# Envoy to the Terror

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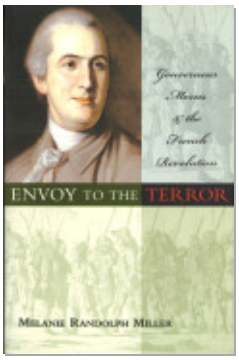


Published by University of Nebraska Press

Miller, Melanie R.
Envoy to the Terror: Gouverneur Morris and the French Revolution.
University of Nebraska Press, 2011.
Project MUSE.muse.jhu.edu/book/41591.

## Chapter Eight

# *Thomas Paine*

From *The Journal of a Spy in Paris, January–July 1794*:[1]

> April 2nd. It is wonderful weather: all the trees in bloom six weeks before their time, as if the smile of Nature meant to mock at the horrors of Mankind. I wonder if Mr. Payne can see any trees from *his window at the Luxembourg Palace.* I have not laughed so heartily since I came to this city of death, as at the notion of his imprisonment. He is said to be moving heaven and earth to get himself recognized as an *American Citizen,* and thereon liberated. . . . The minister of the American States is too shrewd to allow such a fish to go over and swim in his waters, if he can prevent it; and avows to Robespierre that he knows nothing of any rights of Naturalization claimable by Mr. P. 'Tis, to my thinking, a mean thing to go from country to country stirring up sedition, and then, as soon as he reaps the true reward of his deeds, to claim citizenship of some other. . . . Even in prison, they say, he is generally drunk. They won't let him out. This Government means to govern, not to be Tom-Payned.[2]

Perpetual thorn in the side of the British lion, Thomas Paine was also a source of considerable annoyance to his long-time acquaintance, Gouverneur Morris. By 1794, Paine hated Morris with a passion that never abated: according to one biographer, Paine amused himself in old age by writing insulting poetry devoted to Morris.[3]

As with Short, Paine's enmity did extensive damage to Morris. One need only consult any library's shelf and a half devoted to Paine to compare the relative clout of his version of events to that of Morris. Paine's biographers repeat not only his contemporary slanders, but also the myth, originated by the historian Moncure Conway in 1895, that Morris conspired to have Paine imprisoned in France, and treated Paine badly.[4] Paine

also conducted a clandestine but effective effort to undermine Morris as minister, an effort crowned by Paine's thoroughly public denunciation of Morris and George Washington in 1796.

The mutually abrasive association between Morris and Thomas Paine, that "filthy little atheist," as Teddy Roosevelt called him, is a long history but never a dull one. As early as 1778, the two men were pitted against each other as lesser contestants in the battle between Arthur Lee and Silas Deane (American commissioners to France). At the time, Paine was secretary of the Committee for Foreign Affairs of the Continental Congress, and Morris was a member of Congress.

The controversy arose when Lee accused Deane of corruption in connection with supplies received from the French. Paine, who believed Lee, published a series of articles in support, citing secret documents accessible to Paine only by virtue of his position. The articles outraged the French and embarrassed the Americans, because France had been officially neutral at the time the supplies were provided. The French minister demanded that Paine be dismissed and Congress required his resignation.[5]

Paine's judgment in publishing the documents is open to question, but regardless of the propriety, he acted with a characteristic defiance of authority and decorum. During the debates, Morris delivered a fiery speech damning Paine and demanding he be dismissed without a hearing. While the object may have been valid, the speech did him little credit, for Morris called Paine a "meer Adventurer from England, without Fortune, without Family or Connections, ignorant even of Grammar."[6]

Paine saw a copy of the proceedings and, if they included the speeches, he surely never forgot Morris's intemperate words. It was characteristic of Morris that twelve years later, in sociable conversation with Paine in Paris, he did not hesitate to "frankly acknowledge that I urged his Dismission from the Office."[7]

In spite of this unpropitious start, the two men were not antagonists again for a while. The Morrises hired Paine to write letters advocating taxes to pay the American army, and he supported their fight to recharter the Bank of North America. Thus, when they met again in Paris in November 1789, Morris and Paine treated each other as fairly friendly acquaintances.[8]

Paine was living in England. He had been corresponding with Jefferson and Richard Price, the fiery antiestablishment preacher, about the defects of the English system and the beginning revolution in France. Through these connections, Paine was the unlikely *deus ex machina* for two unre-

lated but significant events: Morris's mission to London, as discussed in chapter 5, and the inspiration of Edmund Burke's *Reflections on the Revolution in France*. Jefferson's rhetoric was noticeably unrestrained when writing to Paine, and Paine struck the match by giving these immoderate letters to Burke, who was viewed as a friend of the American Revolution and thus presumably of revolutions in general.[9] Paine misjudged his man: Burke, who also heard Price preach, recoiled from the letters' enthusiasm for the French Revolution, believing that it amounted to advocacy of a revolution in England, something Burke never favored but which Paine and Price did.[10] Burke poured out his abhorrence in the passionate *Reflections*, excoriating revolutionary views and exalting England's institutions. (Jefferson, reading the *Reflections*, commented that "The Revolution of France does not astonish me so much as the Revolution of Mr. Burke.")[11]

Paine visited France regularly and became friends of the future Girondins Brissot de Warville and Étienne Clavière, collaborating with them in the popular newspaper *Le Patriote Français*. The paper reflected the American connections of its founders, with flattering references to America and severe criticism of the monarchy.

During Paine's first visit to France after Morris arrived, the two saw each other several times and relations were apparently cordial. On December 11, 1789, they dined at Lafayette's, and Morris apologized to Paine for not having been to visit him.[12] Paine visited Morris to discuss a paper on the Caisse d'escompte, in which Paine argued that the troubled French banking institution was more creditworthy than the Bank of England, a notion the financially expert Morris knew was ridiculous. In his diary he noted that the paper contained

> those half Way Arguments which form the Excellence of Payne's Writings. His Conceptions and Expressions are splendid and novel but not always clear and just. He seems well convinced of the Force of his Argument and perhaps it will be translated and printed.[13]

Morris discouraged Lafayette from asking Paine's advice, telling him "that Payne can do him no good for that altho he has an excellent Pen to write he has but an indifferent Head to think."[14] Presumably the vainglorious Paine did not suspect Morris's opinion, for he visited Morris frequently, and Morris agreeably exchanged 20 pounds into livres for him,

discussed Paine's project to design and build an iron bridge in London, "&c., &c."[15]

Paine was back in England when Morris arrived to talk to the British in March 1790. Once again, Paine visited regularly—at least nineteen times from April to September. Morris's patience wore thin, but Paine was either oblivious or indifferent, and calmly abused Morris's generosity by using him as a banker. He asked him to pay a draft of 40 pounds, which he said William Constable would cover, and then said he could not "well get thro' the expences of erecting my Bridge" unless Morris honored a 50 pound draft drawn on Lewis Morris. Paine presumed this would be no inconvenience to Morris but "the want of it will be a great inconvenience to me." Morris found this request "an unpleasant Thing to comply with or to refuse," but gave him the money.[16]

When Morris fell ill, Paine came by several times. In early August he called "for the Purpose of sparing himself the Trouble of a Walk to Lombard Street" to cash a draft. "I give him the Money and send for it, telling him at the same Time that he is a troublesome Fellow." A week later Paine came again, "being as he says too much fatigued to go into the City. I lend him three Guineas which I fancy will not be speedily repaid."[17]

After Morris was back on his feet, he accepted Paine's invitation to see his bridge. Paine's first version of an iron bridge design had been intended to span the Harlem River at Morrisania, before Morris acquired the property. Morris did not want the increased traffic, and Paine pursued the project in London instead. Morris observed privately that the London bridge was "not so handsome as [Paine] thinks it is. Qu: also whether it be as strong." Within months, the bridge rusted and its ironwork was repossessed. According to one of Paine's biographers, its main value "was its practical demonstration of design faults to be avoided in the future."[18]

Morris saw Edmund Burke in the House of Lords while in London, and noted that Burke "has Quickness and Genius but he is vague, loose, desultory and confused. His Speech contained Matter to make a fine one and to marr the best." He also attended a dinner at which Richard Price was a guest, but his only comment about the man Jefferson so admired was to call him "one of the Liberty-mad People.[19]"

Burke's *Reflections* was published in November 1790. Paine, who had wind of it, had begun writing *The Rights of Man* in response. The first part was published in March 1791, and Paine came to Paris to bask in its success. Morris did both sides justice:

> I walk, having first read the Answer of Payne to Burke's Book. There are good Things in the Answer as well as in the Book. . . . Payne calls on me. He says that he found great Difficulty in prevailing on any Bookseller to publish his Book. That it is extremely popular in England, and of course the Writer, which he considers as one of the many uncommon Revolutions of this Age.[20]

Paine once again called regularly, occasionally bringing along a down-and-out English friend named Hodges. In return, Morris visited Paine's "wretched Appartments" but Paine was out, and Hodges spoke "of Payne as being a little mad, which is not improbable."[21]

Paine was growing increasingly intimate with the Girondins, with whom he formed a *Société des républicains* after the king's flight to Varennes.[22] This event electrified Paine with the belief that France should now become a republic and he and a friend plastered a proclamation to this effect all over Paris.[23]

Étienne Dumont traveled to London in Paine's company at around this time, and left a perceptive snapshot of the celebrated rabble-rouser:

> I could easily excuse, in an American, his prejudices against England But his egregious conceit and presumptuous self-sufficiency quite disgusted me. He was drunk with vanity. If you believed him, it was he who had done every thing in America. . . . He fancied that his book upon the Rights of Man ought to be substituted for every other book in the world; and he told us roundly that, if it were in his power to annihilate every library in existence, he would do so without hesitation in order to eradicate the errors they contained and commence with the Rights of Man, a new era of ideas and principles. He knew all his own writings by heart, but he knew nothing else. . . . Yet Paine was a man of talent, full of imagination, gifted with popular eloquence, and wielded, not without skill, the weapon of irony.[24]

This description squares precisely with Morris's observations of Paine, most notably a diary entry on July 4, 1791, when he, Paine, Lafayette, and the other Americans in Paris dined at William Short's. Morris, who frequently observed that the famous writer drank too much, noted simply, "Paine is here, inflated to the Eyes and big with a Litter of Revolutions."[25]

Paine's swelling self-importance and his strengthening connections with the radical elements in France meant that when Morris saw him

again in London the following spring, their brief friendship (if it ever deserved that description) was on the wane. On February 13, 1792, Paine wrote to Jefferson:

> I have just heard of Govr. Morris's appointment. *It is a most unfortunate one,* and as I shall mention the same thing to him when I see him, I do not express it to you with the injunction of Confidence.
>
> He is just now arrived in London, and this circumstance has served, as I see by the french papers, to encrease the dislike and suspicion of some of that Nation and the National Assembly against him.[26]

This was the first of several efforts by Paine to scuttle Morris's embassy, and his motives bear examination. The two men did have genuine differences of opinions about what was best for France. Moreover, Paine's revolutionary friends, including Barlow, disliked Morris. Paine and Barlow spent time together in London, lived in the same Paris hotel in the fall of 1792, and worked closely together in France. They belonged to the London Society for Constitutional Information, connected with the Cercle Social, a Paris political club and publisher, whose members included many Girondins such as Brissot and Clavière.[27]

Paine was also a good friend of Colonel John Oswald, the sanguinary vegetarian and radical Jacobin who helped found the "British Club," a group of pro-revolutionary British in France. The club plotted, among other things, uprisings in Ireland and Britain, and its members included Paine, Barlow, and Stephen Sayre, whose enmity for Morris is discussed later.[28]

Paine's new friends were thus very likely to have encouraged his animus toward Morris. His next assault, made before Morris even presented his credentials, was a letter published in Brissot's pro-Girondin paper, *Le Patriote Français*, in April 1792. The letter, signed by an "American in Amsterdam," has the rhythms of having been written originally in English (Paine never learned French), and it has his satirical and contemptuous imprint. It purported to explain to a bewildered member of the National Assembly how the United States could have appointed Morris, who was "generally known and detested as an enemy of your revolution," for while Morris had been a "good whig" in America, he had been corrupted by the French court. The letter claimed that his nomination had been instigated by Montmorin because Morris would urge the American government that "despotic government is, of all government, that which is best suited to mankind."

> You ask if this man represents the opinions of Americans, if they have so abandoned their glorious principles of equality, and if you should consider such a people as an enemy to France and to liberty, instead of regarding it as a sincere friend of both?

Nonetheless, the writer assured the reader, Morris would act more discreetly in the future.[29]

Paine is far and away the most likely author of this letter. He regularly contributed to this paper, and the letter *sounds* like Paine: snide, clever, and outrageous. It was very much Paine's style to use a newspaper to assure the widest audience for his opinion, and to write anonymously, for Paine did not disclose his enmity to Morris for quite some time, and then only when extremely drunk. Morris made no recorded remark about the letter, which served as a very poor introduction to the people of France; he regularly forwarded *Le Patriote* to Jefferson.[30]

Paine continued to visit Morris in London. Four days after his complaint to Jefferson about the appointment, Morris read the second half of *The Rights of Man*:

> I tell Payne that I am really affraid he will be punished. He seems to laugh at this and relies on the Force he has in the Nation. . . . He seems Cock Sure of bringing about a Revolution in Great Britain, and I think it quite as likely that he will be promoted to the Pilory.[31]

A week later, Morris saw Paine again, "who seems to become every Hour more drunk with Self Conceit." Morris told him that

> [T]he disordered State of Things in France works against all Schemes of Reformation both here [in England] and elsewhere. He declares that the Riots and Outrages in France are Nothing at all. It is not worth while to contest such Declarations; I tell him therefore that as I am sure he does not believe what he says I shall not dispute it.[32]

Even though Paine sloughed off his warnings, Morris was quite right. In May, Paine was indicted for seditious libel and fled England. He arrived in France in mid-September 1792 to a hero's welcome, a stark contrast to the threatening crowd that had watched him depart Dover. On October 10, the Legislative Assembly declared Paine, Washington, Hamilton, and Madison to be citizens of France. The citizenship conferred eligibility for election as

a deputy, and Paine was elected and promptly appointed to the Convention committee assigned to write the new constitution for the Republic.[33]

Paine called on Morris the day after he arrived in Paris. This was a time when Morris was having considerable difficulties with the Girondin ministry, dominated by Brissot. Morris noted in his diary, "Mr. Payne calls on me. I find from various Channels that the brissotine Faction is desirous of doing me Mischief if they can."[34] It is likely that Paine was one of the "channels" and extremely likely that he himself was one of the mischief makers, unknown to Morris. By the following June, however, Morris did know. He wrote to Robert:

> I suspected (but I did not say so) that Paine was intriguing against me, altho' he put on a face of Attachment. Since that Period, I am confirm'd in the Idea, for he came to my House in company with Colonel Oswald and, being a little more drunk than usual, behav'd extremely ill, and, thro his Insolence I discovered clearly his vain Ambition.[35]

Whatever Paine's intriguing, he kept in touch with Morris throughout the fall and winter of 1792–93, and Morris, still ignorant of his activities, was willing to see him.[36]

In November, Paine obtained agreement from Lebrun, the French minister of foreign affairs, to finance forty-thousand volunteers for an insurrection in Ireland. He was also working with Brissot and Barlow on a project to attack Spanish America.[37] The following February, Paine wrote to James O'Fallon, who wanted to seize the area near the Yazoo River from the Spanish, that "[t]his expedition, if successful, will probably promote every end of your Agency, the purposes of which Gouverneur Morris" had "long since, unfolded to me."[38] None of Morris's papers mention the matter.

In the meantime, Morris's predictions were borne out. Paine was convicted and declared an outlaw in Great Britain in December 1792. For all Paine's insouciance, being turned out of the country of one's birth for good was no minor matter. Morris noted dryly on December 20 that Paine, who had come for dinner, "looks a little down at the News from England. He has been burnt in Effigy."[39]

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Paine's fortunes in France were tied to those of the Girondins, and the effusion of good will on his arrival marked the high-water point of his

popularity, for the Girondins were locked in a losing struggle with the radical Montagnards, the sections (administrative divisions) of Paris, and the future leaders of the Terror. The struggle lasted throughout the fall of 1792 to the summer of 1793. A critical aspect of the Girondins' fall from power was the fate of the king, a particularly difficult issue for Paine. Although he happily saw Louis dethroned and tried, Paine favored banishment rather than execution. In this he found himself, with other Girondins, swimming against the prevailing currents; a position which, to do Paine justice, seems to have inhibited him not in the least. He cast his vote as a deputy in favor of finding Louis XVI guilty of treason, but argued forcibly against execution, full in the face of the radical Marat's outrage. Paine had told Morris "in confidence" that he would move for banishment; the new minister to America would escort the royal family to Philadelphia. The plan failed, of course, and the Convention voted to execute the king. George Monro wrote to Grenville that as a result of his proposal, Paine's "consequence seems daily lessening in this country, and I should never be surprised if he some day receives the fate he merits."[40]

Paine was naturally deflated by the decision and wrote Jefferson that "As the prospect of a general freedom is now much shortened, I begin to contemplate returning home."[41] He watched, discouraged, as the Girondin party suffered one defeat after another in the Convention at the hands of the increasingly powerful and radical Montagnards, and the French declared war on the rest of Europe. He testified at the trial of Marat, president of the Jacobins and a Montagnard leader, in April 1793 and saw Marat's triumphant exoneration with dejection. On May 6, he wrote to the famous Danton, another Montagnard leader, criticizing the increasing "distractions, jealousies, discontents and uneasiness that reign among us, and which, if they continue, will bring ruin and disgrace on the Republic." He was "distressed," he told Danton, "to see matters so badly conducted, and so little attention paid to moral principles. It is these things that injure the character of the Revolution and discourage the progress of liberty all over the world."[42] These words could have been written by Morris.

Paine's despair over the course of the Revolution did not reconcile the two men, however. After the king fell, Morris had to deal with a flood of American requests for assistance, trying to obtain release of seized ships and Americans thrown in jail. Chapter 12 discusses Morris's difficulties and his efforts. Morris's labors did not satisfy Paine, who seemed to feel his position as a deputy made him an unofficial American representative. He too received complaints from Americans desperate for help, but there

is no indication that he did anything for them other than pass the information to Morris.[43] When Morris was unable to help many of them, Paine, who was never good at recognizing practical obstacles, blamed him completely.

On June 2, 1793, there was a mass arrest of Girondin deputies in the Convention, forced by the Paris Commune at the instigation of the Montagnards. Paine stood outside, warned by Danton not to enter. This frightening turn of events would certainly explain the depression Morris described in late June. "I am told [Paine] is besotted from Morning 'till Night. He is so completely down, that he would be punished, if he were not despis'd."[44] Paine stayed holed up for many weeks, and was denounced in the Convention. Later in the summer, he emerged and talked to Barère of the Committee of Public Safety about the possibility of obtaining flour from America. Barlow and Swan, who were seeking provisioning contracts, were probably the source of this proposal. Paine wrote to Barère in early September 1793, and advised him that while Jefferson was "an ardent defender of the interests of France," Morris was

> badly disposed towards you. I believe he has expressed the wish to be recalled. The reports which he will make on his arrival will not be to the advantage of France. . . . Morris is not popular in America. He has set the Americans who are here against him.[45]

Even though Paine was no favorite of the Girondins' successors, they had no reason to doubt his word about American opinion. The Committee, which saw conspiracies at every turn, could not have been pleased to hear that the American minister was hostile to them, was disliked in America, and was eager to leave. The assertion that Morris was giving hostile reports on France to his government, which was false, was probably the most damaging.

Paine also promoted the idea of American mediation to end the European war, telling Jefferson, "It will not do to appoint Gov: Morris upon that business. His appointment here has been unfortunate. He has done more harm than good. All the Americans will give you the same account."[46]

Despite his approaches to the Committee of Public Safety, Paine remained under suspicion. With good reason—he hoped to hop a flour ship heading to America and escape France. On October 3, 1793, he was denounced as a traitor in the Convention. He had already hurt himself with the leaders of the Terror by publication of *The Age of Reason* earlier in

the year, which took aim at all organized religion but also denounced the government's dechristianizing movement. The American request for recall of the French minister Genet, a Girondin and Paine's "sincere friend" (Paine's phrase), can hardly have helped.[47]

On October 30, the Girondin deputies taken in June were convicted, and most were guillotined the next day. Paine remained free, but on December 23, his luck ran out: the Convention voted to exclude foreign deputies, and on Christmas Day, he was arrested and taken to the Luxembourg Prison.[48]

Paine apparently did not ask Morris for assistance right away, for by now he seemed to hate him. On January 16, 1794, William Hoskins, another American jailed in the Luxembourg, sent a letter to Morris through Paine, who wrote a bitter marginal note:

> Mr. Hoskins has sent me this note to be transmitted to you—in the part of the prison where he is, he has not the same liberty that I have—But I ask you, if it is not a reproach to you, to receive the money you do from America and do nothing for it—you will have a clamour about your ears when you return to America that you are not aware of—they talk of calling you to an account for not doing your duty. Tho. Paine.[49]

Morris would have been a very unnatural man if he was unaffected by the rancor of this letter, particularly by the indication that Paine was assassinating Morris's character in America.

Paine may have felt free to be insulting, for he was counting on a petition presented by Joel Barlow to the Convention on January 20. It was signed by eighteen Americans, but the Committee of Public Safety refused to consider it, and the president of the Convention pointed out to the petitioners that Paine's birth in England was sufficient to make him subject to the laws enforcing French security.[50]

The following day, Morris wrote to Jefferson:

> [L]est I should forget it, I must mention, that Thomas Paine is in Prison, where he amuses himself with publishing a Pamphlet against Jesus Christ. . . . he would have been executed along with the Rest of the Brissotines, if the adverse party had not viewed him with Contempt. I incline to think that if he is quiet in Prison he may have the good Luck to be forgotten. Whereas should he be brought much into notice the long suspended Axe might fall on him. I believe he

> thinks I ought to claim him as an American Citizen, but, considering his Birth, his Naturalization in this Country and the Place he filled, I doubt much the Right, and I am sure that the claim would be (for the present at least) inexpedient and ineffectual.[51]

In the end, Paine did turn to Morris. On February 14, 1794, Morris wrote to foreign minister Deforgues that Paine had just applied to him to "claim him as a citizen of the United States." Morris was careful not to take a position on the claim (his opinion was that the arrest related to Paine's exercise of his French citizenship), but he asked to be advised of the reason Paine had been arrested, so that he could inform the American government. He told Deforgues that Paine had been born in England, thereafter became an American citizen, and

> gained great celebrity there, by his revolutionary writings. In consequence, he was adopted as a French citizen, and then chosen a member of the Convention. His conduct from that time has not come under my cognizance.[52]

This letter was typical of many written by Morris to the foreign ministry regarding American citizens under arrest. It was restrained, seeking first the all-important information as to the charge against Paine, since that would dictate the appropriate response. Morris knew quite well that a demand would be counterproductive, much as Paine might have desired it; but he did make it clear that America and the American government took an interest in Paine, a powerful incentive for the French to pay attention to the matter.

Morris's opinion that Paine had been acting as a French citizen may be inferred by his statement that Paine's conduct since the time he became a deputy "has not come under my cognizance," as well as from his comment to Jefferson. Morris's view, though objectionable to Paine's biographers, appears correct. Paine, as a deputy, had acted in the capacity of a French citizen when he cast his votes concerning the fate of the king. His vote against execution classified him as an *indulgent*, a status that was sufficient to condemn many native-born Frenchmen to death.

Moreover, Morris's handling of Paine's situation was the same as his approach in comparable cases, and hewed to international law. It was also in keeping with the much more painful decision by the American government in the fall of 1792 that it must refuse Lafayette's request to be

claimed as an American in hopes of being released from an Austrian prison—because as a legal matter, Lafayette's imprisonment related to his activities as a French citizen, not as an American.

Deforgues responded to Morris's letter with civility, but stated firmly that this "ex-deputy" had accepted the title of French citizen and a place in the legislative body, placing himself under the laws of the republic. He did not know the reason for the arrest but assumed it was "well-founded," and agreed to send Morris's request on to the Committee of Public Safety.[53]

In 1895, historian Moncure Conway alleged that Morris conspired to keep Paine in prison.[54] There is no evidence of any "conspiracy"—and Conway and others who cite him ignore the critical fact that being considered an American would *not* have protected Paine. It is correct that Morris's letter did not urge that Paine was an American citizen. This would have been contrary to his legal opinion, but he did leave the question open for the foreign minister, and Deforgues's response indicates that he took Morris's letter as such a claim. He then gave his official opinion that Paine had acted as a French citizen, a position Morris could not dispute.

Of course, it is confusing that Deforgues should have claimed Paine as French, when his arrest apparently arose from a decree barring *foreigners* from the Convention. Paine was never quite sure whether he was arrested because he was a foreigner or for acts as a French citizen. He later told Monroe that Morris "could not inform Congress of the cause of my arrestation, as he knew it not himself."[55] Yet there was no scarcity of available charges against Paine, whatever his citizenship; the real mystery is why he was not arrested earlier.[56] Certainly he could have been convicted on the same charges that sent the Girondins to their deaths: as an *indulgent*, or for collaboration with *Le Patriote Français*, now denounced as a treasonous publication. The indictments that brought many French to the scaffold were frequently neither coherent or consistent, but for Paine the transgression was clearer than for most. He had been a prominent member of the losing party, defined as traitors because they had lost.

Morris promptly passed Deforgues's letter on to Paine. Paine's reply was full of unrealistic and really remarkable incredulity about having been arrested. "You must not leave me in the situation in which that letter places me—You know I do not deserve it," he wrote Morris. "They have nothing against me except they do not chuse I should be in a state of freedom to write my mind freely upon the things I have seen." He had prepared a response, and applied to Morris, "[t]hough you and I are not on terms of the best harmony," to pursue the issue with Deforgues:

> [Y]ou may add to that service whatever you think my integrity deserves. At any rate I request you to make Congress acquainted with my situation and to send to them copies of the letters . . . A reply to the minister's letter is absolutely necessary, otherwise your silence will be a sort of consent to his observations.[57]

Paine's answer to Deforgues was delivered by one of his English friends. Morris told him honestly that he agreed with Deforgues about Paine's citizenship but would pursue the claim if Paine wished. He warned, however, that Paine should think twice before pushing the claim of being an American because that finding would be no protection:

> [W]hether he be considered as a frenchman, or as an american, he must be amenable to the Tribunals of France for his conduct while he was a Frenchman, and he may see in the fate of the Brissotins that to which he is exposed.[58]

This advice was unimpeachable. Moreover, it is impossible to imagine what more Morris (whose influence Paine had done his best to nullify)—or Deforgues, who was merely a conduit to the Committee of Public Safety—could have done to get Paine released. Yet, sound as Morris's advice was, it was not what Paine wanted to hear.

Morris did not expect Paine to stay quiet and told Jefferson:

> [H]e may force on a decision, which, as far as I can judge, would be fatal to him; for, in the best of times, he had a larger share of every other sense than of common sense, and lately the intemperate use of ardent spirits has, I am told, considerably impaired the small stock, which he originally possessed.

Yet Morris apparently heard no more about Paine. The Terror was now in full sway and prisoners at the Luxembourg were cut off from the outside.[59]

It is interesting to speculate whether Morris knew the extent of Jefferson's admiration of Paine. Nonetheless, Morris's forthrightness was not misplaced, for that admiration had waned. Although Paine still wrote to Jefferson, a June 1792 letter was Jefferson's last to Paine for ten years, and he sent no petitions to the French in Paine's behalf. It appears, therefore, that Morris was not alone in having lost respect for the celebrated

"propagandist" (the Jefferson editors' description). Yet Morris remains the principal target of historians of Paine.[60]

Morris had good cause to be angry with Paine. However, to believe that he would have pushed for Paine's imprisonment is to understand nothing of Gouverneur Morris. The basic error of Paine's biographers is exaggeration of Paine's importance to Morris. Morris's diaries reveal his flaws as well as his principles, and there is nothing in them indicating the type of man who would waste his time trying to put Thomas Paine in jail. Morris considered him entirely responsible for his own predicament, and while Paine's sojourn in the Luxembourg was a terrible ordeal, many of Morris's friends were in the Luxembourg or other prisons in equally difficult or worse circumstances, and many died. Morris was not indifferent to the sufferings of those in jail, but he clearly felt that Paine, who had laughed at the violence in France only two years before, was reaping the whirlwind. Moreover, as a lawyer, Morris knew the reach of diplomatic immunity and that Paine's belief that being an American somehow sheltered him was simply erroneous. American or French, he was subject to the laws of France.[61]

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According to Conway, the end of the Terror in the summer of 1794 did not end Paine's imprisonment, "for he was not Robespierre's but Washington's prisoner." In fact, many prisoners remained in jail after Thermidor. Paine's prospects were certainly better than they had been, not because of the arrival of the new American minister James Monroe, but because the men who had ordered Paine arrested were dead or out of power. Still, Paine was no one's priority in the new regime, and Monroe did not answer Paine's three August letters, which described Morris as Paine's "inveterate enemy" who had damaged "*the national character of America by quietly letting a Citizen of that Country remain almost eight months in prison without making every official exertion to procure him justice.*"[62]

On September 10, Paine was told that the American government considered him a French citizen, a position, according to Conway and others, dictated to Monroe by Morris. Of course, it was the correct legal position, and Monroe was also an attorney. When he finally wrote to Paine on September 18, promising his best efforts to free him, he spoke of Paine's importance to America, but he did *not* label him an American citizen.

Paine remained in prison until November, and in the interim wrote

increasingly threatening letters to Monroe. Nonetheless, Monroe invited Paine to stay at his house after his release. Paine was also restored as a deputy, by a motion that described him as "naturalized as a French citizen," a status Paine no longer seemed to reject. He was ill much of the next two years, due to the hardships of prison and probably also his alcoholism. His outrage at his arrest did not diminish. Thomas Griffith, who had also been jailed during the Terror, wrote of visiting Paine:

> Mr. Monroe informed me that he [Paine] was writing a most abusive letter to General Washington, and asked me to see him and persuade him to have it suppressed, as he himself had in vain endeavored to do. This I did, but all in vain; for Paine thought himself slighted by our Government, which had not demanded his release without waiting for his solicitation. He was, like many other geniuses advanced in life, both vain and obstinate to an extreme degree.[63]

Paine sent the letter to Washington in the fall of 1795. When he received no answer, he wrote another one, and arranged for its publication in America in October 1796.[64]

The letter was a fulminating denunciation of Washington. Morris was described as his agent, and accused of having thrown "difficulties" in the way of Monroe. Paine also alleged that Morris had always been pro-British and possibly a British agent. If Morris hadn't left France when he did, "he would have been in arrestation. Some letters of his had fallen into the hands of the Committee of Public Safety, and inquiry was making after him," Paine asserted.

> His prating, insignificant pomposity rendered him at once offensive, suspected and ridiculous; and his total neglect of all business had so disgusted the Americans that they proposed drawing up a protest against him. . . . But Morris is so fond of profit and voluptuousness that he cares nothing about character. Had he not been removed at the time he was, I think his conduct would have precipitated the two countries into a rupture.

Thus, Paine got the last word in his dispute with Morris, and got it in public.

Fortunately for Morris, the context was a broadside on America's greatest hero, and this alone greatly diminished its impact. Regardless, Morris was not the type to reply; as he wrote Robert, "where I alone am con-

cern'd, I leave Things to the Discussion of my Enemies."[65] It is therefore not surprising that Morris made no more mention of Paine. Though he had done considerable harm to Morris in what Morris considered the most difficult public mission he ever had to undertake, and scourged him afterward before the American public, Paine was, in the end, beneath Morris's notice.