

9. Since every man is presumed innocent until declared guilty, if arrest be deemed indispensable, all unnecessary severity for securing the person of the accused must be severely repressed by law.

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

11. Free communication of ideas and opinions is one of the most precious of the rights of man. Consequently, every citizen may speak, write, and print freely, subject to responsibility for the abuse of such liberty in the cases determined by law.

12. The guarantee of the rights of man and citizen necessitates a public force; therefore, is instituted for the advantage of all and not for the particular benefit of those to whom it is entrusted.

13. For the maintenance of the public force and for the expenses of administration a common tax is indispensable; it must be assessed equally on all citizens in proportion to their means.

14. Citizens have the right to ascertain, by themselves or through their representatives, the necessity of the public tax, to consent to it freely, to supervise its use, and to determine its quota, assessment, payment, and duration.

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

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

17. Since property is a sacred and inviolate right, no one may be deprived thereof unless a legally established public necessity obviously requires it, and upon condition of a just and previous indemnity.

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OLYMPE DE GOUGES

French Declaration of Rights for Women, 1791

Olympe de Gouges (1748–1793) was a French playwright whose writings became increasingly political as the French Revolution progressed after 1789. When the revolutionary government of the National Assembly passed a new constitution in 1791 with the Declaration of the Rights of Man and Citizen of 1789 as the preamble, and still did not give women the vote, de Gouges wrote the following document.

What was Olympe de Gouges's argument? What specific rights for women was she seeking?

THINKING HISTORICALLY

Compare this document with the Declaration of the Rights of Man and Citizen. What are the similarities and differences? What is the purpose of the similarities? What is the significance of the differences?

Mankind, are you capable of being just? It is a woman who asks the question; you will not deprive her of that right at least. Tell me? Who has given you the sovereign empire to oppress my sex? Your strength? Your talents? Observe the creator in his wisdom; survey nature in all its grandeur, with which you seem to want to be in harmony, and give me, if you dare, an example of this tryanical empire.

Go back to animals. Consult the elements, study plants, finally glance at all the modifications of organic matter; and surrender to the evidence as 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 the harmonious unity of this immortal masterpiece.

Man alone has raised his exception to a principle. Bizarre, blind, bloated with science and degenerated, in a century of enlightenment and wisdom, in the crassest ignorance, he wants to command as a despot a sex which has received all intellectual faculties; he pretends to be revolutionary, and claims his rights to equality, in order to say nothing more about it.

Preamble

Mothers, daughters, sisters, representatives of the nation, demand to be constituted a national assembly. Considering that ignorance, forgetfulness or contempt of the rights of women are the only causes of public misfortunes and government corruption, they resolve to expose in a solemn declaration, the natural, inalienable, and sacred rights of women, so that this declaration, being constantly before the public, reminds them constantly of their rights and their duties, so that the authoritative acts of men and women are always comparable to the goals of every political institution, and deserving of respect, so that citizens' demands, from now on 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 in the courage of maternity recognizes and declares, in the presence and under the auspices of the Supreme Being, the following Rights of Woman as Citizen.

I. Woman is born free and remains equal to man in rights. Social distinctions may be founded only on general usefulness.

II. The aim of every political association is the preservation of the natural and inalienable rights of Women and Men: these are the rights to liberty, property, security, and especially the resistance to oppression.

III. The source of all sovereignty resides essentially in the Nation, which is the meeting of women and men: no body, no individual, may exercise authority not emanating expressly therefrom.

IV. Liberty and Justice consist of restoring the rights of others; since the exercise of the rights of women has no limits other than those imposed by perpetual male tyranny, these limits must be made to conform to natural law and reason.

V. Laws of nature and reason forbid 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 prescribe.

VI. Law is the expression of the general will; all citizens, male and female, have the right to concur personally or through their representatives in its formation; it must be the same for all; all citizens being equal before it, are equally admissible to all public offices, positions, and employments, according to their capacity and without other distinction than that of virtues and talents. . . .

X. No one is to be disquieted because of his 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.

XI. The free communication of thoughts and opinions is one of the most precious rights of woman, since that liberty assures 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; subject to responsibility for the abuse of this liberty in cases determined by law. . . .

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

XVI. Every society in which the guarantee of rights is not assured or the separation of powers not determined has no constitution at all; the constitution is void if the majority of individuals comprising the nation have not cooperated in drafting it.

XVII. Property belongs to both sexes whether united or separate; for each it is an inviolable and sacred right; no one may be deprived thereof unless a legally established public necessity obviously requires it, and upon condition of a just and previous indemnity.

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TOUSSAINT L'OUVERTURE

Letter to the Directory, 1797

When the French revolutionaries proclaimed the Declaration of the Rights of Man and Citizen in 1789, the French colony of Saint-Domingue¹ (now Haiti) contained a half million African slaves, most of whom worked on the sugar plantations that made France one of the richest countries in the world. Thus, the French were confronted with the difficult problem of reconciling their enlightened principles with the extremely profitable, but fundamentally unequal, institution of slavery.

French revolutionaries remained locked in debate about this issue when in 1791, the slaves of Saint-Domingue organized a revolt that culminated in establishing Haiti's national independence twelve years later. François Dominique Toussaint L'Ouverture,* a self-educated Haitian slave, led the revolt and the subsequent battles against the French planter class and French armies, as well as the Spanish forces of neighboring Santo Domingo—the eastern side of the island now known as the Dominican Republic—and the antirevolutionary forces of Britain, all of whom vied for control of the island at the end of the eighteenth century.

*too SAN loo vehr TUR

¹san doh MANG *Santo Domingo* was the Spanish name for the eastern half of Hispaniola (now the Dominican Republic). *Saint-Domingue* was the French name for the western half of the island, now Haiti. *San Domingo*, which is used in the text, is a nineteenth-century abbreviation for *Saint-Domingue*. To further complicate matters, both the Spanish and French sometimes used their term for the whole island of Hispaniola. Spain controlled the entire island until 1697, when the Spanish recognized French control of the west.

Source: Toussaint L'Ouverture, "Letter to the Directory, November 5, 1797," in *The Black Jacobins*, ed. C. L. R. James (New York: Vintage Books, 1989), 195–97.