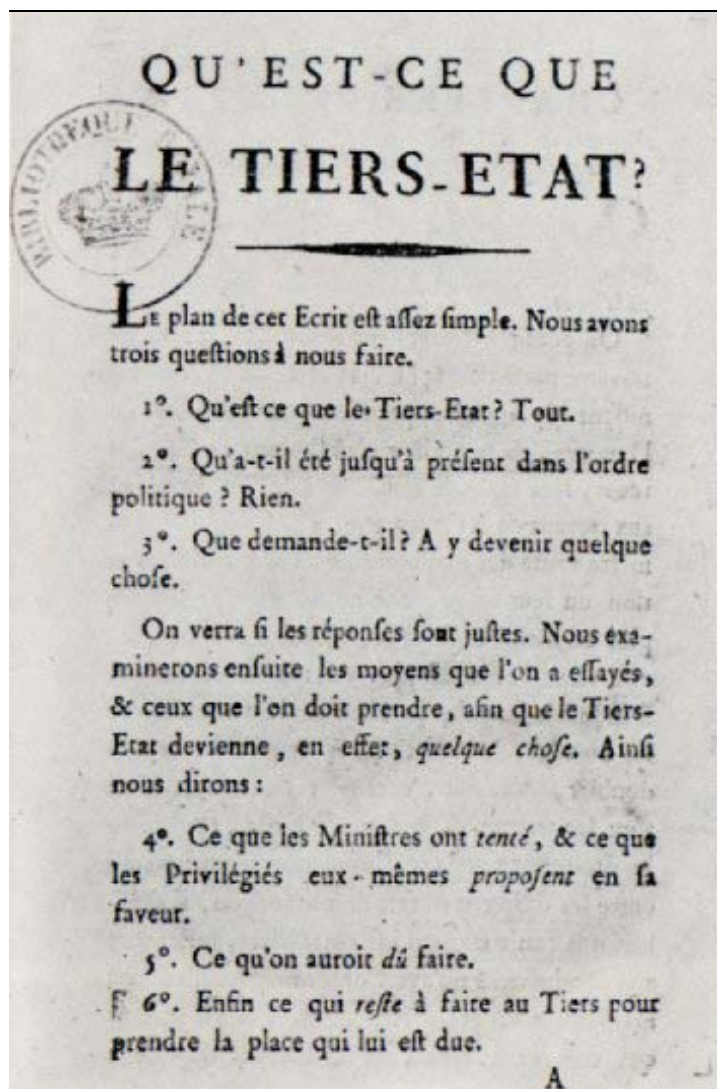


Emmanuel-Joseph Sieyès, *What is the Third Estate?* (1789)



[Introductory note: Hundreds of pamphlets appeared in the course of the great public debate over the forms to be followed in the convocation of the Estates General. Few, if any, could match this one in rhetorical force or revolutionary logic. Written in the last months of 1788, and published at the very beginning of 1789, Sieyès's famous pamphlet focused the resentments and shaped the demands of the Third Estate during the period of elections to the Estates General, defined the political strategy followed by its representatives when the assembly finally opened in May 1789, and elaborated principles that were to become fundamental in the subsequent development of revolutionary ideology.

Emmanuel-Joseph Sieyès (1748-1836) was the son of a minor financial official whose search for advancement through a church career had brought him by 1788 to the position of vicar-general in the diocese of Chartres. So successful was his pamphlet that he was elected deputy of the Third Estate of Paris despite his clerical status. He played a leading role in the early period of the French Revolution, only to lose influence as revolutionary politics grew more radical. Surviving the Terror, he eventually played an important role in the coup d'état that brought Napoleon to power].

What is the Third Estate?

The plan of this book is fairly simple. We must ask ourselves three questions.

What is the Third Estate? *Everything*.

What has it been until now in the political order? *Nothing*.

What does it want to be? *Something*.

We are going to see whether the answers are correct... We shall next examine the measures that have been tried and those that must still be taken for the Third Estate really to become something. Thus, we shall state:

4. What the Ministers have attempted and what even the privileged orders propose to do for it. What ought to have been done. Finally, what remains to be done in order that the Third Estate should take its rightful place.

Chapter 1. *The Third Estate Is a Complete Nation*

What does a nation require to survive and prosper? It needs private activities and public services.

These private activities can all be comprised within four classes of persons:

1. Since land and water provide the basic materials for human needs, the first class, in logical order, includes all the families connected with work on the land.

2. Between the initial sale of goods and the moment when they reach the consumer or user, goods acquire an increased value of a more or less compound nature through the incorporation of varying amounts of labors. In this way human industry manages to improve the gifts of nature and the value of the raw material may be multiplied twice, or ten-fold, or a hundred-fold. Such are the activities of the second class of persons.

3. Between production and consumption, as also between the various stages of production, a variety of intermediary agents intervene, to help producers as well as consumers; these are the dealers and the merchants. Merchants continually compare needs according to place and time and estimate the profits to be obtained from warehousing and transportation; dealers undertake, in the final stage, to deliver the goods on the wholesale and retail markets. Such is the function of the third class of persons.

4. Besides these three classes of useful and industrious citizens who deal with things fit to be consumed or used, society also requires a vast number of special activities and of services directly useful or pleasant to the person. This fourth class embraces all sorts of occupations, from the most distinguished liberal and scientific professions to the lowest of menial tasks.

Such are the activities which support society. But who performs them? The Third Estate.

Public services can also, at present, be divided into four known categories, the army, the law, the Church and the bureaucracy. It needs no detailed analysis to show that the Third Estate everywhere constitutes nineteen twentieths of them, except that it is loaded with all the really arduous work, all the tasks which the privileged order refuses to perform. Only the well paid and honorific posts are filled by members of the privileged order. Are we to give them credit for this? We could do so only if the Third Estate was unable or unwilling to fill these posts. We know the answer. Nevertheless, the privileged have dared to preclude the Third Estate. “No matter how useful you are,” they said, “no matter how able you are, you can go so far and no further. Honors are not for the like of you.” The rare exceptions, noticeable as they are bound to be, are mere mockery, and the sort of language allowed on such occasions is an additional insult.

If this exclusion is a social crime, a veritable act of war against the Third Estate, can it be said at least to be useful to the commonwealth? Ah! Do we not understand the consequences of monopoly? While discouraging those it excludes, does it not destroy the skill of those it favors? Are we unaware that any work from which free competition is excluded will be performed less well and more expensively? . . .

It suffices to have made the point that the so-called usefulness of a privileged order to the public service is a fallacy; that, without help from this order, all the arduous tasks in the service are performed by the Third Estate; that without this order the higher posts could be infinitely better filled; that they ought to be the natural prize and reward of recognized ability and service; and that if the privileged have succeeded in usurping all well-paid and honorific posts, this is both a hateful iniquity towards the generality of citizens and an act of treason to the commonwealth.

Who is bold enough to maintain that the Third Estate does not contain within itself everything needful to constitute a complete nation? It is like a strong and robust man with one arm still in chains. If the privileged order were removed, the nation would not be something less but something more. What then is the Third Estate? All; but an “all” that is fettered and oppressed. What would it be without the privileged order? It would be all; but free and

flourishing. Nothing will go well without the Third Estate; everything would go considerably better without the two others.

It is not enough to have shown that the privileged, far from being useful to the nation, can only weaken and injure it; we must prove further that the nobility is not part of our society at all; it may be a burden for the nation, but it cannot be part of it.

First, it is impossible to find what place to assign to the caste of nobles among all the elements of a nation. I know that there are many people, all too many, who, from infirmity, incapacity, incurable idleness or a collapse of morality, perform no functions at all in society. Exceptions and abuses always exist alongside the rule, and particularly in a large commonwealth. But all will agree that the fewer these abuses, the better organized a state is supposed to be. The most ill-organized state of all would be the one where not just isolated individuals but a complete class of citizens would glory in inactivity amidst the general movement and contrive to consume the best part of the product without having in any way helped to produce it. Such a class, surely, is foreign to the nation because of its idleness.

The nobility, however, is also a foreigner in our midst because of its civil and political prerogatives.

What is a nation? A body of associates living under common laws and represented by the same legislative assembly, etc.

Is it not obvious that the nobility possesses privileges and exemptions which it brazenly calls its rights and which stand distinct from the rights of the great body of citizens? Because of these special rights, the nobility does not belong to the common order, nor is it subjected to the common laws. Thus its private rights make it a people apart in the great nation. It is truly *imperium in imperio*.

As for its political rights, it also exercises these separately from the nation. It has its own representatives who are charged with no mandate from the People. Its deputies sit separately, and even if they sat in the same chamber as the deputies of ordinary citizens they would still constitute a different and separate representation. They are foreign to the nation first because of their origin, since they do not owe their powers to the People; and secondly because of their

aim, since this consists in defending, not the general interest, but the private one.

The Third Estate then contains everything that pertains to the nation while nobody outside the Third Estate can be considered as part of the nation. What is the Third Estate? *Everything*.

Chapter 2. *What Has the Third Estate Been Until Now? Nothing*

We shall examine neither the condition of servitude in which the People has suffered for so long, nor that of constraint and humiliation in which it is still confined. Its status has changed in private law. It must change still further: the nation as a whole cannot be free, nor can any of its separate orders, unless the Third Estate is free. Freedom does not derive from privileges. It derives from the rights of citizens-and these rights belong to all.

If the aristocrats try to repress the People at the expense of that very freedom of which they prove themselves unworthy, the Third Estate will dare challenge their right. If they reply, "by the right of conquest," one must concede that this is to go back rather far. Yet the Third Estate need not fear examining the past. It will betake itself to the year preceding the "conquest"; and as it is nowadays too strong to be conquered it will certainly resist effectively. Why should it not repatriate to the Franconian forests all the families who wildly claim to descend from the race of the conquerors and to inherit their rights of conquest? [...]

Let us pursue our theme. By Third Estate is meant all the citizens who belong to the common order. Anybody who holds a legal privilege of any kind deserts the common order, stands as an exception to the common laws and, consequently, does not belong to the Third Estate. As we have already said, a nation is made one by virtue of common laws and common representation. It is indisputably only too true that in France a man who is protected only by the common laws is a nobody; whoever is totally unprivileged must submit to every form of contempt, insult and humiliation. To avoid being completely crushed, what must the unlucky non-privileged person do? He has to attach himself by all kinds of contemptible actions to some magnate; he prostitutes his principles

and human dignity for the possibility of claiming, in his need, the protection of a somebody.

But we are less concerned in this book with the civil rights of the Third Estate than with its relationship to the constitution. Let us see what part it plays in the States-General.

Who have been its so-called “Representatives”? Men who have been raised to the nobility or have received temporary privileges. These bogus deputies have not even been always freely elected by the People. In the States-General sometimes, and in the Provincial Estates almost always, the representation of the People is considered as inherent in the holder of certain offices.

The old aristocracy detests new nobles; it allows nobles to sit as such only when they can prove, as the phrase goes, “four generations and a hundred years.” Thus it relegates the other nobles to the order of the Third Estate to which, obviously, they no longer belong.

In law, however, all nobles are equal—those whose nobility dates from yesterday just as much as those who succeed for better or for worse in hiding their origins or their usurpation. In law all have the same privileges. Only opinion distinguishes between them. But if the Third Estate must endure a prejudice sanctioned by law, there is no reason why it should submit to a prejudice contrary to law.

Let them create as many noblemen as they like; it still remains certain that the moment any citizen is granted privileges against the common laws, he no longer forms part of the common order. His new interest is contrary to the general interest; he becomes incompetent to vote in the name of the People [...]

Some occasionally express surprise at hearing complaints about a threefold “aristocracy composed of the army, the Church and the law.” They insist that this is only a figure of speech; yet the phrase must be understood strictly. If the States-General is the interpreter of the general will, and correspondingly has the right to make laws, it is this capacity, without doubt, that makes it a true aristocracy: whereas the States-General as we know it at present is simply a *clerico-nobili-judicial* assembly.

Add to this appalling truth the fact that, in one way or another, all departments of the executive have also fallen into the hands of the caste that provides the Church, the law and the army. As a result of a

spirit of brotherhood or comradeship, nobles always prefer each other to the rest of the nation. The usurpation is total; in every sense of the word, they reign.

If you consult history in order to verify whether the facts agree or disagree with my description, you will discover, as I did, that it is a great mistake to believe that France is a monarchy. With the exception of a few years under Louis XI and under Richelieu and a few moments under Louis XIV when it was plain despotism, you will believe you are reading the history of a Palace aristocracy. It is not the King who reigns; it is the Court. The Court has made and the Court has unmade; the Court has appointed ministers and the Court has dismissed them; the Court has created posts and the Court has filled them [...] And what is the Court but the head of this vast aristocracy which overruns every part of France, which seizes on everything through its members, which exercises everywhere every essential function in the whole administration? So that in its complaints the People has grown used to distinguishing between the monarch and those who exercise power. It has always considered the King as so certainly misled and so defenseless in the midst of the active and all-powerful Court that it has never thought of blaming him for all the wrongs done in his name.

Finally, is it not enough simply to open our eyes to what is occurring around us at this very moment? What do we see? The aristocracy on its own, fighting simultaneously against reason, justice, the People, the minister and the King. The end of this terrible battle is still undecided. Can it still be said that the aristocracy is only a chimera!

Let us sum up: to this very day, the Third Estate has never had genuine representatives in the States-General. Thus its political rights are null.

Chapter 3. *What Does the Third Estate Want to Be? Something*

It is wrong to judge the claims of the Third Estate from the isolated remarks of certain authors who are partially aware of the rights of

man. The Third Estate is still very backward in this matter, not only by comparison with the insight of students of the social order, but also with that mass of common ideas which constitutes public opinion. The authentic requests of the Third Estate can only be adjudged through the formal demands which the great municipalities of the kingdom have addressed to the government. What do we see therein? That the People want to become something, and in fact, the least thing possible. It wants to have (1) genuine representatives in the States-General, i.e. deputies drawn from its own ranks and competent to interpret its wishes and defend its interests. But what good would it do the Third Estate to participate in the States-General if the interest opposed to its own were to preponderate there? It would simply sanction by its presence the oppression of which it would be the everlasting victim. Therefore, it most certainly cannot come and vote in the States-General unless its influence there is at least equal to that of the privileged orders. So it asks for (2) a number of representatives equal to that of the other two orders taken together. However, this equality of representation would become entirely illusory if each chamber voted separately. The Third Estate, therefore, asks for (3) the votes to be counted by heads and not by orders. Such is the whole extent of the claims which appear to have so alarmed the privileged orders; and for this reason alone have these come round to believing that the reform of abuses has become indispensable.

The Third Estate's modest aim is to possess an equal influence in the States-General to that of the privileged orders. Once again, could it ask for less? And is it not clear that if its influence is less than equal, it cannot hope to come out of its political non-existence and become something?

However, the great pity of it all is that the three articles which constitute the claim of the Third Estate are not enough to give it the equal influence which it cannot effectively dispense with. To grant it no more than an equal number of representatives drawn from its own ranks will be useless: for the privileged orders will continue to exercise their dominating influence in the very sanctuary of the Third Estate [...] The more one considers this matter, the more one perceives the inadequacy of the three claims of the Third Estate.

However, even as they stand, they have been violently attacked. Let us examine the pretexts for such spiteful hostility.

First Claim of the Third Estate: That the Representatives of the Third Estate Be Chosen Solely from among Citizens Who Really Belong to the Third Estate.

We have already explained that really to belong to the Third Estate, one must either be untainted by privileges of any sort, or else relinquish them immediately and completely.

Those lawyers who have attained nobility through a door which for unknown reasons they have decided to close behind them are determined to sit in the States-General. They tell themselves: "The nobility does not want us and we for our part do not want the Third Estate. If only we could form a separate order, it would be wonderful; however, we cannot. What are we to do? Our only chance is to maintain the old abuse by which the Third Estate elected nobles. By doing this, we shall fulfill our desires without lowering our pretensions." All new nobles, whatever their origin, hastened to repeat in the same spirit that the Third Estate must be allowed to elect noblemen. The old nobility, which claims to be the true one, has not the same stake in maintaining the old abuse; but it knows how to take things into account. It thought: "We shall put our sons in the House of Commons, so that it is altogether an excellent idea to charge us with representing the Third Estate."

Once one has made up one's mind, reasons for it, as we well know, are never wanting. "We must maintain the ancient custom," people said. An excellent custom which, intended to provide representation for the Third Estate, has positively excluded it from representation until this very day! The Third Estate has political rights as it has civil rights; and it alone must be able to exercise both. What an idea—to distinguish between orders when it is to the advantage of the first two and the misfortune of the third, but to fuse them together as soon as it becomes useful to the first two and harmful to the nation! What a custom—by which the Church and the aristocracy can take over the chamber of the Third Estate! In all candor, would the privileged feel they were being represented if the Third Estate could invade the deputation of their orders? [...]

Another argument is that if electors are restricted in their choice they will not be completely free. I have two answers to this so-called difficulty. First, those who raise it are hypocrites, and I will prove it. Everyone knows how lords domineer over the peasants and others who live in the countryside; everyone knows the habitual and the potential tactics of their multifarious agents, including their law-officers. Hence any lord who cares to influence the primary election is generally sure to be sent as a deputy to the “bailliage,” where it only remains to select a candidate from among the lords themselves or from those who have earned their most intimate trust. Is it then to preserve the People’s freedom that you establish the possibility of abusing and betraying its trust? It is appalling to hear the sacred name of freedom profaned as a disguise for designs which are most adverse to it. Certainly, electors must be given the utmost freedom, and this is precisely why it is necessary to exclude from their deputation all the privileged classes who are too fond of overbearing the People.

My second answer is direct. In no circumstances can any freedom or right be unlimited. In all countries, the law prescribes certain qualifications without which one can be neither an elector nor eligible for election. For example, the law must decide the age under which one is incompetent to represent one’s fellow-citizens. Thus, rightly or wrongly, women are everywhere excluded from mandates of this kind. It is unquestionable that tramps and beggars cannot be charged with the political confidence of nations. Would a servant, or any person under the domination of a master, or a non-naturalized foreigner, be permitted to appear among the representatives of the nation? Political liberty, therefore, has its limits, just as civil liberty has. The only question to answer is whether the non-eligibility of members of the privileged orders, which the Third Estate is asking for, is as vital as the other non-eligibilities I have just mentioned. Comparison runs completely in favor of this proposition; for the interests of a beggar or a foreigner might not conflict with the interest of the Third Estate, whereas nobles and clerics are, by their very status, supporters of the privileges which they themselves enjoy. Therefore, the restriction requested by the Third Estate is the most important of all the restrictions which the law, in accordance with

equity and the nature of things, must lay down for the choice of representatives [...]

In accord with these principles, we must not permit men of the Third Estate who are under the exclusive domination of members of the first two orders to be given the trust of the Commons. It is clear that their dependency makes them untrustworthy; unless they are formally excluded, the lords will not fail to use the influence which they can no longer use for themselves in favor of the men whom they control. Above all, beware, I beg you, of the multifarious agents of feudalism. It is to the odious remnants of this barbaric system that we still owe the division of France, to her misfortune, into three mutually hostile orders. All would be lost if the lackeys of feudalism came to usurp the representation of the common order. Who does not know that servants are more harsh and bold to defend their masters’ interests than the masters themselves? I know that this proscription covers many people since it concerns, in particular, all officers of feudal tribunals and the like, but, in this instance, we must be governed by the logic of the situation [...]

Some people have supposed that they reinforce the difficulty of which we have just disposed by submitting that the Third Estate does not contain enough intelligent or courageous members and so forth competent to represent it, and that it has no option but to call on the leading figures of the aristocracy...So ridiculous a statement deserves no answer. Look at the available classes in the Third Estate; and like everyone else I call “available” those classes where some sort of affluence enables men to receive a liberal education, to train their minds and to take an interest in public affairs. Such classes have no interest other than that of the rest of the People. Judge whether they do not contain enough citizens who are educated, honest and worthy in all respects to represent the nation properly.

But then, it is argued, what if a “bailliage” insists on giving the mandate of the Third Estate only to a nobleman or an ecclesiastic? What if it has trust in only such a man?

I have already stated that there can be no freedom without limits and that, of all the qualifications that could be imposed on eligibility, the qualification the Third Estate requested was the most necessary. But let us give a direct answer. Supposing that one” bailliage” is

determined to prejudice its own interests, does it follow that it must be allowed to prejudice the interest of others? If I alone am affected by the steps taken by my agent, a man may be content with simply saying to me: "Hard luck; but why did you make such a bad choice?" But, in the case in point, the deputies of a district are not merely the representatives of the "bailliage" which nominated them, they are also called upon to represent the whole body of citizens, to vote for the whole kingdom. One must therefore have a common rule and such qualifications, which, although they may displease some people, will reassure the whole of the nation against the whim of a few electors.

Second Claim of the Third Estate: That Its Deputies Be Equal in Number to Those of the Two Privileged Orders

I cannot refrain from repeating once more that the timid inadequacy of this claim is an after-effect of times gone by. The towns of the kingdom have not given enough consideration to the progress of enlightenment or even of public opinion. They would have met with no greater difficulties by demanding two votes to one; but they might even have been hastily granted the very equality which some people are so loudly opposing today.

Furthermore, when we want to decide a question of this kind, we must not simply do what is only too common, and give our personal wish or our will or custom as valid reasons. It is necessary to argue from principles. Like civil rights, political rights derive from a person's capacity as a citizen. These legal rights are identical for every person, whether his property happens to be great or small. Any citizen who satisfies all the formal requirements for an elector has the right to be represented, and the extent of his representation cannot be a fraction of the extent of some other citizen's representation. The right to be represented is single and indivisible. All citizens enjoy it equally, just as they are all equally protected by the law which they have helped to make. How can one argue on the one hand, that the law is the expression of the general will, i.e. the majority, and on the other hand that ten individual wills can cancel out a thousand individual wills? Would one not thereby run the risk of permitting a minority to make the law? Which would obviously be contrary to the nature of things.

If these principles, certain though they may be, are too remote from common view, I will direct the reader's attention to a comparison which lies under his very nose. Is it not a fact that it seems fair to everybody that the huge "bailliage" of Poitou should send more representatives to the States-General than the small "bailliage" of Gex? Why is that? Because, it is stated, the population and the contribution of Poitou are far more important than those of Gex. Thus it is admitted that there are principles according to which it is possible to determine the proportion of representatives. Should we take taxation as a basis? Although we have no exact information as to the amount of taxes paid by each order, it is obvious that the Third Estate pays more than one-half of the total.

With respect to population, everybody knows that the third order enjoys a vast numerical superiority over the first two. I have no better knowledge than anybody else as to the exact proportion; but, like anybody else, I can estimate .

[Sieyès's calculations produced an estimated total of 81,400 clerics revised from 80,400 in the first edition-and 110,000 nobles.]

Therefore, in total, there are less than 200,000 privileged individuals of the first two orders. Compare their number with the 25 or 26 million inhabitants, and draw your own conclusions.

Now, to reach the same solution on a basis of different but equally indisputable principles, let us bear in mind that the privileged classes are to the great body of citizens what exceptions are to the law. Any society must be governed by common laws and submitted to a common order. If exceptions are to exist, at least they ought to be rare; and they must never have the same weight and influence on the commonwealth as the common rule. It is absurd to oppose the interest of the privileged classes to the grand interest of the mass of the nation as if they were capable of counterbalancing each other. (We will explain this point at greater length in Chapter 6.) When, a few years hence, we look back on all the obstacles raised to the overmodest claim of the Third Estate, we shall be amazed at the inadequacy of the arguments used against it, and even more at the brazen effrontery of those who were bold enough to dig them up.

The very persons who invoke the authority of facts against the Third Estate could, if they were honest, find in those facts the guide for their own conduct. The existence of a mere handful of loyal cities was enough to constitute, under Philip the Fair, a Chamber of Commons in the States-General.

Since that day, feudal servitude has disappeared and rural areas have provided a numerous population of new citizens. Towns have increased in number and size. Commerce and arts have, as it were, created new classes thronging with prosperous families of educated and civic-minded citizens. Why did not this two-fold increase, so much greater than the loyal cities' ancient contribution to the nation, encourage the same authority to create two new chambers in favor of the Third Estate? Justice and sound policy alike require it.

No one dares act so unreasonably in respect of another kind of increase that has occurred in France, viz. the new provinces which have become united with her since the last States-General met. Nobody would dare to claim that these new provinces should have no representatives of their own over and above those who were in the States-General in 1614. But do not manufactures and the arts create new riches, new taxes and a new population just as much as territory does? Since this form of increase is easily comparable to that of territory why on earth should one refuse to accord it representatives over and above the number allotted to the States-General in 1614?

But I am trying to reason with people who are moved only by self-interest. Let us present them with an argument that might touch them more closely. Is it proper for the nobility of today to retain the language and attitudes which were characteristic of it in the gothic centuries? And is it proper for the Third Estate, at the end of the eighteenth century, to languish in the sad and cowardly customs of ancient servitude? If the Third Estate learns how to know itself and respect itself, the others will indeed respect it too. Reflect that the former ratio between the orders has been altered simultaneously on both sides. The Third Estate, which had been reduced to nothing, has reacquired by its industry something of what had been seized from it by the offence of those in power. Instead of demanding that its rights be restored, it has consented to pay for them; they have not been given back but sold back. But, at last, in one way or the other, it can

take possession of them. It must realize that today it represents a reality within the nation, whereas formerly it represented only a shadow; that, while this long transformation was taking place, the nobility has ceased to be a monstrous feudal power free to oppress as it willed; that now it is the nobility that is a shadow, and that this shadow is still trying to spread terror through a whole nation-but to no avail, unless our nation is willing to be thought the basest in the world.

Third and Last Claim of the Third Estate: That the States-General Vote, Not by Orders, but by Heads

One can regard this question from three points of view: as apprehended by the Third Estate; as relating to the interests of the privileged classes; and in terms of sound principles. As far as the first of these is concerned, it would be pointless to add anything to what we have already said; clearly, the Third Estate considers that this claim is the necessary consequence of the two others.

The privileged classes fear the third order's possession of an influence equal to their own, and so declare it unconstitutional. This behavior is all the more striking as they have, until this moment, enjoyed a superiority of two against one without seeing anything unconstitutional in this unjust predominance. They feel passionately that they must retain a veto on everything that might conflict with their interests. I am not going to restate the arguments by which a score of writers have combated this pretension, and the argument of "the ancient procedures." I want to make one observation only. There are, beyond any doubt, abuses in France; these abuses are profitable to some persons: but they hardly ever benefit the Third Estate, and, on the contrary, it is to the Third Estate that they do most harm. Now I ask: in such circumstances is it possible to abolish any abuse so long as those who profit therefrom retain a veto? Justice would be powerless-everything would depend entirely upon the magnanimity of the privileged classes. Would this correspond to our idea of what constitutes social order?

If we now turn to considering this question apart from any individual interest, but according to the principles appropriate to illuminate it, i.e. the principles of the science of social order, I it strikes us in a new light. I maintain that it is impossible to accept the

claim of the Third Estate or to defend the privileged classes without turning some sure and certain ideas upside down. Naturally, I do not accuse the loyal towns of the kingdom of intending this. They simply wanted to come closer to their rights by asking for at least an equilibrium between the two influences. Moreover, they have formulated some excellent truths, for it is obvious that one order's right of veto over the others is likely to bring everything to a standstill in a country where interests are so conflicting. It is quite certain that unless votes are counted by heads the true majority may be set aside, which would be the supreme difficulty, since it would render legislation null and void. Such truths are indisputable. But the true question is whether the orders, as now constituted, could unite to vote by heads? No, they could not. If one relies on true principle, they cannot vote together at all, either by heads or by orders. Whatever the proportion arranged between them, it cannot achieve the intended aim: viz. to bind all representatives together by a single common will. This statement doubtless calls for elaboration and for proof. Allow me to postpone these until Chapter 6. I do not want to upset the moderate-minded, who always fret in case the truth should make its appearance at the wrong moment. I must first make them admit that, simply because of the privileged classes and nobody else, conditions are now such that it is time to come to a decision, and to proclaim what is true and just in its full strength.

Chapter 4. *What the Government Has Attempted and What the Privileged Classes Propose on Behalf of the Third Estate*

[In the first two sections of this chapter, Sieyès reviews the inadequacies of the government's efforts to institute provincial assemblies and the resistance to reform presented by the two Assemblies of Notables.]

3. *Patriotic Writers of the First Two Orders*

It is noteworthy that the cause of the Third Estate should have been defended more eagerly and forcibly by ecclesiastical and noble writers than by the non-privileged classes themselves.

In this torpidity of the Third Estate I see nothing but the habitual silence and fear which are common among the oppressed, and it provides additional proof of how real that oppression is [...] When the nation achieves its freedom it will remember with gratitude the patriotic writers of the first two orders who were the first to abjure archaic errors and who preferred the principles of universal justice to the murderous conspiracies of corporate interest against the interest of the nation. Until those public honors are conferred upon them, may they be pleased to accept the homage of a citizen whose soul is consumed for his country and who worships all efforts which help her rise from the rubble of feudalism!

The first two orders are unquestionably interested in reinstating the third in its rights. But let us not dissimulate; the guarantee of public liberty lies only where real power lies. We can be free only with the People and by the People.

If a consideration of such magnitude is too much for the frivolity and narrow egotism of the majority of Frenchmen, these must at least be impressed by the changes in public opinion. Day by day, the influence of reason spreads further, increasingly necessitating the restitution of the rights that have been usurped. Sooner or later, every class will have to withdraw inside the boundaries of the social contract, the contract which concerns everyone, and binds all the associates one to the other. Will this result in reaping its countless advantages, or in sacrificing them to despotism? This is the real question. During the long night of feudal barbarism, it was possible to destroy the true relations between men, to turn all concepts upside down, and to corrupt all justice; but, as day dawns, so gothic absurdities must fly and the remnants of ancient ferocity collapse and disappear. This is quite certain. But shall we merely be substituting one evil for another, or will social order, in all its beauty, take the place of former chaos? Will the changes we are about to experience be the bitter fruit of a civil war, disastrous in all respects for the three orders and profitable only to ministerial power; or will they be the natural, anticipated and well-controlled consequence of a simple and just outlook, of a happy cooperation favored by the weight of circumstances and sincerely promoted by all the classes concerned?

4. *Promise to Bear Taxes Equally*

The [Assembly of] Notables have formally expressed the wish that all three orders should bear similar taxes, but this was not what they were asked to advise upon. They were asked how to convoke the States-General, not what should be the subject of its deliberations. Therefore, we must look upon that wish just as we do upon those expressed by the peers, the Parlement and, finally, by so many private associations and individuals, all of whom hasten to agree today that the richer must pay as much as the poorer.

We cannot dissemble: so novel a cooperation has frightened some of the public. Undoubtedly, some have said, it is good and praiseworthy to pledge oneself to submit loyally to a fair distribution of taxes once the law has so decided. But (they ask) what is the origin of so novel a zeal, of so much agreement, of so much haste on the part of the second order? Was it its hope that by offering a voluntary surrender it could avoid the necessity for making it a legal act of justice? Is its excessive zeal to anticipate the work of the States-General aimed at making the latter unnecessary? I will not accuse the nobility of having told the King: "Sire, you need the States-General only to restore your finances: well! We offer to pay as much as the Third Estate; see whether this surplus could not deliver you from an assembly which worries us even more than it does you." No, it is impossible to take this view.

More likely, one suspects, the nobility is trying to hoodwink the Third Estate at the price of a kind of anticipation of justice, in order to divert it from its current demands and so distract it from its need to be something in the States-General. The nobility seems to be saying to the Third Estate:

"What are you demanding? Do you want us to pay as much as you do? That is just and we shall do so. But let things proceed as in the past when you were nothing and we were everything and when it was so easy for us to pay only as much as we chose" [...]

To this the Third Estate can retort: "It is high time that you, like us, bore the burden of a tax which is far more useful to you than to us. You correctly foresaw that this monstrous iniquity could not last any longer. If we are free to give what we choose, we clearly cannot,

must not, and will not give any more than you. Having made up our minds on this, we are virtually unmoved by these acts of renunciation which you keep vaunting as the rarest fruit of the generosity and the honor of the French Knights. Yes, you will pay; not out of generosity, however, but out of justice; not because you consent to do so, but because you have to. We expect you to submit to the common laws, not to offer a token of insulting pity for an order which you have treated mercilessly for so long. But it is for the States-General to discuss this matter; today's question is how to constitute it properly. If the Third Estate is not represented in the States-General, the voice of the nation will be mute in that assembly, and none of its acts will be valid. Even if you were to find ways of rectifying everything without our participation we will not allow anyone to dispose of us without our consent. A long and lamentable experience prevents us from believing in the soundness of the best of laws when this comes merely as a gift of the strongest."

The privileged classes never tire of saying that once the orders renounce their financial exemptions all is equal between them. If all is equal, what have they to fear from the demands of the Third Estate? Do they imagine that it wants to damage itself by attacking a common interest? If all is equal, why then all the efforts to stop the Third Estate emerging from its political incapacity?

But, may I ask, where is the miraculous power that insures France against the possibility of any abuse of any sort simply because the nobility pays its fair share of a tax? Alternatively if abuses or disorders still persist, then how can all be equal between those who profit and those who suffer from them?

All is equal indeed! Was it in a spirit of equality...that the Third Estate was ignominiously excluded from all offices and posts of any distinction? Was it the spirit of equality that made the Third Estate pay excess taxes so as to create the enormous quantity of resources of every kind for the exclusive use of what is called the poor nobility?

In all dealings between a privileged man and a commoner, is it not certain that the latter has no redress against oppression, since if he is bold enough to take legal action he has to appeal to members of the privileged classes? They alone dispose of authority and is not

their first reaction to regard the commoner's law-suit as insubordination?

Why are the police agents so terrified when they act against a man of the privileged classes, even when they catch him red-handed, while they maltreat a pauper who is merely a suspect?

For whose benefit are all the judicial privileges, attributions, evocations, letters-patent of suspension and the like, with which to discourage or ruin the contending party? Can the non-privileged Third Estate dispose of these?

Which class of citizens is most exposed to personal humiliations from tax agents and the petty officials of every branch of the bureaucracy? The members of the Third Estate—that is, of course, the real Third Estate, i.e. the Third Estate which enjoys no exemptions.

Why do the privileged nearly always escape the penalty for the most horrible of crimes? And why is public order thus robbed of its most effective examples?

With what ridiculous and ferocious contempt do you dare to relegate the criminal of the first two orders to the third, in order, so you proclaim, to degrade him and, apparently, to render him, in such company, liable to be executed! What would you say if the legislator, before punishing some scoundrel of the Third Estate, proposed to rid his order of him by giving him letters-patent of nobility?

The law lays down different penalties for the privileged classes and for the non-privileged. It appears to take a fond interest in a noble criminal and to seek to honor him right up to the scaffold. To this abominable distinction which, fundamentally, only potential criminals could wish to retain, is linked, as we know, a sentence of attainder for the entire family of the wretch who is executed without benefit of privilege. The law is responsible for this atrocity; and you would refuse to change it! If the duty is the same for everybody, and if the infraction is the same, why should the penalty be different? Remember: as things now stand, whenever you punish a privileged man you honor him but punish the nation which has already suffered enough from his crime.

I put it to you: cast but the most superficial glance over society and still repeat that all will be equal from the moment the nobility renounces its financial exemptions! Some men are only sensitive

about money; their senses are literally paralyzed at anything connected with liberty, honor or equality before the law, in short by all social rights apart from money; they cannot conceive of people worrying about anything except one crown more or one crown less. But it is not for the vile that I am writing this book.

How justify the exclusive privilege of carrying arms, even in peacetime, irrespective of any military function and without wearing the uniform of that profession? If the privileged man arms himself to defend his life, his property and his honor, why is a man of the Third Estate any less interested in protecting his life and his property? Is he less sensitive about honor? Who would dare argue that the law is so much more vigilant on his behalf that it therefore excuses him from arming for self-defense?

If all is equal, why the voluminous collections of laws benefiting the nobility? Have you perchance discovered how to favor one order without damaging the others? You know full well that this discriminatory legislation turns the nobility into a race apart, born to rule, and everybody else into a nation of helots, destined to serve. Yet you dare lie to your conscience and try to bemuse the nation by clamoring that "all is equal."

Finally, even those laws which you think are the most general and impartial are themselves accessory to the privileges. Look at the spirit in which they are drafted; trace out their consequences. For whom do they appear to be made? For the privileged classes. Against whom? Against the nation [...]

And so the People are to be content and to forget about all this because the nobility (forsooth!) agrees to pay, like the People! Future generations are to close their eyes to the enlightenment of their day and settle down quietly to a state of oppression which the present generation can no longer endure! But let us leave this inexhaustible topic; it does nothing but rouse indignation.

All taxes peculiar to the Third Estate must be abolished. This is indubitable. What an odd country, where the citizens who profit most from the commonwealth contribute least to it! Where there are taxes which it is shameful to bear and which the legislator himself styles "degrading"! To think only in terms of wholesomeness, what kind of society is it where you lose caste if you work? Where to consume is

honorable but to produce is vile? Where laborious occupations are called base? As if anything but vice could be base, and as if this baseness of vice, the only true one, could be found mostly among those who work! ...

Chapter 5. *What Ought to Have Been Done? Basic Principles*

In every free nation, and every nation ought to be free, there is only one way of settling disputes about the constitution. One must not call upon Notables, but upon the nation itself. If we have no constitution, it must be made, and only the nation has the right to make it. If we do have a constitution, as some people obstinately maintain, and if, as they allege, it divides the National Assembly into three deputations of three orders of citizens, nobody can fail to notice, at all events, that one of these orders is protesting so vigorously that nothing can be done until its claim is decided. Now, who has the right to judge in such a matter? . . .

But who will tell us for what purpose and in whose interest a constitution could have been given to the nation itself? The nation is prior to everything. It is the source of everything. Its will is always legal; indeed it is the law itself. Prior to and above the nation, there is only natural law. If we want to formulate a clear idea of that sequence of positive laws which can emanate exclusively from the will of the nation, the first are the constitutional laws. These are of two kinds: some determine the organization and the functions of the legislative body; the others determine the organization and the functions of the various executive bodies. These laws are called fundamental, not in the sense that they could become independent of the national will, but because the bodies to which they grant existence and means of actions cannot modify them. Neither aspect of the constitution is the creation of the constituted power, but of the constituent power. No type of delegated power can in any way alter the conditions of its delegation. In this sense, and in this sense alone, are constitutional laws fundamental. Those which establish the legislative body are founded by the national will before any constitution has been established; they form the first stage of the constitution. Those which establish the executive bodies must

similarly be the ad hoc product of a representative will. Thus all the parts of a government are interrelated and, in the last analysis, depend on the nation [...]

The power exercised by the government has substance only in so far as it is constitutional; it is legal only in so far as it is based on the prescribed laws. The national will, on the contrary, never needs anything but its own existence to be legal. It is the source of all legality.

Not only is the nation not subject to a constitution, but it cannot be and it must not be; which is tantamount to saying that it is not.

It cannot be. From whom indeed could it have received positive form?

Is there a prior authority which could have told a multitude of individuals:

“I put you together under such and such laws; you will form a nation on the conditions I prescribe.” We are not speaking here of brigandage or domination, but of a legitimate, that is to say voluntary and free, association.

Can it be said that a nation, by a primary act of will which is completely untrammelled by any procedure, can bind itself to express its will thereafter only in certain determined ways? In the first place, a nation can neither alienate nor waive its right to will; and whatever its decisions, it cannot lose the right to alter them as soon as its interest requires. Secondly, with whom would this nation have entered into such a contract? I see how it can bind its members, its mandatories, and all those who belong to it; but can it in any sense impose on itself duties towards itself? What is a contract with oneself? Since both parties are the same will, they are obviously always able to free themselves from the purported engagement.

Even if it could, a nation must not subject itself to the shackles of a defined procedure. That would put it in danger of losing its liberty for ever, for tyranny, under the pretext of giving the People a constitution, would only need a momentary success to bind it so closely by procedural rules that it would lose the ability to express its own will, and, consequently, to shake off the yoke of despotism. We must conceive the nations of the world as being like men living outside society or “in a state of nature,” as it is called. The exercise

of their will is free and independent of any civil form. Existing only within the natural order, their will can take full effect provided it bears the natural characteristics of a will. The manner in which a nation exercises its will does not matter; the point is that it does exercise it; any procedure is adequate, and its will is always the supreme law. To imagine a legitimate society, we assumed that the purely natural individual will had enough moral power to form the association; how then can we refuse to recognize a similar power in the equally natural common will? A nation is always in a state of nature and, amidst so many dangers, it can never have too many possible methods of expressing its will. Let us not be afraid of repeating it: a nation is independent of any procedures; and no matter how it exercises its will, the mere fact of its doing so puts an end to positive law, because it is the source and the supreme master of positive law [...]

In the light of these explanations, we can answer the question we asked ourselves. The component parts of what you believe to be the French constitution are quite obviously at loggerheads. Whose task is it to decide? It is the nation's, independent as it necessarily is of any positive forms. Even if the nation enjoyed regular States-General, this constituted body would be incompetent to decide on a dispute concerning its own constitution. It would be a *petitio principii*, a vicious circle [...]

It is time now to come back to the title of this chapter. What ought to have been done amidst all the difficulties and disputes about the coming States-General? Should we have convened Notables? No. Should we have let the nation and its interests languish? No. Should we have exercised diplomacy upon the interested parties to persuade them all to compromise? No. We should have resorted to the extreme measure of calling an extraordinary representative body. It is the nation that ought to have been consulted.

Let us answer two questions which still remain. Where is the nation to be found? Whose function is it to consult the nation?

1. Where is the nation to be found? Where it is: in the 40,000 parishes which embrace the whole territory, all its inhabitants and every element of the commonwealth; indisputably, the nation lies there. A geographical division would have been chosen so that

arrondissements of 20 to 30 parishes could easily form and elect first deputies. Along similar lines, *arrondissements* would have formed provinces; and the provinces would have sent to the capital authentic extraordinary representatives with special powers to decide upon the constitution of the States-General.

You object that this procedure would have entailed too much delay?

Surely no more than the succession of expedients which have simply led to further confusion. Besides, it was not a question of saving time, but of adopting workable measures to achieve the aim. Had people been willing and able to stick to true principles, more could have been done for the nation in four months than the progress of enlightenment and public opinion, powerful none the less as I believe it to be, could do in half a century.

But, if the majority of the citizens had nominated extraordinary representatives, what would have happened, you may ask, to the distinction between the three orders? What would have become of privileges? They would have become what they deserve to be. The principles which I have just recited are certainties. Abandon the hope of having social order, or else accept these principles. The nation is always free to amend its constitution. Above all, it cannot absolve itself from the responsibility of giving certainty to a disputed constitution. Everybody agrees on that today; cannot you see, then, that the nation could not interfere if it were itself merely a participant in the dispute? A body subjected to constitutional forms cannot take any decision outside the scope of its constitution. It cannot give itself another one. It becomes null and void from the moment when it moves, speaks or acts in any other than the prescribed forms. Even if the States-General were already in session, it would therefore be incompetent to decide upon the constitution. Such a right belongs only to the nation which, we continue to reiterate, is independent of any procedure and any qualifications.

As is obvious, the privileged classes have good reasons for befogging the concepts and principles which relate to this matter. They are boldly prepared today to uphold the opposite of the views they were advocating six months ago. At that time there was a single outcry in France: we had no constitution and we asked for one to be

made. Today, we not only have a constitution but, if we are to believe the privileged classes, one which contains two excellent and unchallengeable provisions. The first is the division of the citizens into orders; the second is the equality of influence of each order in the formation of the national will. We have already sufficiently proved that even if both these elements were indeed comprised in our constitution, the nation would always be free to change them. It remains to examine more particularly the nature of this equality of influence that they seek to attribute to each order in the formation of the national will. We shall see that such an idea is impossibly absurd and that no nation could possibly include anything of the kind in its constitution.

A political society cannot be anything but the whole body of the associates. A nation cannot decide not to be the nation, or to be so only in a certain fashion: for that would be saying that it is not the nation in any other fashion. Similarly, a nation cannot decree that its common will shall cease to be its common will. It is sad to have to state facts which may appear so simple as to be silly, until one thinks of the conclusions they entail. It follows that no nation has ever been able to decree that the rights inherent in the common will, i.e. in the majority, should pass into the hands of the minority. The common will cannot destroy itself. It cannot change the nature of things, nor arrange that the opinion of the minority shall be the opinion of the majority. Clearly such a regulation would not be a legal or a moral act: it would be lunacy.

Consequently if it be claimed that under the French constitution two hundred thousand individuals out of twenty-six million citizens constitute two-thirds of the common will, only one comment is possible: it is a claim that two and two make five.

The sole elements of the common will are individual wills. One can neither deny the greatest number the right to play their part, nor decide that these ten wills are equivalent to only one while another ten wills amount to thirty. These are contradictions in terms, pure absurdities.

If for the slightest moment one loses sight of this self-evident principle that the common will is the opinion of the majority and not of the minority, there is no point in carrying on the discussion. One

might just as well decide that the will of a single man is to be called the majority and that we no longer need States-General or national will at all. For, if the will of a nobleman can be worth as much as ten wills, why should not the will of a minister be worth as much as a hundred? a million? twenty-six million? On the basis of this reasoning, all the national deputies may as well be sent home and every demand of the People suppressed.

Is it necessary to insist further on the logical deduction from these principles? It is a certainty that among the national representatives, whether ordinary or extraordinary, influence must be proportionate to the number of citizens who have the right to be represented. If it is to accomplish its task, the representative body must always be the substitute for the nation itself. It must partake of the same nature, the same proportions and the same rules.

To conclude: these principles are all self-consistent and prove: (a) only an extraordinary representative body can establish or amend the constitution; (b) this constituent representative body must be set up without regard to the distinction between orders [...]

2. Whose function is it to consult the nation? If the constitution provides for a legislature, each of its component parts would have the right to consult the nation, just as litigants are always allowed to appeal to the courts; or, rather, because the interpreters of a will are obliged to consult with those who appointed them to seek explanations about their mandate or to give notice of circumstances requiring new powers. But for almost two centuries we have been without representatives-even assuming that we had them at that time. Since we have none, who is going to take their place vis-à-vis the nation? Who is going to inform the People of the need for extraordinary representatives? . . . Ask, rather: who has not such a right? It is the sacred duty of all those who can do something about it. A fortiori, the executive is qualified to do it; for it is in a better position than private individuals to give notice to the whole nation, to designate the place of the assembly and to sweep aside all the obstructions of corporate interests. The Prince indubitably, in so far as he is the first citizen, has a greater interest than anyone else in convoking the People. He may not be competent to decide on the

constitution, but it is impossible to say that he is incompetent to bring such a decision about.

So it is not difficult to answer the question, “what ought to have been done?”. The nation ought to have been convened, so as to send to the capital extraordinary representatives with a special mandate to frame the constitution for the ordinary National Assembly [...]

Why, it may be asked, do I linger so long over what ought to have been done? Is not the past over and done with? To this I reply: first, that the knowledge of what ought to have been done may help us to know what must be done. Secondly, it is never unimportant to expound the correct principles of one’s topic, particularly when it is so new to most minds. And, finally, the truths expounded in this chapter may conduce to a better understanding of those in the one that follows.

Chapter 6. *What Remains to Be Done. Development of Certain Principles*

Gone is the day when the three orders were moved by the single thought of defending themselves against ministerial despotism and were ready to unite against their common enemy [...]

In vain will the Third Estate await restitution of its political rights and the plenitude of its civil rights from the consensus of the orders. The fear of seeing abuses reformed alarms the aristocrats more than the desire for liberty inspires them. Between liberty and a few odious privileges, they have chosen the latter. The soul of the privileged has become identified with the favors of servitude. They are afraid now of the States-General for which they were lately so ardent. Everything goes well with them. They have no complaints, except for the spirit of innovation. They no longer require anything: fear has provided a constitution for them.

The Third Estate must now see the direction in which both thought and action are moving, and realize that its sole hope lies in its own intelligence and courage. Reason and justice are on its side; the least it must do is to assure itself of their full support. No, it is too late to work for the conciliation of all parties. What sort of an agreement could one hope for between the energy of the oppressed

and the rage of the oppressors? They have dared utter the word secession. With it they have threatened both King and People. Heavens! How fortunate it would be for the nation if so desirable a secession could be perpetuated! How easy it would be to do without the privileged! How difficult it will be to induce them to become citizens!

The aristocrats who led the attack did not realize that they were making an enormous blunder by drawing attention to certain questions. Among a people used to servitude, truth can be left to sleep; but if you attract the attention of the People, if you tell it to choose between truth and error, its mind clings to truth as naturally as healthy eyes turn towards the light. And, light, in morals, cannot spread to any extent without, willy-nilly, leading to equity [...] The Third Estate must, moreover, recognize the danger that unless it improves its status it cannot simply remain as it is. The circumstances do not permit of this faint-hearted calculation. Not to go forwards is to go backwards. Unless you want to proscribe this mass of iniquitous and anti-social privileges, you must decide to recognize and justify them. Yet the blood boils at the mere thought that it is possible to give legal recognition, at the close of the eighteenth century, to the abominable fruits of abominable feudalism [...]

While the aristocrats talk of their honor but pursue their self-interest, the Third Estate, i.e. the nation, will develop its virtue, for if corporate interest is egotism, national interest is virtue. It will suffer the nobles to nourish their expiring vanity on the pleasure of abusing the Third Estate with the most insulting words in the vocabulary of feudalism. The nobles will repeat such words as commoners, peasants and villeins, forgetting that these terms, no matter in what sense one means them, either do not describe the Third Estate as it is today or are common to the three orders; forgetting also that, when these words did make sense, ninety-nine per cent of their own number were unquestionably commoners, peasants and villeins, and that the others, necessarily, were brigands. In vain do the privileged classes close their eyes to the revolution which time and events have effected: it is real for all that. There was once a time when the Third Estate was in bondage and the nobility was everything. Now the

Third Estate is everything and nobility is only a word. But under cover of this word, however, and based solely on the strength of false opinion, a new and intolerable aristocracy has established itself; and the People has every reason not to want any aristocrats.

In this situation, what remains to be done by the Third Estate if it wants to take possession of its political rights in a way that will serve the nation? There are two methods of achieving this aim.

By the first method the Third Estate must meet separately; it must not cooperate with either the nobility or the clergy and it must not vote with them either by orders or by heads. Mark the enormous discrepancy between the assembly of the Third Estate and those of the other two orders. The former represents twenty-five million people and deliberates over the interests of the nation. The other two, even if they join together, derive their powers from only about two hundred thousand individuals and consider nothing but their own privileges. It is alleged that the Third Estate cannot form the States-General by itself. So much the better! It will form a National Assembly. Such important advice must be justified by showing that it is firmly based on the very essence of sound principle.

I maintain that the deputies of the clergy and of the nobility have nothing in common with national representatives, that no alliance is possible between the three orders in the States-General and that they are not only unable to vote in common, but neither by orders nor by heads [...] Each order is in fact a separate nation which is no more competent to interfere in the affairs of the other orders than the States-General of Holland or the Council of Venice are to vote in the debates of the English Parliament [...]

It follows logically from this that it is perfectly pointless to try to determine the ratio or proportion in which each order should participate in the making of the general will. This will cannot be one as long as you retain three orders and three representations. At the very most, these three assemblies could meet together to pass the same resolution, just as three allied nations can express the same wish. But they will never be one nation, one representation, one common will [...]

I pointed out earlier that the Third Estate had two methods of obtaining its rightful place in the political order. If the first, which I

have just described, seems a little too abrupt; if it is felt that the public must have time to accustom itself to liberty; if it is believed that the most obvious national rights still need, if they are disputed by even the smallest number, some kind of legal pronouncement that, so to speak, establishes them and gives them a final sanction; I am willing to concur. Let us then appeal to the tribunal of the nation which is the only competent judge in any disputes about the constitution. This is the second method open to the Third Estate [...]

Nobody can deny that in the coming States-General the Chamber of the Third Estate will be fully competent to convoke the kingdom in extraordinary representation. Therefore, it is preeminently the duty of the Third Estate to explain the falsity of France's constitution to the citizenry. It is its duty to expostulate that since the States-General is composed of several orders, it must necessarily be ill-organized and incapable of fulfilling its national tasks; at the same time it is its duty to demonstrate the need to provide an extraordinary deputation with special powers to determine, by clearly defined laws, the constitutional forms of the legislature.

Until then, the order of the Third Estate will suspend, not of course its preparatory proceedings, but the exercise of its actual power; it will take no definitive decisions; it will wait for the nation to pass judgment in the great contention between the three orders. Such a course, I admit, is the most straightforward, the most magnanimous, and, therefore, the best suited to the dignity of the Third Estate.

The Third Estate can therefore view itself in either of two ways. The first is to regard itself simply as an order; in that case, it agrees not to shake off completely the prejudices of archaic barbarism; it recognizes two other orders in the state, without however attributing to them more influence than is compatible with the nature of things; and it shows all possible regard for them by consenting to doubt its own rights until the supreme arbiter has made its decision.

From the second point of view, the Third Estate is the nation. In this capacity, its representatives constitute the whole National Assembly and are seized of all its powers. As they alone are the trustees of the general will, they do not need to consult those who mandated them about a dispute that does not exist. If they have to

ask for a constitution, it is with one accord; they are always ready to submit to the laws that the nation may please to give them, but they do not have to appeal to the nation on any problem arising out of the plurality of orders. For them, there is only one order, which is the same as saying that there is none; since for the nation there can be only the nation.

The appointment of an extraordinary deputation, or at least the granting of special powers, as explained above, to settle the great problem of the constitution ahead of everything else, is therefore the

true means of ending the present dissension and avoiding possible disturbances within the nation. Even if these disturbances gave no cause for alarm such a step would still be necessary because, disturbance or no disturbance, we have to know where our political rights lie and take possession of them. This will be seen to be more pressing when we realize that political rights are the sole guarantee of our civil rights and our personal freedom. I invite the reader to think this over [...]