

Declaration of the Rights of Man [August 26, 1789]: Notes for UPSC

The Declaration of the Rights of Man and of the Citizen was declared by the France's National Constituent Assembly on August 26th 1789. The Declaration was drafted by the Abbé Sieyès and the Marquis de Lafayette, in consultation with Thomas Jefferson. It is one of the many topics about the French Revolution, which is also featured in the World History segment of the IAS Exam.



Background of the Declaration of the Rights of Man.

The content of the document was largely inspired from the ideals of the Enlightenment. The first draft was prepared by Gilbert du Motier, Marquis de Lafayette, a French commander who had fought for the American Revolutionaries during the American Revolution. He made the draft in consultation with his close friend, Thomas Jefferson, who would later become the 3rd President of the United States. Honoré Mirabeau played a central role in conceptualizing and drafting the Declaration of the Rights of Man and of the Citizen in August 1789.

The final draft of the article of the Declaration of the Rights of Man and the Citizen was adopted on the 26 of August 1789 by the National Constituent Assembly, when the French Revolution was at its height, as the first step toward writing a constitution for France. The original version of the Declaration was discussed by the representatives on the basis of a 24 article draft proposed by the sixth bureaucrat, led by Jérôme Champion de Cicé. The draft was later modified during

the debates. A second and lengthier declaration, known as the Declaration of the Rights of Man and Citizen of 1793, was written in 1793 but never formally adopted.

Structure of the Declaration of Rights of Man

The structure of the Declaration of Rights of Man consists of 17 articles, some of the most well known and important are highlighted below:

Article I – Men are born and remain free and equal in rights. Social distinctions can be founded only on the common good

Article II – The goal of any political association is the conservation of the natural and imprescriptible rights of man. These rights are liberty, property, safety and resistance against oppression.

Article III – The principle of any sovereignty resides essentially in the Nation. No body, no individual may exercise any authority which does not proceed directly from the nation

Article IV – Liberty consists of doing anything which does not harm others: thus, the exercise of the natural rights of each man has only those borders which assure other members of the society the fruition of these same rights. These borders can be determined only by the law.

Article V – The law has the right to forbid only actions harmful to society. Anything which is not forbidden by the law cannot be impeded, and no one can be constrained to do what it does not order.

Article VI – The law is the expression of the general will. All the citizens have the right of contributing personally or through their representatives to its formation. It must be the same for all, either that it protects, or that it punishes. All the citizens, being equal in its eyes, are equally admissible to all public dignities, places, and employments, according to their capacity and without distinction other than that of their virtues and of their talents.

Facts about the Declaration of the Rights of Man.

- It talked of a nation of free individuals who are accorded equal protection by the law.
- The adoption of this declaration was the first step in writing a constitution for France.
- This declaration is included in the beginning of the constitutions of the fourth (1946) and the fifth (1958) French Republic.
- It is valid till date.
- The ideals enshrined here form the basis of democracies everywhere.
- The Declaration was inspired by the Age of Enlightenment in Europe, when ideals like liberty, tolerance, fraternity, progress, separation of the church from the state and constitutional government came about.

- The French Revolution led to the abolition of feudalism in France and it abolished privileges given to the aristocracy and the clergy.
- It stated that people have the right to resist oppression.
- It also stressed on 'popular sovereignty' rather than the prevailing European notion of the 'divine right of kings'.
- It also asserted that all men have equal rights of admission to public places and employment as per their capacities and without any kind of discrimination.
- It also stated that there should be a rule of law and that no man can be punished until proven guilty in court.
- It also stated that people should not be persecuted for their beliefs including religious ones.