

## Cahiers of the Clergy

Given by the holy Order of of the bailliage of of Blois and of the secondary bailliage of Romorantin.

### First Division

#### *Religion*

Whitcombe's Note:

*This division, which relates almost exclusively to the affairs of the French church, has been omitted as being of relatively small importance to the general student. It is worthy of note, however, that Art. 1-3 deplore the extension of religious liberty to non-catholics and the growing freedom of the press.*

### Second Division

#### *Constitution*

The clergy of the *bailliage* of Blois have never believed that the constitution needed reform. Nothing is wanting to assure the welfare of king and people except that the present constitution should religiously and inviolably observed.

The constitutional principles concerning which no doubt can entertained are :

1. That France is a true monarchy, where a single man rules and is ruled by law alone.
2. That the general laws of the kingdoro may be enacted only with the consent of the king and the nation. If the king proposes a law the nation accepts or rejects it; ff the nation demands a law, it is for the king to consent or to reject it; but in either case it is the king alone who upholds the law in his name and attends to its execution.
3. That in France we recognize as king him to whom the crown belongs by hereditary right according to the Salic law.
4. That we recognize the nation in the States General, composed of the three orders of the kingdom, which are the clergy, the nobility and the third estate.
5. That to the king belongs the right of assembling the States General, whenever he considers it necessary.

For the welfare of the kingdom we ask, in common with the whole nation, that this convocation be periodical and fixed, as we particularly desire, at every five years, except in the case of the next meeting, when (3) the great number of matters to be dealt with makes a less remote period desirable.

6. That the States General should not vote otherwise than by order.

7. That the three orders are equal in power and independent of each other, in such a manner that their unanimous consent is necessary to the expression of the nation's will.

8. That no tax may be laid without the consent of the nation.

9. That every citizen has, under the law, a sacred and inviolable right to personal liberty and to the possession of his goods.

We regard *lettres de cachet* The expense which the convocation of the States General will entail, through the necessary disturbance of citizens in their dence and vocations, ought to be diminished by a simplification of the forms of convocation.

. A consideration of the proportion which ought to be established between the representatives of the higher and the lower clergy moves us to ask of the king that for the future the two divisions of the order shall hold their elections separately, and that in the lower division of the clerical order the forms of election shall be such that no member of the bodies which compose the order may be deprived of the representation which is his due.

The provincial estates or assemblies seem to us to constitute the regime likely to produce the best results in all branches of administration. We beseech the king to give them a legal existence and to organize them with a view to preserving the requisite balance between the interests involved, according to the clergy a number of representstives equal to that of the nobility.

## Cahiers of the Nobility

(8) Given by the nobility of the bailliage of Blois to the viccount of Brauharnois and the cavalier de Phelines, deputies of the order to the States General and to M. Lavoisier, supplementary deputy, March 28, 1789.

The object of every social institution is to confer the greatest possible happiness upon those who live under its laws.

Happiness ought not to be confined to a small number of men; it belongs to all. It is not an exclusive privilege to be contested for. It is a common right which must be preserved, which must be shared, and the public happiness is a source from which each has a right to draw his supply.

Such are the sentiments which animate the nobility of the *Bailliage* of Blois, at a moment when we are called upon by the sovereign to give our representatives to the nation. These principles have occupied all our thoughts during the preparation of this cahier. May they animate all citizens of this great state! May they evoke that spirit of union, that unanimity of desires which shall erect upon an indestrucible foundation of power the prosperity of the nation, the welfare of the monarch and his subjects! Deep and established ills cannot be cured with a single effort: the destruction of abuses is not the work of a day. Alas! of what avail to reform them if their causes be not removed? The misfortune of France arises from the fact that it has never had a fixed constitution. A virtuous and sympathetic king seeks the counsels and cooperation of the nation to establish one; let us hasten to accomplish his desires; let us hasten to restore to his soul that peace which his virtues merit. The principles of this constitution should be simple; they may be reduced to two: Security for person, security for property; because, in fact, it is from these two fertile principles that all organization of the body politic takes its rise.

### Personal Liberty

Art. I. In order to assure the exercise of this first and most sacred of the rights of man, we ask that no citizen may be exiled, arrested or held prisoner except in cases contemplated by the law and in accordance with a decree originating in the regular courts of justice.

(9) That in case the States General determine that provisional detention may be necessary at times, it ought to be ordained that every person so arrested shall be delivered, within twenty-four hours into the hand of appropriate judges, to be judged with the least possible delay, conformity with the laws of the kingdom; that evocations be abolished, and that no extraordinary commission be established in any instance finally that no person be deprived of his position, civil or military without judgment in due form.

Since individual liberty is a right equally sacred for citizens of all ranks and classes, without distinction or precedence, the States-General are invited to interest themselves in the suppression of all forced service in the militia and of acts of authority which involve the violation of personal rights, and which are the more intolerable in a century of

intelligence, when it is possible to accomplish the same end with less oppressive means. The application of these principles ought to suffer exception only in the case of an urgent necessity, when the safety of the country is at stake, in which case the extent of the executive power should be enlarged.

From the right of personal liberty arises the right to write, to think, to print and to publish, with the names of authors and publishers, all kinds of complaints and reflections upon public and private affairs, limited by the right of every citizen to seek in the established courts legal redress against author or publisher, in case of defamation or injury; limited also by all restrictions which the States General may see fit to impose in that which concerns morals and religion.

The violation of the secrecy of letters is still an infringement upon the liberty of citizens; and since the sovereign has assumed the exclusive right of transporting letters throughout the kingdom, and this has become a source of public revenue, such carriage ought to be made under the seal of confidence.

We indicate further a number of instances in which natural liberty is abridged:

i. The abuse of police regulations, which every year, in an arbitrary manner and without regular process, thrusts a number of artisans and useful citizens into prisons, work-houses and places of detention, often for trivial faults and even upon simple suspicion;

2. The abuse of exclusive privileges which fetter industry; 3. The guilds and corporations which deprive citizens of the right of using their faculties;

(10)4. The regulations governing manufactures, the rights of inspection and marque, which impose restrictions that have lost their usefulness and which burden industry with a tax that yields no profit to the public treasury.

## **Cahier of the Third Estate**

Of the grievances, complaints and remonitranes of ih. members of The third estate of the bailliage of Versailles.

Art. 1. The Power of making laws resides in the king and the nation.

Art. 2. The nation being too numerous for a personal exercise of this right, has confided its trust to representatives freely chosen from all classes of citizens. These representatives constitute the national assembly.

(24)Art. 3. Frenchmen should regard as laws of the kingdom those alone which have been prepared by the national assembly and sanctioned by the king.

Art. 4. Succession in the male line and primogeniture are usages as ancient as the monarchy, and ought to be maintained and consecrated by solemn and irrevocable enactment.

Art. 5. The laws prepared by the States General and sanctioned by the king shall be binding upon all classes of citizens and upon all provinces of the kingdom They shall be registered literally and accurately in all courts of law. They shall be open for consultation at all seats of municipal and communal government; and shall be read at sermon time in all parishes.

Art. 6. That the nation may not be deprived of that portion of legislation which is its due, and that the affairs of the kingdom may not suffer neglect and delay, the States General shall be convoked at least every two or three years.

Art. 7. No intermediate commission of the States General may ever be established, since deputies of the nation have no right to delegate the powers confirmed to them.

Art 8. Powers shall be conferred upon delegates for one year only; but they may be continued or confirmed by a single re-election.

Art. 9. The persons of deputies shall be inviolable. They may not be prosecuted in civil cases during their term of office; nor held reponsible to the executive authorities for any speech made in the assembly; but they shall be responsible to the States General alone.

Art. 10. Deputies of the Third Estate, or their president or speaker, shall preserve the same attitude and demeanor as the representatives of the two upper orders when they address the sovereign. As regards the three orders there shall be no difference observed in the ceremonial made use of at the convocation of the estates.

Art. 11. Personal liberty, proprietary rights and the security of citizens shall be established in a clear, precise and irrevocable manner. All *lettres de cachet* shall be

abolished forever, subject to certain modifications which the States General may see fit to impose.

Art. 12. And to remove forever the possibility of injury to the personal and proprietary rights of Frenchmen, the jury system shall be introduced in all criminal cases, and in civil cases for the determination of fact, in all the courts of the realm.

[...]

The communes of the bailliage of Versailles have already expressed themselves in respect to the necessity of adopting the form of deliberation *per capita* in the coming States General. The reform of the constitution will be one of their principal duties. This magnificent monument of liberty and public felicity should be the work of the three orders in common session; if they are separated, certain pretensions, anxieties and jealousies are bound to arise; the two upper orders are likely to oppose obstacles perhaps invincible, to the reform of abuses and the enactment of laws destined to suppress such abuses. It seems indispensable that in this first assembly votes should be taken *per capita* and not by order. After the renunciation by the upper two orders of their pecuniary privileges; after all distinctions before the law have been abolished; when the exclusion of the third estate from certain offices and positions has been done away with, then the reasons which to-day necessitate deliberation *per capita* will no longer exist.

The communes of Versailles therefore refrain from expressing a positive opinion upon the future composition of the national assemblies and upon the method of their deliberation. They defer, with all confidence, the decision of this important question to the wisdom of the States General.

Our prayer is that the methods determined upon shall be such as will assure forever, to the king and to the nation, those portions of the legislative power which respectively belong to them; that they shall maintain between them a perfect equilibrium in the employment of this power; that they shall conserve, forever, to the nation its rights and liberties; to the king his prerogatives and the executive power in all its fulness. Finally that these methods should be so combined as to produce that circumspectness and lack of haste so necessary to the enactment of laws, and that they will effectually prevent all hasty counsels, dissensions amongst deputies and immature conclusions.

May all deputies to this august assembly, impressed with the sanctity and extent of their obligations, forget that they are the mandataries of some special order, and remember only that they are representatives of the people. May they never be forgetful of the fact, that they are about to fix the destinies of the foremost nation of the world! (30)