

Constitution of 1793

The primary task of the Convention, when seated in the fall of 1792, had been to draft a new, republican constitution. Only after the purge of the Girondins, however, did the Convention complete this task, with what became known as the Constitution of 1793. Particularly notable was the commitment to political democracy; universal manhood suffrage with no property requirements for voting or holding office at national or municipal levels was implemented, and the equal application of the law to all citizens was emphasized. This constitution also required the government to ensure a "right to subsistence," while simultaneously reiterating the inviolability of personal property. To many, especially the Jacobins, the Constitution of 1793 provided a model framework for an egalitarian, democratic republic; however, owing to the ongoing war the Convention suspended constitutional rule in October 1793 in favor of "revolutionary government . . . until the peace."

CONSTITUTIONAL ACT OF THE REPUBLIC

The French Republic is one and indivisible.

ON CITIZENSHIP

The following are admitted to exercise the rights of French citizenship:

Every man born and domiciled in France, fully twenty-one years of age;

Every foreigner, fully twenty-one years of age, who, domiciled in France for one year:

And lives there by his labor,

Or acquires property,

Or marries a French woman,

Or adopts a child,

Or supports an elderly person;

Finally, every foreigner who is considered by the legislative body to be deserving of being treated humanely.

The exercise of the rights of citizenship is lost:

By naturalization in a foreign country;

By the acceptance of offices or favors emanating from a government that is not of the people;

By sentencing with punishments that are dishonorable or strip the party of his civil rights, until rehabilitation.

The exercise of the rights of citizenship is suspended:

By status of indictment;

By sentencing in absentia, until such sentence is revoked.

ON POPULAR SOVEREIGNTY

Popular sovereignty includes all French citizens.

It directly appoints its deputies.

It delegates to its electors the choice of administrators, public arbiters, and judges for criminal and appellate courts.

It deliberates upon the law.

ON NATIONAL REPRESENTATION

Population is the sole basis of national representation...

The election is decided by absolute majority.

Every assembly shall count the votes, and shall send a commissioner to the most central location for the general count.

If the first return does not produce an absolute majority, a second roll call shall be held, and a vote taken between the two citizens who have obtained the most votes.

In case of a tie, the elder shall have the choice, either to hold another vote or to be declared the winner. In the case where both citizens are of equal age, the decision shall be made by lot.

Every Frenchman who enjoys the rights of citizenship is eligible throughout the entire Republic.

Every deputy belongs to the whole nation.

In case of the nonacceptance, resignation, forfeiture, or death of a deputy, the primary assemblies that elected him shall provide for his replacement.

A deputy who has proffered his resignation may not leave his post until after the swearing in of his successor.

The French people shall assemble annually, on the 1st of May, to hold elections.

They shall proceed thereto, regardless of how many citizens have the right to vote.

The primary assemblies shall meet in extraordinary session upon the request of one-fifth of the citizens who have the right to vote in that district.

In such cases, the town council of the usual place of assembly shall conduct the convocation.

Such extraordinary sessions shall deliberate only when one-half plus one of the citizens who have the right to vote in that district are present.

ON SESSIONS OF THE LEGISLATIVE BODY

Sessions of the National Assembly shall be public.

The minutes of its sessions shall be printed.

It may only deliberate if at least 200 members are present.

Its members must be granted permission to speak, in the order in which they requested it.

Its decisions shall be determined by majority vote.

ON THE FUNCTIONS OF THE LEGISLATIVE BODY

The Legislative Body shall propose laws and render decrees.

Included under the general title of "law" are acts of the Legislative Body concerning:

Civil and criminal legislation;

General administration of the revenues and ordinary expenditures of the Republic;

State property;

The standard, weight, stamp, and denomination of monies;

The nature, amount, and collection of taxes;
The declaration of war;
Every new general distribution of French territory;
Public schooling;
Public honors in memory of great men.

ON THE EXECUTIVE COUNCIL

There shall be an Executive Council composed of twenty-four members.

The Electoral College of each and every department shall appoint a candidate. The Legislative Body shall select the members of the council from the general list.

One-half of the members shall be replaced during the final months of every legislative session.

The council shall be responsible for the management and supervision of the civil administration, and may act only to execute the laws or decrees of the Legislative Body.

It shall appoint, from outside its own body, the executives of the civil administration of the Republic.

ON ADMINISTRATIVE AND MUNICIPAL BODIES

In each and every commune of the Republic there shall be a municipal administration;

In each and every district, there shall be an intermediate administration;

In each and every department, there shall be a central administration.

The municipal officials shall be elected by the communal assemblies.

The administrators shall be appointed by the electoral colleges of the departments and districts.

One-half of the municipalities and administrations shall be renewed annually.

The administration and municipal officials shall have no representational role.

They may not, under any circumstances, alter the acts of the Legislative Body nor stop their execution.

The Legislative Body shall determine the duties of the municipal officials and administrators, the rules governing their subordination, and the penalties they may incur.

Sessions of the municipalities and administrations shall be public.

ON CIVIL JUSTICE

The code of civil and criminal laws shall be uniform throughout the Republic.

No infringement may be made upon the right of citizens to have arbitrators of their own choice pass judgment on their disagreements.

The decision of such arbitrators shall be final, unless the citizens have reserved the right to protest.

There shall be justices of the peace, elected by the citizens in districts determined by law.

They shall reconcile and judge without charge.

Their numbers and abilities shall be regulated by the Legislative Body.

There shall be public arbitrators elected by the electoral colleges.

ON CRIMINAL JUSTICE

In criminal matters citizens may be judged only upon an indictment received by juries or decreed by the Legislative Body.

The accused shall have council, chosen by themselves or appointed by the court.

Inquiries shall be public.

Facts and intents shall be declared by a trial jury.

The penalty shall be imposed by a criminal court.

Criminal judges shall be elected annually by the electoral colleges.

ON PUBLIC TAXES

No citizen is exempt from the honorable obligation of contributing to public expenses.

ON NATIONAL CONVENTIONS

If, in one-half of the departments plus one, one-tenth of the regularly constituted primary assemblies requests the revision of a Constitutional Act or the amendment of some of its articles, the Legislative Body shall be required to convoke all the primary assemblies of the Republic to ascertain if there are grounds for a National Convention.

ON THE RELATIONS OF THE FRENCH REPUBLIC WITH FOREIGN NATIONS

The French people are the friends and natural allies of free peoples.

They do not interfere in the government of other nations; nor do they permit other nations to interfere in theirs.

They give asylum to foreigners who, in the name of liberty, are banished from their homelands, and refuse it to tyrants.

They do not make peace with an enemy who is occupying their territory.

ON THE GUARANTEE OF RIGHTS

The Constitution guarantees all Frenchmen equality, liberty, security, property, public debt, freedom of worship, public schooling, public relief, unrestricted freedom of the press, the right to assemble in groups, and the enjoyment of all the rights of man.

The French Republic respects loyalty, courage, the elderly, filial piety, and misfortune. It entrusts its Constitution to the care of all the virtues.

The Declaration of Rights and the Constitutional Act shall be engraved on tablets and placed in the midst of the Legislative Body and in public places.

Taken from: <http://chnm.gmu.edu/revolution/d/430/>

Source: John Hall Stewart, *A Documentary Survey of the French Revolution* (New York: Macmillan, 1951), 458–68. (Slightly retranslated).