

I beseech you, bestow upon the English tyrant the satisfaction of learning that the man who helped America, the land of my love, to burst her fetters, has died on the scaffold.

Marat (rushing into the middle of the chamber)—Paine's reason for voting against the death penalty is that he is a Quaker.

Paine—I have been influenced in my vote by public policy as well as by moral reasons.

PLAN OF A DECLARATION

OF THE NATURAL, CIVIL AND POLITICAL RIGHTS OF MAN

In October, 1792 Paine served on a committee of nine members appointed by the National Convention to draw up a Constitution for France. He collaborated with Danton, Brissot, Condorcet, Sieyès and four others in drafting the new frame of government, but it was never adopted. This *Plan* was probably drawn up by Paine in collaboration with Condorcet in January, 1793.—*Editor*.

THE aim of men gathered together in society being the maintenance of their natural, civil and political rights, these rights are the basis of the social compact, and their recognition and their declaration should precede the constitution which assures their guarantee.

1. The natural, civil and political rights of man are liberty, equality, security, property, social guarantees, and resistance to oppression.

2. Liberty is the power to do everything that does not interfere with the rights of others: thus, the exercise of the natural rights of every individual has no limits save those that assure to other members of society the enjoyment of the same rights.

3. The preservation of liberty depends on obedience to the law, which is the expression of the general will. Anything that is not prohibited by the law cannot be forbidden, and no one can be constrained to do that which the law does not ordain.

4. Every man is free to publish his thoughts and opinions.

5. The freedom of the press, and of every other medium for the expression of thought, cannot be interdicted, suspended or limited.

6. Every man is free in the exercise of his religion.

7. Equality consists in the enjoyment of the same rights by each.

8. The law should be equal for all, whether it rewards or punishes, whether it protects or restrains.

9. All citizens have the right of admission to all public positions, employments and functions. The only motives of preference known to a free people are talents and virtues.

10. Security consists in the protection granted by society to every citizen for the preservation of his person, his possessions and his rights.

11. No one should be summoned before a court, arrested, accused or imprisoned except in cases determined by law, and according to the forms which it prescribes. All other acts directed against a citizen are arbitrary and null.

12. Those who solicit, assist, sign, execute or cause to be executed such acts, are criminals and should be punished.

13. Citizens exposed to such acts have the right to repel force by force; but every citizen, summoned or arrested by the authority of the law, and according to the forms prescribed by the law, should at once submit: he is culpable if he resist.

14. As every man is presumed to be innocent until he is proved to be guilty, all rigor that is not needed for the security of his person should be severely checked by the law, in case of his arrest.

15. No one should be punished save by a law enacted and promulgated anteriorly to the crime, and legally applied.

16. A law that punishes crimes committed before its existence, is an act of despotism, because a retroactive effect given to a law is in itself a crime.

17. The law should not decree any penalties that are not strictly and evidently necessary for the general safety. The punishment should fit the crime and be useful to society.

18. The right of property consists in the liberty of every man to make such a disposition of his possessions, capital, income and industry as he chooses.

19. No citizen can be prevented from engaging in any kind of labor, commerce or agriculture; he can manufacture, sell and transport every species of production.

20. Every man can pledge his services and his time; but he cannot sell himself: his person is not an alienable property.

21. No one can be deprived of the smallest portion of his property without his own consent, except when a public need, legally established,

plainly requires it, and then only on condition of a just, preliminary indemnity.

22. No tax can be exacted save for the general utility and for the purpose of relieving the public necessities. All citizens have the right of assenting, either in person or by the representatives, to the imposition of taxes.

23. Education is the right of everyone, and society owes it to all its members equally.

24. To aid the needy is a sacred debt of society; and it is for the law to determine its extent and application.

25. The social guarantee of the rights of man is based upon the national sovereignty.

26. The national sovereignty is one, indivisible, imprescriptible and inalienable.

27. It resides essentially in the entire people, and each citizen has an equal right to concur in its exercise.

28. No partial assembly of citizens and no individual, can be invested with this sovereignty, or can exercise any authority or fulfil any public function without the formal delegation of the law.

29. The social guarantee cannot exist if the limits of public functions are not clearly determined by the law, and if the responsibility of all public functionaries is not assured.

30. All citizens are bound to concur in this guarantee, and to assist the law, when they are summoned in its name.

31. Men, gathered together in society, should have the legal means of resisting oppression.

32. There is oppression when a law violates the natural, civil or political rights which it ought to guarantee. There is oppression when the law is violated by public functionaries in its application to individual acts. There is oppression when arbitrary acts, opposed to the expression, of the law, violate the rights of citizens. In every free government, the method of resistance to these various acts of oppression should be regulated by the constitution.

33. A people has always the right to review, reform and change its constitution. One generation has not the right to subject future generations to its laws; and all heredity in public employments is absurd and tyrannical.