

Declaration of the Rights of Man and Citizen

The Declaration of the Rights of Man and Citizen is considered by many to be the key philosophical document of the French Revolution. The declaration was adopted by the French National Assembly on August 26, 1789, and represented a rejection of the rule of absolute monarchy in favor of natural human rights, including fair taxation, self-determination in government, and individual liberty under the rule of law. The declaration was later made the preamble to France's 1791 constitution.

The representatives of the French people, organized in National Assembly, considering that ignorance, forgetfulness or contempt of the rights of man, are the sole causes of the public miseries and of the corruption of governments, have resolved to set forth in a solemn declaration the natural, inalienable and sacred rights of man, in order that this declaration, being ever present to all the members of the social body, may unceasingly remind them of their rights and their duties; in order that the acts of the legislative power and those of the executive power may be each moment compared with the aim of every political institution and thereby may be more respected; and in order that the demands of citizens, grounded henceforth upon simple and incontestable principles, may always take the direction of maintaining the constitution and welfare of all.

In consequence, the National Assembly recognizes and declares, in the presence and under the auspices of the Supreme Being, the following rights of man and citizen.

1. Men are born and remain free and equal in rights. Social distinctions can be based only upon public utility.

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

3. The source of all sovereignty is essentially in the nation, no body, no individual can exercise authority that does not proceed from it in plain terms.

4. Liberty consists in the power to do anything that does not injure others; accordingly, the

exercise of the natural rights of each man has no limits except those that secure to the 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 forbid only such actions as are injurious to society. Nothing can be forbidden that is not interdicted [prohibited] by the law, and no one can be constrained to do that which it does not order.

6. Law is the expression of the general will. All citizens have the right to take part personally, or by their representatives, in its formation. It must be the same for all, whether it protects or punishes. All citizens being equal in its eyes, are equally eligible to all public dignities, places, and employments, according to their capacities, and without other distinction than that of their virtues and their talents.

7. No man can be accused, arrested, or detained, except in the cases determined by the law and according to the forms that it has prescribed. Those who procure [obtain], expedite [hasten], execute, or cause to be executed arbitrary orders ought to be punished: but every citizen summoned or seized in virtue of the law ought to render instant obedience; he makes himself guilty by resistance.

8. The law ought to establish only penalties that are strictly and obviously necessary, and no one can be punished except in virtue of a law established and promulgated [announced] prior to the offence and legally applied.

9. Every man being presumed innocent until he has been pronounced guilty, if it is thought indispensable to arrest him, all severity that may not be necessary to secure his person ought to be strictly suppressed by law.

10. No one should be disturbed on account of his opinions, even religious, provided their manifestation [display] does not derange [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 then can freely speak, write, and print, subject to responsibility for the abuse of this freedom in the cases determined by law.

12. The guarantee of the rights of man and citizen requires a public force; this force then is instituted for the advantage of all and not for the personal benefit of those to whom it is entrusted.

13. For the maintenance of the public force and for the expenses of administration a general tax is indispensable; it ought to be equally apportioned [divided] among all the citizens according to their means.

14. All the citizens have the right to ascertain [determine], by themselves or by their representatives, the necessity of the public tax, to consent to it freely, to follow the employment of it, and to determine the quota, the assessment, the collection, and the duration of it.

15. Society has the right to call for an account of his administration from every public agent.

16. Any society in which the guarantee of the rights is not secured, or the separation of powers not determined, has no constitution at all.

17. Property being a sacred and inviolable [untouchable] right, no one can be deprived of it, unless a legally established public necessity evidently demands it, under the condition of a just and prior indemnity [payment].



Thinking Critically

1. What are the stated purposes of this document?
2. What does the declaration state in regard to taxation?
3. According to the declaration, what is the purpose of government? How was this idea reflected in the American Declaration of Independence?