

THE BRUMAIRE DECREE (10 NOV 1799—19 BRUMAIRE, YEAR VIII)—EXCERPTS

1. The Directory is no more, and the following named persons, owing to the excesses and the crimes in which they have constantly engaged, and especially as regards the majority of them in the session of this morning, are no longer members of the national representation: [Here follow the names of sixty-one persons.]
2. The legislative body creates provisionally a consular executive commission, consisting of Citizens Siéyès, Roger-Ducos, and General Bonaparte, who shall bear the name of Consuls of the French Republic.
3. This commission is invested with the plentitude of directorial power and is particularly charged to organize order in all parts of the administration, to re-establish internal tranquility, and to procure honorable and enduring peace.
10. The commission of the Five Hundred shall exercise the initiative; the commission of the Ancients, the approval.

CONSTITUTION OF THE YEAR VIII (13 December 1799)—EXCERPTS

TITLE I. OF THE EXERCISE OF THE RIGHTS OF CITIZENSHIP.

1. The French Republic is one and indivisible.
Its European territory is divided into departments and communal districts.
2. Every man born and residing in France fully twenty-one years of age, who has caused his name to be inscribed upon the civic register of his communal district and has since lived for one year upon the soil of the Republic, is a French citizen.
5. The exercise of the rights of French citizenship is suspended by the state of bankruptcy or of direct inheritance, with gratuitous title, to the succession, in whole or in part, of a bankrupt;
By the condition of domestic service for wages, either for a person or a household;
By the condition of judicial interdiction, of accusation, or of contempt of court.
7. The citizens of each communal district designate by their votes those among them whom they believe the most fit to conduct public affairs. Thus the result is a list of the trustworthy, containing a number of names equal to one-tenth of the number of citizens having the right to co-operate there. It is from this first communal list that the public functionaries of the district must be taken.
8. The citizens included in the communal lists of a department designate likewise a tenth of themselves. Thus there results a second list, known as the departmental list, from which the public functionaries of the department must be taken.
9. The citizens comprised in the departmental list designate in like manner a tenth of themselves: thus there results a third list which comprises the citizens of that department eligible to the national public functions.

TITLE IV. OF THE GOVERNMENT.

39. The government is confided to three Consuls appointed for ten years and indefinitely re-eligible.
Each of them is elected individually with the distinguishing title of First, Second or Third Consul.
The constitution appoints as First Consul, Citizen Bonaparte, former provisional consul; as Second Consul, Citizen Cambacérès, former minister of justice; and as Third Consul, Citizen Lebrun, former member of the commission of the Council of Ancients.
For this time the Third Consul is appointed only for five years.

40. The First Consul has special duties and prerogatives in which he is temporarily replaced by one of his colleagues, when there is need.

41. The First Consul promulgates the laws; he appoints and dismisses at will the members of the Council of State, the ministers, the ambassadors and other foreign agents of high rank, the officers of the army and navy, the members of the local administrations, and the commissioners of the government before the tribunals. He appoints all criminal and civil judges, other than the justices of the peace and the judges of cassation, without power to remove them.

42. In the other acts of the government, the Second and Third Consuls have a consultative voice: they sign the register of these acts in order to attest their presence; and if they wish, they there record their opinions; after that the decision of the First Consul suffices.

43. The stipend of First Consul shall be five hundred thousand francs in the Year VIII. The stipend of each of the other two consuls is equal to three-tenths of that of the First Consul.

44. The government proposes the laws and makes the regulations necessary to secure their execution.

45. The government controls the receipts and expenses of the state in conformity with the annual law which fixes the amount of both of them; it superintends the coinage of money, of which the law alone orders the emission and fixes the denomination, weight, and stamp.

46. If the government is informed that some conspiracy is laid against the state, it can issue decrees of apprehension and arrest against the persons who are supposed to be the authors or accomplices of it; but if, within a period of ten days after their arrest, they are not set at liberty or put upon trial, the minister who signed the decree has committed the crime of arbitrary imprisonment.