

Enlightenment and the French Revolution

If the guillotine is the most striking negative image of the French Revolution, then the most positive is surely the Declaration of the Rights of Man and Citizen, one of the founding documents in the human rights tradition.

The lasting importance of the Declaration of Rights is immediately evident: just compare the first article from August 1789 with the first article in the Universal Declaration of Human Rights passed by the United Nations after World War II, on 10 December 1948. They are very similar, though the UN document refers to "human beings" in place of "men." (Did "men" mean women too in 1789? As we shall see, this was far from clear.)

When the French revolutionaries drew up the Declaration of the Rights of Man and Citizen in August 1789, they aimed to topple the institutions surrounding hereditary monarchy and establish new ones based on the principles of the Enlightenment, a philosophical movement gathering steam in the eighteenth century. The goal of the Enlightenment's proponents was to apply the methods learned from the scientific revolution to the problems of society. Further, its advocates committed themselves to "reason" and "liberty." Knowledge, its followers believed, could only come from the careful study of actual conditions and the application of an individual's reason, not from religious inspiration or traditional beliefs. Liberty meant freedom of religion, freedom of the press, and freedom from unreasonable government (torture, censorship, and so on). Enlightenment writers, such as Voltaire, Montesquieu, and Rousseau, influenced ordinary readers, politicians, and even heads of state all over the Western world. Kings and queens consulted them, government ministers joined their cause, and in the British North American colonies, American revolutionaries put some of their ideas into practice in the Declaration of Independence and the new Constitution of the United States.

The Declaration of the Rights of Man and Citizen of 1789 brought together two streams of thought: one springing from the Anglo-American tradition of legal and constitutional guarantees of individual liberties, the other from the Enlightenment's belief that reason should guide all human affairs. Enlightenment writers praised the legal and constitutional guarantees established by the English and the Americans, but they wanted to see them applied everywhere. The French revolutionaries therefore wrote a Declaration of Rights that they hoped would serve as a model in every corner of the world. Reason rather than tradition would be its justification. As a result, "France" or "French" never appears in the articles of the declaration itself, only in its preamble.

The Anglo-American tradition of legal guarantees of rights dates back to the Magna Carta, or "Great Charter," of 1215. In it King John of England guaranteed certain liberties to the free men of his kingdom. In 1628 the English Parliament drew up a Petition of Right restating the "rights and liberties of the subjects." Charles I agreed to it, and the rights were further extended in the English Bill of Rights of 1689. John Locke's writings on the nature of government in the late 1600s gave a more universal and theoretical cast to the idea of the rights of freeborn Englishmen, suggesting that such rights belonged not just to the English, but to all property-owning adult males.

Until Locke, the English tradition of rights had been just that, English. The various English parliamentary documents on rights had been specifically limited to freeborn Englishmen. They made no larger claims. The Enlightenment helped broaden the claims, and its effects can be seen in the American offshoots of the English parliamentary tradition of rights. Thomas Jefferson's Declaration of Independence of 1776 claimed that "inalienable" rights were the foundation of all government, and he justified American resistance to English rule in these terms. Jefferson's "declaration" is especially important because it argued that rights had only to be "declared" to be effective. The same belief in the self-evidence of rights can be seen in George Mason's draft of the Bill of Rights for Virginia's state constitution. The similarities to the Declaration of the Rights of Man and Citizen are not

hard to find, for both the Virginia Bill of Rights and Jefferson's Declaration of Independence had an immediate influence on the French declaration.

Enlightenment writers had paved the way for the reception of these ideas on the European continent and helped transform English rights into more universally applicable ones. They complained that in France these rights were being violated by despotic, absurd, superstitious, and fanatical institutions. Voltaire, in particular, held out English religious toleration as a model. In their criticism, Montesquieu and Rousseau moved beyond existing institutions, proposing new principles of government based on reason and comparative study.

Beginning in the last years of the reign of Louis XIV and intensifying thereafter, writers both within and outside France began strongly decrying the despotism of the French monarchy. In 1721, Montesquieu, a nobleman and judge, published an anonymous novel, *The Persian Letters*, in which he used fictional letters between visiting Persians to lampoon French customs, particularly those of the recently deceased Louis XIV. Voltaire held French practices up against those in England, China, and elsewhere and found cause to ridicule French "fanaticism" in religion.

These and other criticisms paved the way for a more theoretical consideration of government in general. One of the most influential works of this nature was Montesquieu's *Spirit of Laws* (1748), which developed a comparative political analysis of the conditions most favorable to liberty. The American Founding Fathers studied this work closely. Rousseau, in his *Social Contract* of 1762, took the ideas of Montesquieu and also Locke a step further; he argued that all government rested on a social contract (not on divine right, not the Bible, not tradition of any kind) in which "the assembled people" (democracy) determined everything. For him, "the person of the meanest citizen is as sacred and inviolable as that of the first magistrate"; in other words, Rousseau insisted on complete equality (between men).

Although the most democratic of the Enlightenment writers, Rousseau said relatively little about rights. In fact, one of the most enduring criticisms of his work is that he failed to guarantee individual rights under the social contract. The community apparently took precedence over the individual in Rousseau's view. Other Enlightenment writers stepped into this gap. Voltaire made his reputation defending those who had been persecuted for their religious opinions. As yet, however, there was more talk about rights in general than about specific rights. Writers often referred to rights as if everyone knew what they meant, but in fact many ambiguities remained: Should Protestants or Jews have the same rights as Catholics in France? Should poor men have the same rights as property owners? Should women enjoy the same rights as men?

Despite the strong efforts of the French monarchy and the Catholic Church to ban the works of Montesquieu, Voltaire, and Rousseau, their influence soon spread, even to the highest echelons of the state that originally opposed them. Other monarchs in Europe eagerly sought the friendship and advice of Enlightenment writers, and it was only a matter of time before leading French bureaucrats also took up their ideas. Among the most striking cases was that of Turgot, one of the chief ministers of Louis XVI. His memorandum to the King of 1775 shows that talk of rights had permeated the highest levels of government.

Before the Revolution broke out in 1789, most discussion of rights in France focused on the plight of religious minorities. After years of criticism and discussion, the French crown granted certain civil rights to Protestants in 1787, but not political ones. Once civil rights had been granted to Protestants, it was perhaps inevitable that the question of Jewish rights would be raised. But the French monarchy did not offer any reforms in the status of Jews.

A particularly contentious issue in the 1780s was that of slavery. A powerful current of antislavery opinion was welling up in England, France, and the new United States, abetted in part by the influential anti-slavery tracts of a French Catholic clergyman, Abbé Raynal. Raynal denounced slavery along with most European commerce with the colonies. His work had great impact in the British North American colonies as well as in Europe.

Writers, philosophers, and clerics had long debated the question of a woman's role in society, but this discussion did little to inspire government action before 1789, or to prompt the formation of clubs or societies concerned with improving the status of women. Enlightenment writers interested in the subject focused on the education of women, rather than on their civil or political rights. Most people in France, men and women alike, believed that a woman's place was in the home, not in the public sphere. This widely held view helps explain the absence of organized women's groups in France before the outbreak of the Revolution. Once the King convoked the Estates-General in 1789, however, women took the opportunity to submit their own petitions, thereby helping place their own concerns on the revolutionary agenda.

As the notion of rights spread, it became increasingly radical. When King Louis XVI called the Estates-General to meet in 1789, he inadvertently released a torrent of complaints about the future of the country in the form of pamphlets. One of the most influential of these pamphlets was written by a clergyman, Abbé Sieyès. In "What Is the Third Estate?", he offered a fundamentally new vision of French society in which position would be determined by usefulness, not birth. In short, he attacked the concept of a hereditary nobility. Sieyès's pamphlet helped clear the way for the views that would be expressed in the Declaration of the Rights of Man and Citizen.

Before the revolutionaries could establish the Declaration of Rights as the fount of governing authority, however, they had to tear down the ancient edifice. They did not immediately abolish monarchy itself; instead they tried to put it on a different foundation of constitutionalism. But they did abolish the old system of special privileges. In one long session (throughout the night of 4 August 1789), the deputies to the new National Assembly voluntarily renounced the privileges of their towns, provinces, and various social groups. Nobles, clergy, judges, and even ordinary taxpayers lost whatever special standing they had gained over the centuries. From now on, everyone was to be identical before the law. This concept of equality became one of the cardinal principles of the new declaration, passed only three weeks later.

The declaration gave birth to the famous revolutionary triad: Liberty, Equality, and Fraternity. In all images of the time, these principles were represented by female figures—but that did not mean women were about to gain equal access to the rights the triad embodied. The declaration said nothing about women, or about religious minorities, or men who did not own property, or slaves. Not surprisingly, the moment the declaration passed, the status of all these groups became the subject of heated debate.

The first issue taken up was the question of property qualifications for full citizenship. The National Assembly instituted property qualifications only to rescind them in 1792 and reinstitute them after 1795. When the question of religious minorities came up, the assembly readily agreed to grant full rights to Protestants but hesitated to do so for Jews. Jews petitioned for full rights and finally gained them on 27 September 1791.

The question of slavery was more complicated still, if only because a large proportion of French commerce depended on the colonies, whose agrarian economy rested heavily on that institution. In the French colonies, mulattos and free blacks had begun agitating for rights, but any such move was fiercely resisted by white planters, who feared it would undermine the entire slave system. The National Assembly tried to take a middle course, still supporting the slave system but granting rights to certain free blacks and mulattos (in May 1791). Some deputies wanted to abolish the slave trade and slavery itself. When a massive slave revolt broke out in the largest French

colony, Saint Domingue (present-day Haiti; see Chapter 8), the deputies rescinded the rights of free blacks and mulattos, only to reinstitute them a few months later (March 1792). The assembly originally tried to suppress the slave revolt, but rather than lose the colony altogether when the slaves threatened to ally with Great Britain and Spain, the National Convention, on 4 February 1794, finally abolished slavery in all the colonies. It would be reestablished under Napoleon in 1802.

Once the French Revolution got under way, it sparked the first explicit feminist movement in history. Members of both sexes were now arguing that women should enjoy the same rights as men, but they were definitely in the minority. The prevailing view was still that women were fundamentally different from men and should confine themselves to domestic concerns. Nevertheless, a small number of women set up their own clubs and, though they hesitated to ask for the vote and other political rights, they insisted that women should be educated to be good republicans and should participate in the Revolution as much as possible, whether by ferreting out counterrevolutionaries, watching the marketplaces for infractions against the new price controls, making bandages for the war effort, or even on some rare occasions arming themselves to go to the front. In response to the upsurge in female political activity, the National Convention officially banned all women's political clubs on 29–30 October 1793. Although women continued to be denied political rights, they had acquired more civil rights than ever before. New laws established divorce for the first time and gave women equal access to it; other laws insisted that girls have the same inheritance rights as boys when families passed on their property.

After all the debates, the Declaration of the Rights of Man and Citizen remained open to modification as the Revolution changed course. In 1793 the National Convention offered a new constitution, which included a modified Declaration of the Rights of Man and Citizen. The new declaration repeated many of the provisions of the first one but added an emphasis on social welfare (Article 21: "Society owes maintenance to unfortunate citizens"). Although the new constitution never went into effect (it was shelved while the country was at war), it and the declaration reflected a growing tension that would henceforth accompany the discussion of rights. Many questions remained to be answered: Should these rights be simple guarantees of legal freedom and equality, or should they encompass more ambitious prospects of social improvement and amelioration? Did rights apply just to legal and political activities, or did they also extend to the social and economic sphere of life? Did people have a right to help form their government?

In 1795 the National Convention wrote yet another constitution, and this one actually did go into effect. The deputies also prepared a Declaration of the Rights and Duties of Man and Citizen, thereby responding to a current of opinion that had already gathered some strength during the 1789 discussions. Should a declaration of rights not be accompanied by a declaration of duties? The duties listed here have a modern resonance: they include what we would call "family values," a defense of property, and a call to military service. Still, the declaration of duties made quite clear that both rights and duties pertained only to men.