opposes military violence under all circumstances, and his thought is not accurately describable as pacifist. His American pamphlets are undoubtedly directed towards a victorious war effort against British forces, and herein he consistently rejects the claim that any compromise should be made with the colonial forces in order to reduce bloodshed.\(^{23}\) Towards the beginning of his 1775 essay “Thoughts on Defensive War” (which he signed “A Lover of Peace”), he declares that although he “would gladly agree with all the world to lay aside the use of arms,” the American Revolutionary cause is such that he is prepared to “take up [his] musket” if required ([1775] 1969, 53). Paine is, however, keen to cast the American war effort not as aggression, but rather only as a defence against external invasion, and in doing so, he claims that while under such circumstances individuals have a “duty to defend and preserve themselves,” it remains the case that “in every other light, and from every other cause... war is inglorious and detestable” ([1778b] 1969, 145).

Despite a commitment to peace as an end and a tendency to reject violence as a means, Paine does

\(^{21}\)The long-standing interpretive consensus on this point has recently been challenged by Michael Desch, who argues that Kant’s theory does provide the theoretical resources to justify liberal intervention (2007/08, 7–43). Desch’s position seems unsustainable given the nature of the aforementioned fifth article of “Perpetual Peace” which is unequivocally titled “No state shall forcibly interfere in the constitution and government of another state” (1991b, 96). For a compelling restatement of the long-standing interpretation and critique of Desch’s alternative, see Wilson and Monten (2011).

\(^{22}\)It is also important to acknowledge that many of Paine’s arguments about war are grounded in economic rather than moral claims. In particular, his essay on “The Decline and Fall of the English System of Finance” ([1796b] 1969, 651–74) paints, with undisguised glee, an apocalyptic vision of England’s precarious future, one that he argues has been caused by a soaring national debt established to fund a series of misguided wars during the eighteenth century.

\(^{23}\)It is also in one of his essays on “The American Crisis” that he makes rare comments on the idea of a just war, suggesting that “It is the object only of war that makes it honourable. And if there was ever a just war since the world began, it is this in which America is now engaged” ([1778a] 1969, 120).
occasionally appear to reveal his sympathy with arguments for liberal intervention. Indeed, if his support for the American military can be understood as in some sense defensive, the support he expresses for the French Republic in the 1790s can often look quite different. Thus, at the beginning of Rights of Man, Part the Second, Paine backs a potential French military campaign against Prussia and Austria aimed at vanquishing what he sees as "German despotism" (ROM II, 348). Even more intriguingly, at one point he makes an offer of a "small patriotic donation" towards a proposed French aggression against England in 1798 ([1798] 1969, 1403). In his attempt to differentiate what he describes as Paine's "revolutionary liberalism" from Kant's "evolutionary" alternative, Walker makes much of these two examples. He argues further that Paine "was a strong advocate of military intervention to spread democracy" and that his enthusiasm for such intervention reveals a "messianic zeal on transforming the world into democracies" that has characterized many subsequent real-world attempts to accomplish such a goal.

Upon close inspection, Walker's identification of an aggressive militarism aimed at exporting liberalism or democracy within Paine's thought is unconvincing. This becomes clear when it is acknowledged that the two suggestions for intervention that he instances are both actually conceived and characterized by Paine as defensive rather than offensive military campaigns. The case of "German despotism" to which Walker adverts refers to a circumstance of French panic about the "Declaration of Pillnitz," which—some months prior to Paine's comments—had unified various European monarchs in support of the recently deposed Louis XVI and posed a very real threat to the newly established Republic. Given this immediate political context of Germanic, monarchic aggression, it seems highly likely that when Paine writes that "when France shall be surrounded with revolutions, she will be in peace and safety" (ROM II, 348), he believes the republic to be in real danger at that moment and that he supports the proposed preemptive attack on Austria in order to secure its survival. It certainly seems a stretch to depict it as representative of a clarion call to export the values of liberalism as a generalized goal to be pursued at all costs. It looks instead like another endorsement of defensive war, albeit one that is motivated by a speculative and contestable empirical claim about the likelihood of an invasion of France.

The second case of the "descent upon England," is perhaps even more straightforwardly not intended to be part of a comprehensive case for liberal intervention. It is true that in the letter in which Paine makes the offer of a financial donation to support the 1798 military campaign to be led by Bonaparte, he suggests that the people of England "deserve to be free," a phrase that might be thought redolent of the sort of interventionism Walker wishes to impute to him ([1798] 1969, 1403). Nevertheless, Paine's suggestion in that same letter is that "there will be no lasting peace for France, nor for the world, until the tyranny and corruption of the English government be abolished" ([1798] 1969, 1403). The fact that he evidently regards France as not being at peace reveals that he also conceives the campaign as an essentially defensive one. Even if this statement still seems capable of being read in support of intervention for the achievement of a liberal end—in this case, peace—his letter "To the People of England on the Invasion of England," in which he outlines the case for the conflict in far more detail, surely shows otherwise. Here his claim is that "all France is alive to chastise the English government for recommencing the war, and all Europe stands still to behold it" ([1804] 1969, 680, emphasis added). It seems that yet again Paine's interest is in the need to fight a defensive war against an enemy intent on aggression, an enemy that can be charged with "recommencing" conflict between the two nations, rather than in revolutionizing the British polity through violent means. Walker's suggestion is that the two cited incidents reveal Paine's desire "to foster or force democratic governance the world around," but while the former verb can be ascribed to him without controversy, the latter looks quite inappropriate after proper scrutiny of the relevant evidence (2008, 461).

Although there is little to indicate any robust defense of the principle of liberal intervention in his writing, it is still possible to conceptually differentiate Paine's account of international relations from that of Kant. The main difference comes down to the aforementioned fact that Kant regards nations as holding

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24For discussion, see Walker (2008, 461–63).

25Walker also claims "implicit in Paine's ideas on intervention is an inferiority of the target nation" (2008, 461). This is in one sense true but is also potentially misleading; the nations that Paine mentions are monarchal and thus classified as illegititarian "despotisms," which clearly renders them inferior on his conceptual schema. It definitely does not follow from this, however, that the inhabitants of those nations are in any way inferior, and such a viewpoint would not sit coherently with his consistent liberal commitment to human moral equality.

26Mark Philip thus seems right to conclude that Paine "was never comfortable with the use of violence for revolutionary ends" (1989, 82, my emphasis).
duties of noninterference against each other simply by virtue of their very existence. They have the right to organize their internal affairs in whatever manner regardless of the fact that nature has provided the conditions of possibility for perpetual peace and irrespective of the duty individuals have to promote it.\textsuperscript{27} As shown, Paine’s contrasting contention is that nations only hold duties of noninterference against those that protect liberal rights, and so the question remains about what liberal nations might do in the absence of those duties. Although I have argued for the absence of any generalized principle of intervention within Paine’s theory that could justify any crusading “Revolutionary Liberalism” that seeks to establish values by force, there is still available conceptual space to be filled out here. If Paine thinks that nonliberal nations do not have rights to noninterference, it may yet be wondered under what circumstances liberal intervention could be legitimate.

There is of course no necessary contradiction between being cosmopolitan about the evaluation of moral norms while also rejecting political or military intervention to ensure their enforcement. Indeed, it could be argued that such a stance—one that posits an important division between the realms of morality and politics—is characteristic of the liberal tradition of which Paine is undoubtedly a part. The question of legitimate political intervention is entirely separate from that of moral judgement, and so merely because nonliberal nations lack rights of noninterference, it does not follow that their liberal counterparts have the right to meddle in their affairs whenever they please. The spirit of Paine’s thought—his consistent commitment to the universality and inviolability of individual rights—makes it nevertheless plausible to fill out the relevant conceptual space with beliefs akin to those expressed in John Rawls’s The Law of Peoples. On Rawls’s idealized schema, liberal “peoples” have no general right to interfere in the affairs of nonliberal peoples, whether it is with the intention of exporting political values or not.\textsuperscript{28} Both liberal and nonliberal peoples can, however, acquire rights to interfere with the actions of what Rawls terms “outlaw states.” This is not because such outlaw states reject liberalism as a political doctrine, but rather because of the “grave violations of human rights” that characterize them (1999, 81). In such scenarios, liberal and nonliberal peoples acquire the right to prevent these violations.\textsuperscript{29} Such an attitude would clearly chime with much of what Paine writes on the fundamental, inviolable, and universal nature of individual rights. It would also cohere with the absence in his thought of both the (unconditional) national right to noninterference championed by Kant and any commitment to international revolution through military means. At the same time, however, Rawls’s refusal to conceptualize justice in fully global terms would likely sit uncomfortably with Paine (Rawls, 1999, 36–39).\textsuperscript{30}

Although Paine views peace as a normative ideal and points towards possible instances of international cooperation in his writing, at no point therein does he advocate or countenance global governance. World citizenship remains a moral rather than political ideal for him. However, as observed earlier, not only is consent a measure of the legitimacy of government, it also defines the scope of political authority, and therefore national boundaries would seem to be determined by its expression or withdrawal by individuals. Therefore, although the case—advanced by Walker and others—that Paine advocates world citizenship as a normative, political ideal is ultimately unconvincing, it is nonetheless important to note that his conception of international relations does not actually deny its possible legitimacy. Indeed, the logic of his consent-based argument suggests that a world state could acquire legitimacy, provided there existed universal global consent to its establishment. The individual right to consent that is pivotal in Paine’s political theory enables the possibility of global governance while simultaneously withholding its endorsement.

**Conclusion**

The aim of this article has been to offer a more complete and more complicated picture of Paine’s international political theory than has hitherto been

\textsuperscript{27} For Rawls’ account of human rights, see (1999, 65–67, 78–81).

\textsuperscript{28} As noted earlier, although Paine’s theory of distributive justice outlined in *Agrarian Justice* is developed with the existence of the nation-state in mind, it is to be applied to all political communities. For Rawls’s rejection of a cosmopolitan view of distributive justice, see (1999, 105–20).
put forward, while at the same time arguing for its overall coherence. I have tried to show that his thought contains a robust conception of national sovereignty, one that undermines both the claim that he advocates global governance and citizenship and the claim that he rejects the possibility of legitimate national political communities with networks of rights and obligations that exclude nonmembers. Paine clearly believes that nations can come to hold meaningful rights of self-determination that correlate to duties of noninterference on the part of others. For him, being a “citizen of the world” does not necessarily imply world citizenship in terms of political membership. However, perhaps unsurprisingly given the liberal nature of his political theory as a whole, national sovereignty and self-determination remain both defined and limited by exercises of individual consent, and the rights of nations are always conditional on the constitutional protection of fundamental individual rights. So, in spite of his commitment to nationhood, he remains a cosmopolitan. Furthermore, the existence of global political institutions is never actually ruled out by Paine: such institutions are made possible by the role of consent in his argument and arguably even made likely by his insistence on the protection of universal human rights.

Jeremy Waldron (1995) wisely cautions against the inanity that often arises when the normative “bottom line” is prioritized in readings of past political thinkers: as he points out, the value of our understanding of past thought lies in the intrinsic interest of the philosophical reflection it reveals and thus facilitates rather than in the particular policy prescriptions that might follow from it. It is nevertheless worth stressing the potential theoretical implications of Paine’s uniqueness within the cosmopolitan tradition for contemporary liberalism and its attitude towards international relations. Within that tradition, Paine departs from Kant in his refusal to defend the inviolable rights of all nations regardless of their internal constitutions. Although, as I have argued, there is insufficient evidence to suggest that Paine’s theory supports an idealized revolutionary liberalism that implies military aggression to reform nonliberal regimes, the absence of rights for non-liberal nations taken together with his unflinching commitment to the rights of individuals is suggestive of at least a Rawlsian commitment to liberal intervention in certain emergency cases. However, for Paine, unlike Rawls, nations can only be legitimized in the first place through the consent of their members, and because of this—and in spite of the sovereignty they acquire—their borders are consequently open to revision, and they have no authority in virtue of their historical establishment. This combination of a radical understanding of nationhood and a commitment to the trumping force of individual consent represents a form of liberalism that genuinely makes good on its individualistic and egalitarian premises. It invokes neither Kant’s claim about the inviolability of states nor Rawls’s rejection of any globalized understanding of justice, both of which sit somewhat oddly among their other liberal commitments. For Paine, the prospects for cosmopolitan government depend on the will and judgments of individuals and the requirements of justice understood as the protection of human rights, an approach that is arguably more faithful to foundational liberal values. In an oft-cited encounter with Paine, Benjamin Franklin is said to have declared that “Where liberty dwells, that is my country.” The pithy quip attributed to Paine in response is “Where liberty is not, there is my country” (Keane 1995, xiii). Even though this exchange is probably apocryphal, my reading of his liberal cosmopolitanism suggests that Paine would be perfectly happy to affirm its sentiment: that some individual rights are not capable of being bordered and that their protection is politically paramount.

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