

Haiti 1794

# Proclamation

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## In the Name of the Republic:

We, Leger Felicite Sonthonax, Civil Commissioner of the Republic, delegate to the French windward islands of America for the reestablishment there of order and public tranquility

Men are born and remain free and equal in rights; this, citizens is the gospel of France. It is more than time that it is proclaimed in all the departments of the Republic.

Sent by the Nation in the quality of Civil Commissioners to Saint-Domingue, our mission was to see to it that the law of April 4 was executed, to have it reign in all its force, and to gradually prepare there, without causing rifts and upset, the general freeing of the slaves.

On our arrival we found a frightful schism among the whites who, divided in interests and opinions, were in agreement on only one point, that of eternally perpetuating the servitude of the negroes as well as proscribing any system of liberty, and even of improvement in their lot. In order to foil the ill intentioned and to reassure spirits, with all on the alert for fear of a sudden movement, we declared that *slavery was necessary to cultivation*.

We were telling the truth, Citizens: slavery was then essential, as much for the continuation of labor as for the preservation of the colonists. Saint-Domingue was still in the power of a horde of ferocious tyrants who publicly preached that the color of skin should be the sign of power or reprobation. The judges of the unfortunate Oge, the henchmen and the members of those infamous provost commissions who filled the cities with gallows and wheels for sacrificing Africans and men of color to their

atrocious pretensions, all these bloodthirsty individuals still populated the colony. If by the greatest of imprudence we had, at that time, broken the bonds that chained slaves to their masters their first impulse would doubtless have been to throw themselves on their executioners and, in their too just fury, they would easily have confounded the innocent with the guilty. In any event, our powers didn't extend so far as pronouncing on the lot of Africans, and we would have been traitors and criminals if the law had been violated by us.

Today the circumstances are quite different. The slave owners and the man-eaters are no more. Some have perished, victims of their impotent rage, and others have sought their salvation in flight and emigration. Those of the whites that are left are friends of the law and of French principles. The greater part of the population is formed of men of April 4, of those men to whom you owe your liberty, who were the first to set an example of courage in defending the rights of nature and humanity; men who, proud of their independence, preferred the loss of their property to the shame of again imposing the ancient irons. Never forget, Citizens, that you owe them the arms that conquered your freedom; never forget that it is for the French Republic that you fought; that of all the whites in the universe the only ones who are your friends are the French of Europe.

The French Republic wants liberty and equality among all men, without distinction of color. Kings are only happy among slaves. It is they who, on the coasts of Africa, sold you to whites. It is the tyrants of Europe who want to perpetuate this infamous traffic. The REPUBLIC adopts you as its children; kings aspire only to cover you in chains or to annihilate you.

It is the representatives of that same Republic who, in order to come to your rescue, have untied the hands of the Civil Commissioners by giving them the power to provisionally change *the organization and discipline of workshops*. That organization and that discipline are going to be changed: a new order of things is going to be born, and the ancient servitude will disappear.

Nevertheless, don't think that the freedom you are going to enjoy is a state of laziness and leisure. In France everyone is free, and everyone works; in Saint-Domingue, subject to the same laws, you will follow the same example. Return to your workshops or to your former owners; you will receive the wages of your suffering. You will no longer be subjected to the humiliating correction that was once inflicted on you; you will no longer be the property of another: you will remain masters of your own, and you will

live happy.

Having become citizens by the will of the French Nation you should also be zealous respecters of its decrees. You will doubtless defend the interests of the Republic against kings, less from a sentiment of your independence than from gratitude for the benefits it has bestowed on you. Freedom makes you pass from nothingness to existence: show yourselves worthy of it. Forever abjure indolence and brigandage: have the courage to will to be a people and you will soon be the equal of European nations.

Your slanderers and your tyrants maintain that having become free, the African will no longer work: show that they are wrong. Redouble your emulation at the sight of the prize that awaits you. Prove to France, through your activity, that in joining yourself to its interests it has truly increased its resources and its means.

And you, citizens led astray by infamous royalists; you who, under the banners and the livery of the Spanish coward, blindly fight against your own interests, against the freedom of your women and children, at long last open your eyes to the immense advantages offered you by the Republic. Kings promise you freedom, but do you see them give it to their subjects? Without a doubt, no. On the contrary, he promises to charge you with new irons as soon as your services are no longer useful to him. Is it not he who turned Ogé over to his assassins? Unfortunates that you are! If France once again took a king you would soon become the prey of the émigrés. They caress you today; they will become your first executioners.

In these circumstances, the civil commissioner, deliberating over the individual petition signed in common assembly;

Exercising the powers delegated to him by Art. III of the decree of the National Convention last March 6;

Has ordered and orders the following to be executed in the Northern Province:

## **FIRST ARTICLE**

I. The Declaration of the Rights of man and Citizen shall be printed, published, and posted wherever need be, on the responsibility of municipal officers, cities and towns, and of military commanders in camps and posts.

II. All Negroes and mixed bloods currently enslaved are declared free in order as to enjoy all the rights attached to the quality of French citizen. They will nevertheless be subject to a regime whose dispositions will be contained in the following articles.

III. All former slaves will have themselves, their wives and their children registered at the municipality of their place of residence, where they will receive their ticket as French citizens, signed by the civil commissioner.

IV. The formula on these tickets will be determined by us. They will be printed and sent to the municipalities on responsibility of the civil commander.

V. Domestics of both sexes can only be hired in the service of masters or mistresses for three months, and this at a salary that will freely be fixed between them

VI. Former domestic slaves attached to the elderly of greater than 60 years, to the infirm, to nursing babies and children of less than ten years will not be free to leave them. Their salary remains fixed at one Portuguese per month for nursing babies and six Portuguese per annum for the others, without distinction of sex.

VII. The salaries of domestics can be demanded every three months.

VIII. Those of laborers of whatever kind shall be freely fixed with the entrepreneur who employs them.

IX. Negroes currently attached to the habitations of their former masters will be obliged to remain there. They will be employed at cultivation.

X. Soldiers serving in camps or garrisons can establish themselves on the habitations by taking up cultivation and previously obtaining leave from their chiefs or by our order, which can only be delivered to them upon finding as replacement a man of good will.

XI. Former field slaves will be hired for one year, during which time they can only change habitation with the permission of the justice of the peace, who shall be spoken of below and in cases which we shall determine.

XII. The revenue of each habitation will be shared in three equal portions after deduction of imposts, which shall be levied on the whole. A third remains affected to property in land and shall belong to the owner. He will have right to another third for the expenses involved in rendering the land profitable. The remaining third shall be shared among the cultivators in a manner to be fixed.

XIII. In the expenses of rendering the land profitable are included all expenses for cultivation, tools, the animals necessary for cultivation and the transportation of produce, the construction and maintenance of buildings, hospital expenses, surgeons, and managers.

XIV. In the third of revenue belonging to the cultivators commanders, who will henceforth be called work leaders will have three parts.

XV. Sub-leaders will receive two parts, as well as those employed at the making of sugar and indigo.

XVI. The other cultivators, of fifteen and older, will each have a portion.

XVII. Women of fifteen and greater will have a two-third portion.

XVIII. From ages ten to fifteen, children of both sexes shall have a half-portion

XIX. Cultivators will also have a place for provisions. They shall be equitably shared among each family, taking into consideration the quality of the land and the quality to be accorded.

XX. Mothers with one or several children less than ten years of age will receive an entire portion. Up till said age children shall remain their parents' charge for food and clothing.

XXI. From the age of ten until fifteen children can only be employed at the guarding of animals or at gathering and separating coffee and cotton.

XXII. The elderly and the infirm shall be nourished by their relatives. Clothing and medicine shall be at the charge of the landowner.

XXIII. Produce shall be shared at each delivery between the landowner and the cultivator, either in kind or money, at the landowner's choice. In the case of

sharing in kind the latter shall be responsible to have the cultivators' share driven to the nearest wharf.

XXIV. A justice of the peace and two assessors shall be established in each commune, whose functions will be pronouncing on disagreements between landowners and cultivators, and of the latter among each other relative to the division of their portion of revenue. They will see to it that cultivators be well cared for in illness and that all work equally, and they will maintain order in the workshops.

XXV. Landowners, farmers and managers must have a register signed by the municipality of the locale in which will be written the quantity of each delivery of produce and shall regulate the third belonging to the cultivators. This sharing out shall be verified by the inspector of the parish and definitively decreed by him. The justice of the peace will be responsible for having a duplicate of the register maintained by each manager or landowner and to present it to the inspector general whenever required. It shall be the same for managers relative to justices of the peace and the inspector general.

XXVI. The inspector general of the Northern Province shall be charged with inspecting all habitations, with obtaining from justices of the peace all possible information concerning the organization and discipline of the workshops and of rendering accounts, to the governor general and the civil commander. He shall be on inspection tour at least twenty days of the month.

XXVII. Punishment by whipping is absolutely suppressed. It shall be replaced, for transgressions of discipline, by the bar for one, two, or three days, in keeping with the demands of the case. The strongest penalty shall be the loss of a part or the totality of wages. It shall be pronounced by the judge of the peace and his assessors. The share of he or they who shall be deprived of this shall increase the profits of the workshop.

XXVIII. Concerning civil crimes, former slaves shall be judged in the same way as other French citizens.

XXIX. Cultivators cannot be forced to work Sundays. They shall be given two hours a day for the cultivation of their places. The justices of the peace shall

regulate, in accordance with the circumstance, the hours at which work shall begin and end.

XXX. It shall be up to the landowner or manager to have a given number of labor leaders and sub-leaders. They shall be chosen by him and can also be dismissed from their position by him, on condition they render accounts to the justice of the peace who, assisted by his assessors, will pronounce on the validity of the dismissal. The leaders and sub-leaders can also be dismissed by the justices of the peace assisted by the assessors upon complaint against them by cultivators.

XXXI. Women seven months regnant shall not work in the garden, and shall only return there two months after giving birth. During this time they shall enjoy not less than two thirds of the portion allocated to them.

XXXII. Cultivators can change habitation for reasons of health, or recognized incompatibility of character, or at the request of the workshop in which they are employed. All of which shall be submitted for the decision of the justice of the peace, assisted by his assessors.

XXXIII. A fortnight from the date of the promulgation of the present proclamation all men without property and who are neither enrolled nor attached to cultivation nor employed in domestic service and who are found wandering shall be arrested and put in prison.

XXXIV. Women without known means of existence who are not attached to cultivation or employed in domestic service in the abovementioned span of time, or who are found wandering shall also be arrested and put in prison.

XXXV. Men and women put in prison in the cases of the preceding two articles shall be detained for one month in the first instance, three months in the second, and the third time condemned to public labor for one year.

XXXVI. Persons attached to cultivation and domestics cannot, for any reason, leave without permission of the municipality, the commune in which they reside. Those who contravene this disposition shall be punished in the manner determined in Art. XXVII.

XXXVII. The justice of the peace shall be expected to visit the habitations under his responsibility every week. An account of the visit shall be sent to the inspector general who will send it to the Civil Commissioners, the Governor general, and the Civil Commander.

XXXVIII. The dispositions of the Black Code remain provisionally abrogated.

The present proclamation shall be printed and posted where need be.

It shall be proclaimed at the crossroads and public squares of the cities and provinces of the Northern Province by municipal officers wearing sashes, preceded by liberty bonnets borne at the top of a pike.

We order the intermediary commission, the administrative and judicial bodies to have it transcribed in their registers, published and posted.

We order all military commanders to assist in its execution.

We request that the interim Governor General to see to its execution.

At the Cape, August 29, the second year of the Republic.

SONTHONAX

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**Haiti Archive**