

*This was also known as the Toussaint Constitution.*

## HAITIAN CONSTITUTION OF 1801

The representatives of the colony of [Saint-Domingue](#), gathered in Central Assembly, have arrested and established the constitutional bases of the regime of the French colony of Saint-Domingue as follows:

### TITLE I Of the Territory

**Art. 1.** – Saint-Domingue in its entire expanse, and Samana, [La Tortue](#), La Gonave, Les Cayemites, L'Ile-a-Vache, La Saone and other adjacent islands form the territory of a single colony, which is part of the French Empire, but ruled under particular laws.

**Art. 2.** – The territory of this colony is divided in [departments](#), [arrondissements \(districts\)](#) and [parishes](#).

### TITLE II Of the Inhabitants

**Art. 3.** - There cannot exist [slaves](#) on this territory, servitude is therein forever abolished. All men are born, live and die free and French.

**Art. 4.** – All men, regardless of color, are eligible to all employment.

**Art. 5.** – There shall exist no distinction other than those based on virtue and talent, and other superiority afforded by law in the exercise of a public function.

The law is the same for all whether in punishment or in protection.

### TITLE III Of the Religion

**Art. 6.** - The catholic, apostolic, roman faith shall be the only publicly professed faith.

**Art. 7.** – Each parish shall provide to the maintaining of religious cult and of its ministers. The wealth of the factories shall be especially allocated to this expense, and the presbyteries to the housing of ministers.

**Art. 8.** – The governor of the colony shall assign to each minister of the religion the extent of his spiritual administration, and said ministers can never, under any circumstance, form a corps in the colony....

### TITLE V Of Men in Society

**Art. 12.** – The Constitution guarantees freedom and individual security. No one shall be arrested unless a formally expressed mandate, issued from a functionary to whom the law grants the right to order arrest and detention in a publicly designated location.

**Art. 13.** – Property is sacred and inviolable. All people, either by himself, or by his representatives, has the free right to dispose and to administer property that is recognized as belonging to him. Anyone who attempts to deny this right shall become guilty of crime towards society and responsible towards the person troubled in his property.

### TITLE VI Of Cultures and Commerce

**Art. 14.** – The colony being essentially agricultural cannot suffer the least disruption in the works of its cultivation...

**Art. 16.** – Each cultivator and each worker is a member of the family and shares in parts of the revenues.

Every change in domicile on the part of the cultivator carries the ruin of the cultivation. In order to repress a vice as disruptive to the colony as it is to public order, the governor issues all policy requirements necessary in the circumstances and in conformance with the bases of rules of police of 20 *Vendémiaire*, year IX [1801], and of the proclamation of the following 19th *Pluviôse* of the Chief General *Toussaint-Louverture*.

**Art. 17.** – The introduction of cultivators indispensable to the reestablishment and to the growth of agriculture shall take place in *Saint-Domingue*. The Constitution charges the Governor to take convenient measures to encourage and favor the increase in manpower, to stipulate and balance the diverse interests, to ensure and guarantee the execution of respective engagements resulting from this introduction....

## TITLE VII

### Of the Legislation and Legislative Authority

**Art 19.** – The colonial regime is determined by laws proposed by the Governor and rendered by a gathering of inhabitants, who shall meet at fixed periods at the central seat of the colony under the title Central Assembly of *Saint-Domingue*.

**Art. 20.** – No law relative to the internal administration of the colony shall be promulgated unless it contain the following formula:

The Central Assembly of *Saint-Domingue*, upon the proposition of the Governor, renders the following law:

**Art. 23...**The Assembly shall be renewed every two years by half; no one shall be a member for six consecutive years. The election shall proceed as follows: municipal administrations nominate every two years, on the 10th *Ventôse* (March 1st) each of the deputies, whom shall meet ten days thereafter at the chief town of their respective departments, where they shall form as many departmental electoral assemblies that will nominate, each, one representative to the Central Assembly.

The next election shall take place on the 10th *Ventôse* of the eleventh year of the French Republic [March 1st 1803]. In case of death, resignation or other vacancy of one or several members of the Assembly, the Governor shall provide a replacement.

He shall equally designate the members of the actual Central Assembly who, at the time of first renewal, shall remain members of the Assembly for two additional years.

**Art 24.** – The Central Assembly shall vote the adoption or the rejection of laws that are proposed to it by the Governor; it shall express its vote on rules made and on the application of laws already made, on abuses to correct, on improvements to undertake in all parts of service of the colony.

**Art. 25.** – The session shall begin each year on the 1st *Germinal* (March 22) and shall not exceed three months in duration. The Governor can convoke the Assembly in extraordinary meeting; the hearings shall not be public.

**Art. 26.** – On the state of revenues and spending that are proposed to the Assembly by the Governor, the Central Assembly shall determine, when appropriate, establishment of rates, quotas, the duration and mode of tax collection, its increase or decrease; these conditions shall be summarily printed.

## TITLE VIII

### Of the Government

**Art. 27.** – The administrative direction of the government shall be entrusted to a Governor who corresponds directly with the government of the Metropole, on all matters relative to the interests of the colony.

**Art. 28.** – The Constitution nominates the citizen *Toussaint-Louverture*, Chief General of the army of *Saint-Domingue*, and, in consideration for important services rendered to the colony, in the most critical circumstances of the revolution, and upon the wishes of the grateful inhabitants, he is entrusted the direction thereof for the remainder of his glorious life...

**TITLE XI**  
**Of the Armed Forces**

**Art. 52.** – The Armed Forces are essentially obedient, they can never deliberate; they are at the disposition of the Governor who can mobilize them only to maintain public order, protection due to all citizens, and the defense of the colony...

**TITLE XII**  
**Of Finances, of Sequestered and Vacant Estates**

...**Art. 58.** he product of closing from sequestered properties of absentee and represented owners becomes provisionally part of the public revenue of the colony and shall be applied to expenses of administration.

The circumstances shall determine the laws that should be made relative to outstanding public debt, and to farming of sequestered property collected by the administration prior to the promulgation of the present law...

**TITLE XIII**  
**General Dispositions**

...

**Art. 77.** – The Chief General [Toussaint-Louverture](#) is and shall remain charged with sending the present Constitution to be sanctioned by the French government; nevertheless, and given the absence of laws, the urgency to exit from this condition of peril, the necessity to promptly reestablish agriculture and the unanimous wishes pronounced by the inhabitants of Saint-Domingue, the Chief General is and remains invited, in the name of public good, to proceed with its execution in all areas of the territory of the colony.

Made at [Port-Republican](#), this 19th [Floréal](#) year IX of the French Republic, one and indivisible.

Signed: Borgella, President

Raymond Collet Gaston Nogérée

Lacour,

Roxas,

Munos,

Mancebo,

E. Viert, secretary

After having taken knowledge of the Constitution, I give it my approval. The invitation of the Central Assembly is for me an order; consequently, I shall pass it to the French government in order to obtain its sanction; as for its execution in the colony, the wish expressed by the Central Assembly shall be fulfilled as well and executed.

Given at [Cap Français](#), this 14 [Messidor](#), year IX [July 3, 1801] of the French Republic, one and indivisible.

The Chief General:

Signed: [Toussaint-Louverture](#)