

COMMENT/JOHN NICHOLS

Tom Paine's Fight

The pamphleteer's insistence that America live up to its revolutionary vows still rings true 250 years later.

IN 1806, 30 YEARS AFTER HE INSPIRED THE TAXED-but-not-represented colonial subjects of King George III to rise up against “tyrannical monarchy”—with a promise that “we have it in our power to begin the world over again”—Thomas Paine was barred from voting in the last American midterm election of his revolutionary life.

A partisan election inspector at a polling station in New Rochelle, New York, denied the franchise to the aging pamphleteer. The inspector, a Tory dead-ender who opposed Paine's radical views, claimed that the author of *Common Sense* and *The American Crisis* was not a proper citizen of the country where, in the view of no less a revolutionary icon than Samuel Adams, Paine's words had “unquestionably awakened the public mind and led the people loudly to call for a Declaration of our National Independence.”

It's easy to understand why the inspector, who occupied his position as the face of the local establishment, would resort to peddling lies about the young nation's agitator-in-chief. After all, Paine's advocacy for democratic reforms—and the economic and social justice that might extend from them—threatened the elites not just of the old United Kingdom but of the new United States.

The denial of Paine's right to participate in the politics of the nation he helped call into being was in keeping with the practice of a time when the right to vote was far from sacrosanct. Late-18th- and early-19th-century elites policed the franchise with an eye toward averting robust democracy. We know about Paine's disenfranchisement because he had once been accepted by those elites, and even after his views on property and religion led to his exclusion from the circles of power, he still wielded a pen mighty enough to amplify his objections to Tory abuses.

Others were not so fortunate. Widespread disenfranchisement based on race, gender, economic position, viewpoints, and immigration status was the norm in America's formative years. White male property owners—roughly 6 percent of the population at the nation's founding—empowered themselves and mostly disempowered everyone else.

The same Constitution that determined that an enslaved Black person would count as only three-fifths of a human being for the purpose of congressional apportionment also blocked anyone who was not “a natural-born citizen” from serving as president or vice president. And in the first decades of the American experiment, President John Adams and his governing Federalist Party approved legislation that made it dramatically harder for immigrants to become citizens, because working-class newcomers tended to oppose the Federalists.

Other rights we've since come to take for granted were denied to Americans in the first years of the new republic. Newspaper editors were arrested and jailed for publishing dissenting views. And a member of Congress, Matthew Lyon of Vermont, spent months behind bars after suggesting, among other criticisms, that Adams had “an unbounded thirst for ridiculous pomp.”

Indeed, for all the talk of “American democracy” that has been expended by Fourth of July speakers over the past 250 years, the real history of the United States is that of an unending battle over the rights to vote, hold office, and meaningfully challenge elite power to actually deliver economic, social, and racial justice. For as long as this country has existed, so has the fight to realize the full promise of its democracy.

Paine had a problem: He actually believed in the idea that all people were created equal.

This battle is far from finished. As the United States prepared to celebrate the 250th anniversary of the Declaration of Independence this year, the Supreme Court eviscerated the Voting Rights Act and opened the door for a mad rush by Southern Republicans to eliminate congressional districts that have empowered Black-majority communities such as Memphis.

The GOP implemented gerrymanders designed to leave Democrats without representation in states where they make up 40 percent or more of the electorate. “The right wants to dilute Black voting power in order to gain power,” explained Tennessee state Representative Justin Pearson, who saw the Memphis-based congressional district he was seeking to represent sliced into three Republican-leaning districts.

In a state where MAGA-aligned Republicans have full legislative control, the new maps leave the multiracial, multiethnic electorate that did not support Donald Trump in 2024 with, according to Tennessee state Senator Heidi Campbell, “no congressional voice at all. None. Nine congressional seats, nine Republicans—not because nine Republicans represent Tennessee, but because nine safe Republican seats is what this map was engineered to produce one week after the Supreme Court ruling cleared the legal path to do it, and that's not a democracy. This is a map drawn by incumbents for incumbents in the service of one man in Washington.”

At the same time, allies of President Trump have spoken of using ICE agents to intimidate voters in cities with substantial immigrant populations. And Representative Nancy Mace (R-SC) has

proposed a constitutional amendment that would bar foreign-born citizens from holding seats in Congress, federal judgeships, and positions that require confirmation by the Senate. Representative Pramila Jayapal (D-WA), the former chair of the Congressional Progressive Caucus (who writes poignantly about her own immigrant experience in this special issue of *The Nation*), is among the Democratic House members who would lose their seats if Mace's amendment were to be adopted. Jayapal decried Mace's measure as “narrow-minded, xenophobic legislation [that] has no place in Congress.” Yet Mace was unrelenting in her crude assertion that the “foreign-born members” that she has targeted are “making clear every single day their loyalty is not to America.”

It was this kind of xenophobic politics that led to the disenfranchisement of Tom Paine in 1806. A working-class agitator from Britain, Paine arrived in the United States in late 1774, barely a year before the publication of *Common Sense* would turn popular opinion in favor of a complete rejection of “the Royal Brute of Great Britain.”

If Paine had simply written that hugely influential pamphlet and the *American Crisis* broadsides that Gen. George Washington ordered read to the troops at Valley Forge, he would surely have been included in the pantheon of founders. But Paine had a problem: He actually believed in the Declaration of Independence's revolutionary idea that all people were created equal.

Dramatically more radical than his contemporaries, Paine opposed slavery, respected the rights of women, advocated for a complete separation of church and state, raged against economic and

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political inequality, and proposed state funded by taxing the rich rebukes from the likes of John Paine “a Star of Disaster” and rival was “so democratical, with Accordingly, Paine was not in gresses and conventions that produced documents of the new republic. ing pamphlets and books: *The Age of Reason*, *Rights of Man*, *Agrarian Justice*, and “Dissertation on the First Principles of Government,” his groundbreaking 1795 argument for the expansion of voting rights. In the

latter tract, he asserted, “The right of voting for representatives is the primary right by which other rights are protected.”

Paine, explains Representative Jamie Raskin (D-MD), “had this passionate and unwavering commitment to democracy as the system that will protect people's freedoms and allow for mutual progress in society.”

Paine's views made him an iconic figure for anti-monarchists and freethinkers the world over. So much so that he would declare in *Rights of Man*, “My country is the world, and my religion is to do good.” Yet Paine spent the last years of his life in New Rochelle, residing in a cottage that had been granted to him because of his patriotic service to the young republic. It was there that he celebrated the anniversaries of the revolution that he had inspired, and where he went to vote in 1806—when, as Paine recounted, “Elisha Ward and three or four other Tories who lived within the British lines in the revolutionary war, got to be inspectors of the election this year at New Rochelle. Ward was supervisor. These men refused my vote at the election.”

Paine objected and was threatened with arrest. Even as he produced evidence of his citizenship, Paine's appeals were denied by political and judicial partisans who refused to respect his right to cast a ballot.

Paine's experience was especially unsettling because he had battled so fervently to expand the franchise. He decried elitists who erected economic barriers to the ballot, arguing that “this exclusion from the right of voting implies a stigma on the moral character of the persons excluded; and this is what no part of the community has a right to pronounce upon another part. No external circumstance can justify it: wealth is no proof of moral character; nor poverty of the want of it.”

Paine's enthusiasm for democracy was deemed radical not only in his day but in the decades following his death. For much of the 19th and early 20th centuries, observed the historian Eric Foner, Paine “was excluded from the group of revolutionary leaders canonized in American popular culture. His memory was kept alive primarily by succeeding generations of radicals, who rediscovered him again and again as a symbol of revolutionary internationalism, freethinking and defiance of existing institutions.”

Even in this anniversary year, he is described as “the elusive founder” or “the forgotten founding father.” Yet Thomas Paine's fight for the franchise, on the page and in person, makes him the founder who—above all others—merits recollection in a moment when the Tories of our time still threaten voting rights.

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