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A Brief History with Documents

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The Haitian Declaration of Independence

January 1, 1804

By November 1803, Saint-Domingue's rebel forces, led by Jean-Jacques Dessalines, had driven the last of the French army out of the colony. Dessalines commissioned one of his secretaries, Louis Boisrond-Tonnerre, to write a declaration of independence. According to tradition, Dessalines chose Boisrond-Tonnerre when he heard him exclaim that this document "should be written with the skin of a white man for parchment, his skull for a desk, his blood for ink, and a bayonet for a pen." The following text was written overnight and read publicly by its author the following morning before a crowd at Gonaïves, a coastal town north of Port-au-Prince.

The Commander in Chief to the People of Haiti

Citizens:

It is not enough to have expelled the barbarians who have bloodied our land for two centuries; it is not enough to have restrained those ever-evolving factions that one after another mocked the specter of liberty that France dangled before you. We must, with one last act of national authority, forever ensure liberty's reign in the country of our birth; we must take any hope of re-enslaving us away from the inhumane government that for so long kept us in the most humiliating stagnation. In the end we must live independent or die.

Independence or death . . . let these sacred words unite us and be the signal of battle and of our reunion.

Citizens, my countrymen, on this solemn day I have brought together those courageous soldiers who, as liberty lay dying, spilled their blood to save it; these generals who have guided your efforts against tyranny have not yet done enough for your happiness; the French name still haunts our land.

Everything revives the memories of the cruelties of this barbarous people: our laws, our habits, our towns, everything still carries the

stamp of the French. Indeed! There are still French in our island, and you believe yourself free and independent of that republic, which, it is true, has fought all the nations, but which has never defeated those who wanted to be free.

What! Victims of our [own] credulity and indulgence for fourteen years; defeated not by French armies, but by the pathetic eloquence of their agents' proclamations; when will we tire of breathing the air that they breathe? What do we have in common with this nation of executioners? The difference between its cruelty and our patient moderation, its color and ours, the great seas that separate us, our avenging climate, all tell us plainly that they are not our brothers, that they never will be, and that if they find refuge among us, they will plot again to trouble and divide us.

Native citizens, men, women, girls, and children, let your gaze extend on all parts of this island: look there for your spouses, your husbands, your brothers, your sisters. Indeed! Look there for your children, your suckling infants, what have they become? . . . I shudder to say it . . . the prey of these vultures.

Instead of these dear victims, your alarmed gaze will see only their assassins, these tigers still dripping with their blood, whose terrible presence indicts your lack of feeling and your guilty slowness in avenging them. What are you waiting for before appeasing their spirits? Remember that you had wanted your remains to rest next to those of your fathers after you defeated tyranny; will you descend into their tombs without having avenged them? No! Their bones would reject yours.

And you, precious men, intrepid generals, who, without concern for your own pain, have revived liberty by shedding all your blood, know that you have done nothing if you do not give the nations a terrible, but just example of the vengeance that must be wrought by a people proud to have recovered its liberty and jealous to maintain it. Let us frighten all those who would dare try to take it from us again; let us begin with the French. Let them tremble when they approach our coast, if not from the memory of those cruelties they perpetrated here, then from the terrible resolution that we will have made to put to death anyone born French whose profane foot soils the land of liberty.

We have dared to be free, let us be thus by ourselves and for ourselves. Let us imitate the grown child: his own weight breaks the boundary that has become an obstacle to him. What people fought for us? What people wanted to gather the fruits of our labor? And what dishonorable absurdity to conquer in order to be enslaved. Enslaved? . . .

Let us leave this description for the French; they have conquered but are no longer free.

Let us walk down another path; let us imitate those people who, extending their concern into the future and dreading to leave an example of cowardice for posterity, preferred to be exterminated rather than lose their place as one of the world's free peoples.

Let us ensure, however, that a missionary spirit does not destroy our work; let us allow our neighbors to breathe in peace; may they live quietly under the laws that they have made for themselves, and let us not, as revolutionary firebrands, declare ourselves the lawgivers of the Caribbean, nor let our glory consist in troubling the peace of the neighboring islands. Unlike that which we inhabit, theirs has not been drenched in the innocent blood of its inhabitants; they have no vengeance to claim from the authority that protects them.

Fortunate to have never known the ideals that have destroyed us, they can only have good wishes for our prosperity.

Peace to our neighbors; but let this be our cry: "Anathema to the French name! Eternal hatred of France!"

Natives of Haiti! My happy fate was to be one day the sentinel who would watch over the idol to which you sacrifice; I have watched, sometimes fighting alone, and if I have been so fortunate as to return to your hands the sacred trust you confided to me, know that it is now your task to preserve it. In fighting for your liberty, I was working for my own happiness. Before consolidating it with laws that will guarantee your free individuality, your leaders, who I have assembled here, and I, owe you the final proof of our devotion.

Generals and you, leaders, collected here close to me for the good of our land, the day has come, the day which must make our glory, our independence, eternal.

If there could exist among us a lukewarm heart, let him distance himself and tremble to take the oath which must unite us. Let us vow to ourselves, to posterity, to the entire universe, to forever renounce France, and to die rather than live under its domination; to fight until our last breath for the independence of our country.

And you, a people so long without good fortune, witness to the oath we take, remember that I counted on your constancy and courage when I threw myself into the career of liberty to fight the despotism and tyranny you had struggled against for fourteen years. Remember that I sacrificed everything to rally to your defense; family, children, fortune, and now I am rich only with your liberty; my name has

become a horror to all those who want slavery. Despots and tyrants curse the day that I was born. If ever you refused or grumbled while receiving those laws that the spirit guarding your fate dictates to me for your own good, you would deserve the fate of an ungrateful people. But I reject that awful idea; you will sustain the liberty that you cherish and support the leader who commands you. Therefore, vow before me to live free and independent and to prefer death to anything that will try to place you back in chains. Swear, finally, to pursue forever the traitors and enemies of your independence.

Done at the headquarters of Gonaïves, the first day of January 1804, the first year of independence.

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The Haitian Constitution

1805

Reflecting the enormous influence of the revolutionary struggle on the structure of the new state, Haiti's first constitution named Jean-Jacques Dessalines emperor, with a council of state comprised of the generals who governed the new nation's six regions. But Dessalines' 1806 attempt to revoke land titles acquired by locally powerful families led to his assassination. Haiti broke into rival states: a republic ruled by Alexandre Pétion comprised of the southern and western regions, and a monarchy under Henri Christophe in the north. Only in 1820, after both men had died, were the two Haitians united into one country.

We, Henri Christophe, Clervaux, Vernet, Gabart, Pétion, Capois, Magny, Cangé, Daut, Magloire Ambroise, Yayou, Jean-Louis François, Gérin, Moreau, Férou, Bazelais, Martial Besse;

As individuals and in the name of the Haitian people who have legally constituted us the faithful voices and interpreters of their will;

In the presence of the Supreme Being before whom all mortals are equal, and who has spread so many different creatures over the surface of the globe only in order to demonstrate his glory and power by the diversity of his works;

Before all of nature, we who have been for so long and so unfairly considered to be its unworthy children, declare that the terms of this constitution are the free, voluntary, and unchanging expression of our hearts and of our constituents' general will;

We submit it to the approval of his Majesty the Emperor Jacques Dessalines, our liberator, for prompt and complete execution.

Preliminary Declaration

Article 1. By this document the people living on the island formerly called Saint-Domingue agree to form a free and sovereign state, independent of all the other powers of the universe, under the name of the Haitian Empire.

— Article 2. Slavery is abolished forever.

Article 3. Brotherhood unites Haiti's citizens; equality before the law is irrefutably established; and no other titles, advantages, or privileges can exist, other than those which necessarily result from respect and compensation for services rendered to liberty and independence.

Article 4. There is one law for everyone, whether it punishes or protects.

Article 5. The law cannot be retroactive.

Article 6. Property rights are sacred; violations will be vigorously pursued.

— Article 7. Persons who emigrate and become citizens in a foreign country forfeit their Haitian citizenship, as do those convicted of corporal or disgraceful crimes. The former instance is punishable by death and confiscation of property.

— Article 8. In cases of bankruptcy or business failure, Haitian citizenship is suspended.

— Article 9. No one is worthy of being a Haitian if he is not a good father, a good husband, and, above all, a good soldier.

— Article 10. Fathers and mothers may not disinherit their children.

— Article 11. Every citizen must know a mechanical trade.

— Article 12. No white man, regardless of his nationality, may set foot in this territory as a master or landowner, nor will he ever be able to acquire any property.

— Article 13. The preceding article does not apply to white women who the government has naturalized as Haitian citizens or to their children, existing or future. Also included in this are the Germans and Poles naturalized by the government.

— Article 14. Because all distinctions of color among children of the same family must necessarily stop, Haitians will henceforth only be known generically as Blacks.

About the Empire

Article 15. The Haitian Empire is one and indivisible; its territory is divided into six military districts.

Article 16. A major general will command each military district.

Article 17. Each of these major generals will be independent of the others and will report directly to the emperor or the general-in-chief named by His Majesty.

Article 18. The following islands are an integral part of the empire: Samana, Tortuga, Gonaïves, Cayemittes, Île à Vache, la Saône, and other neighboring islands.

Article 19. Haiti is governed by a first magistrate who will take the title of Emperor and Supreme Chief of the Army.

Article 20. The people recognize Jacques Dessalines, the avenger and liberator of his fellow citizens, as the Emperor and Supreme Chief of the Army. He is addressed as Majesty, as is his distinguished spouse, the Empress.

Article 21. The persons of Their Majesties are sacred and inviolable.

Article 22. The state will pay a fixed stipend to Her Majesty the Empress as dowager princess.

Article 23. The crown is elective and nonhereditary.

Article 24. The state will allocate an annual stipend to the recognized children of His Majesty the Emperor.

Article 25. Like other citizens, the emperor's recognized male children will be required to work their way up from rank to rank, successively, with the single difference that their military service in the fourth demi-brigade will be counted from the day of their birth.

Article 26. The emperor will designate his successor in the manner he judges most appropriate, either before or after his death.

Article 27. The state will set an appropriate pension for this successor at the moment he comes to the throne.

Article 28. Neither the emperor nor any of his successors will have

the right in any situation or for any reason to surround himself with a privileged group under the name of honor guard or any other title.

Article 29. Any successor who strays from either the provisions of the preceding article, or from the course laid out for him by the reigning emperor, will be considered a threat to society and declared as such. In this event, the counselors of state will meet to proclaim his removal and choose their worthiest member to replace him; and if it happens that the said successor tries to oppose this legally authorized measure, the council of state, comprised of the generals, will appeal to the people and the army, which will lend a hand and assist in maintaining liberty.

Article 30. The emperor makes, seals, and promulgates the laws; as he sees fit, he names and dismisses the ministers, the army's general-in-chief, the counselors of state, the generals and other officers of the empire, the officers of the army and navy, the members of local government administrations, the government commissioners in the courts, the judges, and other public functionaries.

Article 31. The emperor directs the collection of state funds and their expenditure and oversees the manufacture of currency. He alone orders coins to be put into circulation and sets their weight and kind.

Article 32. He alone has the power to make peace or war, to maintain political relations and establish contracts with foreign powers.

Article 33. He provides for the state's internal security and defense, and decides on the territorial distribution of the army and navy.

Article 34. In the event of some conspiracy against public security, the constitution, or his person, the emperor will immediately arrest its leaders or accomplices, who will be judged by a special council.

Article 35. Only His Majesty will have the right to pardon a guilty person or to commute his sentence.

Article 36. The emperor will never undertake any project with the idea of conquest or to disturb the peace and the internal regime of foreign colonies.

Article 37. All public deeds will be made in these terms: *The First Emperor of Haiti and the Supreme Chief of the Army by the grace of God and the constitutional law of the state.* . . .

On Religion

Article 50. The law does not recognize any dominant religion.

Article 51. Freedom of worship is allowed.

Article 52. The state does not provide for the expenses of any form of religion or ministry.

General Measures

Article 1. The emperor and the empress will choose the persons who make up the court and set their stipend and support.

Article 2. After the death of the reigning emperor, when it is decided that the constitution needs to be revised, the council of state will meet for this purpose under the leadership of the member with the greatest seniority.

Article 3. Crimes of high treason and the crimes committed by the ministers and the generals will be judged by a special council named and led by the emperor.

Article 4. The army's fundamental duty being to obey, no armed body can make political decisions.

Article 5. No one can be judged without having been heard by legal authorities.

Article 6. Every citizen's house is inviolable.

Article 7. One may enter in case of fire, flood, or a legal complaint from the ministry of the interior or by virtue of an order from the emperor or any other legal authority.

Article 8. He who kills his fellow man deserves to die.

Article 9. No capital punishment or death penalty can be legally carried out unless it has been confirmed by the emperor.

Article 10. Theft will be punished according to the situation preceding and accompanying the crime.

Article 11. All foreigners residing in Haitian territory, as well as all Haitians, are subject to the criminal laws and penalties of the country.

Article 12. All property formerly belonging to a white Frenchman is confiscated for the profit of the state, without appeal.

Article 13. All Haitians who acquired the property of a white Frenchman, but who paid only part of the price specified in the deed of sale, must pay the remaining sum to the state.

Article 14. Marriage is a purely civil deed that is authorized by the government.

Article 15. The law authorizes divorce in certain specific cases.

Article 16. A special law will be passed regarding children born outside of marriage.

Article 17. Respect for leaders, subordination, and discipline are absolutely necessary.

Article 18. A penal code will be published and strictly enforced.

Article 19. In each military district, a public school will be established to educate the youth.

Article 20. The national colors will be black and red.

Article 21. Agriculture, the first, most noble, and most useful of the arts, will be honored and protected.

Article 22. Trade, the second source of a state's wealth, seeks to be free of obstacles. It must be favored and specially protected.

Article 23. In each military district, the emperor will name the members of a commercial court, chosen from the merchant class.

Article 24. Honesty and fairness in commerce will be religiously observed.

Article 25. The government guarantees safety and protection to neutral and friendly nations that establish commercial relations with this island, on the condition that they obey the regulations, laws, and customs of this country.

Article 26. Foreign trading posts and merchandise will be under the protection and guarantee of the state.

Article 27. There will be national holidays to celebrate independence, the birthday of the emperor and of his august wife, as well as agriculture and the constitution.

Article 28. At the first sound of the alarm cannon, the towns will disappear and the nation will rise to its feet.

We, the undersigned representatives, place this explicit and solemn pact of the sacred rights of man and the duties of the citizen under the protection of the officials, of the fathers and mothers of families, of the citizens and the army.

We recommend it to our descendants and recommend it to the friends of liberty, to those who love mankind in every country as remarkable proof of divine goodness, whose immortal decrees have given us the opportunity to break our chains and form a free people, civilized and independent.

A Chronology of Events Related to the Slave Revolution in the Caribbean (1635-1805)

- 1635** Guadeloupe and Martinique settled by the French.
- 1660-**
- 1670s** Informal settlement of Hispaniola by the French.
- 1685** *The Code Noir* issued.
- 1697** Treaty of Rhyswick/Spain officially cedes western half of Hispaniola to the French.
- 1776** American Revolution begins.
- 1778** France signs military alliance with the American colonies.
- 1783** Treaty of Paris ends American Revolution.
- 1788** Société des Amis des Noirs (Society of the Friends of the Blacks) founded in Paris.
- 1789** French Revolution begins.
May: The Estates General meets in Versailles.
June: National Assembly is formed.
July: The people of Paris storm the Bastille prison.
August: The National Assembly approves the Declaration of the Rights of Man; slave insurrection occurs in Martinique.
- 1790** *March 8:* The National Assembly passes the Law on the Colonies.
August: The Saint-Marc Assembly is shut down by royal officials.
October: Vincent Ogé leads a revolt in Saint-Domingue, agitating for the rights of free colored voters.
- 1791** *February:* Vincent Ogé is executed in Cap Français.
May 15: The National Assembly grants political rights to some free people of color.