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Justice and Gender in Revolution: Olympe de Gouges Speaks for Women

Joseph Zizek

MAN, are you capable of being just? It is a woman who poses the question; you won't deprive her of at least that right. Tell me: Who gave you the sovereign empire to oppress my sex? Your strength? Your talents? Observe the creator in his wisdom; survey nature in all its grandeur, which you seem to want to emulate, and offer me, if you dare, an example of this tyrannical empire

DECLARATION OF THE RIGHTS OF WOMAN AND OF THE FEMALE CITIZEN

*To be decreed by the National Assembly in its last sessions, or
in those of the next legislature:*

PREAMBLE

The mothers, the daughters, the sisters, {female} representatives of the nation demand to be constituted in [a] national assembly. Considering that ignorance, forgetfulness, or scorn for the rights of woman are the sole causes of public misfortunes and of the corruption of governments, [they {the women}] have resolved to set forth in a solemn declaration the natural, inalienable, and sacred rights of woman, so that this declaration, constantly present to all members of the social body, may ever remind them of their rights and their duties, so that the acts of the power of women and those of the power of men may be compared at any moment with the purpose of every political institution [and] be the more respected, [and] so that demands of the female citizens, founded henceforth on simple and incontestable principles, may always serve the maintenance of the constitution, good morals, and the happiness of all.

Therefore, the sex that is [as] superior in beauty as it is in courage in the pains of childbirth recognizes and declares, in the presence and under the auspices of the Supreme Being, the following Rights of Woman and of the Female Citizen ...¹

The pointed question that begins this excerpt – ‘MAN, are you capable of being just?’ – comes to us from a snapshot in time: Paris, France, September 1791. People living through that moment felt caught up in a whirlwind of change. From mid-1789, contemporaries had begun to speak of a ‘Revolution’, whose like and rapidity they claimed never before to have witnessed and which unmade in scant months an absolute monarchy hallowed by time and tradition. An unprecedented legislative body, the National Assembly, defiantly claimed on behalf of the nation to share authority with King Louis XVI, while massive uprisings in city and countryside – most famously the assault on the Bastille on 14 July 1789 – revealed the impotence of royal authority and mobilized millions of ordinary French people. From August 1789, France’s new legislators embraced the challenge of transforming subjects into citizens, abolishing the hierarchy of legal privilege that had long divided French society into three distinct ‘orders’ of clergy, nobility and commoners. They promulgated instead the ‘Declaration of the Rights of Man and the Citizen’, which established principles that we today understand as equality before the law, the sovereignty of the nation, security of private property and freedom of speech. By the time the nation’s legislators completed France’s new Constitution, accepted by Louis XVI on 14 September 1791, some contemporaries even proclaimed a happy terminus: ‘The revolution is over.’²

Yet, this gendered query about justice – ‘It is a woman who poses the question’ – carried with it an insistence that the revolution was not at all finished. It appeared in a short pamphlet entitled *Les Droits de la femme* [*The Rights of Woman*], published in September 1791, when contemporaries were aware that they stood on the cusp of a new political order. What made the question radical was the pamphlet’s conception of a ‘female citizen’ (*une citoyenne*), a conception new to the prevailing revolutionary understanding of political rights. Not only was the 1791 Constitution far from democratic (it included a property qualification), but it (and all subsequent revolutionary constitutions) restricted formal political participation – voting, standing for election, holding office – exclusively to men.³

In recent decades, Olympe de Gouges has enjoyed celebrity and attention denied her during life. Baptized in May 1748 as Marie Gouze, daughter of

a Montauban butcher, she took the name Olympe de Gouges when the death of an elderly husband left her a young widow; whether this act of renaming was creative 'self-fashioning' or simply a mundane rearranging of given names remains in dispute. She repeatedly claimed to be (and almost certainly was) the unrecognized illegitimate daughter of Le Franc de Pompignan, an aristocratic man of letters. She declined ever to remarry, yet achieved financial independence through an intimate relationship with a military contractor. By the 1780s, she had nurtured an identity as playwright and author, no small achievement for a woman whose first language was Occitan and to whom French fluency came relatively late in life. With the outbreak of Revolution, de Gouges became a patriotic activist and pamphleteer, eventually to die on the scaffold in November 1793 accused of royalist sympathies. Across the nineteenth century and most of the twentieth, she was forgotten, or dismissed as eccentric, before being rediscovered in the 1980s and 1990s by scholars who persuasively argued her historical and intellectual significance to revolutionary gender politics and to modern feminism. Encountering her today means participating in an ongoing but disputatious historical recovery, which attempts to understand the life and work of an individual variously described as a humanist, Rousseauist, staunch monarchist, or even 'feminist' *avant la lettre*.⁴

There is no need here to resolve the tug-of-war between these facets of de Gouges's identity, or even to decide whether such resolution is possible or desirable. Rather, this complexity reminds us that de Gouges's demands on behalf of women were part of an extensive authorial presence, which eventually produced upwards of sixty political pamphlets, thirty theatrical works, dozens of legal briefs and voluminous private correspondence. Understood in its historical context, *The Rights of Woman* is consistent with a wider body of writing that spoke to the revolutionary moment and its possibilities for changing lives. Her pamphlet is not a systematic treatise of political theory, but a quasi-playful, impassioned exploration of how nature and history, inequality and injustice, differently affected the lives of French men and women. It represents a 'feminist moment' in which de Gouges proffered an aetiology of sexual domination and showed how this domination coloured the revolutionary present, yet hopefully described a liberated future available to women *and* men should they have the courage to choose it.

What was it like for contemporaries to read de Gouges? We cannot properly reconstruct the experience of her eighteenth-century reader, but to modern

audiences, the twenty-four pages of *The Rights of Woman* offer a strange, seemingly chaotic structure. The pamphlet opens with a brief dedicatory epistle – ‘To the Queen’ – a sympathetic, patriotic, yet slightly threatening apostrophe to Marie-Antoinette, whose loyalty to the revolution was highly suspect by September 1791.⁵ Then comes the famous ‘Declaration of the Rights of Woman and the Female Citizen’ (from which our excerpt derives), whose structure of preamble followed by seventeen articles mirrors the National Assembly’s ‘Declaration of the Rights of Man and the Citizen’ of August 1789. De Gouges follows her ‘Declaration’ with a substantial ‘postamble,’ which offers a stinging critique of contemporary mores and leads into a corrective ‘Social Contract for Man and Woman.’ In the penultimate section of the pamphlet, de Gouges invites the reader to join her daily life, narrating a visit to her Parisian printer, a consequent fare dispute with a cab-driver (*cocher*), and its humiliating resolution by a male magistrate. The pamphlet concludes with a ‘P.S.’ that apologizes for the rushed circumstances of its publication and celebrates Louis XVI’s acceptance of the Constitution of 1791 (thereby allowing us to date its composition with a degree of precision).

The language and style of the pamphlet hint at the myriad ways it was embedded in eighteenth-century literary culture as well as the revolutionary moment. Contemporaries would have recognized, in the ‘Social Contract for Man and Woman,’ an allusion to the work of Jean-Jacques Rousseau, of whom de Gouges repeatedly claimed to be a disciple. Much of her *oeuvre* reveals a very Rousseauian interest in natural morality, education and the corrupting effects of civilization.⁶ The pamphlet’s content and style make it a *pièce de circonstance* attuned to the specific conjuncture of 1791. That specificity helps explain the pamphlet’s preface to the Queen and its closure with the disputed cab episode – what John Cole has dubbed the ‘great and lesser embarrassments’ bracketing the Declaration – which, in turn, might explain why modern audiences often encounter de Gouges’s writing in heavily abbreviated extracts, which strip away seemingly extraneous material.⁷ At the extreme, de Gouges’s apparently unsystematic style gave generations of hostile interpreters excuses to disparage her literary quality, ability as a writer and intellectual capacity. Yet, such disparagement is anachronistic if not misogynistic. Unsystematic presentation and a highly colloquial tone were commonplace features in revolutionary ephemera, while many of the compositional practices and rhetorical techniques de Gouges employs – ranging from self-deprecation to proleptic self-defense – were considered unexceptional in the eighteenth century when adopted by male authors.⁸

This excerpt exposes the attribute of de Gouges's writing that was most shocking to contemporaries, but which resonates most powerfully for us today: an assertive, self-referential female voice. It is not just a woman speaking. It is a woman addressing powerful individuals – such as Queen Marie-Antoinette – and claiming the freedom to speak in public. In effect, de Gouges rhetorically assumed on behalf of all women the auto-constitutive power that male deputies had already arrogated unto themselves. The preamble of the Declaration of the Rights of Man and the Citizen in August 1789 spoke of 'the representatives of the French people, constituted as a National Assembly', a declarative formula that de Gouges mirrored and transformed into a desire of all women: 'The mothers, the daughters, the sisters, the [female] representatives of the nation demand to be constituted in [a] national assembly' (30).

De Gouges's claim to public activism has rightly been seen as a window into her conceptualization of feminine autonomy; her achievement lies in articulating the persona of the woman who claims the right to address the public, the *citoyenne* denied political rights who nevertheless embraces the opportunity to reason publicly and criticize openly. This underlies one of the most celebrated of de Gouges's passages, Article X of her Declaration, which would become a nineteenth-century slogan of feminist consciousness: 'Woman has the right to mount the scaffold; she must also have that of mounting the Rostrum [*la Tribune*]' (32). De Gouges lived out this dictum during the Revolution, paying from her own purse to publish pamphlets, plastering them on Parisian walls and ultimately facing arrest and execution for her political activity in writing.

De Gouges's claim to female activism also underpins her pamphlet's message of moral renewal and mutual justice between men and women. To read her closely is to be struck, not just by how she exposes and seeks to rectify the deficiencies of the 1789 Declaration of Rights, but how she appropriates a discourse of transparency, equity and morality in order to make it speak to women's situation. Take, for example, her diagnosis of the sources of oppression: de Gouges uses identical catch-phrases to the legislators who promulgated the 1789 Declaration. Both speak of how 'public misfortunes and the corruption of governments' grew out of 'ignorance, forgetfulness, or scorn' for natural rights. Both try to undo such corruption by making newly proclaimed rights visible to all; to declare rights is to place them before the 'social body', so individuals may reason actively, criticize publicly and compare present behaviour with rights recovered from nature.⁹ In de Gouges's case,

however, that corruption includes the oblivion into which women's rights have fallen. Rescuing women's rights by public declaration thus stands as her attempt to correct the existing constitutional order, to supplement it to address women as well as men.

Some observers see an inherent paradox in de Gouges's demand for justice and her tenuous assertion of equality; both are grounded in the presumption of an essential distinction between women and men, suggesting that she is effectively pursuing what Joan Scott calls in modern terms equality-versus-difference.¹⁰ Yet, it is not necessary to resolve this paradox to grasp de Gouges's moral diagnosis. Although she recognizes differences between men and women, she resolutely denies that they should structure civic rights and obligations. Instead, she repeatedly points out the corrupting power that time and history have exercised upon nature; evoking the 'appalling spectacle of what you [women] have been in society', she identifies 'constraint and dissimulation' as the feminine lot (35). The 'vices' of the Old Regime, she suggests, fostered illicit feminine behaviour, rewarding beauty and charm rather than virtue, making immorality and deception the avenue to survival.¹¹ Previously, women were effectively kept, hindered from understanding how to better themselves; under the 'trade in women' that characterized the old order, de Gouges suggested, 'every other way to fortune is closed to the woman whom a man buys like a slave on the coasts of Africa' (36). Simply liberating women was, therefore, insufficient: she would be little more than an exhausted 'slave' without resources and unused to freedom. De Gouges insisted that women could only become moral agents and equal parties if they partook of material goods as well as political rights with men: 'What laws, then, remain to be made in order to extirpate vice to its roots? That of sharing wealth between men and women, along with public administration' (36).

For de Gouges, the lack of this foundational equality explained the vices of present-day marriage – 'the tomb of trust and of love' – and justified the adoption of the new, mutual 'Social Contract between the Man and the Woman', which endorsed mutual ownership of property, recognition of the legitimacy of children and equal inheritance in case of death or dissolution (37). The point here is not the practicality of de Gouges's prescription for dividing resources more equitably between men and women, nor recognition of her insistence on the relationship between property and independence – to view her, in other words, as an eighteenth-century analogue to Virginia Woolf – but that, like Rousseau, she offered this 'social contract' as the solution to a *moral* as well as a political problem.

Ultimately, de Gouges insisted that revolutionaries had to recast the relationship between the sexes because that relationship was the fruit of injustice and domination, the product of a long period of historical degeneration in which arbitrary sexual differences had overwritten an equality that should be based on the 'simple and incontestable principles' of nature. She could thus suggest, perhaps scandalously but certainly with radical intent, that married women of high society were more depraved than prostitutes because, for her, true depravity consisted not in physical license but in the use of sexuality for familial or financial gain, yet another indication that women and men had left behind the 'primitive morals' of a beneficent nature (38).

De Gouges's pamphlet defies simple categorization as either political tract or philosophical treatise; instead, it enables a different voice, one that communicates the intermingling of personal morality and political oppression to an imagined public. We say 'imagined' public because, although de Gouges conjured seemingly appealing societal alternatives, she signally failed to sway the real audiences of her era. Her *Rights of Women* exerted negligible influence on contemporaries and played no discernible role in revolutionary debates over civic or political rights – even highly aware contemporaries that are sometimes seen as part of the same feminist current, such as Mary Wollstonecraft (see Chapter 6 of this volume), seem not to have known of de Gouges's 'Declaration'. It would be a truism to say that the fate of her call for justice was redolent of the distinctive limits and possibilities of women's experience in the eighteenth century, but it would also be too simplistic to reduce her efforts to that experience. De Gouges's *Rights of Woman* was not merely a futile attempt to indict the Revolution's exclusion of women from political participation. She does lodge this indictment with brio; but she also does much, much more. Ultimately, she engages with the eighteenth century's lexicon of political universals – the justification of social distinction, the foundations of equality, the nature of property and the freedom of speech and conscience – and offers a vision of how these might operate if liberated from the strictures of sexual difference. It was a powerful vision of how men and women might become equal while remaining sexed as men and women; it did not necessarily presume that sexual complementarity required separate and distinct roles for men or women.¹²

For de Gouges, any possibility of liberation meant recognizing, exposing to view and changing the corrupted gender relations bequeathed by the past, a change that called upon the agency of the oppressed themselves. Her repeated

apostrophes to women to recognize the injustice inflicted upon them, to remedy their lot, was (like the revolution itself) meant to be an assertion of independence: 'Whatever may be the barriers that they [men] raise against you, it is within your power to overcome them: You only have to will it' (35). *The Rights of Woman* remains a startling attempt to un-think the relationship of nature and history, rights and sex and gender and subordination. Its ultimate importance lies not in its contemporary impact, but in what it reveals to us about the sense of possibility in time of revolution. The author who mordantly invited her reader to retrace a casual act of unfairness – 'So it's true that no one can escape her fate. I found that out today' (39) – surely deserves better than anachronistic idealization or historical minimization. The 'feminist moment' incarnated by de Gouges exists as a perpetual tug-of-war between the past and the present. We best respond to her two-century-old cry for justice when we keep in mind the complex, provocative, original legacies that she has bequeathed to us.