

# The Beacon

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THOMAS PAINE NATIONAL HISTORICAL ASSOCIATION

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## The Comstock Act of 1873 and the Founding of the Thomas Paine National Historical Association

by Gary Berton

*Part One of Two Parts*

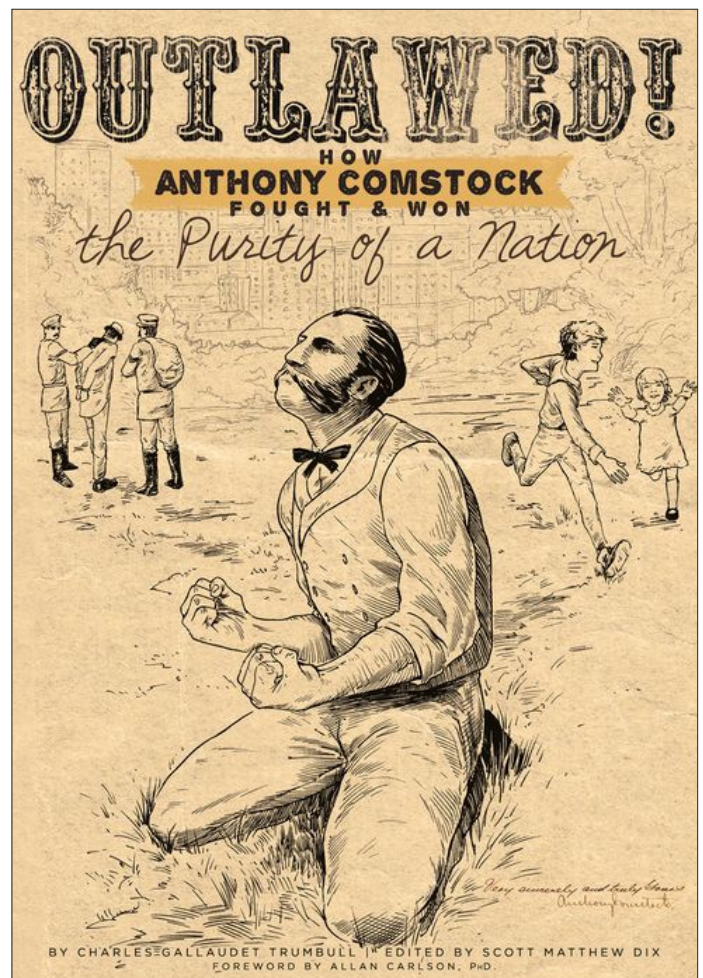
In the wake of the Civil War and the attempt at Reconstruction, the capitalist era entered the Gilded Age, where the wealthy monopolized most of the wealth as the working classes became more impoverished. The reactions to the situation resulted in the activist reform movement. At the same time the federal government took the anti-constitutional step of employing religion to repress that reform movement.

Several groups were forming to oppose the nature of the Gilded Age on such issues as suffrage for women, health services for women, freedom of the press, free-thinking, labor organizing, labor rights, race equality, and more. The basic concepts of modern democracy, built on equality, and natural and civil rights, were the foundation of the movement, as established by the life and legacy of Thomas Paine.

Starting in 1872 and completed in 1873, the Comstock Act brought the weapon of religion against these groups. It was named for Anthony Comstock, a zealous Christian anti-“vice” fanatic who was put in charge of using the Act against the democratic forces emerging to challenge the monopoly of wealth, and the repressive nature of society unfolding. To a large extent, this struggle continues.

Anthony Comstock was a leader of the New York Society for the Suppression of Vice, whose purpose was to uphold “Christian morality”, which opposed obscene literature, abortion, contraception, masturbation, gambling, prostitution, and patent medicine.

*Continued on pg. 2*



### *Anthony Comstock and the Comstock Act*

*In 1873, anti-vice activist Anthony Comstock got Congress to pass his Act for the Suppression of Trade in, and Circulation of, Obscene Literature and Articles of Immoral Use. As a U.S. Postal Service enforcer, he became synonymous with the law.*

Cover of 1888 Comstock biography by Charles Gallaudet Trumbull. Source: TheBirthControlMovie.com

## Comstock Act — Continued from Pg. 1

Comstock worked through the Postal Department, using local police, on his authority alone, to enforce “morality.” Anyone sending literature through the mails that Comstock disliked was subject to arrest.

In the same year, and most probably in response, The Truth Seeker magazine was established by D. M. Bennett, with these principles:

***Devoted to:** science, morals, free thought, free discussions, liberalism, sexual equality, labor reform, progression, free education and whatever tends to elevate and emancipate the human race.*

***Opposed to:** priestcraft, ecclesiasticism, dogmas, creeds, false theology, superstition, bigotry, ignorance, monopolies, aristocracies, privileged classes, tyranny, oppression, and everything that degrades or burdens mankind mentally or physically.*

Bennett turned into Comstock’s prime target. In 1878, when Bennett published a piece on free-love, he was imprisoned for nearly a year, destroying his health. Bennett died four years later. (The Truth Seeker today carries on efforts to obtain a posthumous pardon for Bennett.)

In 1878, eventual TPNHA founders Dr. E.B. Foote, T.B. Wakeman, E.A. Chamberlain, and others founded the National Defense Association (NDA) to organize against the Comstock Law. Formation of the NDA, a forerunner of the American Civil Liberties Union, led to dissension in the movement.

The National Liberal League had been a unifying force in the formative period of progressive thinking, advocating its “Nine Demands of Liberalism.” The demands centered around the separation of church and state, opposition to favoritism shown to religious creeds in government functions.

The Liberal League in 1884 split into factions over whether social and political issues other than free-thought should be included in their agenda.

A year after Bennett’s death, the Thomas Paine National Historical Association (TPNHA) was formed

on January 29, 1884, the anniversary of Paine’s birth. A majority of the Board consisted of people tied to The Truth Seeker. Representing activists who were leading the reform movements, they chose Thomas Paine as the symbol of the democratic struggle, and they created an organization that could coordinate and collaborate on political struggles through one body.

The leading force in TPNHA’s formation was Thaddeus Wakeman, President of the Liberal University in Oregon and later in Missouri, a leading activist in New York politics, a political philosopher, freethinker, publisher of activist literature.

Liberal League leaders became key leaders in founding the TPNHA. Foote, Wakeman and Chamberlain continued to advocate freethinking in such social issues as free speech, women’s rights, labor struggles, and social justice. Integral to this faction was The Truth Seeker, based in Manhattan.

TPNHA’s formation triggered a split with the group led by secularist Robert Ingersoll, who formed the American Secular Union. More conservative Ingersoll never joined

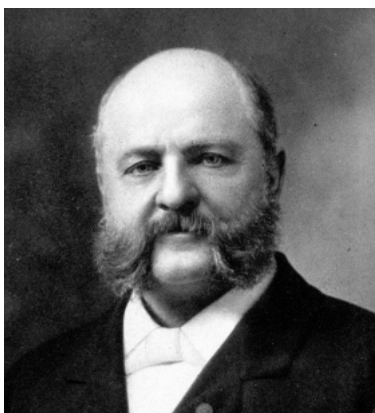
TPNHA, yet he was a lifelong Paine advocate.

Formation of TPNHA was part of the developing 19th century drive to inform people about the issues of free speech, labor rights, women’s rights, education, prison reform, and freethought. Thomas Paine was the uniting figure in American history these organizations had in common. The re-establishment of Thomas Paine as a preeminent founding father was part of this public education movement, and that continues today.

Comstock’s law is still on the books as a relic from the period of repression in 19th century America. The old law is now being revived by the latest movement to abolish women’s reproductive rights along with access to reproductive health information and services. ▲

Read Part Two in the November 2024 Beacon.

**Gary Berton** is president of the Thomas Paine National Historical Association.



**Anthony Comstock**  
*An anti-vice crusader, Comstock waged censorship and criminal campaigns against birth control as “immoral.”*

Source: Wikimedia





## About Thomas Paine

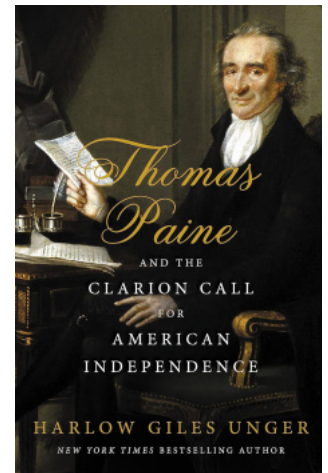
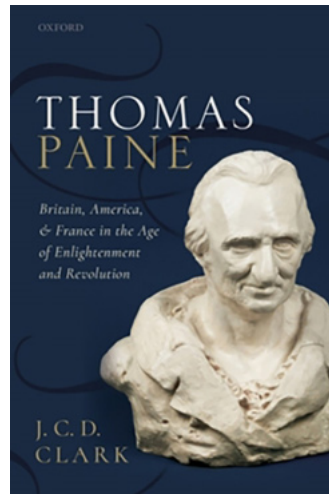
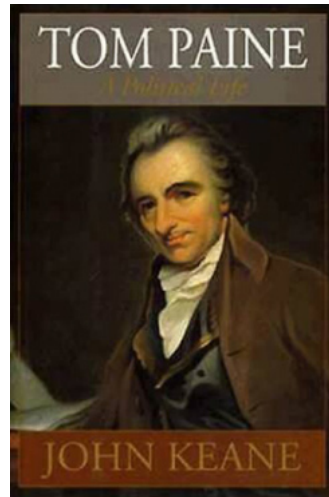
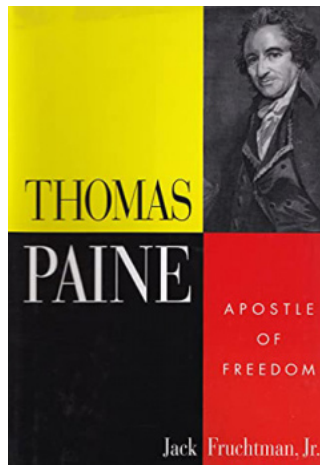
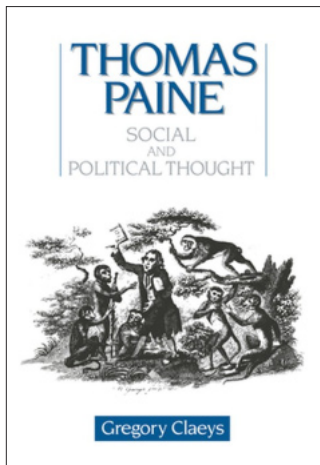
# A History of Thomas Paine's Biographies

by Joy Masoff

*Part Three of a Three-Part Historiography*

The last decades of the 20th century saw revived interest in the life and contributions of Thomas Paine, evidence by the books published.

Three new studies of Paine were Gregory Claeys' *Thomas Paine: Social and Political Thought* (1989), Jack Fruchtman Jr.'s *Thomas Paine: Apostle of Freedom* (1994), and John Keane's *Tom Paine: A Political Life* (1995).



Claeys' biography, published in London, investigates Paine's influence on social and political thinking in Britain and America, focusing on how Paine's ideas were understood in the moment. Claeys presents Paine as an important writer on politics and society. He also criticized earlier Foner and Aldridge biographies for ignoring discussions of Paine's repeated calls for simple human kindness and moral virtue.

The second decade of the 21st century introduced two more books on Paine's life and contributions.

*Thomas Paine: Britain, America, and France in the Age of Enlightenment* (2019) by J.C.D. Clark seems determined to tar Paine as an unoriginal thinker who contributed next to nothing to revolutionary events — another belittling Paine biography.

*Thomas Paine and the Clarion Call for American Independence* (2019) by Harlow Giles Unger was a well-received, easily readable and mostly accurate biography. Unger made Paine much more accessible to mainstream readers but added little to Paine studies.

Since Conway's 1892 biography, the historiography of Thomas Paine has offered readers glimpses of greatness, petty personal attacks, and weighty word-by-word analyses. Consideration is rarely given to views of Paine as a man with loyal friends and people he loved.

Instead, as historian Yannick Bosc wrote, "Behind the smoke from the censer, there are always sulfurous fumes floating around Thomas Paine."

More than 200 years of historiographical inquiry still leaves us with too many questions. We can only look forward to the new, impartial, unbiased, and well-researched works that are yet to come. ▲

Read Parts One and Two in the May and July 2024 Beacon.

**Joy Masoff** is a PhD candidate at work on *Thomas Paine and the Company He Kept: Family and Friendship in the Times That Tried Men's Souls*. She serves on the board of the Thomas Paine National Historical Association.

By Thomas Paine

# A challenge to the Federalists to declare their principles

October 17, 1806 — Published in American Citizen newspaper, New York City. Signed as “Common Sense.” [Verbatim text]

The old names of Whig and Tory have given place to the later names of Republicans and Federalists; by contraction Feds. The word *republican* contains some meaning though not very positive, except that it is the opposite of monarchy; but the word *federalist* contains none. It is merely a name without a meaning. It may apply to a gang of thieves federalized to commit robbery or to any other kind of association.

When men form themselves into political parties, it is customary with them to make a declaration of their principles. — But the feds do not declare what their principles are; from which we may infer, that either they have no principles, and are mere snarlers, or that their principles are too bad to be told. Their object, however, is to get possession of power; and their caution is to conceal the use they will make of it. Such men ought not to be trusted.

The republicans, on the contrary, are open and frank in declaring their principles, for they are of a nature that requires no concealment. The more they are published and understood the more they are approved.

The principles of the republicans are to support the representative system of government and to leave it an inheritance to their children and to their children's children — to cultivate peace and civil manners with all nations as the surest means of avoiding wars, and never to embroil themselves in the wars of other nations, nor in foreign coalitions — to adjust and settle all differences that might arise with foreign nations by explanation and negotiation in preference to the sword, if it can be done — to have no more taxes than are necessary for the decent support of government — to pay every man for his service, and to have no more servants than are wanted. — The republicans hold, as a fixed uncontrovertible principle, that sovereignty resides in the great mass of the people, and that the persons they elect are

the representatives of that sovereignty itself. They know of no such thing as hereditary government or of men born to govern them, for besides the injustice of it, it never can be known before they are born whether they will be wise men or fools.

The republicans now challenge the federalists to declare their principles. But as the federalists have never yet done this, and most probably never will, we have a right to infer what their principles are from the conduct they have exhibited.

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**‘The republicans hold, as a fixed uncontrovertible principle, that sovereignty resides in the great mass of the people, and that the persons they elect are the representatives of that sovereignty itself.’**

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The federalists opposed the suppression of the internal taxes laid on in the stupid, expensive, and unprincipled administration of John Adams; though it was at that time evident, and experience has since confirmed it for a fact, that those taxes answered no other purpose than to make offices for the maintenance of a number of their dependents at the expense of the public. From this conduct of theirs we infer, that could the federalists get again into power, they would again load the country with internal taxes.

The federalists, while in power, proposed and voted for a standing army, and in order to induce the country to consent to a measure so unpopular in itself, they raised and circulated the fabricated false-

hood that France was going to send an army to invade the United States; and to prevent being detected in this lie, and to keep the country in ignorance, they passed a law to prohibit all commerce and intercourse with France. As the pretence for which a standing was to be raised had no existence, not even in their own brain, for it was a wilful lie, we have a right to infer, that the object of the federal faction in raising that army, was to overthrow the representative system of government and to establish a government of war and taxes on the corrupt principles of the English government; and that, could they get again into power, they would again attempt the same thing.

*Continued on pg. 5*

# Rights of Man is More Relevant Now than Ever

Edited excerpt from "Here's to Tom Paine — the Forgotten Founding Father," originally published on Medium, June 10, 2024.

by Frances Chiu

In 1789, Thomas Paine wrote to his American friend, Kitty Few Nicholson:

A thousand years hence (for I must indulge in a few thoughts), perhaps in less, America may -be what England now is!...When we contemplate the fall of empires and the extinction of nations of the ancient world, we see but little to excite our regret than the mouldering ruins of pompous pal-

aces, magnificent monuments.... of the most costly workmanship. But when the empire of America shall fall, the subject for contemplative sorrow will be infinitely greater than crumbling brass or marble can inspire. It will not then be said, here stood a temple of vast antiquity... but here, ah painful thought! the noblest work of human wisdom, the grandest scene of human glory, the fair cause of freedom rose and fell!

Today, 235 years later, we grapple with the same freedom issues confronting Paine and his British contemporaries. We may even say the situation is worse, given our knowledge and seemingly more abundant resources.

*Continued on pg. 6*



## Challenge to Federalists — From Pg. d

As to the inconsistencies, contradictions and falsehoods of the federal faction, they are too numerous to be counted. When Spain shut up the port of New-Orleans, so as to exclude from it the citizens of the United States, the federal faction in Congress bellowed out for war and the federal papers echoed the cry. The faction both in and out of Congress declared New Orleans to be of such vast importance that without it the Western States would be ruined. But mark the change! No sooner was the cession of New-Orleans and the territory of Louisiana obtained by peaceable negotiation, and for many times less expense than a war, with all its uncertainties of success, would have cost, than this self-same faction gave itself the lie and represented the

**'It has been said of a thief that he had rather steal a purse than find one, and the conduct of the federalists... corresponds with that saying.'**

place as of no value. According to them it was worth fighting for at a great expense, but not worth having quietly at a comparatively small expense. It has been said of a thief that he had rather steal a purse than find one,

and the conduct of the federalists on this occasion corresponds with that saying. But all these inconsistencies become understood, when we recollect that the leaders of the federal faction are an English faction, and that they follow, like a satellite, the variations of their principal.

Their continual aim has been and still is, to involve the United States in a war with France and Spain. This is an English scheme, and the papers of the faction give every provocation that words can give, to provoke France to hostilities. The bugbear held up by them is that Bonaparte will attack Louisiana. This is an invention of the British emissary Cullen, alias Carpenter, and the association of the federalists, at least some of them, with this miserable emissary involves their own characters in suspicion.

The republicans, as before said, are open, bold, and candid in declaring their principles. They are no skulkers. Let then the federalists, declare theirs.

**'The republicans... are open, bold, and candid in declaring their principles. They are no skulkers. Let then the federalists, declare theirs.'**



## Rights of Man — From Pg. 5

There's little doubt Paine would probably be deeply disappointed with his adopted country — its downfall arriving much sooner than he anticipated.

Much of what Paine wrote in *Rights of Man* about 18th century Britain fits 21st century America:

When, in countries that are called civilised, we see age going to the workhouse and youth to the gallows, something must be wrong in the system of government. It would seem, by the exterior appearance of such countries, that all was happiness; but there lies hidden from the eye of common observation, a mass of wretchedness, that has scarcely any other chance, than to expire in poverty or infamy....

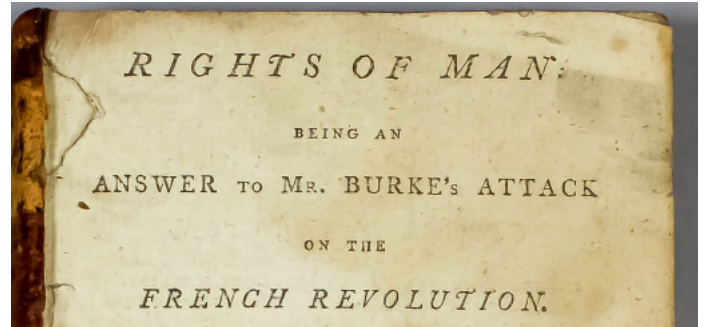
Civil government does not exist in executions; but in making such provision for the instruction of youth and the support of age, as to exclude, as much as possible, profligacy from the one and despair from the other. Instead of this, the resources of a country are lavished upon kings, upon courts, upon hirelings, impostors and prostitutes; and even the poor themselves, with all their wants upon them, are compelled to support the fraud that oppresses them.

British Whig and Tory members of Parliament then pulled the strings of government with their riches. Today, American Democratic and Republican members of Congress (mostly millionaires and billionaires) continue the charade that social and economic equity prevails, that anyone can go from “rags to riches.”

The U.S. pay-to-play system makes all candidates rely on their personal wealth and contributions from their deep-pocket donors. This guarantees only the voices of the rich are heard. Citizens United opened the door wide to corporate donations.

Paine would not have been surprised. After all, he observed that:

A change of ministers amounts to nothing. One goes out, another comes in, and still the same measures, vices, and extravagances are pursued. It signifies not who is minister. The defect lies in the system. The foundation and superstructure of the government is bad. Prop it as you please, it continually sinks and ever will.



### *Rights of Man*

Leather-bound edition published by Alexander Leslie, Edinburgh, 1797. Source: The-Saleroom.com

The perception of a government rigged for the elites can explain both Occupy Wall Street in 2011 and the January 6, 2021 melee at the White House, where many had faced financial insecurity across the past decades. Again, Paine's words are prescient:

As a great mass of the community are thrown thereby into poverty and discontent, they are constantly on the brink of commotion... Whatever the apparent cause of any riots may be, the real one is always want of happiness. It shows that something is wrong in the system of government that injures the felicity by which society is to be preserved.

I believe it's no accident that current social beliefs and trends uncannily reflect those in the 18th and 19th centuries. Many Americans still believe that assistance to the poor encourages sloth. Meanwhile, there is little interest in funding public K-12 education or in making higher education more affordable.

We are fully ensconced in 18th century style nepotism, indicated by the recently coined term, “nepobaby.” The idea of meritocracy is almost as much a sham today as it was back then.

If Instagram and Tiktok offer clues, we still venerate “Old Money” as much as characters in any Jane Austen novel. Let's not forget that the very ideas of old money in America is racist — given centuries of slavery while prohibiting immigration from Asia — for only whites were allowed to accumulate great wealth.

If the top one percent chooses to blindly immerse themselves in the 18th century, perhaps it's time for the rest of us to revisit Paine's *Rights of Man* and right the wrongs ourselves.

Enough is enough! ▲

**Frances Chiu, PhD** serves on the TPNHA board.

## TPNHA News

# Paine Association leaders join Lafayette Commemoration

by Judah Freed

Marking the 200th anniversary of the Marquis de Lafayette's 1824 visit to New Rochelle, Thomas Paine National Historical Association (TPNHA) and the Huguenot & New Rochelle Historical Association (H&NRHA) joined with American Friends of Lafayette (AFL) and the City of New Rochelle for free public events on Sunday, August 18, in the New Rochelle Public Library.

TPNHA officers Gary Berton and John Heidenreich staffed a Paine information table where they shared free print copies of *The Beacon* and *Studies in Thomas Paine*. Barbara Crane served as the moderator for speeches and performances presented by the American Friends of Lafayette in the library's theater. ▲



Photographer: Barbara Crane

### TPNHA at Lafayette's Visit Anniversary

*A Marquis de Lafayette re-enactor stands with TPNHA president Gary Berton and board member John Heidenreich.*



## Florida Veterans For Common Sense

*An all-volunteer nonprofit advocate for veterans inspired by Thomas Paine to defend democracy, liberty, equality, and human rights.*

FloridaVeteransforCommonSense.org | Contact@flvcs.us

## TPNHA Membership Dues and Benefits

**Individual** - \$25 yearly (Beacon subscription)

**Family** - \$40 yearly (Beacon subscription)

**Supporter** - \$100 yearly (Beacon, Paine lapel pin)

**Donor** - \$500 for 1 year (Beacon, lapel pin, personal plaque)

**Benefactor** - \$1,000 yearly (All above & Memorial Building plaque)

**Patron** - \$10,000, 1 year (All the above & a set of 2026 six-volume *Thomas Paine: Collected Works*, autographed by the Editorial Board.)



**The Truth Seeker** has been the world's foundational source of freethought information continuously since 1873, longer than TPNHA has existed. The Truth Seeker was the main force behind our formation in 1884.

The Thomas Paine National Historical Association thanks our "sister" publication for their leadership.

Visit [TheTruthSeeker.net](http://TheTruthSeeker.net)



# THE THOMAS PAINE NATIONAL HISTORICAL ASSOCIATION

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## About TPNHA

**T**he Mission of the Thomas Paine National Historical Association is to educate the world about the life, works and legacy of Thomas Paine.

TPNHA was founded in 1884 to correct the record on Thomas Paine by refuting negative propaganda and slanders perpetrated against him by most historians in the 19th century. We've since become the most reliable and accurate source of information about Paine worldwide. We assist scholars, authors, journalists, readers and anyone interested in Paine's life and work.

TPNHA is managing the international project to complete and publish *Thomas Paine: Collected Works*, which may double the corpus of known writings.

In New Rochelle, we operate the Paine Memorial Building and Museum, built 1925, where we hold educational programs. A 501(c)(3) nonprofit, we gratefully welcome member support sustaining our efforts. ▲

## The Beacon

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**The Beacon is a bi-monthly publication for members of the Thomas Paine National Historical Association**

*The Beacon* from the TPNHA extends the volumes of Gilbert Vale's influential *The Beacon* in the mid-19th century, both restoring the legacy of Thomas Paine.

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