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***Human Rights in French Revolutionary Literature and* The Communist Manifesto**

As far back as the 17th century, philosophers have argued that man is in possession of certain natural rights, and that those in possession of such rights have those rights in a universal context. Unfortunately, the method of determination by which those privileged with the possession of rights and those not so possessed has often varied widely and been a matter of intense debate. The coming of the French Revolution and the concurrent publication of the *Declaration of the Rights of Man and Citizen* (1789)brought a new model of human rights into view which radically changed the way society in France and elsewhere viewed its various constituent populations and their relationships. With the advent of the modern age, the general view of universal rights was once again called into question, this time by Karl Marx and Friedrich Engels. In each case, the criteria for admission to universal rights, the scope of those rights, and their nature were modified to accommodate the societal issues of the day.

Prior to the publication of the *Declaration*, the concept of universal rights was a largely nebulous one. In an era where feudal tradition and divine right were the driving concepts behind the legitimacy of government, a population of persons equal under the law and separated from their supposed betters only in point of property represented a significant threat to the social and political mores of the age. Even John Locke, the first philosopher to establish a significant link between the rights of man and the function of government and propose the idea of the social contract and political legitimacy as a function of popular consent to be governed, did not argue in favor of *universal* human rights. Instead, he argued in favor of rights for those members of society sufficiently elevated to own property, which at the time excluded a majority of people, including slaves, servants, women, and the poor (Hunt, 5). In the *Encyclopedia*, Diderot took an important step in the evolution of natural rights by arguing, among other things, “that the laws should be made for everyone, and not for one person,” (Diderot, “Natural Law.” Hunt 37). This concept, coupled with the theme of general equality under the law insofar as the human condition was concerned was extremely threatening to the standing power bases of the time. It can be argued that Diderot’s conception of natural rights was necessarily universal, for it predicated upon mere humanity as opposed to more feudal concepts which assigned varying levels of “right” to different classes.  
 This viewpoint evolved into perhaps its most effective form in Siyés’ *What is the Third Estate?*, in which Siyés extended the concept of natural rights from equal protection *under* the legal system to equal (or at least representative) participation *in* that system. At the time, the Third Estate in France was being governed by the nobility and the church, two essentially nonproductive factions of French society, despite the fact that the Third Estate not only outnumbered the other two Estates by at least nine to one (Siyés, *What is the Third Estate?* Hunt 65), but also was almost entirely responsible for the production, refining, and distribution of goods as well as the labor used to maintain French society. (servants &c.). Siyés saw this as a crucial imbalance and believed that its correction was of the first importance.   
 However, Siyés did not advocate the extension of universal suffrage (and by the same token, a national right to hold office) to French citizens. Siyés believed that placing restrictions upon civic participation was necessary in order to ensure that officials would act out of the best possible representative interest and in the closest pursuit of the “common interest.” The concept of the “common interest” that Siyés proposes is one that holds true with the idea of the “general will” proposed by Diderot as the plan for the construction and upkeep of society. Just as Locke and Rousseau had theorized years before, the political philosophers of the revolutionary period believed that action stemming from self-interest necessarily ran counter to right action in the pursuit of the interests of society and viewed the law as a safeguard against such actions as opposed to a proactive entity. As Siyés puts it, “[t]he influence of personal interest ought to count for nothing in [society]…[t]he law grants nothing; it protects what already exists until such time as what exists begins to harm the common interest,” (Siyés, *Third Estate.* Hunt 69). This concept of law as a protector allows for Siyés further idea that the rights of citizens existed irrespective of “inequalities of age, sex, size, etc.” (Siyés, *Third Estate.* Hunt 69), but that advantages/disadvantages granted by such conditions were outside the scope of the legal system to actively create or take away.

Persons who happened to be subject to these inequalities, such as women, slaves, non-Catholics, and Jewish citizens represented special cases within the development of the revolutionary definition of rights. Throughout the revolutionary period, various writers analyzed the cases of these minorities and argued both for and against their admission into the enjoyment of rights as full French citizens. While rights and citizenship were eventually extended to slaves in the colonies and Jews willing to take an oath of citizenship, and in the case of the Jews, “[renounce] the privileges and exceptions introduced previously in their favor,” (*Admission of Jews to the Rights of Citizenship.* Hunt 101), such concessions were never made to women. This is largely because while it was the case that France stood to lose much by refusing to extend rights to the slaves (who were agitating in the colonies, a primary source of French revenue), non-Catholics (who had held varying amounts of local influence that they stood to lose under the new law), and Jews (who had heretofore enjoyed special treatment within France not extended to adherents of other religions such as Islam), it stood to gain little from refusing to admit women to the rights of citizenship. Women’s political clubs agitated for the right to hold office and enjoy participatory rights, but it was only by virtue of their recent receipt of civil rights that this was made possible. The sociopolitical climate of the day was such that a firm statement outlining the limits of the rights of woman could be tried and decided out of hand by the faction in control and as such it was decided that women, being “hardly capable of lofty conceptions and serious cogitations,” (*Discussion of Women’s Political Clubs and Their Supression.* Hunt 137) should be limited to the enjoyment of protection under the law and excluded from the exercise of political rights.

In short, the concept of rights advanced by the thinkers of the French Revolution was the idea that all persons enjoyed the natural rights to life, liberty, property, and equal protection of these rights under the law irrespective of social distinctions. The French definition of citizen was officially a person who was officially French, was at least 25, had lived in a canton for one year or longer, paid direct taxes at a rate equal to three days of work, and was not a servant/dependent (Hunt, 82). This was predicated on the notion that only persons with a demonstrated and vested interest in the nation should have a hand in directing its policies.

Marx’s view of rights is much simpler than that of the French revolutionaries. In the *Manifesto,* Marx advocates the elevation of those without rights to the enjoyment of rights and the demotion of those with more rights than others to a level in common with everyone else. Marx has as his main goal the transfiguration of persons in society who make their living off of the work of others into productive members of society with the common good as the end object. Marx seeks to end the state of affairs which the industrial revolution has produced, namely that, “[n]o sooner is the exploitation of the labourer by the manufacturer, so far at an end, that he receives his wages in cash, than he is set upon by the other portions of the bourgeoisie,” (Marx, 11) thus creating a self-sustaining division of economic classes. Marx differs from the French revolutionaries mainly in that he does not see qualification for participation in political activity as a valid concept and also in that he is heavily in favor of the “Abolition of property in land and application of all rents of land to public purposes,” (Marx, 31).  
 Like the French, Marx wishes to promote the free development of the individual to their maximum potential in a state protected by the law, however, unlike the French, Marx believes that the law should take an active role in the creation of divisions and the apportionment of resources in pursuit of that end whereas the French believed that the law should exist only as a protector of right as opposed to an active promoter of right. Marx’s strategy for increasing individual rights requires the government to demand that certain persons sacrifice their rights to property that is not “the fruit of [their] own labour,” (Marx, 22) in order that the common good be served to the maximum possible degree through its redistribution/reorganization. The French revolutionaries would most likely be against this, as they appear to stand united in their assertion that the law must protect property. The fact that Marx’s determination that “[e]qual liability of all to labour,” is necessary for his end goal and that the government would be directly involved in the organization of labor seems to run contrary to the French idea of liberty.

With respect to minorities such as women, Marx apparently does not see them as fundamentally separate from men and/or citizens with respect to political participation or indeed with respect to rights in general. He proposes instead that with the coming of widespread industry, “differences of age and sex have no longer any distinctive social validity for the working class. All are instruments of labour,” (Marx, 11). This condition is specific to the Industrial Era, and has little correlation to the pre-revolutionary period, however, so it is difficult to determine whether a similar sentiment would have been held by the French if they had been faced with a laboring population of productive women as opposed to a mostly domestic population.

Where the French concerned themselves with extending rights to individuals and protecting those rights that they extended, Marx sought to enforce the extension of rights to all individuals in a manner that would eventually do away with the need for their enforcement through the elimination of the primary sources of conflict and inequality that he saw in society. These two separate views are both reactions to the existence of social conflict at the time of their inception, and while they share some aspects, they differ so fundamentally in their genesis that analyzing one in the context of the other is difficult, and as such it is better to examine each one as a valid reaction to the conditions and challenges facing the authors’ societies rather than as an attempt to answer the general philosophical question of who should receive which rights and in what capacity.