*This phrase is borrowed from Michael Oakeshott, and is noted below.*
Through the body of *Common Sense* circulates a vein of disappointment. To be sure, it is a vein among others, but a critical source of life nonetheless. The author is disappointed, painfully but inescapably disappointed, that human civilization, if it is to prosper, must submit itself to governance. The impossible, anomalous vision of peaceful but ungoverned society is a fancy abandoned by Paine, but it is an image that never fully detaches from his polemics.

To Paine, it seems that politics is the task of configuring government institutions in such a way that the regrettable but ineluctable demands of peaceful human organization can be met with the least sacrifice of personal, natural autonomy. Government at its best, he writes, is "but a necessary evil." This perspective on political configuration, what we might call "least evil politics," underwrites the whole of Paine's advocacy. “In this understanding of politics, then, the activity of governing subsists not because it is good, but because it is necessary."\(^1\)

Paine's style of politics begins and ends at this point. He is the quintessential skeptical republican.\(^2\) Governing is never the positive pursuit of a more desirable human condition. It is the work of society, not government, to achieve human goals and ascend greater heights of accomplishment. The institution of government is misunderstood if one expects to put it to such work. The proper role of government must always be negative; its job is to conditionally restrict designated kinds of behavior. It is the scar of mankind left by the Fall; "Government like dress is the badge of lost innocence; the palaces of kings are built on the ruins of the bowers of

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\(^2\) Ibid., p. 83.
paradise." To embrace the institution as a potential savior, to see in its paths a return to paradise, is to dangerously mistake its nature.

As far as Common Sense reveals Paine's political philosophy, it seems that to secure man from the wickedness of those around him is the first end of government. The defining characteristic of Paine's advocacy and the skeptical politics he typifies is the priority placed on minimizing the sacrifices necessary to achieve security. We can expect him to always "insist that we shall do well not to spend upon it more of our resources than is necessary for its preservation." This is a notion found in the background of the entire pamphlet. Whatever sacrifice of personal or regional autonomy not essential to the maintenance of order is a regrettable extension of government power.

The question of legitimate consent and the slew of difficulties attached to it is one of the first issues Sense sets out to discuss. He imagines a young political association, few in numbers and limited in divergent interests, conducting their affairs peacefully and easily under the simple shade of a single tree. Increasing numbers accompanied by conflicting interests, however, soon outgrow the tree's protection. It quickly becomes impossible for the growing society to meet regularly, and for each individual to have an explicit voice. The confines of practical reality thereby push the State House from the shadow of a single tree into something like a modern Capitol Building. Of course, the Capitol can hold only so many seats. Therefore, those who must be excluded from the conduct of affairs delegate their political authority to those selected as representatives. This new setting deviates a great deal from the ideal,

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3 Ibid., p. 32.
natural configuration, but it is an inevitable outcome of accommodating inescapable practical realities.

This raises questions about the nature of consent and the appropriate conditions, or necessary prerequisites, of legitimate political authority. If the shade-tree State House offers us an image of natural and legitimate self-governance, this once-removed model of political rule necessitated by large numbers of participants must to some degree be illegitimate, deviant, less than perfect. Whereas the first scenario allows for explicit and, in a sense, "perfect" consent, the second introduces a new layer of separation between the decision-makers and those affected by the decisions. Paine's attempt at reconciling this issue, though limited, inspires a series of interesting considerations.

To mend the tear created by this representative solution, the wedge slipped between the new political class and the nonpolitical "citizenry," he hopes that frequent elections will help pull together the disconnect. Holding elections often may help keep political officials in touch with the will of society. As far is it goes as a solution to the problem of legitimate consent, this suggestion appears to fall short. Frequency of elections may lessen the evil, but as there must always be some remainder of time between elections it seems to fall short of solving the problem. On a certain level, Paine seems to be unconcerned with what appears to be the ultimate insolubility of this dilemma. While it is, no doubt, a troubling political reality in the eyes of the author, solving the conundrum as a theoretical puzzle seems not to be his goal. Rather, advancing such a readily communicable, approximated solution as frequent elections is apparently sufficient. This, I think, is consistent with the "least
evil” rubric put forth above. Frequent elections will not deliver us from evil, but they may ease the discomfort.

This issue opens up an additional avenue for investigation. Paine's treatment of this issue offers insight about the nature and purpose of political pamphleteering as a unique and distinct form of literature. *Common Sense* need not pursue every question to a final, logically satisfactory answer; as a pamphlet its purpose lies elsewhere. Pamphlets are written as a call to action, informative but motivating texts. Their first goal is to incite action from the masses through a persuasive but accessible message. A detailed treatment of difficult philosophical puzzles would be far too demanding, and far too difficult, to keep the attention of the philosophically disinclined. In all political literature there is a tradeoff between logical cogency on the one hand, and accessibility and persuasion on the other. Pamphlets such as *Sense* willingly forgo a great deal of the former in favor of the latter. It is no surprise Paine settles for an obviously imperfect treatment of maintaining legitimate consent.

But the formulation of general principles is, perhaps, where the road of sound reason meets that of effective propaganda. For the sound and sensible maxim is often the most practical and compelling. At this crossroads, Paine makes a significant contribution. Keeping in line with his preferred style of least-evil politics, he offers a natural principle "which no art can overturn." In government, simplicity is preferable to complexity because fewer moving parts limit the opportunities for malfunction. And when there is a malfunction, simplicity guarantees both a cleared path to the problem and a fairly limited range of possible diagnoses. It is with this in mind that he begins his analysis of English politics, the British Constitution, and most
interestingly, the monarchy.

The categories of kings and subjects, to be understood, must be traced to their historical origin. This is what Paine sets out to do. From the outset, however, a theological element joins the historical analysis. Theology neither explains nor recommends kingship; it only plays a supporting role in the same story, and according to Paine, actually condemns the hero-worship of monarchical government. Gideon and the Prophet Samuel both condemn monarchy, he reminds us. When the Jews tire of their republican institutions and demand a king, they fall to the temptation of idolatry and a form of governance that "invades the prerogative of heaven." The divine right of kings, then, is entirely reversed here. Far from the kingship being explained and justified by divinity, it is specifically blasphemous. The argument goes well beyond defeating the divinity theory of monarchy; it accepts divinity as a standard for justification but explains that monarchy is decidedly irreligious.

The theological perspective is interesting for an additional reason. It is notable, and I think, ultimately quite telling, that in the lengthy discussion of the theological connections to political organization, Paine nowhere offers a positive interpretation of divine recommendation. His position quite clearly posits divine opprobrium toward monarchy, but at no point does he attempt to construct a heavenly justification for republican institutions. This is peculiar for two reasons. The first is that this is entirely possible given the argument he makes. It would not require too much additional analysis to suggest that divinity positively favors his cause. But additionally, a positive, divine sanction would probably provide significant rhetorical elevation to the cause of republicanism. The persuasive high ground potentially
gained by the positive co-opting of religious rhetoric should certainly not be underrated. That the pamphleteer declines this opportunity is troubling at first but in the end, insightful.

It is the nature of theological justification that explains Paine's selective discussion. While it is true that a positive endorsement is probably a rhetorical destination not too far from the point at which Paine concludes his argument, it is a destination far less traveled, far less familiar, far less secure. Though rhetorically proximate, a positive endorsement is logically a world apart. It is one task to establish what the heavens disapprove, and an entirely different task to establish what they recommend. The elusiveness of God is to blame. Implicit if not explicit in most frameworks, and certainly in the framework recognized by Paine, is a certain and invariable ignorance of God. By definition, He defies attainability at least to a significant degree. To pinpoint that which He specifically favors or commands is to claim a defined, specific knowledge. This is at once presumptuous and incredible. To point towards that which He disapproves, however, is safer ground. For it is not offering actual knowledge of God's wishes; it is skeptically discounting a possible piece of knowledge; it is not picking a needle from an infinitely expansive haystack, it is only denying that the needle has been found; it is not inclusion, but exemption. To deny, then, appears a far more credible strategy than to confirm. Additionally, any persuasive element gained by God's favor would be easily outweighed by the uninviting odor of presumption. That God emphatically rejects monarchy is sufficiently compelling theological support.

These theological strands that run through Sense often become wound up in
similar but distinguishable points of view. Arguments from nature are often coupled with arguments from divinity, perhaps for obvious reasons. The author writes, “Even the distance at which the Almighty hath placed England and America, is a strong and natural proof, that the authority of the one over the other, was never the design of heaven.” Geographical realities are transformed into physical, natural justifications for political separation. On a strictly philosophical level, this probably means very little. That there happens to be an ocean between England and her colonies probably has no more impact, on the level of theoretically constructing political legitimacy, than the fact that the President of the United States lives in Washington D.C. and his citizens live in a number of different towns. However, it is a useful observation inasmuch as it appeals to practical sensibility. Though distance may hardly have philosophical implications, it certainly has practical implications. It is simply difficult to govern colonies across an ocean when there is little communication technology. Local American concerns are simply too difficult to gauge at the top of the hierarchy in England. Physical separation can, in this sense, be easily lent to the cause of political separation.

Just as religious rhetoric is invoked alongside and inextricably throughout arguments from nature, so too historical justification easily blends into the amalgamation. In fact, historical and natural justification at most points become entirely indistinguishable. "In no instance hath nature made the satellite larger than its primary planet," he writes. Here it seems possible to replace nature with history. For what is meant is that no satellite larger than its primary planet has ever yet been identified. It is as much a historical fact as it is a natural principle, and the
homogeneity of these two notions confronts us throughout *Sense*. The issue here forces us to consider, more generally, where exactly the one becomes the other, or if, in fact, as I'll contend, they are ultimately inseparable. At the base of any claim to natural justification, no matter how independent of time it may seem, is a point in history. For a past time is always the necessary reference point for the first identification of what may appear in some sense a "natural" fact. In other words, if there exists anything like "natural" fact, it is only considered natural for its consistency and coherence with history. That mother bears care for their cubs, and not the other way around, is a fact grounded in nature only insofar as history confirms it. If we could just as well conceive of baby cubs caring for their mother, we would, I think, find ourselves at a loss to explain the unnaturalness of such a scenario without recourse to contrary historical knowledge. When Paine explains that it is simply unnatural for an island to control an entire continent, we may excuse him; but it may be more appropriate to say that history offers very few examples of a single island that controls a series of colonies on a vast continent.

Paine employs history, beyond its alliance with nature, in alternative ways. Historical coincidence, for example, is not without its persuasive value:

The time likewise at which the Continent was discovered, adds weight to the argument, and the manner in which it was peopled increases the force of it. The Reformation was preceded by the discovery of America as if the Almighty graciously meant to open a sanctuary to the persecuted in future years, when home should afford neither friendship nor safety.

Though the ultimate discursive value of such a suggestion should probably be questioned, the statement is not without its merits as a selection of practical political
prose. It attaches to American independence the security and sentimentality of destiny.

It is clear that such a reading of history's unfolding is not to be taken literally; this is not an argument. It is rhetorical flourish dressed with the trappings of argumentation, but that the discovery of America was divine intervention on behalf of the persecuted, that "He ordained its hour of birth,"\(^4\) is hardly a proposition that could withstand critical scrutiny. Surely, it was never intended to receive any. Such are the allowances of pamphleteering and practical political discourse.

There is, additionally, a separate and distinct undertone to passages such as this one. It is the hint that America is endowed with unique, outstanding characteristics found nowhere else around the globe. Behind all of his words can be detected a special qualification of America's historical position. It is uniquely and fortuitously discovered, inhabited under specific and remarkable circumstances, and beholds a future unmatched and exceptional. "England to Europe: America to itself," he writes. America appears not to possess a single flaw:

In almost every article of defence we abound. Hemp flourishes even to rankness, so that we need not want cordage. Our iron is superior to that of other countries. Our small arms equal to any in the world. Cannon we can cast at pleasure. Saltpetre and gun powder we are every day producing. Our knowledge is hourly improving. Resolution is our inherent character, and courage hath never forsaken us.

Preaching to the choir is always effective when the choir is all who needs convincing. It is an important pillar of Paine's writing. Flattery gives birth to confidence, and there never was a successful revolution lacking in that most important

quality. If the author was to meet with success in fomenting separatism, it was necessary to rhetorically separate America from its English rule. Beyond separation, however, Paine offers exaltation. Whereas, lives have never been sacrificed under the banner of mere separateness, unleashing an unbounded excellence is the stuff of war cries. In light of this, Paine plays to the egoism of the colonies.