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Laws of the Community

Théodore Dézamy

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1842

Paul E. Corcoran (ed.) *Before Marx: Socialism and Communism in France, 1830–48*, pp. 188–196.

Excerpted from *Code de la communauté* (Paris, 1842). Preface by Alain Pengam.

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adolescents are declared — by the same right, although in different degrees — apt and capable of manifesting their opinions, either by voice or ballot.

Art. 5. Any proposition or plan will be promulgated as law when it has acquired *adherence*, or at least general consent.⁸

Art. 6. In each commune there will be a political assembly intended to direct operations within the scope of the commune. Each nation will have an assembly responsible for directing operations within the scope of that nation. Finally, there will be a great humanitarian congress, intended to direct the general operations of the entire globe.⁹

Art. 7. Each year the *national congress* will designate one centrally located commune to be the seat of congress the following year. The *humanitarian congress* will do the same thing.

Art. 8. There will be no special delegates sent either to the national congress or to the humanitarian congress. The servants of the law will naturally be the people who live, either temporarily or otherwise, in the communes where the assemblies are sitting.

⁸ This article, as is the case with several of the Political Laws, is extremely vague.

⁹ It is taken for granted that these divisions will in no way restrain the *equality* of rights and the identity of interests. They have no other aim than contributing to a more efficient execution of work projects and management of the community's economy. (T. D.).

Laws for public order, intended to avoid all confusion, congestion and accident of every kind

Art. 1. The transport of produce and manufactured goods will take place at the time of day when only those involved in such work are in the streets.

Art. 2. Inside the palace, pedestrians will keep to the right or left, according to a determined pattern.

Art. 3. No dangerous animals will be allowed to enter or roam about the interior of the palace.

Art. 4. Every measure of *precaution* and *security* will be taken to avoid anyone being killed or injured, either by falling objects or an explosion of a boat's engine or other steam locomotive.

Art. 5. Ingenious workers will take every precaution in preventing the consequences of storms, hurricanes, floods and earthquakes. They will apply themselves to achieving this by the embankment of rivers and streams, constructing impregnable dikes, building floodgates and aqueducts wherever they are needed, and by excavating underground canals, etc.

Political laws

Art. 1. The foundation of every political constitution is unity. To establish, coordinate, sanction, stimulate, enliven and enrich industry, arts and sciences: such are the goals of political laws.

Art. 2. Political equality can never be separated from equality in education and welfare.

Art. 3. Every political law must proceed, rigorously and religiously, from the fundamental laws of equality and community, apart from which a law is rendered powerless and radically void.

Art. 4. Whoever has reached a certain age shall be free to take part in public deliberations. The aged, adult men and women and

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Art. 4. In order to make all apprenticeships and courses of study available, each school will be divided into several classes or streams.

Art. 5. In the same way as for adults, no constraints will ever be used in dealing with children. The charms of egalitarian study and education alone will suffice to impel them toward the welfare and strength of the communitarian regime.

Art. 6. Teaching will be encyclopedic, both theoretical and practical.

Art. 7. The wisdom and insight of the human mind will enjoy complete freedom with regard to the speculative and experimental sciences, whether in research into the secrets of nature or in the perfection of the fine and practical arts.

Hygienic laws

Art. 1. All communes will be situated in locations most favourable to health. They will be designed and laid out in a manner that will take every advantage of ventilation, heating, air, light, cleanliness, etc.

Art. 2. Stables, barns, abattoirs, tanneries, factories, glassworks, blast-furnaces; workshops for metalworking, dyeing and chemical laboratories; indeed all things which by their very nature affect our health will be spread out in the countryside.

Art. 3. Industrial armies will be expected to join forces in purifying climatological conditions for the general improvement of the globe.

Art. 4. The most experienced persons will take care that nutrition, clothing, thermal baths, etc., are perfect in quality and are satisfactory to everyone.

Art. 5. The most ingenious care will be taken to assure everyone's sleep and repose, and to secure the minds and hearts of all from the least seeds of disquiet, worry and grief.

Laws on the union of the sexes with a view to preventing all discord and debauchery

Art. 1. Mutual love, intimate sympathy and the likeness of hearts of two persons create and legitimise their union.

Art. 2. Perfect equality will exist between the two sexes.

Art. 3. No other tie than *mutual love* will link man and woman to each other.

Art. 4. Nothing will prevent lovers who have separated from uniting anew and as often as they *aspire* one to another.⁵

Art. 5. The community will be made up of one and only one family,⁶ a single and unique household. It will watch over all of its members alike with an unceasing solicitude.

Laws concerning education

Art. 1. Education will be *communal*, equal, *sériaire*,⁷ industrial and agricultural.

Art. 2. Each commune will have, for each sex, a special apartment, divided into as many rooms as there are different ages. Each of these apartments will provide all the desirable amenities of salubrity, comfort, amusement, etc.

Art. 3. The three principal objectives of education are: strength and agility of body; development of the mind; goodness and vigour of the heart.

⁵ It is important to note that, far from despising and hating one another, in the Community *corporal separation* will not at all lead to a rupture in relations of esteem, friendship and fraternity. (T. D.)

⁶ Then this word *Family* will merely recover its original signification: it will be a truth. Naturalists have never spoken of 'family' as the particular union of two beings. It is to the entirety of each species that they have given, and still give, this name. (T. D.).

⁷ This term defies exact translation. Perhaps the intended meaning is 'sequential'.

Preface

In 1843, under the Rabelaisian motto "Do what you will!", and in opposition to Etienne Cabet, Théodore Dézamy's *Code de la Communauté* laid the basis for the principles developed later in the nineteenth century by communist and anarchist-communist theoreticians such as Joseph Déjacque, Karl Marx, Fredrick Engels, William Morris and Peter Kropotkin. These principles involved the abolition of money and commercial exchange; the subordination of the economy to the satisfaction of the needs of the whole population; the abolition of the division of labour (including the division between the town and country and between the capital and the provinces); the progressive introduction of attractive work; and the progressive abolition of the state and of the functions of government, as a separate domain of society, following the communication of social relations, which was to be brought about by a revolutionary government. It should be noted that Dézamy advocated the 'community of goods' and resolutely opposed the specifically collectivist slogan of 'socialisation of property.' In doing so, he anticipated the critical analysis of property which Amadeo Bordiga made more than a century later.

Besides rejecting Cabet's utopia, because it maintained the division of labour — in particular that between town and country — and sought to organise it rigidly in the name of economic 'efficiency,' Dézamy also refused to insert between the capitalist mode of production and communist society a transitional period of democracy which would have pushed communism into the background. By seeking to establish a direct link between the revolutionary process and the content of communism, so that the dominant class within capitalism would be economically and socially expropriated through the immediate abolition of monetary circulation, Dézamy anticipated what was to be the source of the basic originality of anarchist-communism, in particular in its Kropotkinist form. This feature was the rejection of any 'transition period' that did not en-

compass the essence of communism: the end of the basic act of buying and selling.

Principles

My criterion, I repeat, my rule of certitude, is the science of the human organism, that is, the knowledge of the needs, faculties and passions of man. From this point of departure, I pose the following principles as the basis of all social organisation:

1. *Happiness*. — This is a goal, a final end to which all desires, all actions of men, incline. This goal, this final end, is the free, orderly and complete development of our being, the full and entire satisfaction of all our physical, intellectual and moral needs. It is, in a word, a life most fully in conformity with our nature. Such is the state that we call happiness, the elements of which exist on earth...

2. *Freedom*.¹ Man's liberty consists in the exercise of his power. I speak of a man's powers, because it would be ridiculous, following Helvetius, to take as unfreedom our powerlessness to pierce the clouds like an eagle, to swim underwater like a whale, or to make ourselves king, pope or emperor.

Freedom therefore has nothing in common with *extravagance* or *caprice*. In society as it is properly organised, liberty will always turn out to the greatest advantage of the *individual* and the *republic*. The freer the individual, the more the State will flourish. Reciprocally, the freer the State, the happier the individual will be. Because freedom is nothing other than man himself in the full possession of what is most vital and sacred: it is the most powerful inciter of all sociability.

¹ The term 'liberté' is most often translated as 'freedom' or, depending upon a context in which physical action is implied, 'liberty'.

mary centre of administration called the national community, and a second one called the humanitarian community.

Art. 2. When a commune is located in an infertile area, all the arts will be applied to its improvement. Neighbouring communes will furnish its subsistence, as mandated by the fundamental laws. Such a case will eventually be infinitely rare.

Art. 3. All the communes will *communicate* and fraternise constantly, transporting produce and other public activities, by the frequency and variety of festivals and, alternatively, by the theatre.

Art. 4. The fragmented household will be replaced by the communitarian household. Each commune will have only a *single kitchen*. Meals, work, schooling and sport will be on a communal basis. Each adult (man or woman) will have an individual lodging. Young children will sleep in communal dormitories.⁴

Industrial and rural laws

Art. 1. Work will take place in communal workshops, following the piecework method.

Art. 2. The spirit of community will unfailingly tend toward perfecting machines and inventing new ones with the effect of reducing toil and steadily rendering work easier, healthier and more appealing.

Art. 3. All workshops will be laid out and maintained in a luxurious manner with regard to hygiene, comfort, beauty and charm.

Art. 4. Similar measures will be taken relative to farm labour. Steam-driven transport and mobile waterproof tents will figure among the improvements.

Art. 5. Industrial armies will be organised around the globe to carry out immense work projects of culture, afforestation, irrigation, canals, railroads, embankment of rivers and streams, etc.

⁴ This law and the 'Laws on the Union of Sexes', below, are the proposals which Cabet found so destructive of communist propaganda, at pp. 85–6, *supra*.

Art. 3. In the community there is only a single and unique dominion. The domain is formed of the entirety of goods of all communes.

Art. 4. The central administration of the domain, with the greatest care, will keep watch that all communes exist in a constant state of *equal abundance*.³

Art. 5. All products and all the community's riches will constantly, without interruption, be at the disposition of everyone. — Each person, with complete freedom throughout the extent of the domain, may draw amply upon everything he needs, that is to say, what is *necessary, useful and pleasant*.

Art. 6. All works which have *public utility* as their aim are social activities. The community proclaims them all equally honourable.

Art. 7. Every *able-bodied person* (man, woman and child) is invited to take part freely in several jobs in order to bring to the community the contributions of his efforts and talents, that is, his physical and intellectual powers, according to tastes, needs and individual aptitudes...

Art. 8. The community recognises no one but equals. In all of its institutions, regulations, pursuits and especially in education, the community will never lose sight of this principle: to keep every mind and heart from the least temptation, the slightest desire for domination, privilege, pre-eminence, precedence, preponderance — in a word, of any prerogative whatsoever.

Distributive and economic laws

Art. 1. All people are divided into communes whose territory should be the most equal, orderly and harmonious possible. All communes are bound together so as to form at the outset a pri-

³ Dézamy outlines how this will be accomplished in Ch. 3, 'Distributive and Economic Laws'. See excerpt below.

However there are some men who, judging the future from the point of view of the present, argue that it is always necessary to be on guard against the fanciful pretensions of freedom because, despite the legislator's wisdom, liberty always tends, so they object, to degenerate into egoism and anarchy. What folly! The best restraints, in our view, that one can impose on liberty are science and reason, which constantly cry out to us:

Injure not, that you be not injured.

Do good, that it be done unto you.

One finds his individual felicity only in the common good.

Equality. — Equality is a harmony, a perfect equilibrium, which rules all things, from the most immense heavenly bodies to the smallest insect. This is a law as necessary for our social existence as for our individual life. This primordial law underlies all social principles, even in those institutions most in defiance of it. Without equality, no society is possible: one sees only confusion and constraint, discord and war!

Fraternity. — Fraternity is that sublime sentiment which enables men to live as members of the same family, to combine in a single interest each different desire, and every individual strength. Fraternity is the natural conclusion, the only true safeguard of liberty and equality.

Unity. — Aristocrats especially use the word *unity* to denominate monarchical government. This is a strange abuse of language. *Unity, monarchy*: between these two words lies an abyss! The one represents the harmonious union of all parties in the social body, the other signifies only a single one of these parties holding the others under a yoke. Our fathers, in 1793, had an instinct for *unity*, but they had only a confused and very incomplete idea of it. It is precisely for that reason that they could not finish their task. *Unity* is the indissoluble *identification* of all interests and all wills, the full and entire community of all goods and of all misfortunes.

Community. — Community is of all forms of association the most natural, the simplest and the most perfect. It is the unique

and infallible means of removing all kinds of obstacles to the development of the social principle, because it gives satisfaction to all needs and legitimate release to all passions.

Community is nothing other than the realisation of unity and fraternity as we have just defined these terms. It is the most real and fully complete unity, a unity in everything: in education, language, work, property, housing, in life, legislation and political activity, etc. Thus one can see that community encompasses, in itself, and necessarily implies to the fullest, every term in our glorious revolutionary motto: *Liberty, Equality, Fraternity, Unity*.

But what gives an incontestable superiority to community over all other social systems is that it comprises, among other things, all the characteristics of service, truth and reason. The community is perfectly amenable to rigorous and exact demonstration, and is entirely in conformity with the *criterion of certitude* that I have adopted: the human organism!

These are the principal questions I will address in this book:

Basic Laws. Distributive Laws: diagram and organisation of the commune; communal meals and work. Industrial and rural laws. Laws concerning education and teaching. Scientific congresses. Health laws. Laws for public order. Wonders performed by unitary labour. Industrial armies. Restoration of climatic conditions.

Political Laws: Communal assemblies. Provincial assemblies. National assemblies. Humanitarian Congress.

Transitional System. Social and political transformation. Immediate community of goods. Manner of reimbursing almost everyone.² Infallible means of weakening, overcoming and crushing all

² Chapter 19 is a 'Dialogue sur la régime transitoire', in which a communist, a reformer, a conservative and an 'Icarian' debate the introduction of the new 'communauté'. Dézamy's 'Communiste-Unitaire' refutes the Icarian's proposed transitional period of fifty years, during which time property will be respected. The communist proposal is unclear, but appears to involve the immediate abolition of money and property and the immediate distribution of all wealth and goods from a centralised authority. To the contrary of Cabet's charge, *supra*,

anticommunist governments, without being obliged to send more than 300,000 to 400,000 soldiers beyond our borders. Progressive and general emancipation of peoples, after less than ten years of war. Complete and humanitarian community.

[...]

Basic laws

Basic laws are those which serve as the primary foundation on which the entire social edifice rests. They are the central pivot to which and around which all other laws are attached and revolve.

Basic laws must not be confused with constitutional laws. Constitutional laws, or *constitutions*, are the work of *politics*. They are variable and temporary. Basic laws, on the contrary, are *invariable, eternal* and immutable. They are both prior and superior to all political orders, because they spring from nature. The legislator's whole mission consists in exploring, recognising and then promulgating them.

[...]

All production is based upon work. *All* who partake of social production therefore must *take part in the work*. Since society is, as we have stated, a joint union against all accidents and every inferiority, an exchange of mutual aid, a fusion of all wills, interests talents and effort, it follows that, in order to obey the laws of nature and to realise the principle of association in its entirety, we must begin by making the earth and all its produce one great and single *social domain*.

Art. 1. All men will live as brothers, of whatever race, colour and climate they might be or might have been.

Art. 2. Nothing belongs individually to anyone, other than the things which he *actually uses*.

Chapter 6, Dézamy specifically rules out the immediate destruction of cities, although this does seem to be a long-range policy.