

Declaration of the Rights of Man and of the Citizen

(26 August 1789)



[Introductory note: After the dramatic assertion of revolutionary principles on the Night of the Fourth of August, the National Assembly moved quite quickly to the formulation of a declaration of rights that was to serve as a preamble to the new national constitution. The final articles of the declaration were adopted on 26 August 1789]

The representatives of the French people, constituted as the National Assembly, considering that ignorance, disregard, or contempt for the rights of man are the sole causes of public misfortunes and the corruption of governments, have resolved to set forth, in a solemn declaration, the natural, inalienable, and sacred rights of man, so that the constant presence of this declaration may ceaselessly remind all members of the social body of their rights and duties; so that the acts of the legislative power and those of the executive power may be the more respected, since it will be possible at each moment to compare them against the goal of every political institution; and so that the demands of the citizens, grounded henceforth on simple and incontestable principles, may always be directed to the maintenance of the constitution and to the welfare of all.

Consequently, 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:

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

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

Article 3. The source of all sovereignty resides essentially in the nation. No body, no individual can exercise authority that does not explicitly proceed from it.

Article 4. Liberty consists in being able to do anything that does not injure another; thus the only limits upon each man's exercise of

his natural rights are those that guarantee enjoyment of these same rights to the other members of society. These limits can be determined only by law.

Article 5. The law has the right to forbid only actions harmful to society. No action may be prevented that is not forbidden by law, and no one may be constrained to do what the law does not order.

Article 6. The law is the expression of the general will. All citizens have the right to participate personally, or through 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 admissible to all public dignities, positions, and employments, according to their ability, and on the basis of no other distinction than that of their virtues and talents.

Article 7. No man may be accused, arrested, or detained except in cases determined by the law and according to the forms it has prescribed. Those who solicit, expedite, execute, or effect the execution of arbitrary orders must be punished; but every citizen summoned or seized by virtue of the law must obey at once; he makes himself guilty by resistance.

Article 8. The law must lay down only those penalties that are strictly and evidently necessary, and no one may be punished except by virtue of a law established and promulgated prior to the offense, and legally applied.

Article 9. Every man is presumed innocent until he has been found guilty; if it is considered indispensable to arrest him, any severity not necessary to secure his person must be strictly repressed by law.

Article 10. No one must be disturbed because of his opinions, even in religious matters, provided their expression does not trouble the public order established by law.

Article 11. The free expression of thought and opinions is one of the most precious rights of man: thus every citizen may freely speak, write, and print, subject to accountability for abuse of this freedom in the cases determined by law.

Article 12. To guarantee the rights of man and the citizen requires a public force; this force is therefore instituted for the

benefit of all, and not for the personal advantage of those to whom it is entrusted.

Article 13. A common tax is indispensable to maintain the public force and support the expenses of administration. It must be shared equally among all the citizens in proportion to their means.

Article 14. All citizens have the right to ascertain, personally or through their representatives, the necessity of the public tax, to consent to it freely, to know how it is spent, and to determine its amount, basis, mode of collection, and duration.

Article 15. Society has the right to demand that every public agent give an account of his administration.

Article 16. A society in which the guarantee of rights is not secured, or the separation of powers not clearly established, has no constitution.

Article 17. Property being an inviolable and sacred right, no one can be deprived of it, unless legally established public necessity obviously demands it, and upon condition of a just and prior indemnity.

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