

3. What is the part of the privileged classes in France, according to Sieyès?
 4. How does Sieyès propose to enfranchise the third estate?
 5. If Sieyès's argument for reform were accepted, what would the new French constitution be like?
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The Declaration of the Rights of Man

(1789)

OLYMPE DE GOUGES

The Declaration of the Rights of Woman

(1791)

The *Declaration of the Rights of Man* was one of the earliest and most important political documents of the French Revolution. The National Assembly, having just overthrown the ancien régime, decided to secure the Revolution with a declaration of principle. The *Declaration* was heavily influenced by transatlantic examples. The English Bill of Rights was one model, but more important were the statements of rights in the American state constitutions. These were quickly translated into French and had considerable influence upon the members of the Assembly. *The Declaration of the Rights of Man* is a brief but powerful statement of the central themes of the revolution: Liberty, Equality, and Fraternity.

The political and intellectual ferment of the Revolution also gave rise to a new assertiveness by some French women. Olympe de Gouges, the daughter of a provincial butcher, was one who felt that the declaration of 1789 did not go far enough. In 1791, dissatisfied with the unequal position women continued to hold in spite of the Revolution, she wrote *The Declaration of the Rights of Woman*. Addressing herself to the queen rather than to Louis XVI or the National Assembly, de Gouges demanded political and social rights for women.

The Declaration of the Rights of Man and of the Citizen

The representatives of the French people, organized as a National Assembly, believing that the ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of governments, have determined to set forth in a solemn declaration the natural, inalienable, and sacred rights of man, in order that this declaration, being constantly before all the members of the social body, shall remind them continually of their rights and duties; in order that the acts of the legislative power, as well as those of the executive power, may be compared at any moment with the objects and purposes of all political institutions and may thus be more respected; and, lastly, in order that the grievances of the citizens, based hereafter upon simple and incontestable principles, shall tend to the maintenance of the constitution and redound to the happiness of all. Therefore the National Assembly recognizes and proclaims, in the presence and under the auspices of the Supreme Being, the following rights of man and of the citizen:

1. Men are born and remain free and equal in rights. Social distinctions may be founded only upon the general good.

2. The aim of all political association is the preservation of the natural and imprescriptible rights of man. These rights are liberty, property, security, and resistance to oppression.

3. The principle of all sovereignty resides essentially in the nation. No body nor individual may exercise any authority which does not proceed directly from the nation.

4. Liberty consists in the freedom to do everything which injures no one else; hence the exercise of the natural rights of each man has no limits except those which assure to the other members of the society the enjoyment of the same rights. These limits can only be determined by law.

5. Law can only prohibit such actions as are hurtful to society. Nothing may be prevented

which is not forbidden by law, and no one may be forced to do anything not provided for by law.

6. Law is the expression of the general will. Every citizen has a right to participate personally, or through his representative, in its formation. It must be the same for all, whether it protects or punishes. All citizens, being equal in the eyes of the law, are equally eligible to all dignities and to all public positions and occupations, according to their abilities, and without distinction except that of their virtues and talents.

7. No person shall be accused, arrested, or imprisoned except in the cases and according to the forms prescribed by law. Any one soliciting, transmitting, executing, or causing to be executed, any arbitrary order, shall be punished. But any citizen summoned or arrested in virtue of the law shall submit without delay, as resistance constitutes an offense.

8. The law shall provide for such punishments only as are strictly and obviously necessary, and no one shall suffer punishment except it be legally inflicted in virtue of a law passed and promulgated before the commission of the offense.

9. As all persons are held innocent until they shall have been declared guilty, if arrest shall be deemed indispensable, all harshness not essential to the securing of the prisoner's person shall be severely repressed by law.

10. No one shall be disquieted on account of his opinions, including his religious views, provided their manifestation does not disturb the public order established by law.

11. The free communication of ideas and opinions is one of the most precious of the rights of man. Every citizen may, accordingly, speak, write, and print with freedom, but shall be responsible for such abuses of this freedom as shall be defined by law.

12. The security of the rights of man and of the citizen requires public military forces. These forces are, therefore, established for the good of all and not for the personal advantage of those to whom they shall be intrusted.

13. A common contribution is essential for the maintenance of the public forces and for the cost of administration. This should be equitably distributed among all the citizens in proportion to their means.

14. All the citizens have a right to decide, either personally or by their representatives, as to the necessity of the public contribution; to grant this freely; to know to what uses it is put; and to fix the proportion, the mode of assessment and of collection and the duration of the taxes.

15. Society has the right to require of every public agent an account of his administration.

16. A society in which the observance of the law is not assured, nor the separation of powers defined, has no constitution at all.

17. Since property is an inviolable and sacred right, no one shall be deprived thereof except where public necessity, legally determined, shall clearly demand it, and then only on condition that the owner shall have been previously and equitably indemnified.

The Declaration of the Rights of Woman

Man, are you capable of being just? It is a woman who poses the question; you will not deprive her of that right at least. Tell me, what gives you sovereign empire to oppress my sex? Your strength? Your talents? Observe the Creator in his wisdom; survey in all her grandeur that nature with whom you seem to want to be in harmony, and give me, if you dare, an example of this tyrannical empire. Go back to animals, consult the elements, study plants, finally glance at all the modifications of organic matter, and surrender to the evidence when I offer you the means; search, probe, and distinguish, if you can, the sexes in the administration of nature. Everywhere you will find them mingled; everywhere they cooperate in harmonious togetherness in this immortal masterpiece.

Man alone has raised his exceptional circumstances to a principle. Bizarre, blind, bloat-

ed with science and degenerated—in a century of enlightenment and wisdom—into the crassest ignorance, he wants to command as a despot a sex which is in full possession of its intellectual faculties; he pretends to enjoy the Revolution and to claim his rights to equality in order to say nothing more about it.

Declaration of the Rights of Woman and the Female Citizen

For the National Assembly to decree in its last sessions, or in those of the next legislature:

Preamble

Mothers, daughters, sisters [and] representatives of the nation demand to be constituted into a national assembly. Believing that ignorance, omission, or scorn for the rights of woman are the only causes of public misfortunes and of the corruption of governments, [the women] have resolved to set forth in a solemn declaration the natural, inalienable, and sacred rights of woman in order that this declaration, constantly exposed before all the members of the society, will ceaselessly remind them of their rights and duties; in order that the authoritative acts of women and the authoritative acts of men may be at any moment compared with and respectful of the purpose of all political institutions; and in order that citizens' demands, henceforth based on simple and incontestable principles, will always support the constitution, good morals, and the happiness of all.

Consequently, the sex that is as superior in beauty as it is in courage during the sufferings of maternity recognizes and declares in the presence and under the auspices of the Supreme Being, the following Rights of Woman and of Female Citizens.

Article I

Woman is born free and lives equal to man in her rights. Social distinctions can be based only on the common utility.

Article II

The purpose of any political association is the conservation of the natural and imprescriptible rights of woman and man; these rights are liberty, property, security, and especially resistance to oppression.

Article III

The principle of all sovereignty rests essentially with the nation, which is nothing but the union of woman and man; no body and no individual can exercise any authority which does not come expressly from it [the nation].

Article IV

Liberty and justice consist of restoring all that belongs to others; thus, the only limits on the exercise of the natural rights of woman are perpetual male tyranny; these limits are to be reformed by the laws of nature and reason.

Article V

Laws of nature and reason proscribe all acts harmful to society; everything which is not prohibited by these wise and divine laws cannot be prevented, and no one can be constrained to do what they do not command.

Article VI

The law must be the expression of the general will; all female and male citizens must contribute either personally or through their representatives to its formation; it must be the same for all: male and female citizens, being equal in the eyes of the law, must be equally admitted to all honors, positions, and public employment according to their capacity and without other distinctions besides those of their virtues and talents.

Article VII

No woman is an exception; she is accused, arrested, and detained in cases determined by law. Women, like men, obey this rigorous law.

Article VIII

The law must establish only those penalties that are strictly and obviously necessary, and no one can be punished except by virtue of a law established and promulgated prior to the crime and legally applicable to women.

Article IX

Once any woman is declared guilty, complete rigor is [to be] exercised by the law.

Article X

No one is to be disquieted for his very basic opinions; woman has the right to mount the scaffold; she must equally have the right to mount the rostrum, provided that her demonstrations do not disturb the legally established public order.

Article XI

The free communication of thoughts and opinions is one of the most precious rights of woman, since that liberty assures the recognition of children by their fathers. Any female citizen thus may say freely, I am the mother of a child which belongs to you, without being forced by a barbarous prejudice to hide the truth; [an exception may be made] to respond to the abuse of this liberty in cases determined by the law.

Article XII

The guarantee of the rights of woman and the female citizen implies a major benefit; this guarantee must be instituted for the advantage of all,

and not for the particular benefit of those to whom it is entrusted.

Article XIII

For the support of the public force and the expenses of administration, the contributions of woman and man are equal; she shares all the duties [*corvées*] and all the painful tasks; therefore, she must have the same share in the distribution of positions, employment, offices, honors and jobs [*industrie*].

Article XIV

Female and male citizens have the right to verify, either by themselves or through their representatives, the necessity of the public contribution. This can only apply to women if they are granted an equal share, not only of wealth, but also of public administration, and in the determination of the proportion, the base, the collection, and the duration of the tax.

Article XV

The collectivity of women, joined for tax purposes to the aggregate of men, has the right to demand an accounting of his administration from any public agent.

Article XVI

No society has a constitution without the guarantee of rights and the separation of powers; the

constitution is null if the majority of individuals comprising the nation have not cooperated in drafting it.

Article XVII

Property belongs to both sexes whether united or separate; for each it is an inviolable and sacred right; no one can be deprived of it, since it is the true patrimony of nature, unless the legally determined public need obviously dictates it, and then only with a just and prior indemnity.

Postscript

Woman, wake up; the tocsin of reason is being heard throughout the whole universe; discover your rights. The powerful empire of nature is no longer surrounded by prejudice, fanaticism, superstition, and lies. The flame of truth has dispersed all the clouds of folly and usurpation. Enslaved man has multiplied his strength and needs recourse to yours to break his chains. Having become free, he has become unjust to his companion. Oh, women! When will you cease to be blind? What advantage have you received from the Revolution? A more pronounced scorn, a more marked disdain. In the centuries of corruption you ruled only over the weakness of men. The reclamation of your patrimony, based on the wise decrees of nature—what have you to dread from such a fine undertaking? . . .

QUESTIONS

1. Where does sovereignty lie according to the National Assembly?
2. What rights do citizens have under *The Declaration of the Rights of Man*?
3. What is the status of personal property in the Assembly's view?

