French Feminists and the Rights of 'Man': Olympe de Gouges’s Declarations

by Joan Wallach Scott

‘In my writings, I am a student of nature; I might be, like her, irregular, bizarre even, yet also always true, always simple.’

For women, the legacy of the French Revolution was contradictory: a universal, abstract, rights-bearing individual as the unit of national sovereignty, embodied, however, as a man. The abstraction of a genderless political subject made it possible for women to claim the political rights of active citizens and, when denied them in practice, to protest against exclusion as unjust, a violation of the founding principles of the republic. The equally abstract gesture of embodiment – the attribution of citizenship to (white) male subjects – complicated enormously the project of claiming equal rights, for it suggested either that rights themselves, or at least how and where they were exercised, depended on the physical characteristics of human bodies.

There is no denying the presence of bodies – of the physical traits of sex and skin colour – in the political debates of the French Revolution. Whether we take the conflicting opinions expressed during the writing of constitutions, the arguments about slave, mulatto or women’s civic rights propounded by Barnave, Brissot, Condorcet or Robespierre, the contrasting reflections of Edmund Burke and Mary Wollstonecraft, or the minutes...
of section meetings in Paris, we find interpretations that assume that bodies and rights alike could be thought of as ‘natural’ and that this ‘naturalness’ provided a connection between them. Rights were often referred to as being inscribed on bodies, inalienably attached to them, indelibly imprinted on human minds or hearts.1 But the connection between ‘natural’ bodies and ‘natural’ rights was neither transparent nor straightforward. The meanings of nature, rights, and bodies, as well as the relationships between them, were at issue in the revolutionary debates and these contests about meanings were contests about power.

There were many different contests about bodies and rights in the course of the Revolution and few were definitively resolved. Under the first constitution, passive citizens were distinguished from active according to levels of property ownership and wealth; the distinction disappeared with the monarchy and reappeared in different language under the Directory. ‘Men of colour’ were initially excluded from and then included in the category of citizen. Slaves were denied and then granted the rights of free men, only to lose them again under Napoleon. Women were systematically barred from formal political rights; but were granted rights to divorce and some control of marital property in 1792, only to have them restricted under the Code Napoleon and revoked by the Restoration. Each of these instances was characterized by different kinds of arguments; each has a complicated, contextual explanation – the abolition of slavery, for example, took place as the French sought to repel a British conquest of Santo Domingo by enlisting all male inhabitants of the island in the army.2 What they have in common, however, is the persistent question of the relationship of specific, marked groups to the embodied universal: how could the rights of the poor, of mulattos, blacks, or women be figured as the rights of Man?

The general answer is: with difficulty. There was no simple way either to expand the category of Man to take in all his Others or to disembody the abstract individual so that literally anyone could represent him. Specific contests about the rights of excluded groups did not resolve this paradox, but exposed it; the terms of debate and the strategies of the contenders show equality to be a more elusive ideal in both its formulation and achievement than was ever acknowledged by the Revolution’s most visionary architects or, for that matter, by many of its historians. Women are a case in point.

I

From the outset of the Revolution, there were scattered demands for women’s rights. These were most often passed over in revolutionary legislation until 1793 (several days after the execution of Marie-Antoinette), when the question of women’s political role was directly addressed. Using the occasion of a street disturbance between market women and members of the Society of Revolutionary Republican women, the National Convention outlawed all women’s clubs and popular societies, invoking Rousseauist
themes to deny women the exercise of political rights and to end, some hoped definitively, persistent feminist agitation.3 ‘Should women exercise political rights and meddle in the affairs of government?’ asked André Amar, the representative of the Committee of General Security. ‘In general, we can answer, no.’ He went on to consider whether women could meet in political associations and again answered negatively:

because they would be obliged to sacrifice the more important cares to which nature calls them. The private functions for which women are destined by their very nature are related to the general order of society; this social order results from the differences between man and woman. Each sex is called to the kind of occupation which is fitting for it; its action is circumscribed within this circle which it cannot break through, because nature, which has imposed these limits on man, commands imperiously and receives no law.4

An even more explicit articulation of these so-called natural facts came from Pierre-Gaspard Chaumette, a radical hébertist and member of the Paris Commune. On behalf of the Commune he indignantly rejected an appeal for support from female petitioners protesting the Convention’s decree:

Since when is it permitted to give up one’s sex? Since when is it decent to see women abandoning the pious cares of their households, the cribs of their children, to come to public places, to harangues in the galleries, at the bar of the senate? Is it to men that nature confided domestic cares? Has she given us breasts to feed our children?5

Less brilliantly than Rousseau, but no less clearly, the Jacobin politicians set forth the terms of their new social order. Their invocation of nature as the origin of both liberty and sexual difference drew on certain prominent (but by no means uncontested) views of political theory and medicine. These views treated nature and the body as synonymous; in the body one could discern the truths upon which social and political organization ought to rest. Constantin Volney, representative for the Third Estate of Anjou at the meetings of the Estates General in 1788–9, argued firmly in his catechism of 1793 that virtue and vice ‘are always ultimately referable to . . . the destruction or preservation of the body’.6 For Volney, questions of health were questions of state; ‘civic responsibility [was] health-seeking behaviour’.7 Individual illness signified social deterioration; the failure of a mother to breast-feed her infant constituted a refusal of nature’s corporeal design, hence a profoundly anti-social act.8 The misuse of the body incurred not only individual costs, but social consequences since the body politic was, for Volney, not a metaphor but a literal description.

The body, of course, was not considered in these writings a singular object; sexual differences was taken as a founding principle of the natural,
hence the social and political order. Tom Laqueur has shown that ideas of sexual difference are not fixed; their long and variable history demonstrates that sexual meanings are not transparently attached to or immanent in sexed bodies. Laqueur argues instead that a new biology emerged in the eighteenth century which replaced an earlier ‘metaphysics of hierarchy’ with ‘the anatomy and physiology of incommensurability.’ Moreover, genital differences made all the difference; masculinity or femininity constituted the entire identity of biological males or females. One of the differences between them, in fact, had to do with how completely sex defined their beings. A Dr Moreau offered, as his own, Rousseau’s explanation for the commonly accepted notion that women were (in Denise Riley’s words) ‘thoroughly saturated with their sex’. He maintained that the location of the genital organs, inside in women, outside in men, determined the extent of their influence: ‘the internal influence continually recalls women to their sex . . . the male is male only at certain moments, but the female is female throughout her life.’

In the intersecting discourses of biology and politics, theories of complementarity resolved the potentially disruptive effects of sexual difference. Species reproduction and social order were said to depend on the union of the opposite elements, male and female, on a functional division of labour that granted nature her due. Although it was logically possible to present complementarity as an egalitarian doctrine, in fact it served in the predominant political rhetoric of this period to justify an asymmetrical relationship between men and women. The goals of the revolution, after all, were liberty, sovereignty, moral choice informed by reason, and active involvement in the formation of just laws. All of these were firmly designated male prerogatives, defined in contrast to the female. The contrasting elements were:

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The second column served not only to define the first, but provided the possibility for its existence. ‘Natural’ sexual difference permitted a resolution of some of the knotty and persistent problems of inequalities of power in political theory by locating individual freedom in male subjects and associating social cohesion with females. Maternal nurture awakened or
instilled human empathy (pity) and love of virtue, the qualities that tempered selfish individualism; modesty at once equipped women to perform their roles and served as a corrective to their inability otherwise to restrain (sexual) desire. Women’s modesty was, furthermore, a precondition for the successful exercise of male reason in restraint of desire.13 The dependency of the domestic sphere elicited from men the fulfilment of their social duty; indeed duty denoted here not women’s obligations but their position as the objects of male obligation. The active/passive distinction, in fact, resting as it did on contrasting theories of natural rights, summed up the differences: those who enjoyed active rights were individual agents, making moral choices, exercising liberty, acting (speaking) on their own behalf. They were, by definition, political subjects. Those who enjoyed passive rights had the ‘right to be given or allowed something by someone else’.14 Their status as political subjects was ambiguous, if not wholly in doubt.

Historians of natural rights theories rightly describe active and passive rights as antithetical paradigms; but they often also imply that these logically conflicting notions could not prevail simultaneously. Political regimes, they suggest, have been premised historically on one or another of these theories; from this perspective, the age of democratic revolutions was quintessentially the age of liberty and active rights. These characterizations reckon, however, neither with the ingenuity of the French revolutionaries who, in their first effort at constitution-making in 1791, reconciled their fear of democracy and their commitment to liberty by establishing two categories of citizen – the active and the passive – nor with the operations of gender within the universal languages of political theory.

In the constitution of 1791, active citizens were men over 25 who were independent (they could not be domestic servants) and who possessed measurable wealth (they had to pay a direct tax equivalent to three days of labour). The prerequisite was property – in land or money and the self. After the fall of the monarchy in 1792, citizenship was granted to all men who were over 21 and self-supporting. The means test was dropped, leaving as the operative concept property in the self. But, I would argue, the active/passive distinction did not disappear, even if it was no longer explicitly articulated in official political documents. Instead, it was employed to differentiate between the rights of those with and without autonomy or agency, and these were largely, though not exclusively, men and women. Unlike distinctions of wealth, those of sex were considered natural; they were therefore taken for granted, treated as axiomatic, assumed to be unalterable rules of ‘imperious’ nature, hence left outside the legislative arena. Constitutions and legal decrees dealt, for the most part, with the rules of (active) political participation and so dropped reference to those whose rights were taken care of by them by others. Invisibility, however, did not mean absence. The terms citoyen and citoyenne often carried the active/passive contrast, and from time to time it was clearly invoked – by the exasperated Chaumette, for example, in October 1793: ‘Impudent women who want to become men,’ (I
imagine) he shouted, ‘aren’t you well enough provided for? What else do you need?’

This rather crude form of political theorizing sums up the outlook I have been describing and brings me to the real beginning of this paper. I do not want to spend any more time discussing how women were constructed in revolutionary political discourse; rather I want to look at how some women criticized these constructions. For from the outset, there were feminist critics of these theories, women and men who argued for genuine equality of political rights. There were also, of course, women who paid no heed to the arguments and whose participation in the events of the Revolution has offered social historians ample evidence both for insisting that women were active historical subjects and for rejecting the importance of political theory in the practice of ‘real’ politics. The presence of women in crowds, their centrality in the march to Versailles, their membership in clubs (and the prominence of figures like Pauline Léon and Claire Lacombe among the Jacobins), their proposals to the various legislatures, their actions on behalf of and in opposition to the Revolution, all support the claim made by Camille Desmoulins in 1791 that action established agency: ‘The active citizens,’ he reminded his colleagues, ‘are those who took the Bastille.’

Yet action by women was insufficient, either during the Revolution or long after it, to secure formal recognition of this point. Some of the explanation for the legal disempowerment of women and their invisibility in the historical record must come from analyses of the discourses that established and justified exclusion. Sometimes feminists provided those analyses; more often their formulations furnish material from which such analyses can be fashioned. In their search for ways out of the paradox of an embodied equality, feminists show us the dead-ends, the limits of certain paths, and the complexity of others – all effects of the paradox itself. It is for that reason, and not because of their prominence or the size of their following (never very large in this period), that they interest me.

My primary interest in these feminists has to do with how they articulated their dissent, how, in the face of powerful beliefs to the contrary, they asserted that women deserved political rights. I want to address, with material from the French Revolution, the thoughtful and provocative questions raised by the British historian Barbara Taylor. She asks:

What does it mean when [feminists] engage with a theory of the subject in which the reasoning speaker – that is the person who displays possession of natural rights and a place in the civic sphere through . . . speech – is actually constituted on the male side of the sexual axis? And where does that take us with egalitarianism?

Taylor’s questions assume that asymmetrical representations of rights are not easily corrected by universalist or pluralist arguments and that such arguments can never be formulated entirely outside the discourses they
challenge. I would add that feminism's inherently political aspect comes from its critical engagement with prevailing theories and practices; it does not stand as an independent philosophical movement with a definable content and a coherent legacy of its own. It must be read, therefore, in its concrete manifestations, and then not only for its programmatic recommendations. Tests of logical consistency or philosophical purity, like categorizations of feminist 'schools' of equality or difference, entirely miss the point. The historical and theoretical interest of modern feminism (which I take to date from the seventeenth century) lies in its exposure of the ambiguities and repressions, the contradictions and silences in liberal political systems that present themselves as coherent, comprehensive, rational, or just, because resting on natural, scientific, or universal principles. This suggests that feminism must not only be read in its historical contexts, but also that it cannot be detached from those contexts as evidence either for some transcendent Woman's identity or for the teleology of women's emancipation. The meaning of any feminism instead lies in the historical specificity of a recurring critical operation.

II

My interest in this essay is in the ways feminists addressed the issue of equality during the French Revolution. How did they formulate their claims for political rights? How did they create the political subject they claimed already to represent? How did they demand citizenship when such public status for women was taken as a contradiction of nature's functional design for social order? How did they attempt to refute or confound what was assumed to be the indisputable evidence of the body? How did they understand the influence of nature on the definition of their rights?

A full scale study of all the manifestations of feminism in the French Revolution is beyond the scope of this paper. I will instead concentrate on one figure – Olympe de Gouges (1748–93). I take de Gouges neither as a typical feminist nor an exemplary heroine, but because she provides a site where cultural contests and political contradictions can be examined in some detail. I chose Olympe de Gouges because she left behind a fairly substantial corpus of writings – political pamphlets, speeches, and plays – which constantly engaged the political issues of the day. Her most famous text was the Declaration of the Rights of Woman and Citizen, written as the constitution was being debated in 1791. Read alongside the 1789 Declaration of the Rights of Man and Citizen (as it was meant to be read) it at once adds to and supplants that document. Indeed, the Declaration of the Rights of Woman is, like many of de Gouges's efforts, a supplementary document for the revolution. It constitutes a supplement in the double and contradictory sense that Jacques Derrida points out is attached to the term suppléer in French. It was both an addition and a replacement, something superfluous, but also absolutely necessary for completion. De Gouges's declarations...
were offered in this double and contradictory sense: as an additional comment on the meaning of universal rights (and in that sense ‘only’ extraneous) and as a necessary replacement for official edicts which lacked universality because they were incomplete. This ‘undecidable’ aspect of the ‘logic of the supplement’ gives de Gouges’s work both its ambiguity and its critical force.

Olympe de Gouges! This name always calls forth smiles from those who hear it for the first time, bemused recognition from veterans of women’s history courses. Its pretention and inauthenticity seem to produce a comic effect, comic because satirical or transgressive. The name Olympe de Gouges was not, indeed, the one recognized in law for this woman; rather it was one she crafted for herself. Born Marie Gouzes, daughter of a butcher and former servant in Montauban, she was married at age 16 to a man much older than herself. Shortly after the birth of her son, her husband Louis Yves Aubry died, but Marie refused to use the customary designation, Veuve Aubry. Instead she took her mother’s middle name, Olympe, added a ‘de’ and changed her father’s surname to Gouges. She vowed never again to marry, although she had at least one long-standing heterosexual liaison. She later suggested that the butcher hadn’t been her father at all, but that she was the illegitimate offspring of a romance between her mother and a local notable, the marquis Le Franc de Pompijan.20 This lineage added intrigue and status to her life and (since the marquis had won a reputation as a man of letters) provided a genealogy for her own literary aspirations. It also, of course, made a mockery of the rules of patrilineal origin and naming. (The theme of naming and renaming the father reappears, albeit with inconsistent and varied usage, throughout de Gouges’s life and work.) No one has ever proven de Gouges’s story of her birth, but that is less important than her repeated assertions of its veracity. These assertions, like her self-renaming, constituted her identity: tentative, ambiguous, and never fully secured.21

De Gouges was always involved in a process of self-construction. She fought valiantly, for example, for recognition as a playwright and vastly exaggerated her standing when she did succeed in having several of her plays accepted (and even performed) by the Comédie Française. Writing was an important, indeed primary, aspect of her self-representation, although she wrote with great difficulty, dictating most of her texts. Speaking came more easily; she was apparently eloquent and inspired in her verbal displays; but these she considered an insufficient measure of her talents.22 When the Revolution came, she claimed status as an active citizen by rushing into the fray, writing and speaking on behalf of a number of causes: freedom from bondage for slaves, the creation of a national theatre, clean streets, provision of maternity hospitals, divorce, and the recognition of the rights of illegitimate children and unmarried mothers. In order more fully to follow the deliberations of the various political assemblies, de Gouges rented lodgings adjacent to their headquarters, in this way literally attaching herself to these august bodies. She was a familiar figure in the galleries and at the
podium and her proclamations often covered the walls of the city of Paris. It was as if only her continuing physical presence could assert her status as a political subject; and even then, of course, this was a vulnerable, contested identity at best, one whose terms she could never fully control.

Along with her proposals usually came a sometimes playful, sometimes disturbing reminder of the fact that a woman was speaking. De Gouges at once stressed her identity with the universal human individual and her difference. Indeed, her formulations demonstrate the difficulty for a woman of unambivalently securing status as an abstract individual in the face of its masculine embodiment. In order to claim the general status of ‘human’ for women, she insisted on their particular qualifications; in the process of insisting on equality, she constantly pointed out and acknowledged difference. ‘It is a woman who dares to show herself so strong and so courageous for her King and her country...’23 ‘They can exclude women from all National Assemblies, but my beneficent genius brings me to the center of this assembly.’24 ‘Oh people, unhappy citizens, listen to the voice of a just and feeling woman.’25 The title of one of her brochures was ‘Le Cri d’un Sage: par une femme.’26 When she put herself forward to defend Louis XVI during his trial she suggested both that sex ought not to be a consideration (‘leave aside my sex’) and that it should be (‘heroism and generosity are also women’s portion and the Revolution offers more than one example of it.’)27

De Gouges never escaped the ambiguity of feminine identity in its relationship to universal ‘Man’ and she often exploited it. On the one hand, she attacked women as they were – indulgent, frivolous, seductive, intriguing and duplicitous28 – insisting they could choose to act otherwise (like men); on the other hand, she appealed to women to unite to defend their special interests, and to the legislature to recognize its duty to protect mothers. If she asserted that their worst characteristics had been constructed for women by unjust social organization, she none the less appealed to her sex to unite (around her leadership) regardless of rank, in order to exert political power in the common interest.29 And, while she maintained that equality, and not special privilege, was the only ground on which woman could stand, she none the less (unsuccessfully) sought special advantage by claiming that she was pregnant in order to avoid (or at least postpone) the death sentence conferred on her by the Jacobins in 1793.

The Declaration of the Rights of Woman and Citizen contains the same ambiguous invocation of stereotypes of femininity and of claims to equality which deny those stereotypes. For the most part, its articles parallel those of the Declaration of 1789, extending to women the rights of ‘Man’. Woman and Man are usually both invoked, for in her effort to produce the complete declaration de Gouges most often simply pluralized the concept of citizenship. But she also addressed her declaration to Marie-Antoinette, first woman of the realm, with the coy remark that if the Queen were ‘less educated... I would fear that your special interests would prevail over
those of your sex’. And her preamble to the document, after echoing phrases about how ignorance, forgetfulness or contempt of (women’s) rights had been ‘the sole causes of public unhappiness and the corruption of governments’, concluded with the stunning assertion that ‘the sex superior in beauty as in courage during childbirth, recognizes and declares, in the presence and under the auspices of the Supreme Being, the following rights of woman and citizen.’31 The very difference of women, this formulation suggests, as well as their exclusion, requires a separate discussion of their rights.32

In the declaration itself, article XI, on the right of free speech, stands out for the attention it draws to the distinctive needs of women:

The free communication of ideas and opinions is one of the most precious rights of woman, since this liberty guarantees that fathers will recognize their children. Any Citizen (citoyenne) can thus say freely: I am the mother of your child, without being forced by barbarous prejudice to hide the truth.33

What is striking about this statement is the particularity (even peculiarity) of its interpretation. De Gouges could not stay with the abstract universal language she used in most of the other articles of her proclamation; simply adding Woman to the Declaration of the Rights of Man did not suffice at this point. Why? Clearly the right to speech was, for her, the expression of liberty and so most important to discuss at length. In article X, in fact (which dealt with freedom of opinion) de Gouges added a phrase that belonged more properly in article XI: ‘woman has the right to mount the scaffold, she ought equally to have the right to mount to the rostrum.’34 (De Gouges here plays with the notion of ‘right’. She turns being subject to the coercive power of the state into a recognition of individual rights, insisting on the literal terms of the social contract.) In this phrase and in article XI it is the right to speech that is at issue. But in both places, representing women as speaking subjects seems to have required more than expanding or pluralizing the category of citizen. It called for refutation of sexuality and maternity as grounds for silencing women, for disqualifying them as subjects, for leaving them out of the Declaration of the Rights of Man.

In de Gouges’s article XI the unstated grounds of exclusion became the explicit reasons for inclusion. The sexual contract that established the social contract was here (and in the appendix to the Declaration) made visible.35 De Gouges contradicted, with a concrete example, the revolutionaries’ endorsement of oppositions between active and passive, liberty and duty, individual and social. Naming the father acknowledged the power of law and exposed the transgressions of the powerful. Without the right to speak, she insisted, women were powerless to enforce paternal duty, to call men back to their obligations, the obligations on which social cohesion and individual
liberty depended. Naming the father was both a claim on paternal obligation and an exposure of the abuses of patriarchal power; it also arrogated to women a masculine prerogative. (The repeated appearance of this theme suggests that de Gouges incorporated into her political ‘imaginary’ elements of contemporary political discussions about the relations between King and people, family and state.)

From one perspective de Gouges’s article XI was an argument for equality that gained force and persuasive power from its use of specific detail. At the same time, however, its very specificity weakened its objective. The abstract clauses of the Declaration of the Rights of Man never indulge in this level of specific and particularized detail, which by contrast seems to lack seriousness and generalizability. At the most crucial point in the argument – the demand for liberty to speak – the specificity of Woman marks her difference from the universality of Man. But the addition of Woman also implies the need to think differently about the whole question of rights.

There is another even more troubling ambiguity in de Gouges’s argument. For it is precisely in the area of pregnancy that a woman’s speech is simultaneously most authoritative and most open to doubt. Only a woman is in a position to know the truth and so designate paternity (only she can say ‘I am the mother of your child’ or ‘you are the father of my child’). But precisely because that is the case – because a man can’t know the truth, he must take the woman’s word and she may be lying. The terms by which de Gouges claims the rights of speech for women, then, raise the spectre of the unreliable feminine, the devious and calculating opponent of rational, truth-speaking man, and so they are literally fraught with uncertainty.

If de Gouges unwittingly evoked prevailing views of women, she also sought explicitly to counter them. Her analysis of women’s artifice and unreliability stressed their lack of education and power. She particularly attacked marriage, ‘the tomb of trust and love’, for its institutionalization of inequality. Through it men imposed ‘perpetual tyranny’ on women, in contradistinction to the harmonious cooperation evident, she insisted, in nature. The prevailing inequality had important personal effects for it forced women to resort to manipulative ploys in their dealings with men and it had negative political effects as well, since a just social order depended on granting all parties to the social contract the same interest in its preservation. For this reason de Gouges recommended replacing the marriage contract with a social contract. She appended to the Declaration of the Rights of Woman a ‘social contract for Man and Woman’ and she defined the Nation as ‘the union of Woman and Man’. By this she meant to equate marriage and society, both voluntary unions, entered either for life or ‘for the duration of our mutual inclinations’ by rights-bearing individuals. These were unions, moreover, in which neither partner had any legal advantage. Property was to be held in common and divided according to parental discretion among children ‘from whatever bed they come’. Moreover, the children ‘have the
right to bear the name of the fathers and mothers who have acknowledged them’; the father’s name having no special status in the family.  

De Gouges used examples about marriage to counter notions of fixed social hierarchies, pointing out as the Estates General debated the question of how to represent the three orders of the nation, that fixed divisions between these groups did not exist and hence were absurd to maintain since marriage had already mingled the blood of members of nobility and the Third Estate. The very last line of her Declaration of the Rights of Woman improbably took up the question of the separation of powers under the new constitution. There de Gouges argued for a reconciliation of the executive and legislative powers (aligning herself with the supporters of constitutional monarchy): ‘I consider these two powers to be like a man and a woman, who ought to be united, but equal in power and virtue, in order to establish a good household.’ In these discussions, many of which read like non sequiturs, women’s rights were not separable from, but integral to all considerations of politics. The union of man and woman replaced the single figure of the universal individual, in an attempt at resolving the difficulty of arguing about rights in univocal terms. But de Gouges’s notion of this union was ambiguous. It could be read as an endorsement of functional complementarity based on sex, but also as an attempt to dissolve or transcend the categories of sexual difference. De Gouges tried to deny the possibility of any meaningful opposition between public and private, political and domestic, while at the same time working with a notion of marital or sexual union conceived in terms of those very oppositions.

In the past, de Gouges reminded her readers, the exclusion of women from politics had led to the corruption associated with ‘the nocturnal administration of women’, when seduction displaced reason and crime prevailed over virtue. These ruses of the weak would disappear in the future, when women were granted full political rights, equal access to property and public employment. Here de Gouges seemed to acknowledge implicitly an often expressed fear of female sexuality, but she attributed it to faulty institutions. Inherently, desire was polyvalent; social usage gave it its meaning and value. For this reason de Gouges urged, in another context, that women be mobilized to ‘incit[e] young men to fly to the defence of the Fatherland’, promising the ‘hand of your mistress’ for those who were brave, rejection for cowards. ‘The art we possess to move the souls of men would produce the salutary effect of enflaming all spirits. Nothing can resist our seductive organ.’ Deployed in defence of the nation, as an exercise in active citizenship, female sexuality might secure, not destabilize, the social order. Yet the appeal to this kind of femininity also carried the risk of unleashing a desire already defined as antithetical to rational politics. The ambiguity of woman seems always to haunt de Gouges’s most creative arguments.

De Gouges’s statements about sexuality, rights, and the possibilities for men and women referred for legitimation, like the arguments she criticized,
to ‘Nature’. This reference was at once ingenious and limiting; it allowed her to reinterpret the meaning of the ground for arguments about rights, but not ultimately to contest the usefulness of ‘natural’ justifications for human political arrangements. (It allows us to ponder the question of whether and how it is ever possible to exceed the constitutive terms of political discourse, whether redefinition and refiguration are the best means available, or whether this depends on specific context, finite historical moments.)

De Gouges refused the differentiation of bodies into fixed binary categories, insisting instead on multiplicity, variety, ranges of difference, spectra of colours and functions, confusion of roles – the ultimate undecidability and indeterminacy of the social significance of physical bodies. Running through many of her writings are examples and observations meant to elucidate (what was for her) a primary truth: (she didn’t put it this way, but she might have) Nature abhors binary categorization. Appealing to the prevailing rules of science, de Gouges reported her observations and what she saw, she said, confirmed her own experience, her perception of the distance between her ‘self’ and the social category of woman. ‘In my writings, I am a student of nature; I might be (je dois être), like her, irregular, bizarre even, yet also always true, always simple.’

In one of her autobiographical pieces, de Gouges explained that the sexes were differentiated only for the purposes of reproduction; otherwise ‘nature’ had endowed all members of a species with similar, but not necessarily identical, faculties. Physical difference, however, was not the key to other differences; for there was no system to nature’s variations. De Gouges accepted the prevailing belief in the originary status of nature, and then she redescribed it, drawing new implications for human social organization. Systems, she argued, were man-made and she implied that all systems interfered with natural (hence desirable) anarchic confusions. The Declaration of the Rights of Woman began by contrasting men’s tyrannical oppression of women with the harmonious confusions of the natural world:

look, search, and then distinguish if you can, the sexes in the administration of nature. Everywhere you will find them mixed up (confondus), everywhere they cooperate harmoniously together in this immortal masterpiece.

Like distinctions of sex, distinctions of colour defied clear categorization. Only the cupidity and greed of white men could explain for de Gouges the enslavement of blacks; only blind prejudice could lead to commerce in human beings and to the denial of a common humanity between black and white. This was the theme of a play she wrote in 1785 first called Zamore et Mirza and then renamed L’Esclavage des Nègres. Its performance in 1789 by the Comédie Française won praise from the small Association of the Friends of Blacks and angry denunciation from an organized club of colonists and their supporters in Paris. The cast, too, refused de Gouges’s instruction that
the actors wear blackface, a gesture she denounced as intolerable because it undermined the dramatic and political effects she sought. The play was closed after only three performances. The Mayor of Paris was reported to have said that he feared its ‘incendiary’ aspect would ‘provoke insurrection in the colonies’. The year before its appearance (when she was still negotiating with the Comédie Française about producing it), de Gouges issued a brochure that contained her ‘Reflections on Black Men’. In it she insisted that ‘nature had no part’ in the ‘commerce d’hommes’. ‘The unjust and powerful interests of the whites did it all,’ she maintained, suggesting that here particular interests, masquerading as universal, had usurped human rights. She then pondered the question of colour, asking where the lines could be drawn absolutely to differentiate whites, mulattos, blacks, and whether any hierarchy could be established on the basis of these differences:

Man’s colour is nuanced, like all the animals that nature has produced, as well as the plants and minerals. Why doesn’t the night rival the day, the sun the moon, and the stars the firmament? All is varied and that is the beauty of nature. Why then destroy her work?

Underneath the visible variety of nature, de Gouges detected a fundamental physical identity. Distinctions of colour were not only indeterminate, but superficial, she insisted, for the same blood flowed in the veins of masters and slaves. They were, in fact, ‘fathers and brothers’, but ‘deaf to the cries of blood, they stifle all its charms’. This comment, placed as it was near the end of the *Declaration of Rights of Woman*, raises the issue of how de Gouges understood the relationship between the situation of women and blacks. There was more than an analogy between two groups deprived of liberty. Rather they partook of the same question: the status in nature, and so in politics, of observable physical difference. If undecidability was the answer in nature, decisions became human actions for which people could be held accountable; they were necessarily relative and open to reasonable debate and interpretation. The legitimation for laws could lie only in ‘common utility’ (article I of both declarations stated that ‘social distinctions could only be based on common utility’) and that was inevitably decided through political processes. Justice, not nature, required the participation in these processes by everyone affected. The body – or more precisely, structural physical difference – was an irrelevant factor in one sense, for the meaning of these differences were the products not the prerequisites of politics. In another sense, bodies provided the universal ground of human identity, in the identical blood that animated them all and as the site of natural rights. For de Gouges, at least, rights were embodied and universal at the same time and this conception required not denying the existence of physical differences, but recognizing them as at once essential and irrelevant to the meaning of equality.
De Gouges’s invocations of nature were always ambiguous. On the one hand, she insisted (in opposition to her Jacobin adversaries) on undecidability and thus on human responsibility for the imposition of categories; on the other, she accepted the orqinary ‘truth’ of nature and so left in place the notion that social arrangements could be referred to natural truths. This, in turn, could focus the argument on what was in nature rather than on what should be in politics. And de Gouges could always be open to the charge that, untutored in scientific observation, she had simply misread the facts of the physical world.

None the less, the destabilizing implications of her redefinition of nature were undeniable; if nature was ‘irregular, bizarre even’, it could not provide, in her terms (it might in ours), a reliable guide for politics. Rather than being a matter of science, justice had to be understood as a mediation of power.

III

It is possible to read Olympe de Gouges and other feminists, male and female, during the French Revolution, in the context solely of established categories of political debate. Implicit in her critique was an interpretation of liberal political theory that countered the authoritarianism of Rousseauian doctrines of the general will with more conflictual (some might say Madisonian) notions of politics. Her alliances with the Gironde faction in the Convention bear this out; she was finally sent to the guillotine in 1793 not for her feminism, but for plastering the walls of Paris with posters urging that a federalist system replace Jacobin centralized rule. Indeed, the moment of Jacobin centralization was accompanied by ruthlessly masculine political assertions and by the expulsion of prominent women from the Jacobin club. The association between bourgeois democracy and feminism in France goes beyond de Gouges; it is Condorcet, after all, also a Girondist, who is usually cited as the preeminent feminist of the Revolution.50

This kind of reading, while acceptable, would be insufficient, I think, on both empirical and philosophical grounds. First, Girondist politicians were not unanimous on the issue of women’s rights; most accepted the ‘natural’ version of the sexual division of labour, and these included prominent women such as Madame Roland. Long after the Revolution, the anti-authoritarian current of French liberalism shared with other political tendencies an aversion to feminism; sexual difference, as explained by science and medicine, seemed to offer a non-political (hence natural) justification for the assignment to women of passive, not active rights. Moreover, in succeeding generations, feminism was as often associated with socialism as with liberalism; indeed it is frequently argued that the real start of a feminist tradition in France began not with the Revolution, but with the utopians – the St Simonian and Fourierist movements of the 1830s and 1840s.51
Second, to treat feminism within the received categories of revolutionary politics ignores the most powerful aspects of its critique and leaves apart many questions, among them the question of how references to the ‘natural’ legitimated political theory and practice and complicated any critique of them. It forsakes the opportunity to examine the interconnections among discourses as well as the contradictions within any one of them; it accepts at face value the terms within which most revolutionaries viewed politics rather than subjecting those terms (as well as the specific programmes advocated) to critical scrutiny. The dichotomies that defined those politics are then perpetuated in our histories as so many natural or functional ‘realities’, thus obscuring not only their relative meanings but all contests about them. Indeed the most fundamental contests, those about first premises, become most marginal for these histories because they are categorized as concerning non-political matters. The protests of feminists are heard as cries from the sidelines about the exclusion of particular interests, as superfluous utterances rather than as fundamental (and central) critiques of the notion of different categories of rights based on physical difference. And the existence of particularized critiques of universality becomes a way of confirming rather than questioning the very notion of the universal. Its embodiment as a white male is explained as a temporary historical contingency with no overtones of power, for to associate the concept of the universal with relationships of power – of domination, subordination and exclusion – would be to contradict the meaning of the universal, at least as it was offered in liberal theories of political rights. It is precisely that contradiction – expressed through its supplementarity – that the feminine already embodied in those theories and that feminists pointed out again and again, though with different arguments and in different terms.

The recurrence of feminist critiques raises the question of their success or failure, and thus of their depth and significance as political movements. If feminism cannot be subsumed into politics as we have known it (as the conflict of parties and interests in the public realm: Gironde versus Jacobin, republican versus socialist) can it be given a political status of its own?

Certainly Olympe de Gouges (like her feminist contemporaries) cannot be considered successful in the usual terms of political evaluation. She did not win acceptance of her proposals for women’s rights; her refiguration of marriage, women, and nature was generally dismissed by those in power (in the government and in various political groupings) as outrageous rather than taken seriously. Within a few days of her death (in November 1793) Chaumette set the terms of her historical reputation. He warned republican women who dared to question their roles of the fate of others who had broken the rules:

Remember that virago, that woman-man (cette femme-homme), the
impudent Olympe de Gouges, who abandoned all the cares of her household because she wanted to engage in politics and commit crimes. . . . This forgetfulness of the virtues of her sex led her to the scaffold.52

Although her Declaration of the Rights of Woman inspired feminist challenges to successive governments throughout the nineteenth and the first half of the twentieth centuries, formal histories either excluded her entirely or classed her with the 'furies' of the Revolution, those women who caused and expressed the excesses of unrestrained passion.53 In 1904, a Dr Guillois analysed de Gouges as a case of revolutionary hysteria. Her abnormal sexuality (caused by excessive menstrual flow), her narcissism (evinced by a predilection for daily baths), and her entire lack of moral sense (proven by her repeated refusal to remarry) constituted the definitive signs of her mental pathology. A defective femininity, in short, had led to her unfortunate interest in politics.54 The implications of this diagnosis for Guillois's contemporaries was unmistakable: demands for women's rights (as well as all reforming zeal) could not be taken seriously as politics, but must be treated as illness.

These references to de Gouges are misleading, however, for they exaggerate the attention paid to her by historians. The most characteristic treatment of her (as of feminists generally) has been massive silence. I do not in any way want to argue for her rehabilitation as a heroine, although there are some historians who would insist that that is the only way to grant her agency, the only justification for attending to her. Rather, I want to suggest that de Gouges's practice – her writings and speeches – offers a useful perspective for reading the history of politics and political theory in the French Revolution and for considering questions about contemporary feminist politics. What was the legacy of the French Revolution for women? What did feminism reveal about that legacy? What was/is the status of feminism as a politics?

In a way I've already answered most of these questions but I will restate what I've said: if by political we mean a contest about power, feminism was a political movement poised in critical opposition to liberal political theory, constructed within and yet defined out of serious consideration by the terms of that theory. By those terms, political was synonymous with rational, public, and universal, with the free agency of autonomous subjects. Woman, by a set of definitions attributed to nature, was construed as having antithetical traits, hence being outside politics. In order to formulate a critique of this theory, feminists like de Gouges contested its definitions, and sometimes also its legitimating premises, but at the same time they used the prevailing terminology of the day. This produced an ambiguous discourse which both confirmed and challenged prevailing views, and which exposes
to us a fundamental paradox of the political theory of the Revolution: the relative and highly particularized aspect, the undeniable embodiment, of its claim to universality.

The ambiguity of de Gouges’s feminism is not a measure of its inadequacy as philosophy and politics; rather it is an effect of the exclusions and contradictions of the political theory within and against which it was articulated. The same can be said of subsequent feminisms in the nineteenth and twentieth centuries. Indeed, the recurrence since the Revolution of feminist critiques reminds us not only that the democratic promise of liberal (and socialist and republican) political theory is as yet unfulfilled, but also that it may be impossible of fulfilment in the terms in which it has so far been conceived.

NOTES

*This paper was prepared for a conference on ‘Women in the French Revolution’, held at the University of California, Los Angeles, October 20–21, 1989. A somewhat different version of it was published in a volume of essays from that conference: (Sara Melzer and Leslie Rabine (eds), Women in the French Revolution, Berkeley, University of California Press, 1989). I am grateful to Leslie Rabine and Sara Melzer, as well as to the University of California Press for permission to publish here. I also wish to thank Judith Butler, Jacquelyn Dow Hall, Ruth Leys, Denise Riley, Donald Scott, and Elizabeth Weed for their invaluable critical suggestions.

1 Thus Robespierre’s evocation of ‘the reign of that eternal justice, the laws of which are graven, not on marble or stone, but in the hearts of men, even in the heart of the slave who has forgotten them, and in that of the tyrant who disowns them’. Maximilien Robespierre, Report upon the Principles of Political Morality which are to Form the Basis of the Administration of the Interior Concerns of the Republic (Philadelphia, 1794), reprinted in History of Western Civilization: Selected Readings Topic VIII (Chicago, The University of Chicago Press, 1964), pp. 73–4.


French Feminists and the Rights of 'Man'


4 Levy, Applewhite and Johnson, p. 215.
5 Levy, Applewhite and Johnson, p. 219.
7 ‘Guarding the Body Politic,’ p. 15.
15 Levy, Applewhite and Johnson, p. 220.
20 For biographical treatment, see Olivier Blanc, Olympe de Gouges (Paris, Syros, 1981); and the Introduction to Olympe de Gouges: Oeuvres by Benoîte Groult, (Paris, Mercure de

De Gouges’s actions were not unique or specific to women in this period. The article ‘de’ was often added to the names of aspiring young men; during the Revolution ‘new men’ displayed their regeneration or rebirth by rebaptising themselves often with heroic classical names. De Gouges’s self is, in this sense, revealing of a process not confined to one gender, and can be taken as emblematic of the process of self-construction more generally.


In *Oeuvres*, pp. 88–92.


Like much of de Gouges’s writing, the *Declaration of the Rights of Woman* has an excessive quality. It strains within its chosen format. Surrounding the 17 articles which list women’s rights there is, first a long dedication to Marie Antoinette, then a preamble more than twice the length of the one for the *Declaration of the Rights of Man*. At the end there is a postamble, followed by a model ‘marriage’ contract, followed by a rambling discussion that touches on ancient marriage customs, the rights of men of colour in the colonies, and the role of the legislative and executive power in the French nation. It is as if the statement of women’s rights cannot stand without explanations. It must correct all that upon which the *Declaration of the Rights of Man* rests in order to make its point. This sense of strain, the excessive quality of the writing, is an attempt to deal, I would argue, with contradiction, with the paradoxical operations of the logic of the supplement.


I am grateful to Ruth Leys for suggesting this point.

Here we find her playing with versions of Rousseau’s distinctions between artifice and nature, between man in civilization and man in nature. See Maurizio Viroli, *Jean-Jacques Rousseau and the ‘Well-Ordered Society’* (Cambridge, Cambridge University Press, 1988), chapter 2. See also the discussion of the ways republican thinkers linked artifice with the feminine and with aristocracy in Joan Landes, *Women and the Public Sphere in the Age of the French Revolution* (Ithaca, N.Y., Cornell University Press, 1988). One of de Gouges’s strategies here is to attempt to disentangle the feminine from its prevalent association with artifice and aristocracy and to identify it instead with the public virtues of a republic.

Levy, Applewhite and Johnson, pp. 94–5.


Levy, Applewhite and Johnson, p. 170.


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50 Condorcet, ‘On the Admission of Women to the Rights of Citizenship (1790)’, in Selected Writings, K. M. Baker (Indianapolis, 1976).
51 On this history see, Claire Goldberg Moses, French Feminism in the Nineteenth Century (Albany, SUNY Press, 1984).