DECLARATION OF THE RIGHTS OF MAN

Directions: Read the selections from the Declaration of the Rights of Man below and answer the guided reading questions.

Analyzing Primary Source Documents

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 intrusted.

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.
1. How is this *Declaration of the Rights of Man* similar to the Declaration of Independence? What rights and liberties are asserted and protected?

2. How is the *Declaration of the Rights of Man* dissimilar to the Declaration of Independence? What is the difference of sovereignty, or authority, residing in the nation or “general good” in France’s document as opposed to the people in the American document?

3. What seems to be the goal of the document?

4. Is there one driving principle that informs the rest of the document? If so, what is it?

5. How is the rule of law treated in the document? What are the limits of an individual rights if it conflicts with the needs of the nation?

6. Does this document establish a government?

7. The *Declaration of the Rights of Man* makes repeated references to “Citizens”. What significance does this word have?
In 1792, France was in turmoil. It was the third year of revolution, and instability reigned. Undermined by revolts in the provinces and beset upon by counter-revolutionary armies on all of its frontiers, France’s new leaders desperately sought new ways to instill order among the chaos. The constitutional monarchy established in the Constitution of 1791 had failed to govern the country effectively. Revolutionary violence reached a fever pitch as thousands of imprisoned nobles and clerics were slaughtered in their jail cells in the “September Massacres.” The National Convention had become the default government and voted to dissolve the monarchy. They now had to decide what to do with the deposed and imprisoned king. The Revolution had reached a crisis.

It was during this period that a little-known lawyer and Deputy of the National Convention, Maximilien Robespierre, began his rapid ascent to power. Known early on as “the incorruptible,” Robespierre’s fierce dedication to the principles of the revolution made him a popular figure. His uncompromising ideological allegiance to the purity of virtue and the principles of the revolution made him a popular figure. His willingness to destroy its enemies, led him to embrace bloody, state-sponsored violence to achieve his ends of a utopian state. The consequence was the Terror.

A former opponent of the death penalty, he made powerful arguments in favor of executing Louis XVI, that won him popularity among the revolutionary masses. Many moderates opposed Robespierre’s position, calling instead for a popular referendum on the fate of the king. However, these voices soon were drowned out by the powerful revolutionary rhetoric employed by Robespierre and his allies. Declaring that “Louis must die so that the nation may live,” Robespierre helped convince the Convention to vote for the king’s death. The hopes for moderation in building a just and peaceful revolution died along with the king. Robespierre and many other revolutionaries were bent on destroying the old order in France and ushering in a utopian reign of liberty, equality, and fraternity.

For their part, Robespierre and the faction of political radicals known as the Montagnards became convinced that the tendencies of the moderate group, the Girondists, were not merely hobbling the progress of the revolution, but constituted outright treason. By May 1793, Robespierre called on the Montagnards to rebel against the Girondist-led government and urged the armed people of Paris to forcibly depose Girondist deputies. In June, the Girondists were expelled from the Convention and arrested.

In July 1793, Robespierre took control of the newly-formed Committee of Public Safety. In most initiatives, the Committee was able to bypass the more deliber-
ate National Convention and take direct action as committee members saw fit. Because of these far-reaching powers, the Committee of Public Safety became the de-facto executive of the French Republic, with Robespierre at its helm. Robespierre and his followers could now impose their vision of revolutionary virtue and ideological purity with the power of the state. The search for “enemies of the revolution” and “enemies of the state” soon began in earnest.

In September 1793, Robespierre and the Committee of Public Safety sought to destroy any perceived ideological opponents to the revolution within France. Inspired by a speech by Robespierre, they declared that “terror was the order of the day,” inaugurating the Reign of Terror. This led to the wholesale execution of tens of thousands of political and religious dissidents, rebels, émigrés, common criminals, and anyone suspected of being an enemy of the revolution or failing adequately to embrace it with enough fervor. That same month, the Committee passed the Law of Suspects, naming large swathes of the population as suspected traitors to the revolution. Among those named in the law were “those who, by their conduct, associations, comments, or writings have shown themselves partisans of tyranny or federalism and enemies of liberty,” as well as any nobility and their family who had not displayed sufficient revolutionary ardor. By October 1793, Robespierre and the Committee of Public Safety approvingly watched the execution of the deposed Girondists, their former friends and allies. In December, the Convention granted sole executive authority to the committee, making Robespierre the most powerful man in France. The unhealthy political and civic culture of revolutionary France now fed suspicion of fellow citizens and resulted in a murderous purge of “enemies.” This destruction of enemies of the state would become prevalent in totalitarian regimes in the twentieth century.

The Committee and the Revolutionary Tribunals oversaw the execution of thousands of people by the guillotine who disagreed, or appeared to disagree, with the official policies of Robespierre and the Montagnards. In March 1794, even the Hébertists, a political faction even more extreme than Robespierre, were executed. That same month, Robespierre’s former ally Georges Danton, a well-established Montagnard radical, was executed for publicly critiquing the mandates of the Committee of Public Safety. In the provinces, the Reign of Terror was carried out in gruesomely creative ways. In Nantes, thousands of people were rowed out into the Loire River, weighted with large stones, and drowned en masse. Priests and nuns were especially targeted in this practice that became known as the “Republican Baptism.” In other instances, hundreds of political prisoners were gathered together and mowed down by cannon fire. No one was immune from the revolutionary violence in its pursuit of a pure revolution.

During Robespierre’s reign as the head of the Committee of Public Safety, the barbarity and scope of the Reign of Terror continually widened. The national sense of paranoia came to a crescendo throughout the spring and summer of 1794. On July 26, Robespierre spoke before the Convention and claimed a new conspiracy was afoot to undermine the nation. The deputies in the Convention grew afraid that Robespierre and his supporters intended to execute them on false charges of treason. The next day, the Convention ordered the arrest of Robespierre and several other members of the Committee of Public Safety. On July 28, Robespierre himself was executed by the guillotine, the horrific symbol of the Reign of Terror. A more moderate government was installed in the ensuing Thermidorian Reaction (even though it killed thousands of Catholic rebels in the Vendée), and the Terror was over.
Defining Civic Virtues: Political Intolerance
Disrespect for the different political views of others and violating their inalienable rights
Discussion Guide

Directions: Discuss the following questions with your partner(s).

1. What was the situation in France in 1792 that led to the execution of Louis XVI?

2. What stance against the old regime drove Robespierre’s support for executing Louis XVI? How would you compare Robespierre to the leaders of the American Revolution and their view of the society that preceded the American Revolution?

3. How did the Committee of Public Safety determine whether an individual was an “enemy” of the revolution? What is dangerous about this method? Who was susceptible to being declared an “enemy” of the revolution? What impact did it have on the health of the political culture and civil society of France?

4. How did the actions of the Committee of Public Safety contradict their stated beliefs in the revolutionary ideals of liberty, equality, and fraternity?

5. Did the Terror contradict the Declaration of the Rights of Man and Citizen? Or, can the roots of the Terror be found in the national sovereignty and “general will” of the document? Defend your answer using evidence from the declaration as well as the narrative.

6. How did Robespierre and the Committee of Public Safety seek to silence their opponents? Why is it important not to silence your opponents?
MAKE TERROR THE ORDER OF THE DAY

BACKGROUND: In September of 1793, the France and the city of Paris were on the verge of chaos. The political situation continued to be unstable. Revolts had sprung up across the country and the country teetered on instability. On September 5, a large body of citizens arrived at the Convention and demanded action. In response, Maximilien Robespierre and Bertrand Barère, a member of the Committee of Public Safety, delivered several stirring speeches to the National Convention. Robespierre, Barère and others, outlined in his addresses their government's plan to save the ideals of the Revolution from what he sees as internal enemies attempting to undermine it. The plan, a political purge through terror. This address was followed by the passing of the Law of Suspects, giving the government power to take action against anyone suspected activities against the revolution. Émigrés, or nobles who had fled France at the outset of the revolution, were particularly targeted.

Directions: Read the selections from Robespierre and Barère's addresses to the National Convention from September 5, 1793, as well as the selections from the Law of Suspects, and answer the Critical Reading questions that follow.

Analyzing Primary Source Documents

SELECTIONS FROM - PROCEEDINGS OF THE NATIONAL CONVENTION (5 SEPTEMBER 1793)

“Liberty will outlive the intrigues and schemes of conspirators. The solicitude of the Convention reaches out to the ills of the people. Let good citizens unite, let them make a last effort: the land of liberty, sullied by the presence of its enemies, is going to be freed from them. Today their death sentence is pronounced, and tomorrow aristocracy will cease to exist.”

“Citizens, it is the people that has made the revolution; it is up to you in particular to assure the execution of the prompt measures that must save the patrie. You ask for the establishment of a revolutionary army; your wish is achieved. Already the Convention, heedful of everything that can intimidate and foil foreign powers and their agents, has decided that this army will soon be formed.”

“Yes, courage and justice are the order of the day. All good citizens, instead of trembling, will bless the moment when the Convention took measures to secure the fate of the revolution at last. All Frenchmen will bless the society to which you belong, the society in whose name, together, with that of the city of Paris, you come to ask for these imperative and definitive measures. All criminals will perish on the scaffold, the Convention has solemnly sworn it. Already it has taken steps to
increase the activity of the revolutionary tribunal. Tomorrow it will busy itself with increasing the number of judge and juries."

"The convention applauds your patriotism; it welcomes you to participate in the session."

Barère, in the name of the Committee of Public Safety: "For several days everything has seemed to point to a movement afoot in Paris. Intercepted letters, destined either for abroad or for aristocrats within the country, told of constant endeavors made by their agents to incite an immediate uprising in what they call the big city. Well! They have this last uprising – (enthusiastic applause) – but it will be organized and carried out legally by a revolutionary army that will finally put into effect the mighty slogan we owe to the Commune of Paris: 'Make terror the order of the day.' This is the way to make the royalists, the moderates, the counter revolutionary rabble that perturbs you disappear in an instant. The royalists want blood; well! They will have the blood of conspirators, of the Brissots, the Marie-Antoinettes. They want to stir up a movement, well! They are going to feel its effects. We are not speaking of illegal acts of vengeance; special tribunals are going to bring this about. You will not be shocked by the means that we present to you when you understand that these criminals are still conspiring in the recesses of their prisons, that they are the rallying points of our enemies. Brissot has said and written that before his head falls, those of part of the Convention would no longer exist, and that the Mountain would be destroyed. This is the way they seek to use terror to check you in your revolutionary march.

"The royalists want to upset the work of the revolution. Conspirators, the Convention will upset yours!

**SELECTIONS FROM THE LAW OF SUSPECTS (17 SEPTEMBER 1793)**

1. Immediately after the publication of the present decree, all suspected persons within the territory of the Republic and still at liberty shall be placed in custody.

2. The following are deemed suspected persons: 1st, those who, by their conduct, associations, talk, or writings have shown themselves partisans of tyranny or federalism and enemies of liberty; 2nd, those who are unable to justify, in the manner prescribed by the decree of 21 March last, their means of existence and the performance of their civic duties; 3rd, those to whom certificates of patriotism have been refused; 4th, public functionaries suspended or dismissed from their positions by the National Convention or by its commissioners, and not reinstated, especially those who have been or are to be dismissed by virtue of the decree of 14 August last; 5th, those former nobles, husbands, wives, fathers, mothers, sons or daughters, brothers or sisters, and agents of the émigrés, who have not manifested their devotion to the Revolution; 6th, those who have emigrated during the interval between 1 July, 1789, and the publication of the decree of 30 March – 8 April, 1792, even though they may have returned to France within the period established by said decree or prior thereto.
Critical Reading Questions

Directions: Discuss the following questions with your partner(s).

1. On whose behalf is Robespierre claiming he is working?
2. What do the members of the Convention mean when they say “the revolution”?
3. What does the ambiguity of “the revolution” allow for?
4. What does justice seem to be for Robespierre?
5. Who does it seem Robespierre is referring to when he says, “All criminals will perish on the scaffold…?”
6. What does Barère mean when he says the convention will make “terror the order of the day”?
7. Though Robespierre did not say the words, he was the President of the National Convention and head of the Committee of Public Safety. How does that make him culpable for these actions?
8. The Law of Suspects calls for the arrest of all “suspected persons”. What is the danger of arresting “suspected persons” instead of accused persons or those that have enough evidence to bring charges against them?
9. Robespierre and the National Convention used their position of popular authority to justify their violent actions against adversaries. How is this type of democratically justified violence particularly dangerous?
Virtue In Action

Strive to be open minded and fair when having conversations with others. Disagreement is a natural part of civil discourse.

- Think about ways in which Robespierre dismissed his opposition. Think about ways in which his demonizing and silencing of his opposition led down dangerous paths.
- When working on group projects, ensure everyone's opinions are able to be stated and are listened to. Coming to a group consensus is hard, but leads to greater accomplishments.
- Strive to be generous in your own actions. Listen before you speak and be kind to others.
- Do not dismiss someone because their opinion may differ from yours. Listen and respectfully disagree if you do not agree with their rational.

Sources & Further Reading

Edmund Burke, Reflections on the Revolution in France
Political Intolerance

Directions  Why is it important in a free society to allow for a diversity of political views? What is the danger of one side shutting out its opponents with the force of law? How can citizens ensure that public discussions are open and civil? What challenges arise in having a variety of opinions to have voice? Why is political tolerance important to maintain in spite of these challenges?

“[E]very difference of opinion is not a difference of principle. We have called by different names brethren of the same principle....Whatever their differences, both parties are loyal to the same Constitution and its principles—though they may interpret and apply them somewhat differently.”

–THOMAS JEFFERSON, “FIRST INAUGURAL ADDRESS,” 1801