

Name: _____

Modern European History

Date: _____

Unit 5 – Revolutions

Declaration of the Rights of Man – AND Woman (!)

Directions

The texts that follow are remarkably similar, yet not exactly the same. Your task is as follows:

1. Read each document thoroughly.
2. Highlighting any similarities in yellow or orange.
3. Highlight any differences in blue or green.
4. Bracket any parts of each that you believe were influenced by Enlightenment thinking and note which Enlightenment thinker and/or theory it resembles. [←these are brackets→]
5. Assume the role of someone in one of the Three Estates. As a member of this Estate, how would you react to these documents? Write a paragraph in a letter-to-the-editor style supporting or opposing what is said in these two documents.

Declaration of the Rights of Man - 1789

Approved by the National Assembly of France, August 26, 1789

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, unalienable, 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:

Articles:

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 foundation. 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 entrusted.
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.

Declaration of the Rights of Women and the Female Citizen, 1791

Olympe de Gouge

Olympe de Gouges, a butcher's daughter, proved to be one of the most outspoken and articulate women revolutionaries. In 1791 she wrote the following declaration, directly challenging the inferiority presumed of women by the Declaration of the Rights of Man. Her attempts to push this idea lead to her

being charged with treason during the rule of the National Convention. She was quickly arrested, tried, and on November 3, 1793, executed by the guillotine.

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, bloated 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 a solemn declaration the natural, inalienable, and sacred rights of woman in order that this declaration, constantly exposed before all 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...

Article IX. Once any woman is declared guilty, complete rigor is exercised by 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 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 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 and all the painful tasks; therefore, she must have the same share in the distribution of positions, employment, offices, honors, and jobs.

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, 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? The bon mot of the legislator of the marriage of Cana? Do you fear that our French legislators, correctors of that morality, long ensnared by political practices now out of date, will only say again to you: women, what is there in common between you and us? Everything, you will have to answer. If they persist in their weakness in putting this non sequitur in contradiction to their principles, courageously oppose the force of reason to the empty pretensions of superiority; unite yourselves beneath the standards of philosophy; deploy all the energy of your character, and you will soon see these haughty men, not groveling at your feet as servile adorers, but proud to share with you the treasures of the Supreme Being. Regardless of what barriers confront you, it is in your power to free yourselves; you have only to want to....

Marriage is the tomb of trust and love. The married woman can with impunity give bastards to her husband, and also give them the wealth which does not belong to them. The woman who is unmarried has only one feeble right; ancient and inhuman laws refuse to her for her children the right to the name and the wealth of their father; no new laws have been made in this matter. If it is considered a paradox and an impossibility on my part to try to give my sex an honorable and just consistency, I leave it to men to attain glory for dealing with this matter; but while we wait, the way can be prepared through national education, the restoration of morals, and conjugal conventions.

Form for a Social Contract Between Man and Woman

We, _____ and _____, moved by our own will, unite ourselves for the duration of our lives, and for the duration of our mutual inclinations, under the following conditions: We intend and wish to make our wealth communal, meanwhile reserving to ourselves the right to divide it in favor of our children and of those toward whom we might have a particular inclination, mutually recognizing that our property belongs directly to our children, from whatever bed they come, and that all of them without distinction have the right to bear the name of the fathers and mothers who have acknowledged them, and we are charged to subscribe to the law which punishes the renunciation of one's own blood. We likewise obligate ourselves, in case of separation, to divide our wealth and to set aside in advance the portion the law indicates for our children, and in the event of a perfect union, the one who dies will divest himself of half his property in his children's favor, and if one dies childless, the survivor will inherit by right, unless the dying person has disposed of half the common property in favor of one whom he judged deserving.

That is approximately the formula for the marriage act I propose for execution. Upon reading this strange document, I see rising up against me the hypocrites, the prudes, the clergy, and the whole infernal sequence. But how it [my proposal] offers to the wise the moral means of achieving the perfection of a happy government! . . .

Moreover, I would like a law which would assist widows and young girls deceived by the false promises of a man to whom they were attached; I would like, I say, this law to force an inconstant man to hold to his obligations or at least [to pay] an indemnity equal to his wealth. Again, I would like this law to be rigorous against women, at least those who have the effrontery to have recourse to a law which they themselves had violated by their misconduct, if proof of that were given. At the same time, as I showed in *Le Bonheur primitif de l'homme*, in 1788, that prostitutes should be placed in designated quarters. It is not prostitutes who contribute the most to the depravity of morals, it is the women of society. In regenerating

the latter, the former are changed. This link of fraternal union will first bring disorder, but in consequence it will produce at the end a perfect harmony.

I offer a foolproof way to elevate the soul of women; it is to join them to all the activities of man; if man persists in finding this way impractical, let him share his fortune with woman, not at his caprice, but by the wisdom of laws. Prejudice falls, morals are purified, and nature regains all her rights. Add to this the marriage of priests and the strengthening of the king on his throne, and the French government cannot fail.