

Declaration of the Rights of Man

1789

The Declaration of the Rights of Man was adopted by the French National Assembly a little over one month after the storming of the Bastille prison in Paris on July 14, 1789. Inspired by the ideas of John Locke, Montesquieu, and Voltaire, this declaration echoed the sentiments of the American Declaration of Independence and the US Constitution.

1. Men are born and remain free and equal in rights. Social distinctions may only be founded 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.

James Harvey Robinson, ed., *Translations and Reprints from the Original Sources of European History*, vol. 1, no. 5 (Philadelphia: University of Pennsylvania Press, 1897), 6–7.

PRACTICING Historical Thinking

Identify: Determine five significant points that are made in this declaration. Explain your choices.

Analyze: In what ways does this document borrow from the American Declaration of Independence (Doc. 5.6)?

Evaluate: In what ways does this document express concerns or interests that differed from those of British North Americans?

The Kentucky Resolution (1799) represented the Jeffersonian Republicans' public rejection of the Sedition Act (Doc. 5.18). Although the resolution was not binding on the federal government, it was a symbolic affirmation of the Republicans' dedication to states' rights and a weak federal government.

Resolved, That this Commonwealth considers the Federal Union, upon the terms and for the purposes specified in the late compact, as conducive to the liberty and happiness of the several states; that it does now unequivocally declare its attachment to the Union, and to that compact, agreeable to its obvious and real intention, and will be among the last to seek its dissolution: That if those who administer the General Government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, an annihilation of the State Governments, and the erection upon their ruins of a general consolidated government, will be the inevitable consequence: That the principle and construction contended for by sundry [various types] of the State Legislatures, that the General Government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism, since the *discretion* of those who administer the government, and not the *Constitution*, would be the measure of their powers. That the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction, and *that a nullification by those sovereignties, of all unauthorized acts done under color of that instrument, is the rightful remedy*: That this Commonwealth does, upon the most deliberate reconsideration, declare that the said Alien and Sedition Laws are, in their opinion, palpable violations of the said Constitution; and, however cheerfully it may be disposed to surrender its opinion to a majority of its sister states in matters of ordinary or doubtful policy, yet, in momentous regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiescence as highly criminal: That although this Commonwealth, as a party to the Federal Compact, will bow

to the laws of the Union, yet it does at the same time declare that it will not now, nor ever hereafter, cease to oppose in a constitutional manner, every attempt, from what quarter soever offered, to violate that compact. . . .

Edwin Williams, *The Book of the Constitution: Containing the Constitution of the United States; A Synopsis of the Several State Constitutions; with Various Other Important Documents and Useful Information* (New York: Peter Hill, 1833), 85.

PRACTICING Historical Thinking

Identify: What is the role of government, according to this document?

Analyze: According to this document, how does the Sedition Act (Doc. 5.18) undermine the proper role of government?

Evaluate: If this document is a threat, who or what is being threatened? And with what are they being threatened?