

Declaration of the Rights of Man and Citizen

August 26, 1789

Once they had agreed on the necessity of drafting a declaration of rights, the deputies of the National Assembly still faced the daunting task of composing one that a majority could accept. The debate raised several questions: should the declaration be short and limited to general principles or should it rather include a long explanation of the significance of each article; should the declaration include a list of duties or only rights; and what precisely were "the natural, inalienable, and sacred rights of man"? After several days of debate and voting, the deputies decided to suspend their deliberations on the declaration, having agreed on seventeen articles. These laid out a new vision of government, in which protection of natural rights replaced the will of the King as the justification for authority. Many of the reforms favored by Enlightenment writers appeared in the declaration: freedom of religion, freedom of the press, no taxation without representation, elimination of excessive punishments, and various safeguards against arbitrary administration.

The representatives of the French people, constituted as a National Assembly, and considering that ignorance, neglect, or contempt of the rights of man are the sole causes of public misfortunes and governmental corruption, have resolved to set forth in a solemn declaration the natural, inalienable and sacred rights of man: so that by being constantly present to all the members of the social body this declaration may always remind them of their rights and duties; so that by being liable at every moment to comparison with the aim of any and all political institutions the acts of the legislative and executive powers may be the more fully respected; and so that by being founded henceforward on simple and incontestable principles the demands of the citizens may always tend toward maintaining the constitution and the general welfare.

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 the citizen:

1. Men are born and remain free and equal in rights. Social distinctions may be based only on common utility.
2. The purpose 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 rests essentially in the nation. No body and no individual may exercise authority which does not emanate expressly from the nation.

4. Liberty consists in the ability to do whatever does not harm another; hence the exercise of the natural rights of each man has no other limits than those which assure to other members of society the enjoyment of the same rights. These limits can only be determined by the law.

5. The law only has the right to prohibit those actions which are injurious to society. No hindrance should be put in the way of anything not prohibited by the law, nor may any one be forced to do what the law does not require.

6. The law is the expression of the general will. All citizens have the right to take part, in person or by their representatives, in its formation. It must be the same for everyone whether it protects or penalizes. All citizens being equal in its eyes are equally admissible to all public dignities, offices, and employments, according to their ability, and with no other distinction than that of their virtues and talents.

7. No man may be indicted, arrested, or detained except in cases determined by the law and according to the forms which it has prescribed. Those who seek, expedite, execute, or cause to be executed arbitrary orders should be punished; but citizens summoned or seized by virtue of the law should obey instantly, and render themselves guilty by resistance.

8. Only strictly and obviously necessary punishments may be established by the law, and no one may be punished except by virtue of a law established and promulgated before the time of the offense, and legally applied.

9. Every man being presumed innocent until judged guilty, if it is deemed indispensable to arrest him, all rigor unnecessary to securing his person should be severely repressed by the law.

10. No one should be disturbed for his opinions, even in religion, provided that their manifestation does not trouble public order as established by law.

11. The free communication of thoughts and opinions is one of the most precious of the rights of man. Every citizen may therefore speak, write, and print freely, if he accepts his own responsibility for any abuse of this liberty in the cases set by the law.

12. The safeguard of the rights of man and the citizen requires public powers. These powers are therefore instituted for the advantage of all, and not for the private benefit of those to whom they are entrusted.

13. For maintenance of public authority and for expenses of administration, common taxation is indispensable. It should be apportioned equally among all the citizens according to their capacity to pay.

14. All citizens have the right, by themselves or through their representatives, to have demonstrated to them the necessity of public taxes, to consent to them freely, to follow the use made of the proceeds, and to determine the means of apportionment, assessment, and collection, and the duration of them.

15. Society has the right to hold accountable every public agent of the administration.

16. Any society in which the guarantee of rights is not assured or the separation of powers not settled has no constitution.

17. Property being an inviolable and sacred right, no one may be deprived of it except when public necessity, certified by law, obviously requires it, and on the condition of a just compensation in advance.

Taken from: <http://chnm.gmu.edu/revolution/d/295/>

Source: The materials listed below appeared originally in *The French Revolution and Human Rights: A Brief Documentary History*, translated, edited, and with an introduction by Lynn Hunt (Boston/New York: Bedford/St. Martin's, 1996), 77–79.