

## Declaration of the Rights of Man and of the Citizen (26 August 1789)



The French people, as represented at the National Assembly, consider that the ignorance, disregard or contempt of human rights are the sole causes of the nation's misfortunes and of the corruption of governments and have resolved to state the natural, inalienable and sacred human rights in a solemn declaration, so that this declaration be a constant reminder to the members of the body politic of their rights and their duties; so that as the actions of the legislative and those of the executive power may be compared at any time with the aim of all political institutions, these actions shall be more respectful of that aim; so that the claims of the citizens, based henceforth on simple and indisputable principles, always be turned towards upholding the Constitution and the common good.

Consequently, the National Assembly acknowledges and declares in the presence of and under the auspices of the Supreme Being, the following rights of man and citizen.

**Article One** - All people shall have equal rights upon birth and ever after. General utility is the only permissible basis for social distinctions.

**Article 2** - The aim of all political associations shall be to preserve man's natural and imprescriptible rights. These are the right to freedom, property, safety and the right to resist oppression.

**Article 3** - The principle of all sovereignty resides in the Nation. No body or individual may exercise any power other than that expressly emanating from the Nation.

**Article 4** - Freedom is the power to do anything which does not harm another: therefore, the only limits to the exercise of each person's natural rights are those which ensure that the other members of the community enjoy those same rights. Legislation only may set these limits.

**Article 5** - Only actions harmful to the community may be made illegal. No-one may be prevented from doing that which the law does not forbid, nor be forced to do that which the law does not command.

**Article 6** - Legislation expresses the overall will. All citizens, either in person or through their representatives, are entitled to contribute to its formation. Legislation must be the same for all, whether it serves to protect or to punish. As all citizens are equal in the eye of the law, positions of high rank, public office and employment are open to all on an equal basis according to ability and without any distinction other than that based on their merit or skill.

**Article 7** - A person may be accused, arrested or detained only in the cases specified by law and in accordance with the procedures which the law provides. Those who solicit, forward, carry out or have arbitrary orders carried out shall be punished; however, any citizen summoned or apprehended pursuant to law must obey forthwith; by resisting, he admits his guilt.

**Article 8** - Only penalties which are strictly and clearly necessary may be established by law, and no-one may be punished other than pursuant to a law established and enacted prior to the offence, and applied lawfully.

**Article 9** - As all persons are presumed innocent until declared guilty, force used in making indispensable arrests which exceeds that needed, shall be severely punished by law.

**Article 10** - No-one may be troubled due to his opinions, whether or not they are on religious issues provided that the expression of these opinions does not disturb the peace.

**Article 11** - Free communication of ideas and opinions is one of the most precious human rights; all citizens may therefore speak, write and print freely, though they may be required to answer for abusing this right in cases specified by law.

**Article 12** - The protection of the rights of man and the citizen requires a police force; consequently this force is established in the interest of all, not in that of those to whom it has been entrusted.

**Article 13** - The maintenance of the police force and administration expenses require public contributions. These contributions are to be borne by the citizens equally according to their resources.

**Article 14** - All citizens have the right, either in person or through their representatives, to ascertain the need for the public contributions, to freely authorize these contributions, to monitor their use, and to determine the amount, basis, collection and duration of contributions.

**Article 15** - The community has the right to ask any public officer to account for his service.

**Article 16** - Any society in which rights are not guaranteed, nor the scope of power determined, has no Constitution.

**Article 17** - The right of ownership is an inviolable and sacred right; one may not be deprived of one's property, unless where public need, duly ascertained by law, clearly requires it, and subject to the condition that fair and prior compensation be made.

**SOURCE:** <http://www.justice.gouv.fr/anglais/europe/addhc.htm>