The Principles of the French Revolution

**44 DECLARATION OF THE RIGHTS OF MAN AND OF THE CITIZEN**

The Estates General had its first meeting on May 5, 1789. By June 23, with the king's grudging approval, it had been transformed into the National Assembly, with the self-proclaimed goal of writing a constitution for France. This represented a crucial victory for the assembly's middle-class delegates, who now had an opportunity to end absolutism and the privileges of the nobility and the clergy. The approval of the Declaration of the Rights of Man and of the Citizen on August 27 was a step of exceptional importance. Drawing on the political principles of English constitutionalism, the American Revolution, and the Enlightenment, this document (which served as preamble to the Constitution of 1791) summarizes the political and social goals of the French revolutionaries of 1789 and countless others in the decades to follow.

**QUESTIONS FOR ANALYSIS**

1. In what specific ways does the declaration limit the power of the crown and the authority of government?
2. What rights and responsibilities does citizenship entail?
3. What does the declaration state about the origin and purpose of law?
4. How does the concept of rights in the declaration differ from the concept of rights in the English Bill of Rights (source 42)?
5. To what extent does the declaration reflect the political concerns of the authors of the cahier of the Parisian Third Estate (source 43)?

The representatives of the people of France, empowered to act as a national assembly, taking into consideration that ignorance, oblivion, or scorn of the rights of man are the only cause of public misery and the corruption of government, have resolved to state in a solemn declaration the natural, inalienable, and sacred rights of man, so that this declaration, continually offered to all the members of society, may forever recall them to their rights and duties; so that the actions of the legislative and executive power, able to be compared at every instant to the goal of any political institution, may be more respected; so that the demands of the citizens, from now on based on straightforward and incontestable principles, will revolve around the maintenance of the constitution and the happiness of everyone.

Consequently, the National Assembly recognizes and declares, in the presence and under the auspices of the Supreme Being, the following rights of man and citizen:

**Article 1.** Men are born and remain free and equal in rights; social distinctions can be established only for the common benefit.

2. The goal of every political association is the conservation of the natural and indefeasible rights of man; these rights are liberty, property, security, and resistance to oppression.

3. The source of all sovereignty is located...
essentially in the nation; no body, no individual can exercise authority which does not emanate from it expressly.

4. Liberty consists in being able to do anything that does not harm another. Thus the exercise of the natural rights of each man has no limits except those which assure to other members of society the enjoyment of these same rights; these limits can be determined only by law.

5. The law has the right to prohibit only those actions harmful to society. All that is not prohibited by the law cannot be hindered, and no one can be forced to do what it does not order.

6. The law is the expression of the general will; all citizens have the right to concur personally or through their representatives in its formation; it must be the same for everyone, whether it protects or punishes. All citizens, being equal in its eyes, are equally admissible to all honors, offices, and public employments, according to their abilities and without any distinction other than those of their virtues and talents.

7. No man can be accused, arrested, or detained except in instances determined by the law, and according to the practices which it has prescribed. Those who solicit, draw up, carry out, or have carried out arbitrary orders must be punished; but any citizen summoned or seized by virtue of the law must obey instantly; he renders himself guilty by resisting.

8. The law must establish only penalties that are strictly and plainly necessary, and no one can be punished except in virtue of a law established and published prior to the offense and legally applied.

9. Every man being presumed innocent until he has been declared guilty, if it is judged indispensable to arrest him, all harshness that is not necessary for making secure his person must be severely limited by the law.

10. No one may be disturbed because of his opinions, even religious, provided that their public manifestation does not disturb the public order established by law.

11. The free communication of thoughts and opinions is one of the most precious rights of man: every citizen can therefore freely speak, write, and print, except he is answerable for abuses of this liberty in instances determined by the law.

12. The guaranteeing of the rights of man and citizen requires a public force; this force is therefore instituted for the advantage of everyone, and not for the private use of those to whom it is entrusted.

13. For the maintenance of the public force, and for the expenses of administration, a tax supported in common is indispensable; it must be apportioned among all citizens on grounds of their capacities to pay.

14. All citizens have the right to determine for themselves or through their representatives the need for taxation of the public, to consent to it freely, to investigate its use, and to determine its rate, basis, collection, and duration.

15. Society has the right to demand an accountability from every public agent of his management.

16. Any society in which guarantees of rights are not assured nor the separation of powers determined has no constitution.

17. Property being an inviolable and sacred right, no one may be deprived of it except when public necessity, legally determined, requires it, and on condition of a just and predetermined compensation.