

Defining the Natural Rights of Man: An Analysis of Burke, Paine, and Wollstonecraft

Lindsay Kohl

University of North Carolina at Greensboro

Faculty Mentor: Joseph Moore

University of North Carolina at Greensboro

ABSTRACT

Many texts and writing appeared in response to the violence and political upheaval of the French Revolution in the eighteenth century. Edmund Burke, Thomas Paine, and Mary Wollstonecraft were three specific writers of this period that engaged in a dialogue about where the natural rights of man were derived and the limits and responsibilities of governments to their people. Their beliefs were very diverse, but they held much in common as well. Revolution was not always the immediate answer, but at certain critical times in society it could be helpful and even necessary to the protection and preservation of man's natural rights.

As the French Revolution took place in the late eighteenth century, a myriad of texts and writing appeared in response to the violence and political upheaval. Among some of the most notable and compelling writers were Edmund Burke, Thomas Paine, and Mary Wollstonecraft. Their opinions and rhetoric, encompassing everything from the monarchical system to class and gender issues, are still drawn upon today when discussions arise about the origins of modern political thought. Each of them carries a particular set of beliefs about revolution and its proper place and function in society. The diversity of their ideas can be bridged by the theory that all humans are entitled to certain natural rights. However, their individual interpretations concerning the origin of the natural rights of man contrast, and they disagree on the best

ways to recognize and protect these rights.

These three writers work to recognize the inadequacies within the political systems of Britain and America as they concerned the natural rights of man. Burke employed a practical approach in writing *Reflections on the Revolution in France* in 1790. He wanted to put his concern for the people of Britain in writing, based on his reaction to the events in France. Paine answered Burke's musings with a text of his own in 1791, *Rights of Man*. His theories centered on a more straightforward radical ideology, and he attacked Burke's support of the English monarchy and defended his own ideas of Republican government. Wollstonecraft's *A Vindication of the Rights of Men*, and *A Vindication of the Rights of Woman*, published in 1790 and 1792, respectively, were a justification and defense of natural human rights, with a unique set of revelations regarding the education

of women and their role in society.

Born in 1729 in Ireland, Edmund Burke was the son of Protestant and Catholic parents. He eventually went to London in 1750 to study law. He was a Whig politician deeply invested in the political life in Britain. He viewed revolution as a kind of obligation to repair some of the grievances present in society, but he drew issue with the violence and anarchy of the French Revolution. He endorsed positive examples such as the Glorious Revolution, which helped England to essentially trade kings while still keeping many accustomed practices of government intact, and the American Revolution, which successfully delivered the Americans from British oppression with significantly less violence than what he believed France was experiencing. Fundamentally, governments were responsible for responding to the practical needs of the people that they governed, but what was occurring in France was a damaging abuse of nature. Rather than moderately amending traditional practices, the people were placing all of their confidence in untested and unproven theories. He saw the French Revolution as chaotic and unpredictable, because the “swinish multitude”¹ was more concerned with their individual liberties than respecting or adhering to custom.

Burke’s theories supported belief that the way things are in the present can not be understood by simply taking them at face value. History and precedent are important contributors to society, and they must be taken into consideration in order to better comprehend the needs of the people. For him, provoking the current state of affairs is dangerous. He bitterly asserts: “Massacre, torture, hanging! These are your rights of men!”² He was opposed to the brutality and

disruptive nature of the French Revolution. His intention was to warn the people of England against being swept up in the same type of passionate, yet catastrophic movement that was corrupting France.

Reflections on the Revolution in France was a provocative text because it took up the subject of the French Revolution and rhetorically exhausted it. Burke was sentimental in his views of the monarchy and reacted to the revolution with gravity and contempt. His political theories are impressive in that his beliefs remained intense and direct through nearly 250 pages of what began simply as a letter. He claims that the hereditary privilege of the monarchy and aristocracy are the foundation for governmental and religious order and believes these principles complement his ideas about inherited natural rights:

*[Men] have a right to the acquisitions of their parents; to the nourishment and improvement of their offspring; to instruction in life, and to consolation in death. Whatever each man can separately do, without trespassing upon others, he has a right to do for himself; and he has a right to a fair portion of all which society, with all its combinations of skill and force, can do in his favour. In this partnership all men have equal rights; but not to equal things.*³

When examining Burke’s view of natural rights in the context of this passage, it is obvious that he favors an idea synonymous with the common proverb: “Give a man a fish and he will eat for a day. Teach a man to fish and he will feed himself for a lifetime.” He was horrified by the idea of seizure and had sympathy for those who were deprived of their rank and fortune during the progression of the revolution. For Burke, land equaled freedom. Therefore, the protection of property is also a protection of liberty. Titles of nobility, religious distinctions, and the

1 Edmund Burke, *Reflections on the Revolution in France* (Oxford: Oxford University Press, 2009), 79.

2 *Ibid.*, 223.

3 *Ibid.*, 59.

preservation of Christianity offered stability in British society. Burke felt this would all be threatened if the ideas of the French Revolution made their way into England.

Burke states that, “by preserving the method of nature in the conduct of the state, in what we improve we are never wholly new; in what we retain we are never wholly obsolete.”⁴ He felt that adhering to historical precedent is the safest way to ensure the preservation of culture. Improvement is welcome as long as it does not disrupt the natural order of things, and holding true to basic principles of the past does not necessarily mean that the government would be out-dated. This is best demonstrated in his view of the monarchy and privilege:

*You will observe, that from Magna Charta to the Declaration of Rights, it has been the uniform policy of our constitution to claim and assert our liberties, as an entailed inheritance derived to us from our forefathers, and to be transmitted to our posterity [...] By this means our constitution preserves an unity in so great a diversity of its parts. We have an inheritable crown; an inheritable peerage; an house of commons and a people inheriting privileges, franchises, and liberties, from a long line of ancestors.*⁵

Burke saw human beings as being discerning and capable, but also as creatures of habit. He sought to uphold timeless values and structures of government in order to keep a sense of balance and cohesion within society. Natural rights, to Burke, were in every sense prescriptive and determined by estate and inheritance.

Thomas Paine was born in 1737 in Great Britain as the son of a Quaker farmer. After meeting Benjamin Franklin in London, he traveled to America in 1774 and began expressing his strong political

views through essays and pamphlets. Paine's writings provide the antithesis to Burke's doctrine. As one of America's most famous revolutionaries, he advocated that, although revolution is often agitated and violent, it is essential to prevent tyranny. Paine saw Burke's ideas as being unfounded, maintaining that, “he does not understand the French revolution.”⁶ He felt that the minds of the people in France had been long since made up about what needed to happen, and it was just a matter of time before their actions caught up with their thoughts. Paine also stated, “[Burke] is not affected by the reality of distress touching his heart, but by the showy resemblance of it striking his imagination. He pities the plumage, but forgets the dying bird.”⁷ Paine viewed Burke as being overly concerned with the preservation of established traditions, and blind to the need for reform. His argument against Burke in this sense is valid: Burke believed that government was a basic and natural progression from traditions and institutions, which were not to be manipulated.

The legitimacy of hereditary monarchy is one example of Paine and Burke's differences at the most fundamental level:

*Mr. Burke talks about what he calls an hereditary crown, as if it were some production of Nature; or as if, like Time, it had a power to operate, not only independently, but in spite of man; or as if it were a thing or a subject universally consented to. Alas! It has none of those properties, but is the reverse of them all. It is a thing in imagination, the propriety of which is more than doubted, and the legality of which in a few years will be denied.*⁸

6 Thomas Paine, *Rights of Man, Common Sense and Other Political Writings* (Oxford: Oxford University Press, 2009), 144.

7 *Ibid.*, 102.

8 *Ibid.*, 172-173.

4 *Ibid.*, 34.

5 *Ibid.*, 33.

Paine felt that every generation should have the right to establish its own system of government, electing its leaders from the living, not deriving them from the dead. His religious background may well have influenced this idea. The Quaker belief is that each person is responsible for their spiritual growth, rather than reliant on priests or theologians for the understanding or articulation of faith. He felt that families had no right to establish dominance in society, nor did a nation have the right to sanction such families as hereditary leaders.

Government, in Paine's mind, was a necessary evil. It was necessary because a country could not exist without some kind of order and structure, but the smaller and more limited that the government was, the better. Its sole responsibility and duty was to protect the rights of the people, and to uphold the idea of a social contract. He urges England to establish a Republican form of government as the only way to guarantee their citizens' "sacred rights." Such rights included "liberty, property, security, and resistance of oppression."⁹ His view that a Republic was superior to a Monarchy meant that people would be free from a system of social castes and hereditary privilege. The flaw of a Monarchy was that it "counteracts nature. It turns the progress of the human faculties upside down." Paine felt that a representative system was more compatible with the "order and immutable laws of nature," and would "meet the reason of man in every part."¹⁰ A representative government would ensure that the whole body of people was represented, and that all of their rights and interests were taken into account. Paine believed that men were born with a prescribed set of natural rights. His ideas about these rights were integral to the formation of ideas regarding civil

rights: "Civil distinctions, therefore, [could] only be founded on public utility."¹¹ Paine believed that the protection of natural rights and the equality and unity of man were a product of creation and should not be designated or infringed upon. Based on his argument, he states that because the government of France was based on elections and representations of the people, then through reason it would stand to be accepted by the citizens of France. This is in contrast to his beliefs about the government in England, which was based on succession and inheritance, and only welcomed because the people were unenlightened.

Paine also differs from Burke greatly in his view of the distribution of wealth. Burke demonstrated his ideas about equality in rights, but not in things. Paine, on the other hand, proposes the redistribution of the national income in order to help the poor. He states, "The first step, therefore, of practical relief, would be to abolish the poor-rates entirely, and in lieu thereof, to make a remission of taxes to the poor of double the amount of the present poor-rates, viz. four millions annually out of the surplus taxes."¹² These early ideas of public welfare and redistributive taxation, and even education for the lower classes, are all factored into Paine's financial improvement plan. His inclusion of these methods of improvement into *Rights of Man* serves to explain, in plain language and figures, his position that natural rights are not just afforded to the aristocracy and upper classes, but to all people. He wanted to have the monarchy abolished, and a Republican form of government installed, in order to best protect those rights.

Mary Wollstonecraft was born in London in 1759 and spent most of her life attempting to gain financial independence as a result of her resentment to the

9 Ibid., 162.

10 Ibid., 235.

11 Ibid., 194.

12 Ibid., 292-293.

practice of primogeniture.¹³ In response to Burke's writing and other revolutionary texts, Mary Wollstonecraft penned *A Vindication of the Rights of Men*, and later *A Vindication of the Rights of Woman*. Although the first was more of a direct criticism of Burke, perhaps even a request to "reason together,"¹⁴ the latter was possibly the most preeminent work by a female in the late eighteenth century. She attacks the "wretchedness that [flows] from hereditary honours, riches, and monarchy,"¹⁵ just as Paine does, and disapproves of Burke's justification of the unequal society that promotes the passivity of women by relying on tradition and custom. She criticizes Burke for his sympathy towards aristocratic women in France, while many other mothers who are poor, hungry, and without property of their own were suffering. Notably, Wollstonecraft amplified the basic arguments of Paine and Burke by inserting females into the dialogue, at a time when neither the established values in society nor the most radical egalitarians dared to do so. In one passage, she compares the institution of marriage to the monarchy:

*The divine right of husbands, like the divine right of kings, may, it is to be hoped, in this enlightened age, be contested without danger, and, though conviction may not silence many boisterous disputants, yet, when any prevailing prejudice is attacked, the wise will consider, and leave the narrow-minded to rail with thoughtless vehemence at innovation.*¹⁶

13 Primogeniture: a rule of inheritance, whether through law or custom, that gave the firstborn (usually male) child entitlement to the entire estate of an ancestor.

14 Mary Wollstonecraft, *A Vindication of the Rights of Woman and A Vindication of the Rights of Men* (Oxford: Oxford University Press, 2009), 7.

15 *Ibid.*, 77.

16 *Ibid.*, 108

Her ideas about revolution inferred that there were groups, such as women, who were left entirely out of the equation. Because of laws like those of primogeniture, that were in place to protect a family's estate and ensure that it remained within the family, women were left with little or no property rights. Wollstonecraft felt that precedence and customs such as these were no reason to blindly accept laws or a constitutional principle, and that upholding many traditions of the past was tantamount to being irrational, oppressive, and ignorant. This is one area that suggests her conformity with Burke's ideas about land ownership. If land and property ownership meant freedom, and if women were not entitled to land or property, then Wollstonecraft's concern for women's liberties was justified and deserved to be vindicated.

Rights of Woman is sometimes looked upon as an early feminist treatise, but Wollstonecraft's ideas about gender equality were not what we might consider radical today. Burke employs his credibility within the tradition of the landed aristocracy, and Paine uses reason to appeal to the common sense of the public. Wollstonecraft cleverly harnesses the emotions of the middle class and the female voice in order to support her notion that natural rights appeal to men and women alike. Wollstonecraft firmly defends the ideals of Republican womanhood and virtue:

*Contending for the rights of woman, my main argument is built on this simple principle, that if she be not prepared by education to become the companion of man, she will stop the progress of knowledge and virtue; for truth must be common to all [... and] if children are to be educated to understand the true principle of patriotism, their mother must be a patriot [...] but the education and situation of woman, at present, shuts her out from such investigations.*¹⁷

17 *Ibid.*, 66.

While she argues for the education of women in order to enhance their dignity and self-worth, and to make them more valuable members of society, she concedes that only a small number of exceptional women would be suited to a life of independence. This is not because women were not capable, but because they had not been given the opportunity or the equal rights to achieve.

Her Christian view of motherhood promotes companionate marriages, domesticity, and the moral upbringing of children. This is where her argument becomes somewhat ambiguous. Despite her views of marriage as an admirable option for women, she heavily praises modesty and the potential ability of women to deny themselves sexual desires. She calls on them to not be made slaves to their bodies simply because it is their duty as a wife. Wollstonecraft points out that her view of traditional marriage is essentially legal prostitution.¹⁸ Her specific concept of natural rights is rooted in the Christian argument that woman is made as a help-mate for man, not as a subordinate, and by “allowing them to have souls,”¹⁹ it is implied that virtue and happiness are afforded to women as equally as men. Wollstonecraft believes that women are conditioned by society to perform in a weak, falsely-refined, and servile manner; this in turn leads them to be easily manipulated or persuaded into abandoning their sense of virtue.

The arguments and tone of *Rights of Woman* are highly compelling, but there are several rare moments when Wollstonecraft allows that men and women are not fundamentally equal in all aspects of life. First, she notes the differences in the ways that men and women operate on an everyday level: “A man, when he undertakes a journey, has, in general, the end in view;

a woman thinks of more of the incidental occurrences, the strange things that may possibly occur on the road; the impression that she may make on her fellow-travellers [...].”²⁰ She also points out that there are obvious differences in physical strength between men and women, and in their physical appearance: “To satisfy this genus of men, women are made systematically voluptuous.”²¹

However, these are trivial matters to Wollstonecraft in comparison with the larger picture:

*The two sexes mutually corrupt and improve each other. This is believed to be an indisputable truth, extending it to every virtue. Chastity, modesty, public spirit, and all the noble train of virtues, on which social virtue and happiness are built, should be understood and cultivated by all mankind, or they will be cultivated to little effect.*²²

This passage demonstrates her main idea that men and women are not equal in everything, except in morality. Natural rights are as equally important for women as they are for men, and to deny them these rights would be sinful. For Wollstonecraft, it was the duty of society and the government to verify and promote this concept through such means as education for women.

Her ideas about Republican virtue and natural rights extend to promote individual success over the good of society. She favors industry and personal achievement, rather than dependence on others. This idea is prevalent in her ideas about parenting:

Why should the minds of children be warped as they just begin to expand, only to favour the indolence of parents, who insist on a privilege without being willing to pay the price fixed by nature? I have before had occasion to observe, that

18 Ibid., 130.

19 Ibid., 84.

20 Ibid., 130.

21 Ibid., 218.

22 Ibid., 219.

*a right always includes a duty, and I think it may, likewise, fairly be inferred, that they forfeit the right, who do not fulfill the duty.*²³

Wollstonecraft did not approve of charity when it promoted idleness. This kind of benefaction simply promotes and maintains inequality while giving the wealthy the appearance and performance of virtue. If the rich give to the poor, there is little incentive for the lower classes to exercise their natural and equal rights of opportunity and advancement. Wollstonecraft advocated for reason, virtue, and knowledge. She believed that reason and feelings should inform each other, virtue should focus on individual happiness, and knowledge was the key to equality within society.

In looking at the texts written in response to the French Revolution by Burke, Paine, and Wollstonecraft, it is evident that there are varying opinions on what man's natural rights are, and whose duty it is to protect them. Edmund Burke's ideas about historical precedent are appealing. Though he is idealistic in his view of the monarchy, he does advocate for reform to be performed in a cautious and moderate way. The past can effectively guide us to make better decisions in the present. For him, natural rights are inherited and formed by society.

Thomas Paine is agreeable in his defense of man being blessed with certain natural rights since creation, but his propositions of public welfare and the common good being the best solution for the improvement of society are disputable. He seems to apply the concept of *noblesse oblige*, where it is the obligation and responsibility of the upper classes to use their money and influence to help those of the lower classes. However, this is contradictory to what he hopes to accomplish because he positions himself

in alignment with change and aiding in reform. In reality, his thesis would do no more than perpetuate the chasm between rich and poor and stifle social mobility by making the lower and middle classes dependent on the aristocracy and the government.

Mary Wollstonecraft's ideas about the role of women within society are influential and persuasive, specifically concerning the education of women and her opinion that women and men are morally equal and capable of promoting Republican virtue within society. Allowing that women are both adept and indispensable when it comes to maintaining a family, as well as serving a greater purpose within society, lends itself to a modern, Christian interpretation that motherhood and service can, in fact, coexist. Her focus is expressly on reason and enlightenment. She sums up her idea of natural rights with a causality: if human beings are rational creatures, men and women are both human beings, then women must be entitled to the same natural rights as men.

All three of the writers presented, have a distinct opinion about the necessity and place of revolution within society, and its ability to uphold or undermine their idea of man's natural rights. Burke believed himself to be fairly moderate in his political beliefs; however, his ideas in reference to monarchical tradition, birthrights, and the customs of society serve to classify him as more conservative. Wollstonecraft and Paine are much more libertarian in their desire for equality and natural rights for all. Though one commonality that they all agree upon is that these rights exist, the design in which they are acquired and the ways in which they are exercised and protected was argued over in the eighteenth century, and remains a disputable point today. Being a citizen comes with the duty to protect and defend these liberties. The ways in which a human being chooses

23 Ibid., 238.

to do that enable them to demonstrate their freedom at the most basic level. Burke, Paine, and Wollstonecraft derive meaning by examining different events and circumstances. Their commonality of believing in something is what is most powerful, and it allows them to help facilitate

revolution in their own diverse ways. Using the same ideas about natural rights and personal liberties today, we enable ourselves to historicize the present as it relates to the past and draw upon similar arguments in order to gain a deeper understanding of the fundamental principles that make up twenty-first century politics.

BIBLIOGRAPHY

Burke, Edmund. *Reflections on the Revolution in France*. Oxford: Oxford University Press, 2009.

Paine, Thomas. *Rights of Man, Common Sense and Other Political Writings*. Oxford: Oxford University Press, 2009.

Wollstonecraft, Mary. *A Vindication of the Rights of Woman and a Vindication of the Rights of Men*. Oxford: Oxford University Press, 2009.