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## Basic Income in 1848\*

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**Abstract** – This note introduces a virtually unknown social constitution drafted in Brussels in 1848, in which an unconditional basic income figured prominently. We provide details on the historical and intellectual context in which the proposal originated, and briefly compare it with similar proposals of the same period. In the appendix, we present an English translation of the constitution.

**Keywords** – history of basic income, Belgium, nineteenth century

In September 1848 Joseph Charlier published in Brussels *Solution du Problème Social* (Solution of the Social Problem), a remarkable book to which attention has been drawn recently.<sup>1</sup> Inspired by Fourierist ideas, Charlier advocated the introduction of an equal and unconditional “guaranteed minimum” for all – that is, what we now call a basic income. He attached so much importance to the idea that he ended his book with a “humanitarian constitution”, a detailed set of constitutional rights and duties in which the guaranteed minimum plays a

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<sup>1</sup> See Charlier (1848) and Cunliffe and Erreygers (2001; 2004, pp. xxi–xxiii). Key excerpts of the book have been translated into English: Charlier (2004).

central role. In his philosophical testament of 1894, the year of his death, he published a second version of his constitution centred around the same idea.<sup>2</sup>

The case of Charlier might be seen as a marginal offshoot of the Belgian Fourierist movement, which had gathered momentum in the 1840s.<sup>3</sup> Quite surprisingly, there exists another basic income proposal that came to the surface in 1848 in Brussels, and that was also expressed in the form of a constitution. We do not know exactly how and when it was formulated. What we do know, however, is that it existed before Charlier published his book. In fact, its discovery is closely related to the events of February–March 1848, more precisely to the echoes in Brussels of the Paris revolution.

When news of the Paris upheaval reached Belgium, the government must have been aware of the threat that similar events might happen there. Rumours began to circulate that the king had decided to abdicate, and there was increased activity and animosity among those who sympathized with the cause of the French republicans. Through a combination of measures, the Belgian authorities eventually managed to prevent the revolutionary fire from spreading in the country. Perhaps the most well-known measure was the controversial arrest and subsequent expulsion, at the beginning of March, of Karl Marx, the German exile who had just finished writing *The Communist Manifesto* (Andréas, 1978; De Maesschalck, 2005). When the Belgian army, at the end of the month, crushed a rather harmless “invasion” of Belgian workers from France at a border place called Risquons-Tout, the worst was over (Bertrand, 1906–1907, vol. 1, pp. 336–385).

Throughout this period of unrest the Belgian police and security services closely scrutinized all radical and democratic persons and associations. If troubles occurred, they questioned and sometimes arrested those they deemed responsible. On 26 March, just before the Risquons-Tout event, several disturbances had taken place in Brussels. This led to the arrest of seven men: Jan Pellerin<sup>4</sup>, André Quolin, Charles De Guasco, Pierre Vosté, Henri Charles Decock<sup>5</sup>, and the brothers Antoon and Jozef Kats<sup>6</sup>. The instructing judge

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<sup>2</sup> See Charlier (1894, pp. 175–202). In Cunliffe and Erreygers (2001, pp. 478–482) a few articles of the Charlier constitutions of 1848 and 1894 have been translated.

<sup>3</sup> For a recent comprehensive survey of Belgian Fourierism, that does not mention Charlier however, see Bartier (2005). In fact, this is an edited and updated version, by François Sartorius, of an unfinished manuscript left by the historian John Bartier, who died in 1980.

<sup>4</sup> Jan Pellerin (1817–1877) was a Flemish shoemaker and writer. A biography of him has been written by Kuypers (1962).

<sup>5</sup> André Quolin (born about 1829) was a shoemaker, Charles Du Guasco (born about 1812) a school clerk, Pierre Vosté (born about 1812) a day labourer, and Henri Charles Decock (born about 1818) a typographer. See Wouters (1963, *passim*).

investigating the troubles immediately issued a search warrant ordering the police to search the houses of the troublemakers and to confiscate any material that “might incite rebellion” (Bertrand, 1906–1907, vol. 1, pp. 341–344; Wouters 1963, vol. 1, pp. 514–516; vol. 2, pp. 966–970). Hardly any compromising material was found. During a property search in the house of Jozef Kats at Sistervatstraat 7 (Rue de la Rasière 7 in French) in Brussels on 28 March, the police seized two items: a printed brochure entitled *Wat Men Is en Wat Men Worden Kan* (What We Are and What We Can Become), by Jan Pellerin<sup>7</sup>, and a manuscript entitled *Project van eene Nieuwe Maetschappelijke Grondwet* (Project of a New Constitution for Society).<sup>8</sup> These documents, and many others, were then used as evidence in the trial of the seven arrested men. A lower tribunal sentenced Pellerin, De Guasco and Decock to six months in jail, while the other four were acquitted. The Brussels Court of Appeals, however, ruled that Quoilin and Vosté should also be imprisoned for six months. The legal proceedings ended when the Court of Cassation saw no grounds to revise the sentence of the Court of Appeals.

It is the second of the documents found at the house of Jozef Kats, the manuscript of a “new constitution”, that interests us here and of which we present an English translation in an appendix to this research note. In fact two non identical versions of the constitution were seized, one of which is clearly an early draft, since it has quite a few corrections and additions. The first part of the constitution lists a limited number of unchangeable basic principles with regard to justice, equality and property (Art. 1–5). The second and major part introduces a wide variety of more specific principles, some of which have to be elaborated by special laws (Art. 6–33). This part begins with the idea of giving to every member of society an equal portion of the fruits of nature in the form of a monetary natural right (*natuerregt*). No condition would be attached to this right, and therefore we can rightly speak of an unconditional basic income proposal. (Art. 6–8) Among the other issues dealt with in the constitution, we can mention the use and property of immovable goods, production and labour, taxation, inheritance, education and democracy.

Immediately the question arises about the relation between this “natural right” proposal and Charlier’s “guaranteed minimum”, published a few months

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<sup>6</sup> Antoon and Jozef (born about 1812) were both weavers and younger brothers of the well-known Flemish socialist pioneer Jacob Kats (1804–1886). On Jacob Kats and his family, see Kuypers (1930).

<sup>7</sup> This short utopian pamphlet was published originally in 1845, and has been republished in Kuypers (1962, pp. 29–37).

<sup>8</sup> The documents are now in the Anderlecht branch of the State Archives of Belgium (catalogued as Hof van Beroep van Brussel, Reeks II, Dossier 1156A, Item 65 “Pièces saisies au domicile de Joseph Kats”). The whole dossier consists of more than 100 pieces.

later. There are, indeed, a few striking similarities between the two. In both cases the basic income is equal for all, without any distinction according to sex, age, occupation, etc. It cannot be alienated and it is immune from confiscation. It is funded from the net rent-revenues of the state, the sole owner of the land. In other respects, however, the proposals are quite different. Charlier's was written in French, published and signed, and densely argued. By contrast, the other was written in Dutch, remained unpublished and had no clear author, and contained no additional motivation or discussion.<sup>9</sup> Moreover, there is no indication to link the manuscript version extracted from the house of Jozef Kats to the Belgian Fourierist movement. If anything can be said about the source of inspiration for the manuscript, it would be that it seems to come from the circle of Jacob Kats, where the egalitarian doctrines of Babeuf and Buonarroti had firmly taken root in the 1830s.<sup>10</sup>

Since the constitution manuscript was not published, it cannot have had much influence. But we suspect that there is one author who might have read it. In 1854 the rather obscure Flemish writer Napoleon De Keyser published his only book, *Het Natuer-Regt of de Regtveirdigheyd tot Nieuw Bestuer als Order der Saemenleving volgens de Bestemming van den Mensch* (Natural Law, or Justice as a New Governance for Society according to the Destiny of Man).<sup>11</sup> The first remarkable point is that De Keyser used the term "natuerregt" in the title of his book, but in a different sense to that in the constitution manuscript. But even more remarkable is that De Keyser also proposed the introduction of a basic income payment, albeit in support of a basic capital system (Cunliffe and Erreygers, 2004, p. xix). He called it *natuer-onderstand* (nature's support). Nothing much is known about the life of Napoleon De Keyser, but it seems reasonably sure that he spent a substantial period of time in Brussels, where he frequented the circles of Jacob Kats. There he could easily have picked up the idea of a basic income.

Despite obvious differences between their schemes, Charlier, De Keyser and the author(s) of the constitution manuscript apparently shared the premise that

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<sup>9</sup> Because of these differences we adopt a rather cautious attitude toward a more detailed comparison of the two proposals. The lack of additional information on the ideas expressed in the manuscript makes an in-depth analysis of the constitution problematic. It is, for instance, possible to identify an apparent inconsistency between the general principle that all private property of immovable wealth will be abolished (Art. 5) and the provision that houses may be owned privately (Art. 9), but we can only speculate about the reasons that, according to the authors, justified this exception to the rule.

<sup>10</sup> See Kuypers (1960) for more details on the influence of Buonarroti in Belgium. See also Billington (1999, p. 117).

<sup>11</sup> See De Keyser (1854) for the original Dutch version, and De Keyser (2004) for an English translation of key excerpts.

basic income payments were a monetised expression of a natural right to an equal share of land. In that respect, there is a striking affinity with the more familiar proposals of Thomas Paine and Thomas Spence, at the end of the eighteenth century. These two bitterly disputed whether the entitlement was to a land site's raw value (Paine), or to its labour-enhanced value (Spence). This issue resonates even more loudly in the nineteenth-century Belgian proposals, with their tendency to include all real property (including buildings) as the funding base for basic income payments. In any event, the optimistic assumption was that this funding base would be sufficient to provide a basic income at a level satisfying a natural right to subsistence. By contrast, present-day basic income schemes are more pessimistic about the sustainable level of payment that might be realised from natural resource or land taxation alone and, in their principled rather than pragmatic welfare-oriented forms, ground their claims on "real freedom" or justice rather than appealing directly to any right to subsistence.

### **Appendix: "Project of a New Constitution for Society"**

*Translation of "Project van eene Nieuwe Maetschappelijke Grondwet", manuscript conserved in the State Archives of Belgium, Anderlecht branch (Hof van Beroep van Brussel, Reeks II, 1156A, Item 65 "Pièces saisies au domicile de Joseph Kats"). The translation is based upon the second of two drafts, with one exception. This draft has been published, with minor variations, as "Ontwerp van een grondwet, geschreven tekst, aangeslagen bij Jozef Kats, maart 1848" by Wouters (1963, vol. 2, Doc. 1338, pp. 963–966). The English text retains the unusual punctuation style of the original Dutch manuscript. The translation was made by Guido Erreygers.*

Project of a new constitution for society. *Contrat Social*.<sup>12</sup> Understandable for everyone, [such] that one can render humanity happy without much effort, [and] without making the people change significantly its habits or customs. This system unites the whole population in a general society without impeding personal freedom – everyone who understands this constitution will automatically help its distribution, when he does not hate humanity.

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<sup>12</sup> This is in French in the text, but spelled as *Contract Sociale*. (Translator's note.)

### ***Unchangeable Law***

#### *Art. 1.*

Justice is eternal and unchangeable. – It is the equality of the rights and duties of men. – It is the principal law of human society; everything that is in conflict with this law, constitutes crime.

#### *Art. 2.*

The equality of rights is for every human being the equal opportunity to meet the needs of the body, the mind or the soul. It is the equal division of the fruits of the earth, and of the advantages of society.

#### *Art. 3.*

The equality of duties is for all human beings the equal possible participation in all burdens of society.

#### *Art. 4.*

The earth is the general inheritance of mankind; its fruits must be divided equally among all its members.

#### *Art. 5.*

All private property rights of immovable goods are abolished; all landed goods belong to the State.

### ***Special Regulation Law***

#### *Art. 6.*

The lands or building plots will be rented publicly. The rewards or the money from these rents are regarded as the fruits of nature, to be distributed equally among all members of society in as many equal portions as there are human beings, no one excepted. – The share that every person receives from the proceeds of the earth is called the natural right [natuerregt].

*Art. 7.*

Nobody can totally or partially dispose of his natural right (as long as one resides in the country); by no means can the natural right be confiscated or burdened<sup>13</sup> before it is received.

*Art. 8.*

The way in which lands will be rented or leased, and in which the natural right will be received, as well as the length of the period during which parents will enjoy the natural right for their children, will be prescribed by a special law, but in any case the natural right must follow the persons to the place where they will be.

*Art. 9.*

Nobody can be the owner of other buildings or houses under whatever name they may have, except of those that he needs for his residence and related uses; all these must be located in one block.

*Art. 10.*

For the land upon which every residence is erected and for those used for all other purposes, such as gardens, front yards, ponds and sowing grounds, and that all together may amount to one hectare per residence, one will pay the average yearly price of the rented lands of the same category. In this way one can never be subleased by any competitor.

*Art. 11.*

All private rent or compensation for houses or rooms, for lodging or other purposes, is abolished; all rents must be paid to the state. The use that will be made of the rents of residences must be determined by a special law.

*Art. 12.*

All arable lands or pastures of one hectare will at all times be afforested with some tall<sup>14</sup> trees, to the benefit of the state.

*Art. 13.*

Ships or boats that are not sailed in person by their owners will be used by the state, or publicly rented or leased like lands. The way in which this will be done has to be determined by a special law.

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<sup>13</sup> The Dutch word *beklad* literally means "sullied" or "besmirched." (Translator's note)

<sup>14</sup> It is unclear what the precise meaning is of the adjective *hoogslanige*. (Translator's note.)



*Art. 14.*

In accordance with the spirit of this law, all so-called state and local taxes are abolished.

*Art. 15.*

The forests and all kinds of mines are operated by the state.

*Art. 16.*

All major industries and commercial enterprises that can be run by people with no special skills, or that are meant to serve the common good, will be managed by the state.

*Art. 17.*

The way in which the state will operate, as well as the way in which the proceeds will be used, will be determined by a special law.

*Art. 18.*

All working men employed by the state will be regarded as public servants, and all public servants will be paid justly by the state. – The way to arrange all this, as well as the activities of the state, will be determined by a special law; but one will never be allowed to enrich whoever it may be with the nation's money.

*Art. 19.*

All exploitation of men by men is abolished. Everything one wants to enjoy above one's natural right, one has to earn by one's own merits.

*Art. 20.*

All expenses that have to be made in order to accomplish, ameliorate or discover useful activities or sciences, will be made by the state, or reimbursed by it.

*Art. 21.*

Nobody can put someone else in his place to fulfil the personal duties that he has to accomplish in society according to his capacity.

*Art. 22.*

When this constitution is adopted, all debts are cancelled, and all loans of money against interest are abolished.

*Art. 23.*

Every human being is free to live of the fruits of his labour as he pleases. It will be determined by a special law how after the death of any member one will act justly with his bequest, in order to be in conformity with the spirit of this constitution.

*Art. 24.*

The state will exert all its possible efforts in order to enlighten and educate each and every one of its members, this being the best way to give strength and sustainability to a just society.

*Art. 25.*

The education of youth, without taking into account descent or rank, is especially entrusted to the care of the state. It will enable everyone to acquire without burden knowledge of the high sciences. The way in which education will be thus organised will be determined by a special law, but always the spirit of this constitution must be the main aim and guideline of everything.

*Art. 26.*

The standing army and the political officers will be replaced by a well-equipped national civil guard, in which all able weapon-carrying members of society will have to participate. The civil guard can be divided into different classes. The way to arrange this further will be determined by a special law.

*Art. 27.*

All laws that serve only to favour the owners of fortunes and to injure or to inflict misery upon the disinherited are abolished, as well as all other laws that are in conflict with the spirit of this constitution. – A special and simple judiciary law will be created, which will be comprehensible for everyone, and which will provide equal and costless justice to all.<sup>15</sup>

*Art. 28.*

The death penalty and all other punishments that only serve to dishonour people and that worsen rather than improve their criminality are abolished. – By means of a special law a new way to ameliorate or to cure deviant or criminal people will be brought about.

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<sup>15</sup> This sentence follows the early version, since the corresponding sentence of the later version is garbled. (Translator's note.)

*Art. 29.*

All men have the right to ascertain and to inspect the affairs of the state; therefore to everyone will be sent a free copy of the state journal.

*Art. 30.*

The freedom of research in all matters, the freedom of thought and the means to spread it by all possible means, without impeding the freedom of others, as well as [the freedom] to unite without disturbance, is guaranteed to all by the law.

*Art. 31.*

Since it is impossible that all men participate equally in the affairs of the state, they will elect a number of them from their midst to which they delegate some of their powers for a certain period determined by the law, but [they retain] in all cases the right to withdraw the elected as soon as these abuse the powers that have been trusted to them.

*Art. 32.*

All special laws that will be made, can or may never promote the common good in another way than determined by the spirit of this constitution, without ever damaging anybody in his natural or social right. – As long as there exists an unhappy person in society, who suffers from some kind of basic need, there exists a social crime.

*Art. 33.*

When it comes into existence, this social constitution for the good of all members of society will be printed in a few million copies and be distributed freely to all men, and engraved into metal and stone it will be exhibited permanently in all state buildings, meeting halls, markets and public places, so that no oppressing power may come into being that once again shoves the people into slavery and misery.

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