## DÉCLARATION DES DROITS DE L'HOMME

re

ET DU CITOYEN, Décretés par l'Assemblée Nationale dans les séances des 20,21 23,24 et 26 aoûst 1789, icceptés par le Roi

#### PRÉAMBULE

LES représantans du peuple François constitués in assemblée nationale, considérant que l'ignorance, publi ou le mépris des droits de lhomme sont les seules causes des malheurs publics et de la corruption des gouvernemens. causes des malheurs publics et de la corruption des gouvernemens. ont résolu dexposet dans une déclaration solemnelle, les droits maturels, inaliénables et sacrés de lhomme : afin que cette décla ration, constamment présente a tous les membres du corps social, leur rappelle sans cesse leurs droits et leurs devoirs alin que les actes du pouvoir legislatif et ceux du pouvoir exé cutif, pouvant être à chaque instant comparés avec le but de toure institution politique, en soient plus respectés; afin que les reclamations des citoyens, fondées désormais sur des princi pes simples et incontestables, tournent toujours au maintien de la constitution et du bonheur de tous.

EN conséquence, l'assemblée nationale reconnoit et déclare en presence et sous les auspices de l'Etre suprême les droits auivans de l'homme et du citoyen .

ARTICLE PREMIER LESI ne neuvent être fond

NUL homme ne peut être accusé, arreté, ni détenu que dans les cas déterminés par la loi, er selon les formes qu'elle a prescrites, ceux qui sollici-tent, expédient, exécutent ou font exécuter des ordres arbitraires, doivent être punis; mais tout citoyen appelé ou saisi en vertu de la loi, doit obéir a linstant, il se rend coupable par la résistance.

par la resisiance. LA loi ne doit établir que des peines scrictement et évidem ment nécessaire, et nul ne peut être puni qu'en vertu d'une loi établiq et promulguée antérierement au délit, et légale ment appliquée.

IX. TOUT homme étant présumé innocent jusqu'à cequ'il ait été déclaré coupable, s'îl est jugé indispensable de l'arrêter, toute rigueur qui ne serait pas nécessaire pour s'assurer de

sa personne doit être sévérement réprimée par la loi. NUL ne doit être inquiété pour ses opinions, mêmes religi-euses pourvu que leur manifestation ne trouble pas l'ordre public établi par la loi.

# Sovereignty

By Eman M. Elshaikh

A dictionary definition isn't much help when trying to grasp the important concept of sovereignty. But understanding how radically it changed people's personal and political lives is a good start.

#### Introduction

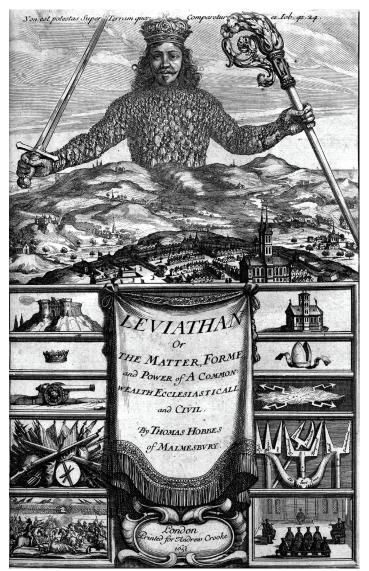
In the wake of the Enlightenment, many societies around the world pursued sovereignty—the right and the power of a person or a nation to govern themselves. Sovereignty is a broad term that influences many modern concepts such as identity, individuality, and rationality (the use of reason). These ideas developed together during the long nineteenth century and were connected to the Scientific Revolution and the Enlightenment. Without the concept of sovereignty, however, they would make no sense.

### Sovereignty and liberal ideals

The long nineteenth century saw many changes including growing distrust in the authority of monarchs and religious institutions, and more interest in individualism, freedom, and rationality. These liberal political ideals (goals for perfection) generally placed a lot of importance on the people as a source of political power. One expression of this was the concept of popular sovereignty, the belief that a state's power comes from the consent of the people. According to these ideas, a government is only legitimate if it represents the needs and ideas of the people who are governed.

In an absolute monarchy, sovereignty is in the hands of the king or queen. In other words, the state is whatever the monarch says it is. Popular sovereignty, on the other hand, views the state as a political organization that makes possible the ruling of a specific territory. The people within this type of state are usually not passive as subjects, but rather are citizens, with actual political rights. Rather than passively obeying the ruler, citizens could take an active role in the political process. This meant that popular sovereignty also encouraged the recognition of the individual and individual rights.

Believe it or not, it was unusual to suggest that an individual who wasn't a ruler was rational and deserved autonomy, or self-governance. That meant that society and government were only legitimate when they helped individuals achieve their goals and protected their rights. Today we may take this for granted, but at the time this was a pretty new, even revolutionary concept.



<u>Image from Leviathan</u>, a book written by Thomas Hobbes (1588– 1679) and published in 1651. Though this book was published in the early modern period, the image of the Leviathan as a large body composed of many individuals was powerful for centuries after. Public domain.

### Sovereignty for whom?

We must not confuse sovereignty with equality or civil rights. Although citizens had rights, that didn't necessarily mean that all citizens had the same rights in practice, or that everyone in a society could be considered a citizen. So, who got left out? A person's ability to participate in government—and to govern themselves—was often dependent on their class, race, and gender. Typically, in Europe and European colonies, only white land-owning males were truly independent. The conquered people of the colonies didn't become citizens. Similarly, enslaved people, working-class people, and women weren't given the same kinds of rights. In other words, personal sovereignty and autonomy were luxuries offered to a very small segment of society.

In fact, in many ways, the achievement of sovereignty for some resulted in the loss freedom for others. For example, in several sovereign democracies like the United States, slavery was still legal, thriving, and important to the economy. Need a powerful example of how sovereignty does not mean equality? Just look at the American Three-Fifths Compromise of 1787. In this agreement, each enslaved person was counted as three-fifths of a full citizen for the purposes of determining representation (the right to vote) and taxation. In this case, the inclusion of enslaved people was seen as compatible with popular sovereignty for other people, but... three-fifths? Slavery is already fundamentally dehumanizing, but to have your humanity mathematically downgraded is one of history's most literal and glaring examples of inequality.

#### Women, workers, and children

The same is true for most children. Middle- and upperclass families in Europe and the Americas got to enjoy new values of familial love and innocence. Educating your children instead of putting them to work was a privilege. In places like Japan, children were seen as especially vulnerable, and there were many government programs designed to protect children during this fragile phase in life.

However, if you weren't part of the small privileged class, or in Japan, it was another story. Under slavery and colonialism, children were forcibly separated from their parents. Enslaved children were sold, and indigenous children were sometimes sent away from their families. Also, within the colonies, many children of mixed heritage were born outside of marriage. Because of race laws and the realities of colonial hierarchies, mixed children would almost never get to be a part of a cohesive family unit.

In colonial settings, many children were seen as the subjects of colonial masters, and working conditions could be pretty harsh. Whether through indentured labor or wage labor, children in Latin America, sub-Saharan Africa, the Middle East, and India continued to labor in plantations, factories, and mines. They also often



<u>Mary Wollstonecraft</u> was a notable Enlightenment figure, and she was a strong proponent of equality for women. By John Opie, public domain.

worked as household servants. In other parts of the world, like in China, classical values like obedience and hard work continued to shape children's lives.

Women were also often left out when it came to personal sovereignty. Some Enlightenment thinkers still saw women as inferior to men, while others pushed for women's equality. However, women also differed across race, class, and region. Working class women, women of color, and colonial subjects didn't have access to these new social and educational opportunities. In most places, women of the lower classes took on new roles out of economic need. Many single mothers had to work to support their families.

#### Citizenship and the modern subject

Let's not forget that all these cultural and social shifts were about much more than just a single issue. Rather, peoples' entire relationship to the state was being altered. Some found that the state now gave them freedom to control their lives and bodies, while others found they had less control. For example, women were increasingly valued as those responsible for raising the next generation of citizens. To educate their children and ensure their full political participation, mothers needed to be educated too. Motherhood became a political act! This created new opportunities for women, but it also meant that a woman's decision whether to have children at all was not necessarily hers to make.

Children, too, came to be controlled more—partly through schools. Schools tried to promote children's health and protect them from abuse, but also control their daily activity. In Canada, Australia, and the United States, governments often forced indigenous children into boarding schools. The purpose was to change behaviors that colonists saw as problematic. That usually meant getting them to adopt European traditions and customs and leave their own behind. Similarly, in British India, school was used to instill European values in students with the goal of making them more useful as colonial subjects.

So, while Enlightenment ideas about citizenship, sovereignty, and autonomy changed the face of the globe, it's important to remember that these changes were very uneven. Through the modern period and into the twenty-first century, different groups of people have been included and excluded from these values. However, these ideas surrounding personal sovereignty have continued to influence many political institutions to this day.

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#### Image credits

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**Image from Leviathan**, a book written by Thomas Hobbes (1588–1679) and published in 1651. Though this book was published in the early modern period, the image of the Leviathan as a large body composed of many individuals was powerful for centuries after. By Unknown, public domain. <u>https://en.wikipedia.org/wiki/Sovereignty#/media/File:Leviathan\_by\_Thomas\_Hobbes.jpg</u>

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