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Demarcating the *cité française*: Exclusion and Inclusion in Colonial Algeria, 1870-1938

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This thesis discusses the unmaking of republican citizenship in colonial Algeria and the reverberations of this process in the metropole under the Third Republic, as well as demands and contestations by various populations in the colony concerning participation and rights.

The attempt to establish a regime of privileges for settlers and to exclude the Muslim majority led politicians, jurists, and administrators to rely on religion and ethnicity as legal criteria to demarcate the boundaries of French citizenship. In their quest to legitimise the political exclusion of the Muslim population, politicians and legal experts from the late nineteenth century onwards portrayed Islam as an immobile and unmodern religion. Reiterated in mainland France whenever the demand for political reform in Algeria was raised, such theories gave rise to the widely-held view that being Muslim was inherently irreconcilable with being French.

At the same time, the thesis examines colonial reform movements and moments of asymmetrical negotiation between populations in Algeria and the state on the demarcation of French citizenry. Both the naturalisation of the Algerian Jews and the backlash against it are re-interpreted here to highlight the pivotal role played by the local and the settler populations. In a similar vein, the thesis discusses debates sparked in the early twentieth century by Algerian Muslim campaigns for political rights, debates which yielded alternative visions of participation in the Republic. The failure of such attempts to accommodate religious difference on the eve of collapse of the Third Republic re-affirmed the colonial order in Algeria and the deep imprint it had left on conceptions of French citizenship.

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This thesis studies policies, theories and visions of political exclusion and inclusion in colonial Algeria under the Third Republic. The main argument of the thesis is that the decades-long colonial rule over Algeria – more than any other French colony – did much to undermine republican principles of citizenship. The effort to establish a regime of privileges for settlers and to exclude the Muslim population from any form of political participation shaped colonial Algeria as a legal terrain of a permanent state of exception. At the same time, the attempt to incorporate Algeria in the metropole – politically, administratively, and culturally – meant that unlike other colonies, this terrain of exception was constantly present in the political and public sphere of the French Republic.

However, the thesis concerns not only the citizenship policies imposed by the colonial state, but also demands and contestations from the local and settler populations in Algeria. The confrontation between colonised populations and the Republic led to moments of negotiation – however asymmetrical – between local Jewish and Muslim notables on the one hand and state authorities on the other regarding the terms of participation in the French polity. The settler population, for its part, sought to assert its own views and to protect its political monopoly whenever a change to the colonial order of exclusion and inclusion was in sight.

As the thesis argues, citizenship and participation were of particular import to all involved actors in colonial Algeria – a society governed by a regime of privileges granted to some and repressive restrictions applied to others. For the settler population, which drew its riches mainly from the heavy taxation of the local population and the disproportionate use of revenues for its own benefit, the political exclusion of the Muslim majority was necessary in order to maintain its own privileges. For the Muslim population, citizenship represented the promise for a share in their own country's resources and, not less importantly, for protection from state violence and abuse. The legal status of colonial subjecthood, which applied for the vast majority of the Muslim population, manifested itself on a daily basis in various, often violent ways. Colonial subjects were subordinated to a particularly repressive penal code, which regulated central

aspects of their everyday life. It restricted freedom of movement, political meetings and the organisation of communal life. Citizenship and rights were therefore not a theoretical matter, but a pressing issue with concrete implications.

An important development in colonial Algeria of the late nineteenth century was the emerging identification of colonial subjecthood with affiliation to Islam. On the eve of the proclamation of the Third Republic, a variety of legal statuses had still existed in Algeria – French citizens, non-French European nationals (mainly Spanish and Italians), and colonial subjects. The latter category applied to the local Muslim population and the local Jewish minority. But the collective naturalisation of Algerian Jews in 1870 and of the non-French European population in 1889 yielded a clear-cut dichotomy: French citizens on the one hand, Muslim colonial subjects on the other. A legal citizen/subject contrast now correlated – at least in theory, for divisions and hierarchies persisted after naturalisation – with a socio-political contrast of French/Muslim.

Building on existing historiography on colonial subjecthood and the socio-political order in Algeria, this thesis examines the making and contesting of this dichotomy under the Third Republic. Within a long context of continued exclusion of the Muslim majority, the thesis identifies certain historical moments of change or dispute. This perspective allows us to see both the constants and the transformations of colonial Algeria in the late nineteenth and early twentieth century.

The thesis opens with a chapter discussing an expropriation and settlement project of particular symbolic power: the settlement of families from Alsace-Lorraine in Algeria after the annexation of these territories to Germany in 1871 following the Franco-Prussian war. This was an important moment in the attempt to interweave Algeria into the nascent republic and reshape it as a French province. Though ultimately less than 1200 families from Alsace-Lorraine settled in Algeria, this was a significant episode which led to an expropriation wave which hit the local population in the early 1870s and engendered a powerful myth of victimhood and patriotism, integrating the colony into the national narrative. However, the “failure”, in colonial eyes, of this and subsequent settlement projects in the 1870s was very much present in cotemporary French debates, and led to a major shift in the methods of colonial rule: from expropriation and settlement on the ground to political exclusion and inclusion.

The second chapter re-interprets one of the most important moments in this politics of citizenship in colonial Algeria: the collective naturalisation of local Jewry in 1870. Long

viewed by historians as a measure imposed upon Algerian Jews by the French government with the support of metropolitan Jews, collective naturalisation was in fact requested by a significant number of Algerian Jews. This thesis is the first study to discuss the Jewish petitioning campaign in 1869-70 which paved the way to the famous Crémieux decree, and the official consultations sparked by this campaign. This was a unique moment, when a colonised community requested to be naturalised in its own language and vocabulary, leading to consultations by the end of which the Second Empire was preparing to naturalise the Algerian Jews. As this thesis shows, this was a crucial historical moment which had strong implications on the Muslim population and would affect the overall colonial order in Algeria in the following decades.

The third chapter studies the move from settlement to the politics of exclusion and inclusion in the 1880s. It shows how the collective naturalisation of the non-French European population went hand in hand with an increasingly repressive exclusion of the Muslim majority. The quest to naturalise only the Europeans and exclude the Muslim population in the 1880s yielded ethnic categories to demarcate the boundaries of French citizenship in Algeria. The existence of different laws for different populations was enshrined in the Code civil, whilst the category “Muslim” was now increasingly identified with that of “indigenous”. At the same time, the escalating repression of the Muslim majority led in the metropole to initial calls for colonial reforms. The unmaking of republican principles was becoming increasingly evident to politicians, legal experts and journalists.

The fourth chapter shows how the newly naturalised European population sought to assert its own vision for exclusion and inclusion in colonial Algeria during the anti-Semitic crisis of the late 1890s. The naturalisation of the “indigenous” Jews in 1870 was regarded by many as an inconceivable breach of the ethnically grounded colonial order, and settler anti-Semitism was the most confident expression of this discontent amongst the Europeans in Algeria. Demanding the exclusion of the “indigenous” Jews and proudly stressing their own “Latin” origin, anti-Semites advanced a purely ethnic vision of political inclusion, shorn of any republican pretence. Political chaos and an open confrontation with the state authorities led the metropole to intervene and curb this movement – the first and last time that third-republican institutions dared to confront the settler leadership.

The fifth chapter turns its attention to the re-thinking of the French empire in the early twentieth century. Following colonial expansion – particularly in Morocco – and amid a looming conflict

in Europe, various politicians and colonial administrators advocated the introduction of conscription amongst Algerian Muslims to enhance France's military power – a measure which was implemented on the eve of the First World War. In the attempt to win the support of the Algerian Muslim population and avert opposition to conscription, colonial reformers urged the government to grant some political rights to the Muslim population. Calls to allow for the naturalisation of Algerian Muslims now moved for the first time from the fringes of the political spectrum towards the mainstream. As this chapter argues, the success of the settler lobby in blocking any significant reform in Algeria resulted, alongside the re-affirmation of colonial order, in a decreased prestige of the settlers and a growing concern about the future of French rule over a colony which proved to be impossible to reform.

Against the background of this growing concern, the sixth chapter shows how political movements amongst the Algerian Muslims in the 1920s and 1930s brought about the first attempt by a French government to reform the status of colonial subjecthood and allow for the naturalisation of practising Muslims. As this thesis argues, the reform plan of the Popular Front in 1936-38, widely known as the Viollette plan, was radical in its willingness to accept religious difference within the French Republic. Support for the plan amongst the Muslim population was considerable, since a wide spectrum of leaders and notables saw in it the potential for a political change. So did the settler leadership, too, which opposed the plan with all its energy and not without violence. The failure of this attempt to accommodate religious difference re-affirmed not only the colonial order in Algeria, but also the breach of republic citizenship under the Third Republic.

The multiple angles and *Longue Durée* perspective employed in this thesis allow us to see the tensions which underlay the Third Republic as a colonial state, the different schools of colonial thought and the influence of local voices in shaping and contesting the colonial order. This analysis allows us to investigate and apprehend a crucial dimension of the history of colonial Algeria under the Third Republic: a regime founded on ethnically grounded exclusion, which left a lasting imprint on French conceptions of citizenship and political participation.

*In loving memory of my mother, Micky Ofrath, 1950-2015,
who would have been the most enthusiastic
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List of abbreviations

Abbreviations in the text:

ENA	Etoile nord-africaine
JO	Journal officiel de la République française
PCF	Parti communiste français
UFSF	Union française pour le suffrage des femmes

Abbreviations in archival references:

AN	Archives nationales, Pierrefitte-sur-Seine
CAOM	Centre des archives d'outre-mer, Aix-en-Provence
CAHJP	Central Archives for the History of the Jewish People, Jerusalem

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Introduction

On 20 August 1881, the Parisian daily *Le Gaulois* published a *Lettre d'Afrique*, written earlier during the month by Guy de Maupassant – already one of France's most celebrated contemporary writers at the time. On a long journey across Algeria, Maupassant was regularly sending lengthy chronicles to the Parisian press. These rather unfavourable accounts were ill-received by the settler press in Algeria, and Maupassant now responded to his critiques – particularly regarding his depiction of settler views of the local Muslim population. In fact, he admitted, he himself would have accepted settler prejudices of the local population had he not learnt about the recent foundation in Paris of a Société pour la protection des indigènes des colonies: “Or, si les indigènes ont tant besoin d’être protégés, c’est donc qu’on les opprime. Qui les opprime? Ce n’est pas moi assurément. Alors c’est l’Algérien [contemporary term denoting the European population in Algeria – A.O.].”¹

This, of course, was hardly a very accurate judgement. Only a few weeks earlier, the National Assembly in Paris had approved the Code de l’indigénat, a repressive system of penalties governing the local Muslim population in Algeria and restricting various aspects of everyday life, freedom of movement, access to agricultural land, and any form of religious and political organisation. During the previous decade, the French state had confiscated hundreds of thousands of hectares from the local population in Algeria – a punitive measure following an uprising in the Kabylia region in 1871 and the beginning of a major settlement scheme. And as early as 1865, a state law had created the inferior legal status of colonial subjecthood which applied to the local population. Maupassant’s conclusion is an example not only of a common ignorance in the metropole regarding the situation in Algeria, but of a fatal blindness

¹ Guy de Maupassant, ‘Lettre d’Afrique’, *Le Gaulois* (20 August 1881), p. 1 col a-c.

to the role of the French political institutions in bringing about the injustices of which Maupassant reported in his chronicles.

Indeed, Maupassant's judgement is an instructive snapshot of a changing public mood. As the French press grew increasingly conscious of the plight and poverty amongst the local population in Algeria, self-righteousness and the scapegoating of the "*Algériens*" or the "*colons*" became a common trope. In a sense, the Société pour la protection des indigènes referred to by Maupassant led this trend in its bulletin, where economists, journalists and colonial administrators criticised settler mentalities and the settler press for their disrespect towards the local population, their lack of knowledge in Arabic and their ignorance about the country they lived in. "Les journaux d'Algérie sont peu lus en Europe", an article in the society bulletin asserted in 1882, "et cela est fort heureux, car nous aurions bien souvent à en rougir."²

And yet, a slow, hesitant re-thinking about the overall political system instituted in Algeria by the French state was beginning to emerge in the metropole. In the early 1880s, journalists, economists and colonial administrators, many of them members of the Société pour la protection des indigènes, criticised the policy of land seizure, denounced state abuses and demanded the political inclusion, in one form or another, of the local population. One of the society members, the journalist and later colonial administrator Henri de Lamothe (1843-1926), argued with atypical clarity and unambiguity: "Citoyen ou paria, telle est donc l'alternative qui s'impose, il n'y a pas de milieu, l'indigène sera fatalement l'un ou l'autre."³

What makes this simple, almost self-evident formulation a valuable historical document is its absolute uniqueness. "Citoyen ou paria" – that was the fundamental contrast in the political philosophy of the Enlightenment, one which underlay not only the theoretical concept

² L.H. [Léon Hugonnet], 'Revue de la presse algérienne', *Bulletin de la Société française pour la protection des indigènes des colonies* 1, no. 1 (March 1882), 53.

³ Henri de Lamothe, 'De la représentation des indigènes', *Bulletin de la Société française pour la protection des indigènes des colonies*, 1 no. 3, (September 1882), 156.

of the *République*, but also perceptions of its historical role as an agent of emancipation in Europe and beyond. But when writing on Algeria, few commentators dared evoke this simple equation. Instead, administrators, politicians, legal experts and commentators embarked upon a never-ending search for intermediate categories, legal constructs and theoretical justifications, designed to include some and exclude others along the lines of religion and descent. This breach of republican citizenship and the resulting struggles over exclusion and inclusion make a crucial aspect of the history of colonial Algeria under the Third Republic and are discussed in this thesis.

Research question, main arguments and theoretical context

The main question at stake in this study is what theories, policies and practices of rights and participation emerged from the decades-long French effort to maintain a regime of settler privileges in a territory situated between the metropole and the empire, the republic and the colonies. This thesis seeks to establish three overriding arguments. First, it argues that citizenship became a central issue for all actors in Algeria in the late nineteenth and early twentieth century, and that struggles around it determined the political developments in Algeria. Second, the thesis emphasises the intellectual influence of settler representatives and colonial administrators upon public opinion in the metropole. Politicians and journalists in France adopted, popularised and generalised theories which were developed in Algeria to justify the political exclusion of the Muslim majority. Third, this study underlines the political significance of moments of negotiation between the state and the various populations in Algeria. In a regime of strict legal divisions, such negotiations were always asymmetrical and rarely led to policy changes. Nevertheless, they yielded some of the most ambitious attempts to redefine the boundaries of French citizenship.

The centrality of citizenship in colonial Algeria in the late nineteenth and early twentieth century stemmed from the territory's unique position under the Third Republic – a position which gave rise to questions which did not arise in other French colonies. These questions were born out of the two contradictory goals pursued by settler pressure groups and the colonial administration: the integration of Algeria into the state institutions of the metropole on the one hand, and the political exclusion of the Muslim majority on the other. After the proclamation of the Third Republic and the institution of civilian administration in 1870-71, Algeria was no longer ruled in the same way as other colonies, but governed by the legislation and state institutions of France. At the same time, a parallel legal, administrative and taxation system governed the colonial subjects. To maintain these parallel legal systems on one and the same territory, considerable legal and political acrobatics were necessary. These acrobatics were further complicated by the presence in Algeria of various religious and national population groups, and the attempt of the French state to tailor different legal statuses to each of these groups according to its interests. With a local Muslim population of c. 2,125,000 in 1872, a French population of c. 129,000 and a European population – mainly Spanish and Italian – of c. 115,000, legislation was called for to create the social and political regime which settlement and demography failed to deliver.⁴

As Laure Blévis has argued, colonial Algeria can best be described as the terrain of a permanent state of exception – one which fell theoretically within the reach of the *République*, but where rights and universal principles were constantly suspended.⁵ To appreciate the reverberations in the metropole of this exclusionist regime of exception, we must remember

⁴ Kamel Kateb, *Européens, "Indigènes" et Juifs en Algérie (1830-1962): représentations et réalités des populations* (Paris: Institut national d'études démographiques, 2001), 30. To these figures must be added that of the Jewish population of 34,574. The figures cited above are from the census of 1872. Figures from the 1866 census are as follows: French: 122,119; Jews: 33,952; Muslims: 2,652,072; Europeans: 94,871. The dramatic shrink of the Muslim population was the result of high mortality rates caused by a series of famines in the late 1860s.

⁵ Laure Blévis, "La Situation coloniale entre guerre et Paix: enjeux et conséquences d'une controverse de qualification," *Politix* 4, no. 104 (Autumn 2013): 93-98.

that Algeria was very much present in the public and political life of the Third Republic. The colony's deputies kept settler interests on the parliamentary agenda, and the National Assembly was engaged in legislation concerning the colony on various occasions. This was most clearly the case with the Code de l'indigénat, which was regarded as too excessive for a permanent law and was introduced in 1881 as a measure of exception with a sunset clause requiring regular re-approval.⁶ Furthermore, Algeria's proximity to France, the duration of French rule and the presence of militaries, administrators, private entrepreneurs and of course a settler population made it more accessible than other colonies. Chronicles and reports such as that of Maupassant were published regularly by journalists and writers visiting Algeria, and with regular steamship services from Marseilles to Algiers taking no more than 36 hours by 1906, popular tourism to the colony was growing significantly around the turn of the twentieth century.⁷ Whilst the first decades of French rule over Algeria were characterised by metropolitan indifference, after an initial, limited wave of criticism in the 1880s debates on state abuse and the rights of the Muslim population increasingly preoccupied the French public opinion from the 1890s onwards.⁸

The increasing importance of citizenship in colonial Algeria and the growing attention in the metropole to the abuses in the colony help to explain the moments of negotiation on the terms of political participation between colonial subjects and the state which this thesis highlights. The present discussion takes as its starting point a view of political rights as a crucial factor in the economic, social and everyday life of individuals and social groups. This was not less, but even more so the case in colonial Algeria, which was governed by a system of restrictions applied to some and privileges granted to others. Following the institution of an

⁶ Ibid, 94.

⁷ See for instance: Achille Fillias, *Nouveau guide général du voyageur en Algérie* (Pairs: Guide Garnier Frères, 1865), 112-113; Henri de Peyerimhoff de Fontenelle *Enquête sur les résultats de la colonisation officielle de 1871 à 1895* (Algiers: Torrent, 1906), 8.

⁸ Didier Guignard, *L'abus de pouvoir dans l'Algérie coloniale (1880-1914): Visibilité et singularité* (Paris: Presses universitaires de Paris Ouest, 2014), 21.

Algerian parliamentary deputation on the one hand and the systematisation of the Code de l'indigénat on the other, the status of citizenship gained a new significance for the colonised populations: It became the promise (and in most cases, nothing more than a promise) of political representation, of a share in the country's resources and of protection from state abuse. This study therefore views the struggles over political inclusion and exclusion as a crucial aspect in the social and political history of colonial Algeria. It analyses the various moments when different social groups in Algeria sought to make their own claims on these matters and define the boundaries of French citizenship.

Colonial rule in a changing empire

Alongside the advancing subordination of the colony to the civilian institutions of the metropole, a broader incorporative impulse was at work after 1870: to interweave Algeria into the story of the nascent republic and include it in the maps – both printed and mental – of a nation arising from defeat after the Franco-Prussian war.⁹ The present study sees in the attempts to re-shape Algeria and its landscape as an integral part of France a crucial element of struggles over the boundaries of citizenship there. For the view of Algeria as a French province in the making led to a particularly vehement rejection of any political reform.

This study therefore begins with a discussion of an expropriation and settlement project which was of the utmost symbolic power: the attempt to settle in Algeria families from Alsace and Moselle who chose to leave these provinces to retain their French nationality following the Franco-Prussian war. While the patriotic myth constructed around this episode helped, if only

⁹ For an example of the inclusion of Algeria in contemporary maps see: Gilles Kepel, *Quatre-vingt-treize* (Paris: Gallimard, 2012), 20. On the colonisation of Algeria as an *idée-force* of the Third Republic see: Charles-Robert Ageron, *Histoire de l'Algérie contemporaine: De l'insurrection de 1871 au déclenchement de la guerre de libération* (Paris: Presses Universitaires de France, 1979), 72.

briefly, to interweave Algeria into the story of the nascent republic, the “failure” (in a colonial perspective) of this and subsequent settlement schemes during the 1870s resulted in the shift of colonial thought and practice – from settlement to the politics of citizenship. This shift culminated in the collective naturalisation of the non-French European population in Algeria in 1889, intended to compensate for the small numbers of new French settlers by means of political assimilation and homogenisation. In the words of Charles-Robert Ageron, this was the “*acte de naissance*” of the European community and an important moment in the emergence of *l’Algérie française*.¹⁰ Yet as the present study seeks to establish, inclusion and exclusion always went hand in hand: The same debates which led to the 1889 naturalisation of the Europeans were at work behind the increasingly repressive policing and political exclusion of the Muslim majority. The culmination of this exclusion, its naked cynicism and brutality occurred during the First World War, when Algerian Muslims were subjected to conscription without being granted any significant form of political representation.

However, state policies only make up part of the picture. Both the colonised and the European populations in Algeria played an active part in this story. The naturalisation of Algerian Jews by the Crémieux decree from October 1870, long regarded as a policy which was superimposed on the local Jewish population, is re-evaluated in this study in light of new findings to emphasise the role of local Jewish campaigns for naturalisation in 1869-70. In a similar methodological vein, the settler anti-Semitic movement and its campaign against the Crémieux decree in the late 1890s is interpreted here above all as a local attempt to re-define the boundaries of exclusion and inclusion in Algeria. Finally, this study stresses the importance of struggles for political representation launched by leaders of the Muslim majority from the early twentieth century onwards. Though they ultimately failed to force the government to implement any significant reform, these struggles successfully challenged prevalent views on

¹⁰ Ageron, *Histoire de l’Algérie contemporaine*, 118.

French citizenship and Islam. The impact of these attempts in bringing about a process of re-thinking amongst considerable sections of the French political and medial sphere should not be underestimated.

To explain the occasional responsiveness of colonial reformers and politicians in France to Muslim leaders' demand for reform, this thesis offers a new argument on the changing nature of the French empire in the late nineteenth and early twentieth century. As the six chapters of this thesis seek to establish, the late nineteenth and early twentieth century saw a significant shift in French colonial thought, a shift which sought to respond to the geo-political developments of the time: In the early twentieth century, a growing stream of colonial administrators, journalists and politicians argued that the future of the French empire depended not on the continued exclusion of its colonial subjects, but on their inclusion – first within the French military, and later through one form or another of political participation.

None of these new impulses was implemented under the Third Republic, but the present study nevertheless argues that the school of colonial reform must be integrated into our understanding of a changing empire and its tensions. Ann Laura Stoler and Frederick Cooper, whose seminal edited book title *Tensions of Empire* is paraphrased here, have interpreted colonial reforms as an exercise by which the colonising elite reaffirms its moral authority by determining the limits of its own power.¹¹ This is of course a crucial aspect, but it is equally important to stress that reform plans were drawn as response to changing geo-political circumstances. These plans were propagated by ardent supporters of the empire who spoke of the need to integrate the colonised populations in a nascent “empire franco-barbaresque”. This, in turn, was translated into shifting attitudes in the metropole towards Algeria, now often

¹¹ Frederick Cooper and Ann Laura Stoler, “Between Metropole and Colony,” in *Tensions of Empire: Colonial cultures in a bourgeois world*, eds. Cooper and Stoler (Berkeley: University of California Press, 1997), 3.

viewed as an ill-administered colony, particularly when compared with the new, “modern” model of rule developed in Morocco.¹²

Imagining citizenship: The Roman empire and the “cité française”

To understand the problem of citizenship in a changing empire, this thesis stresses the centrality of two recurrent tropes in debates on exclusion and inclusion in Algeria. The first of these is the repeated reference to the Roman empire. French rule over Algeria – and later Tunisia and Morocco – was often portrayed as a revival of Latin civilisation in North Africa. This was a well-established trope, first invoked in the early decades of French occupation and persisting well into the twentieth century: In 1931, an illustrated colonial magazine bragged: “Dans cette Méditerranée occidentale, nous sommes bien les véritables héritiers des Romains, n’en déplaise à Mussolini”.¹³ Patricia Lorcin has discussed the role of references to Rome in the quest for historical legitimacy for the French presence in North Africa and the fostering of a collective identity by the settler community.¹⁴ Yet as this thesis argues, the reference to Rome also played a crucial role in the thinking and re-thinking of empire. With Rome widely seen as the ultimate model for empire building, colonial reformers often made use of this historical point of reference to justify their demand for greater rights for the Muslim colonial subjects, relying on the “assimilationist” policies of the Latin forefathers. Inclusion, political change and a flexible model of citizenship were thus depicted not as unmaking, but as solidifying colonial rule. At the same time, entailing as it did a rather elastic perception of time, in which fifteen centuries were seen as a mere interval of a long “Latin” history of North Africa, the reference

¹² Paul Rabinow, *French Modern: Norms and Forms of the Social Environment* (Cambridge, Mass.: MIT Press, 1989), especially 290-6.

¹³ ‘La France Méditerranéenne à Vincennes’, *Le Monde colonial illustré*, no. 89 (January 1931), 7.

¹⁴ Patricia Lorcin, “Rome and France in Africa: Recovering Colonial Algeria’s Latin Past,” *French Historical Studies* 25, no. 2 (Spring 2002): 296-9, 312-13. For a brief discussion of Rome as a positive model see: Jan Jansen, *Erobern und erinnern: Symbolpolitik, öffentlicher Raum und französischer Kolonialismus in Algerien 1830-1950* (Munich: Oldenburg Verlag, 2013), 140-1.

to Rome made it possible to propagate reforms designed to guarantee the future of the empire without committing to any concrete timeframe.

Whereas colonial reformers often evoked history and time to propagate an alternative model of empire, opponents of reforms relied heavily on a spatial perception of French citizenship in their rejection of political change. French citizenship was imagined as a citadel which was ought to be protected from a foreign invasion. In 1885, a prominent legal expert and close advisor to the Algerian administration, whilst propagating a citizenship reform in the colony to naturalise the non-French European population, argued: “Il faut [...] que l’acquisition de ce titre [of French citizen – A.O.] soit *entourée, en tous lieux, de solides garanties*; ces garanties pourront être différentes, mais elles ne sauraient être moindres.”¹⁵ Shaped by the expulsion of local populations and the establishment of colonial settlements, citizenship was imagined in Algeria as a pre-defined, fortified polis rather than a set of rules and rights designed to serve a community as it changes and evolves. In a sense, this spatial dimension was rooted in language itself: with such terms as “*droit de cité*” describing political rights and “*la cité française*” describing the French Republic and its community of citizens, the act of becoming a French citizen was imagined as a movement, an entry into a pre-defined territory. Yet in Algeria, this spatial perception was particularly marked: In a political climate and mind map so strongly shaped by settlement and land seizure, the idea of French citizenship as bound up with a certain territory was expressed very explicitly. Ultimately, it was this view of citizenship rather than the more historicised model implied by the reference to Rome which would prove to be more powerful.

¹⁵ Alfred Dain, *Étude sur la naturalisation des étrangers en Algérie* (Algiers: Adolphe Jourdan, 1885), 15. Emphasis added.

Historiography

In its attempt to understand debates and struggles over the demarcation of the *cité française* as a significant part of the social and political history of colonial Algeria, this thesis is much indebted to various studies on citizenship and subjecthood, the settler society and the demand for reform. This section discusses the most important theoretical impulses on which the present study relies. More detailed discussions of the literature relevant to the different chapters will follow throughout the thesis.

The legal aspects of citizenship in colonial Algeria from 1865 to 1947 have been thoroughly studied by Laure Blévis. Blévis has provided the most detailed and critical account of the legal status of the Muslim population by historicising a social-legal category coined by administrators and legal experts in Algeria, that of *l'indigène musulman*. Construed against the background of Algeria's diversity in order to provide a legal definition for the status of the Muslim majority, the category was made increasingly strict, culminating in its enshrinement in state law in 1865. In this year, a *sénatus-consulte* – i.e. legislation approved by the Second Empire's Senate – defined the legal status of the *indigène* (applying to Muslims and Jews alike until the Crémieux decree of 1870) as that of a non-citizen French national – or, less legalistically put: a colonial subject.¹⁶ The definition of the *indigène* from 1865 was given a concrete, constantly present implication with the systematisation of the Code de l'indigénat: originating in martial law, this ensemble of restrictions and regulations was applied to the local Muslim population in the first decades of French occupation in Algeria, and was codified as state law in 1881. Giving sweeping powers to mayors and administrators over the everyday life and movement of colonial subjects, the Code de l'indigénat was perhaps the most repressive and intrusive manifestation of the inferior legal status of Muslims in Algeria.

¹⁶ Laure Blévis, "L'invention de l'« indigène », Français non citoyen," in *Histoire de l'Algérie à la période coloniale*, ed. Abderrahmane Bouchène et al. (Paris, La Découverte, 2012), 214-15.

As Blévis has convincingly shown, what made the category of the *indigène musulman* strictly repressive and exclusive under the Third Republic was the creation of yet another legal category – that of the *statut personnel*. What in the 1860s had still denoted a loose ensemble of religious legislation and jurisprudence governing the Muslim population in civil matters of marriage, divorce and inheritance, was turned by French administrators and legal experts into a strict legal category in the following decades. This codified *statut personnel* was designed to contrast the Islamic civil law with the Code civil and underline their alleged incompatibility. Though it was a purely French construct, the *statut personnel* and the alleged attachment of the Muslim population to it were nevertheless regarded by deputies and commentators in the metropole as an insurmountable obstacle hindering the naturalisation of the Muslim population.¹⁷ As Blévis has noted, the idea about Islamic legislation as hindering naturalisation and the subsequent requirement that Muslim subjects renounce their *statut personnel* and accept the Code civil was unique to Algeria. In the French colonial possessions in India and above all in the colony of Senegal, Muslim subjects were given the right to vote without any change in the civil legislation governing them.¹⁸ It was only in the 1910s that a significant number of colonial reformers called for Muslim subjects to be naturalised without requiring them to renounce Islamic civil legislation – a demand which came to be known as naturalisation “*dans le statut*.”

The present study draws on the legal analysis provided by Blévis to address a series of broader questions concerning struggles for inclusion in Algeria and the perceptions of French citizenship engendered by them. The six chapters of the thesis seek to establish that the demarcation of the *cité française* came to preoccupy the various populations in Algeria, the colonial administration and metropolitan public opinion. The boundaries of the Republic and

¹⁷ Laure Blévis, “Sociologie d’un droit colonial. Citoyenneté et nationalité en Algérie (1865-1947): une exception républicaine?” (Doctoral thesis, Institut d’Etudes politiques, Aix-en-Provence, 2004), 107-108.

¹⁸ Patrick Weil, *Qu’est-ce qu’un Français?* (Paris: Gallimard, 2004), 353-5.

its citizenry, in other words, were a pressing issue in Algeria and France, one which ignited protests, conflicts and riots in various historical moments.

Such struggles influenced not only the course of events in Algeria, but conceptions of citizenship in the metropole as well. The demand from local populations to be given certain political rights and the need to provide theoretical legitimation for exclusion led experts and commentators to develop an essentialist view of French citizenship, one which was focused on – or, less rigorously put: obsessed with – the “customs” (“*coutumes*”) of a given population. Rather than a matter of rights and duties, law and justice, citizenship was regarded by colonial theory as a matter of culture and mentality.

Though concepts of political rights in Algeria were strongly influenced by the unique situation in the colony, they must also be understood as part of a broader change of French citizenship in the late nineteenth century, as has been shown by Patrick Weil. Indeed, the moments discussed in this thesis, particularly the 1880s, were moments of demarcation not only in Algeria, but in the metropole as well. In 1889, a major reform of French citizenship replaced the *jus sanguinis* (“law of the blood”), introduced to the Code civil in 1803 and determining citizenship according to descent, with the *jus soli* (“law of the land”), determining citizenship according to birth within the national territory. As is well documented by research, the reform of 1889 was motivated by a series of demographic studies which indicated a decline of the French population and an increasing presence of a foreign population residing in France.¹⁹ But as Weil has shown, the logic of the *jus sanguinis*, seeing the nation as the continuation (“prolongement”) of the family, left a lasting imprint on French and indeed European perceptions of citizenship.²⁰ Indeed, phrases such as “la grande famille française” were often evoked when the naturalisation of colonial subjects in Algeria was discussed.

¹⁹ Ibid, 73-7.

²⁰ Ibid, 52.

Entailing a perception of French citizenship as correlating exclusively to a distinctive, pre-defined French nation, such phrases expressed a widely shared hostility to the inclusion of “foreign” elements. Out of the quest to naturalise some “foreign” populations and exclude others emerged a series of new concepts seeking to legitimate a differential treatment of the European populations on the one hand and of the Muslim population on the other. By studying these concepts, this thesis seeks to go beyond a legal discussion and provide a broader understanding of exclusion and inclusion.

Indeed, attempts to define the boundaries of French citizenship in Algeria were but the theoretical expressions of a struggle for political influence and economic wealth – an aspect studied by historian Didier Guignard. Whilst for Muslim leaders, citizenship embodied the hope for representation and protection from the excesses of the Code de l’indigénat, for the European population, the exclusion of the Muslim majority guaranteed a political monopoly over the distribution of Algeria’s resources. As Guignard has shown, the riches of Algeria’s colonial population came above all not from natural resources or the exploitation of the colonised labour force, but from the heavy taxation of the local population and its use for the almost exclusive benefit of the Europeans. Furthermore, with political posts endowed with benefits which did not exist in the metropole, with the vast territories of communes and departments frustrating any governmental oversight, local politics became the preferred path to fortune – a phenomenon Guignard aptly describes as *la ruée vers la politique*.²¹ Viewed against this background, the fierce opposition to political reform amongst the settler population and colonial administration is not surprising. Guignard, therefore, is a crucial link to the arguments made in this thesis. Whether in anti-Semites’ demand to abrogate the Crémieux decree in the late 1890s or in mayors’ opposition to any increase of Muslim representation in

²¹ Guignard, *L’Abus de pouvoir*, 168.

local councils in the 1910s-1930s, the boundaries of the French electorate were always a crucial issue on the agenda of the Europeans.

Building on the works of Blévis, Weil and Guignard, this thesis investigates the Algerian origin of the widely held perception of French citizenship and Islam as incompatible. When faced with calls for reform – either from Algerian Muslim notables and leaders or from French colonial reformers – mayors in Algeria, together with jurists and administrators, sought for theoretical justifications for the status quo. The *statut personnel* was always the simplest answer, as it had come to represent everything opposite to the French model of family and society as envisaged by the Code civil. Transmitted to the metropole, this alleged contrast was adopted by journalists, experts and lawmakers, who integrated it into their commentaries and policymaking. Thus a particular political interest – the political monopoly of the Europeans in Algeria – was turned in the metropole into a general theory justifying the political exclusion of Muslims.

Alongside opposition to political change, one must also consider campaigns for colonial reform – an issue which has been studied in only few discussions and in insufficient depth – particularly those campaigns preceding the Popular Front's reform bill in the late 1930s. An example of the lack of understanding of this historical problem is the account provided by Charles-Robert Ageron in his discussion of the Société pour la protection des indigènes mentioned above. Ageron has reproduced the colonialist language of the time by describing the society with the following words: "Cette société humanitaire et patriotique se proposait selon ses statuts de protéger les populations indigènes, de travailler à leur progrès matériel et moral et de *faire de nos populations musulmanes des auxiliaires et des amis*, au lieu de les maintenir à l'état d'irréconciliables adversaires."²² Though Ageron has clearly acknowledged

²² Charles-Robert Ageron, *Les Algériens musulmans et la France (1871-1919)*, (Paris: Presses universitaires de France, 1968), 424. Emphasis added.

that such reform movements were committed to the imperial endeavour, he has failed to see how deeply their views were rooted in colonialist thinking of civilisation hierarchy.

Such a qualification is representative of Ageron's more general approach, which sees settlers in Algeria rather than the metropole as responsible for the exploitation of the local population and argues that "dans ses profondeurs, la France n'était pas coloniale au XIXe et au XXe siècle".²³ A more nuanced understanding of the campaigns for reform and their entrenchment in colonial thought has been advanced by recent journal articles, but the close connection between empire building and colonial reform is yet to be studied.²⁴ The present study seeks to apprehend the full political significance of colonial reform campaigns by studying them from different angles. Whilst calls for reform arose above all in response to the changing interests of the French empire, the content of such campaigns did reflect concerns about the exploitation and suffering of the local population in Algeria. In the course of such campaigns, innovative ideas on the boundaries of French citizenship and the ways to adapt it to accommodate religious difference were formulated.

Though calls for political change were initiated by colonial reformers who were concerned above all about the future of French imperial interests, such calls were intensified by the activism of Algerian Muslim leaders – and in some cases initiated in response to it. Whilst disputes in France mostly revolved around questions of efficiency in colonial rule, the campaigning of such movements as the Young Algerians in the early years of the twentieth century or the Congrès musulman in the 1930s shifted the debates to the realm of politics. It was in response to demands raised by local movements that French administrators, politicians

²³ Charles-Robert Ageron, *France coloniale ou parti colonial?* (Paris: Presses universitaires de France, 1978), 297.

²⁴ See most notably: Emmanuelle Sibeud, "Une Libre pensée impériale? Le Comité de protection et de défense des indigènes (ca. 1892-1914)," *Mil neuf cent. Revue d'histoire intellectuelle* 27 (2009): 74; Laure Blévis, "De la cause du droit à la cause anticoloniale: Les interventions de la Ligue des droits de l'homme en faveur des « indigènes » algériens pendant l'entre-deux-guerres," *Politix* 16, no. 62 (Spring 2003): 58-64.

and journalists began to re-consider the legal status of the Muslim population and the political order in Algeria more generally. James McDougall has stressed not only the centrality of “resistance through dialogue” in the political philosophy of Muslim leaders, but the sheer power of this strategy.²⁵ McDougall has shown how the Young Algerians before the First World War and particularly the movement of religious notables (the ‘ulama) at the time of the Popular Front sought to envisage a different future for Algeria and to communicate such visions in their confrontation with the colonial state. Much indebted to this work, the present thesis seeks to trace the ideas and perceptions concerning French citizenship which emerged from such moments of asymmetrical negotiation.

Methodology and structure

This thesis is arranged around six historical moments of change or dispute over exclusion and inclusion in colonial Algeria. In its focus on historical moments, the thesis draws on the methodological impulse set out by Erez Manela’s monograph *The Wilsonian Moment* from 2007. In this inquiry into anti-colonial movements in the wake of the First World War, Manela has provided a useful framework for the study of well-defined, short historical episodes in which a variety of trajectories and circumstances culminate in one specific event. In *The Wilsonian Moment*, this event is 1919, when a series of anti-colonial movements addressed their demands to the statesmen at the Versailles conference – particularly President Wilson, celebrated in the colonies for a brief moment for his endorsement of self-determination.²⁶ In a

²⁵ James McDougall, *History and the Culture of Nationalism in Algeria* (Cambridge: Cambridge University Press, 2006), 74. McDougall borrows the term from Abdelkader Djeghloul, “La Formation des intellectuels algériens modernes 1880-1930,” *Revue algérienne des sciences juridiques politiques et économiques* 22, no. 4 (Autumn 1985): 654 (article not consulted for this thesis).

²⁶ Erez Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism* (Oxford: Oxford University Press, 2007).

similar vein, the six historical moments identified for this thesis are all to do with concrete policies, plans or struggles concerning the demarcation of the *cité française*.

The timeframe of this thesis reveals long-term changes in the French empire and helps understand debates and suggested reforms in Algeria not as momentous expressions of moral doubts, remorse or humanist zeal, but as responses to changing geo-political circumstances. Land seizure and settlement, conscription, naturalisation and political exclusion can thus be discussed in the appropriate context. It is this combined perspective of *Longue durée* (albeit on a more modest scale than the strictly Braudelian sense) and certain moments of rupture or crisis which allows the present study to trace a significant shift: from marginalisation through dispossession in the 1870s to legal and political exclusion throughout the twentieth century.

More importantly still, the historical moments discussed in the six chapters of the thesis are closely interrelated. The plan to settle in Algeria families from Alsace and Moselle in the wake of the Franco-Prussian war surfaced in later debates on the nature and means of colonial rule, whether it was in the run-up to the naturalisation of the Europeans in 1889, in the aftermath of the First World War – or even after the collapse of the Third Republic. And the Crémieux decree remained a point of reference to any debate on naturalisation and the political order in colonial Algeria – from the naturalisation law of 1889 through the anti-Semitic crisis of the late 1890s and to the debates on the conscription and political inclusion of Muslims in the 1910s-1930s.²⁷ The naturalisation of the Europeans, in turn, was often regarded by French politicians and administrators as a fatal error which made possible the anti-Semitic crisis of the late 1890s.

The study of these different historical moments is designed to show how each of these debates raised the question regarding the political status of the Muslim majority – and how the

²⁷ On the Crémieux decree as counter-model in the political thought of the Third Republic see: Laure Blévis, “En marge du décret Crémieux. Les juifs naturalisés français en Algérie (1865-1919),” *Archives juives* 45, no. 2 (Spring 2012): 56. On the decree as point of reference to Algerian Muslim leaders in the 1930s see: McDougall, *History and the Culture of Nationalism*, 74.

naturalisation of the Jewish minority and the European population cemented the exclusion of the Muslim population. Whilst in 1870, various legal statuses had still existed in colonial Algeria, by 1889 a legal dichotomy was in place: French citizens on the one hand, Muslim colonial subjects on the other. At no point was the exclusion of the Muslim majority a given, an unquestioned state of affairs. Rather, it was the result of political decisions, and was reaffirmed time and again when challenged by campaigns for reform and by alternative models of colonial rule and citizenship.

Parallel structures of the thesis:

Viewed chronologically, the six chapters of this thesis represent three main periods in the history of colonial Algeria: the beginnings of Third-Republican colonialism (Chapters One and Two), the consolidation of the settler colonial order (Chapters Three and Four), and the rethinking of the empire (Chapters Five and Six). This division is meant to give the reader an idea of the broad historical tendencies and serve as an orientation tool between the various issues discussed in this thesis. Both the Alsace-Lorraine project and the Crémieux decree remained unique, in a sense unconventional, moments in the history of colonial Algeria – even though their impact was significant and lasting. The naturalisation law of 1889 and the anti-Semitic riots of the late 1890s are closely related and represent the emergence of a local citizenry and the struggle of this citizenry to guarantee its privileges – the “apogee” of *l’Algérie française*, to quote Sylvie Thénault.²⁸ And the reform campaigns of the early twentieth century mark a growing discontent in the metropole over the situation in Algeria, a decline in the

²⁸ Sylvie Thénault, “1881-1918: l’« apogée » de l’Algérie française et les débuts de l’Algérie algérienne,” in *Histoire de l’Algérie à la période coloniale*, ed. Abderrahmane Bouchène et al. (Paris, La Découverte, 2012), 159-84.

prestige of settlers and an attempt to re-organise the empire under the pressure of anti-colonial movements.

Yet alongside a chronological order, the structure of this thesis also seeks to account for different impulses and the mutual influence of the metropole over Algeria and vice versa. Chapters One, Three and Five all discuss state policies which, even if actors in Algeria were involved in their drafting, were carried out by the metropole: the Alsace-Lorraine project, the naturalisation of the Europeans and the introduction of conscription amongst the Muslim population. Chapters Two, Four and Six, by contrast, deal with developments which, to a large extent, originated in the local and the colonial populations in Algeria: a local Jewish petitioning campaign for naturalisation in 1869-70, the anti-Semitic movement's demand to repeal the Crémieux decree in the late 1890s, and the mobilisation of the Muslim population in the 1930s in demand from the Popular Front to implement a political reform. This zipper-like structure will hopefully complement the chronological dimension of this thesis to highlight the multiplicity of actors and trajectories which were at work in the demarcating of the *cité française* in Algeria under the Third Republic.

The six chapters:

The thesis opens with a discussion of an expropriation and settlement scheme of unique symbolic significance: the settlement of some 1200 families from Alsace and Moselle in Algeria following the territories' annexation to Germany after the Franco-Prussian war. As **Chapter One** will show, this scheme, though limited in the numbers of settlers involved, was of important and lasting significance. It helped construe a powerful myth of patriotism and piety, in which Algeria was depicted as the new homeland of those Alsatians and Lorrainers who left their natal provinces to retain French nationality. Furthermore, due to the perceived

urgency to settle as many settlers as possible in Algeria within a short period of time, this settlement scheme was a powerful rhetorical and political tool in the hands of settlement and expropriation lobbyists, and made possible later settlement projects in the 1870s. Indeed, the most vocal advocates of the Alsace-Lorraine project were also the main driving forces behind a new wave of dispossession and a major assault on the rights of local populations over their lands. Finally, this settlement project, depicted as a patriotic undertaking, announced a stronger emphasis on Algeria as a homogenic *French* province. Whilst former waves of settlement were portrayed as cosmopolitan, efforts were now made to reproduce in Algeria the communities and identities of the metropole and indeed to reshape Algeria's landscape to render it distinctively French. In this sense, the Alsace-Lorraine project was an important stage in the development of a spatially perceived model of citizenship in Algeria. Its "failure", in colonial eyes, would become one of the main impulses which led to the shift from land seizure towards the politics of citizenship in the 1880s.

Historians have paid little attention to the Alsace-Lorraine project – above all, no doubt, due to the limited numbers involved. A meticulous study of immigration from Alsace-Lorraine to Algeria in the nineteenth century by Fabienne Fischer documented this episode, but its impact upon later colonial policies in the 1870s and 1880s and the persistence of the national myth construed around it are yet to be discussed.²⁹ In fact, historiography itself reflects the presence of this project in the collective memory of colonial Algeria: Charles-Robert Ageron included no mention of the Alsace-Lorraine episode in his monumental doctoral thesis on colonial Algeria from 1870 to 1919, submitted in 1964. Yet fifteen years later, he dedicated four pages to this episode in a shorter, illustrated version of his work which was clearly intended to a general audience rather than an academic readership.³⁰ Chapter One of this thesis

²⁹ Fabienne Fischer, *Alsaciens et Lorrains en Algérie: histoire d'une migration, 1830-1914* (Nice: Gandini, 1999), 65-73.

³⁰ Ageron, *Histoire de l'Algérie contemporaine*, 72-75.

attends to the role of this episode in portraying Algeria as a French province in the making, a territory viewed very differently and much more emotionally by the French than any other colony.

Whilst the arrival of settlers from Alsace and Moselle was in accordance with settlers' demands, a parallel policy aroused furious reactions amongst settler representatives and press: the collective naturalisation of Algerian Jewry by Interim Minister of the Interior Adolphe Crémieux in October 1870. **Chapter Two** provides a new reading of this historical moment, interpreted in this thesis as the negotiation of French citizenship, its terms and conditions, by the central government, the colonial administration and Jewish notables from France and Algeria. Based on an important dossier of documents hitherto not discussed by historians, this chapter insists on the crucial role of local Jewish voices demanding naturalisation. As this thesis argues, this was a singular moment – the only time in the history of colonial Algeria that a local community asked for French citizenship in its own language. A petition, written in French and Judeo-Arabic and demanding collective naturalisation, was submitted to the government in 1869. What makes this episode even more interesting is the success of this campaign: Chapter Two discusses the consultations which were sparked by the Jewish petitioning and which paved the way to the Crémieux decree. Finally, this chapter shows how the naturalisation of the Jewish minority cemented the exclusion of the Muslim population: in various consultations, the argument was repeated that Judaism was compatible with French citizenship *unlike Islam*. Furthermore, by exempting the Jewish population from the legal category of the *indigène*, the Crémieux decree effectively brought about the identification between the terms *musulman* and *indigène*.

Though recent literature has mentioned Jewish petitioning for naturalisation during the 1860s,³¹ the present study is the first to analyse the text of the most important of these petitions, submitted in 1869 and resulting in preparations for naturalisation.³² The discovery of this petition, together with subsequent consultations, allows for a major re-writing of the naturalisation of the Jewish minority. And though the petitioning campaign itself preceded the collapse of the Second Empire and the proclamation of the Third Republic, once the decree was promulgated, it was seen as a genuinely republican measure by its supporters. The Jewish consistory of Constantine, for instance, debating the Crémieux decree a few days after its promulgation, greeted it with the words: “Vive la France! Vive la République!”³³

Whilst the historical moments discussed in the first two chapters were born out of the chaos and confusion resulting from the defeat of 1870, the collapse of the Second Empire and the uprising in Kabylia, **Chapter Three** discusses an episode which marked the consolidation of the settler colonial order: the collective naturalisation of the non-French European population in Algeria in 1889. Alarmed over the growing numbers of this population and disillusioned with the prospects of maintaining French dominance in the colony through settlement, the Algerian administration turned to collective naturalisation. And whilst this was ultimately achieved by applying to Algeria the general citizenship reform of 1889 (the introduction of the *jus soli*), the debates amongst the colonial administrations and various commentators and experts in the 1880s reveal an intellectual development which was unique to the colony.

³¹ Valérie Assan, *Les consistoires israélites d’Algérie au XIX^e siècle* (Paris: A. Colin, 2012), 313, 320-1, 336

³² For an overview of the research concerning the Crémieux decree see: Denis Charbit, “L’historiographie du décret Crémieux: Le retour du refoulé,” in *Les Juifs d’Algérie: une histoire de ruptures*, ed. Joëlle Allouche-Benayoun and Geneviève Dermenjian (Aix-en-Provence: Presses universitaires de Provence, 2015), 43-59.

³³ Jerusalem, Central Archives for the History of the Jewish People (CDHJP), AL/Co 3, Registre des procès-verbaux des réunions du Consistoire israélite de Constantine, séance du 6 novembre 1870.

As Chapter Three shows, the naturalisation of the Spanish and Italians in Algeria resulted in stricter legal and theoretical distinctions between the European and the Muslim population. Seeking the collective naturalisation of non-Muslims born on the Algerian soil, the colonial administration, the government and the parliament embarked upon lengthy legal acrobatics, resulting in an Algerian naturalisation formula which can be summarised as “jus soli minus Muslims” (coinage of this thesis). At the same time, and parallel to the codification of the repressive penal system known as the Code de l’indigénat, the 1880s witnessed a significant change in the category “musulman”, which now came to signify descent rather than religious affiliation. As Chapter Three shows, the establishment of strict distinctions and hierarchies between Muslims and non-Muslims made the contradictions and excesses of colonial rule more visible than before, and gave rise to an initial wave of protests in the metropole, denouncing state abuse and calling for some form of Muslim participation.

If the 1889 naturalisation law was initiated by state agents, in the following decade it was the European population in Algeria that sought to assert its own vision for the boundaries of citizenship. That is the argument made in **Chapter Four**, offering a new reading of the anti-Semitic crisis of 1898 by attending to the main claim behind this agitation: the abrogation of the Crémieux decree. This, as the present study argues, was the core of the anti-Semitic crisis, the essence beyond the violence, the vulgarity and the scandals of a political crisis which dominated the political life of colonial Algeria at the turn of the twentieth century.

Historians of Algeria have offered various explanations for the anti-Semitic crisis of the late 1890s, stressing above all the economic recession which fuelled social unrest, and the role of anti-Semitism in constituting a common European identity.³⁴ But there exists little research on *how* anti-Semitism came to fulfil such a crucial function in the identity formation

³⁴ Ageron, *Les Algériens musulmans*, 592-4.

of the Europeans. Furthermore, the central outcry of this movement, best summarised in the movement's own words "A bas les Juifs!", has received little attention. By attending to the rhetoric of the anti-Semitic movement, this study shows that the two core features of this movement – the demand for the political exclusion of the Algerian Jews and the assertion of a local identity – were inseparably linked, and amounted to the assertion of a local view of the *cité française*. As Chapter Four argues, the anti-Semitic movement simply followed the logic underlying the political regime in Algeria as established in the 1880s: a political regime of exclusion and inclusion based on ethnicity and origin. In the "Algerian" community which emerged from this political order, there could be no place for an Arabic-speaking Jewish community. As Algerian anti-Semites grew more confident, they turned to portray themselves as the true representatives of France, defying a metropole depicted by them as the accomplice of a Jewish conspiracy. Indeed, this local challenge to the metropole led, for the first and last time in the history of colonial Algeria, to an open confrontation between the Europeans in Algeria and the political establishment in Paris.

The anti-Semitic crisis was a major turning point in the relations between Algeria and the metropole, and marked a new low in the reputation of the settler population, now often seen as indifferent to the interests of France and the empire and indeed jeopardising them. **Chapter Five** turns its attention to shifting metropolitan attitudes towards the colony around the time of the First World War and to the emergence of new visions of inclusion in an expanding French empire. As this chapter will show, an increasing number of administrators, journalists and politicians in France came to see the conscription of colonial subjects as a vital means to guarantee the future of the French empire. These calls stemmed, firstly, from the will to gain new manpower amid a looming European conflict in the 1910s, and, secondly, from a general re-thinking of the nature of empire and colonial rule and a new idea of the empire as an "empire franco-barbaresque". During these debates, for the first time, a significant number of journalists

and prominent politicians demanded that Algerian Muslims be granted political rights without requiring them to renounce their *statut personnel*.

Chapter Five explores this crucial episode in the history of colonial Algeria from a new angle, arguing that the campaign for reform resulted from shifting notions of empire. As this thesis argues, the campaign of the 1910s and the aftermath of the First World War saw the emergence of the main ideas, patterns, movements and actors which would be at the core of the more famous struggle around the Blum-Viollette reform plan in the 1930s. Amongst French politicians, it was during the campaign of the 1910s that Maurice Viollette first drafted reform proposals – to mention but the most prominent of colonial reformers. Amongst the Europeans in Algeria, the 1910s witnessed the emergence of mayors as the staunchest opponents of any change to the political status quo. And amongst the Muslim population, the aftermath of the First World War saw the emergence of a new generation of leaders who formulated more assertive demands to the French state.

The failure of reform campaigns in the aftermath of the First World War did not remove the subject from the public agenda – quite the contrary. As **Chapter Six** shows, a sense of urgency and indeed of a looming catastrophe accompanied the struggle for colonial reforms under the Popular Front in 1936-38. For two turbulent years the public agenda in Algeria was dominated by State secretary Maurice Viollette's radical proposal: to naturalise c. 25,000 members of the Algerian Muslim elite without requiring them to renounce Islamic civil legislation. As this study argues, Viollette's plan, though very limited in scale, had the potential of becoming a veritable turning point, as it signalled the willingness to accept religious difference within the *cit  fran aise*. Though deeply entrenched in the colonial project, Viollette showed a nuanced understanding of Islam, Islamic legislation and the Muslim Algerian society which was atypical amongst politicians and colonial administrators.

What made the Viollette plan possible, as Chapter Six will show, was a campaign for reform which was launched by Muslim thinkers and activists in the 1930s and successfully dismantled predominant French prejudices – above all those regarding the situation of Muslim women. Contrary to the view held by some historians, this thesis insists that support for the Viollette plan amongst the Muslim population was considerable and exceeded the confines of the French-educated, urban elite.³⁵ But this must not be understood as the passive acceptance of policies drafted in the metropole. On the contrary, Chapter Six stresses the active role of the Algerian Muslim leadership in pressing the Popular Front to announce a reform plan, criticising the limited scale of the Viollette plan once published and clarifying that it must be the first step towards an overall political change in Algeria. Due to its radically new ideas, the Viollette plan was met with fierce opposition from the European population in Algeria, who were alarmed by the threat it posed to their political monopoly and by the growing assertiveness of the Muslim leadership. Indeed, the Europeans understood well what a taboo breach the Viollette plan represented: For the first time, a French government proposed to accept religious difference within the boundaries of the French Republic. The opposition to the Viollette plan was therefore often expressed as opposition to the metropole and even the republican idea.

Sources, archives and terminology

Archival research for this thesis was conducted mainly at the Centre d'Archives d'outre mer in Aix-en-Provence and the Archives nationales in Pierrefitte-sur-Seine. Chapters One, Three and Five rely mainly on official deliberations and correspondence between the colonial administration in Algeria, the central government in Paris (especially the Justice and Interior ministries) and a few parliamentary deputies, supplemented by brochures, essays and articles

³⁵ See for instance: Benjamin Stora, *Nationalistes algériens et révolutionnaires français au temps du Front populaire* (Paris: L'Harmattan, 1987), 92-6.

by settler leaders, legal experts and colonial administrators. This corpus of evidence allows for significant insights into colonial policies and mentalities as these evolved during debates over political exclusion and inclusion in Algeria. It is particularly useful when debating policies drafted and implemented by the colonial administration and the central government: the Alsace-Lorraine settlement project, the 1889 naturalisation law, the introduction of conscription of Algerian Muslims before the First World War, and the resulting debates on political reform in Algeria. For the discussions of the Jewish petitioning campaign of 1869-70 and the anti-Semitic movement of the late 1890s, the colonial and national archives contain an abundance of non-official sources which allow us to reconstruct the perspectives and strategies of multiple actors. The Jewish petition discussed in Chapter Two is an important and rare document articulating a local Jewish voice. And the police reports and press articles used in Chapter Four allow us to draw a nuanced and multi-faceted picture of the anti-Semitic movement.

Chapters Four and Six rely heavily on press articles kept in Aix-en-Provence and in Pierrefitte. As these articles were archived by administration functionaries, they are not the result of a systematic study of French and French-Algerian press, but reflect the contemporary press as seen by various authorities and ministries. These *coupures de presse* are therefore referenced with their archival sources to allow for complete transparency regarding the research process upon which the arguments in this thesis rely.

The main difficulty in relying on state and colonial archives in this thesis occurs in Chapter Six when discussing the demands and views expressed by Muslim leaders during the struggle for political reform in the 1930s. These archives do contain an abundance of documents concerning the views and demands of the French-educated, assimilationist elite: press articles, demands and expressions of support transmitted to the Popular Front government in Paris, hearings of representatives in front of parliamentary inquiry commissions and secret

police reports from political meetings. Taken together, these certainly allow for a nuanced account of those sections of the Muslim leadership which demanded, advocated and negotiated the reform plan with the Popular Front.

However, two caveats remain. First, by their very nature – their origin, their target audience, their ideological orientation and their language – the sources consulted for Chapter Six represent above all the voices of the French-educated Muslim elite. Though the Congrès musulman, the main political organisation behind the reform advocacy, represented various political and religious orientations, the role of the French-educated Muslim councillors in formulating the demands for political participation was clearly more significant than that of religious notables. The outspoken support for collective naturalisation was almost always expressed by leaders affiliated with the Popular Front – particularly the Socialist Party – and its campaign for political reform is well documented in the national and colonial archives. On the perspectives of the religious notables, by contrast, the French archives offer much less information.

Second, even when discussing the staunchest supporters of naturalisation amongst the Muslim leadership, this thesis is confined to texts written in French and articulated through the language and political vocabulary of the colonial power. In this sense, the sources used for this thesis represent an important historical development: the choice of so many representatives of the Algerian Muslims to articulate their demands in French and draw on the legacy of Republic and the Revolution. But caution is necessary: in the absence of a study of the Arabic press, the arguments advanced in this part of the thesis, though substantiated by abundant evidence, apply only to certain dimensions of the encounter of the colonised with the colonising state.

Rather than a complete picture of the Algerian Muslim society in its attitudes towards reform, the sources used for Chapter Six tell the story of the asymmetrical negotiation as it was

carried out between colonial subjects and the French state. Indeed, asymmetry is an inherent element of this situation. It was present not only in the power relations which were at work in the 1930s, but remains so in the archives from which knowledge is drawn. Finally, this asymmetry remains present in the linguistic skills still applied in most discussions of colonial Algeria conducted at western universities, including the present study at its current stage.

Terminology:

The terminology regarding the various population groups in Algeria is a complex issue. Referring to the local Muslim population as “Algerians” in the period discussed here may lead to confusion, since that is the name by which the colonial administrations referred to the French and European settlers in Algeria – and the local Muslim population rarely made use of this term in the late nineteenth and early twentieth century. “Indigenous” may entail enough critical distance when discussing the British empire, but in view of the extensive use of the category *indigène* in French colonial thought, it seems highly inconvenient for studies of the French empire. This thesis therefore speaks of either the “local” or “Muslim” (or “local Muslim”) population: when discussing land expropriation and colonial settlement, “local” appears more relevant, as it highlights the contrast with the arrival of immigrant settlers from elsewhere. When discussing matters of political exclusion and inclusion, citizenship and naturalisation, “Muslim” seems more appropriate, as it was on questions of religious legislation that such debates centred. “Muslim” also accounts for the choice of contemporary actors, as is expressed in the name Congrès musulman. The Jewish population is referred to by this term, or as “local Jewish population” to highlight contrast or tensions between French and Algerian Jewry.

The terminology around the French, Spanish and Italian population is similarly complex. The oft-used term “settlers” is slightly inaccurate, since it corresponds to the French

colons – a word which referred to agricultural settlers, not to city dwellers. However, “settler” has come in recent years to function as an adjective (e.g. settler press, settler population), denoting simply the culture, society or politics of immigrant colonists, and as such it is indeed useful and is occasionally deployed here as well. The term “Europeans” is the most accurate, and is used here when context allows.³⁶ When the words *indigène* or *algérien* are used, they are meant to convey contemporary language, and will appear between quotation marks.

Accuracy, clarity and the maintaining of a critical distance from contemporary language and sources do occasionally contradict one another. The terminological choices in this thesis seek to reflect the two-staged methodology of a critical historical inquiry: First, to reconstruct the vocabulary and intellectual horizons in which contemporary sources were created, and second, to problematise these by pointing to the hidden assumptions, prejudices, political interests and logical leaps of a given vocabulary. If the terms citizenship, naturalisation or assimilation – all contemporary categories – are applied here, the present study seeks to contextualise them through the use of the more general terms of exclusion and inclusion. And whilst no vocabulary choice can undo the asymmetry which underlay any confrontation between colonial subjects and the colonising state, the terminology and language deployed in the following pages seek to render this asymmetry constantly visible as the discussion unfolds.

³⁶ I rely here on the reasoning provided in: James McDougall, *A History of Algeria* (Cambridge: Cambridge University Press, 2017), 88, footnote 4.

Chapter One: The Reality of a Myth

The settlement of Alsatian-Lorrainers in Algeria, 1870-1875

In *Meursault, contre-enquête*, Algerian writer Kamel Daoud's 2014 rejoinder to *l'Etranger* aiming to give name and identity to the murdered "Arab" from Camus' novel, the victim's family, haunted by pain and the quest for justice, dwells for a short period in a colonial farm belonging to an "alsacien".¹ This brief, almost unnoticed reference stands out in a novel in which French protagonists remain mostly as faceless as Camus' Muslim Algerians – the most recent surfacing of a historical myth about Algeria and its role within the Third Republic. The making of this myth in the early 1870s, its concrete consequences for Algeria's local population and its role in French perceptions of the colony are discussed in this chapter.

Indeed, the settlement in Algeria of families from Alsace-Lorraine following the annexation of these territories by Germany was much present in the writing and argumentation of both commentators and actors of the colonial endeavour. In a travelogue from 1884, Guy de Maupassant let an Alsatian female settler speak the most desperate complaints about Algeria's barren soil – a stark, pessimist contrast to a myth of fertility that dominated earlier accounts of Algerian promise.² Exactly sixty years later, the American diplomat Kenneth Pendar, travelling through Algeria after it was taken by the Allies, wrote of its social structure: "The landowners who formed the dominant class came largely from Alsace-Lorraine, after the Franco-Prussian war. Able pioneers, they soon grew prosperous; their descendants conserved their gains and

¹ Kamel Daoud, *Meursault, contre-enquête* (Paris: Actes Sud, 2014), 38.

² Guy de Maupassant, *Au soleil* (Paris: V. Havard, 1884), 29-32. On the myth of Algeria's fertility see: Jennifer E. Sessions, *By Sword and Plow: France and the Conquest of Algeria* (Ithaca, N.Y. : Cornell University Press, 2011), 208-209.

became enormously rich.”³ Colonial administrators and settlers, for their part, showed equal enthusiasm with regards to the Alsace-Lorraine project. When in 1906 the Algerian administration launched an enquiry into the results of state-initiated settlement in Algeria, the report’s author wrote about the Alsace-Lorraine episode: “Du deuil des provinces perdues, est né le rêve d’en reconstruire de plus vastes, et aussi françaises.”⁴ During the Algerian War, several commentators argued that conceding to the Algerian claim of independence would betray the republic’s historic commitment to Alsatians and Lorrainers altogether.⁵

Finally, Camus himself revived the Alsace-Lorraine myth in his unfinished autobiographical novel *Le premier homme*, written during the Algerian War and published posthumously in 1994. Though purportedly a personal account of boyhood in poverty, *Le premier homme* is in fact a highly political text, an appeal of a *Français d’Algérie* to the sympathy of metropolitan public opinion amid continued bloodshed and a crumbling consensus regarding the future of Algeria. The protagonists of the novel correspond to Camus’ actual family and acquaintances, yet they – and the hero/narrator Jacques Cormery himself – are all subject to the author’s artistic license. In this masterly, at times manipulative dance between facts and fiction, past and present, the private and the public, the Alsace myth is given the authority of historical truth. When Jacques Cormery asks his mother during a visit to war-torn Algiers about the ancestors of his fallen father, the mother replies: “C’étaient des Alsaciens”.⁶ And though the author/narrator Camus/Cormery acknowledges the limitations of the illiterate mother’s knowledge, he nevertheless indulges the legend of Alsatian origin in his attempt to

³ Kenneth Whittemore Pendar, *Adventure in Diplomacy: The Emergence of General de Gaulle in North Africa*, [English ed. with new material] (London: Cassell, 1966), 81. This is the British edition of a report originally published in New-York in 1945.

⁴ Henri de Peyerimhoff de Fontenelle, *Enquête sur les résultats de la colonisation officielle de 1871 à 1895*, vol. 1 (Algiers: Torrent, 1906), 41.

⁵ John Ruedy, *Modern Algeria: The Origins and Development of a Nation*, 2nd ed. (Bloomington: Indiana University Press, 2005), 80, footnote 1.

⁶ Albert Camus, *Le Premier homme* (Paris: Gallimard, 1994), 63.

reconstruct the family's history – whether through enquiries or, in want of better alternatives, through imagination:

Le reste, il fallait l'imaginer. Non pas à travers ce qui pouvait lui dire sa mère, [...] qui savait seulement [...] que la France était de l'autre côté de cette mer [...], la France étant d'ailleurs un lieu obscur perdu dans une nuit indécise [...], où brillait une ville qu'on disait très belle et qui s'appelait Paris, où enfin se trouvait une région appelée l'Alsace dont venaient les parents de son mari qui avaient fui, il y avait longtemps de cela, devant des ennemis appelés Allemands pour s'installer en Algérie [...]⁷

Sporadic as these citations are, they indicate a motive which recurred at crucial stages of colonial and post-colonial Algeria, in what is an intriguing contrast between representation and actual figures. Of the entire population of the territories annexed to Germany (c. 1.5 million), only 125,000 chose to leave their homes in order to remain French citizens rather than stay in Alsace-Lorraine and accept German nationality – the two options given to them in the Treaty of Frankfurt. Out of these, fewer than 1200 families settled in Algeria, a third of whom returned to France and another third of whom abandoned agricultural lands in favour of the cities within thirty years.⁸

Historians have attributed little significance to this episode and the myth construed around it – above all, no doubt, due to the small numbers of settlers who were involved and possibly a reluctance to revive yet again a national myth of this sort. In 1999, a study of immigration from Alsace-Lorraine to Algeria in the years 1830-1914 was published by

⁷ Ibid, 68. On the family legend of Alsatian origin (the father's ancestors in fact originated from the Ardèche and Bordeaux) see Olivier Todd, *Albert Camus: A Life*, trans. Benjamin Ivry (London: Vintage, 1998), 4.

⁸ Fischer, *Alsaciens et Lorrains en Algérie*, 91.

Fabienne Fischer. Though meticulously researched, this study does little to critically assess the settlement project of the early 1870s as a colonial policy, and indeed reproduces such colonial terms as “success” and “failure”. The most critical engagement with this episode thus far is Raphaëlle Branche’s study of the village of Palestro during the Algerian War, including a brief yet penetrative account of the village’s re-foundation after 1870 for settlers from Alsace and Moselle.⁹

Yet it is precisely this myth that helped portray Algeria as an integral part of France and see colonisation as belonging to the very essence of the Third Republic. The first section of this chapter will thus trace the creation of the myth in the colony and the metropole in the early 1870s. Moreover, the small numbers of settlers from Alsace-Lorraine should not lead us to underestimate the devastating impact of this project upon Algeria’s local population. As the second section of this chapter will show, the settlement scheme was crucial in intensifying the dispossession of the local population by means of land seizure for the benefit of the new settlers. Finally, this new wave of land seizure was also used as a punitive and strategic method as part of the repression that followed a major uprising in Kabylia in 1871. Determined to frustrate future resistance attempts, the colonial administration considered the settlement of a homogenous French population subjected to mandatory conscription to be a useful policy. Coupled with a wistful patriotic sentiment, the establishment of new villages modelled after those left behind in Alsace-Lorraine was thus part of an overall attempt to reshape the Algerian landscape and render it more similar to France, as the final section of this chapter will argue.

⁹ Raphaëlle Branche, *L’embuscade de Palestro: Algérie 1956* (Paris: A. Colin, 2010), 101-5.

I. The making of a myth

The settlement of migrants from Alsace-Lorraine was from its outset framed in terms of victimhood and patriotism by deputies, journalists and philanthropists. As this section shows, it was advocated and promoted by a wide gallery of individuals in Algeria and France, ranging from Saint-Simonian politicians to Catholic bishops, from officers and admirals to wealthy aristocrats. A rhetoric of victimhood was complemented by a series of campaigns, both by the state and by private associations, designed to collect donations for settlers in Algeria and to create a wide popular support for the settlement project.

One of the key figures in developing the vocabulary of victimhood and patriotism and propagating the settlement project was Auguste Warnier (1810-75), appointed prefect of the Algiers department by Gambetta in September 1870 and elected to the National Assembly in January 1871. Warnier had arrived in Algeria in 1834 as part of a wave of Saint-Simonian involvement in the colony, framed as an attempt to “ameliorate” and “modernise” the conditions of the local population. He first worked as a doctor in Oran, before serving in various posts within the colonial administration. Though fluent in Arabic and familiar with various local notables, Warnier was among the most active promoters of expropriation, settlers’ interest and the administrative integration of the colony in the metropole.¹⁰

War was not yet over when, in February 1871, Warnier began sending cabinet members in Paris his brochure *L’Algérie et les victimes de la guerre*.¹¹ In the brochure, he set out concrete proposals for the settlement of Alsatians and Lorrainers in new, strategically located villages,

¹⁰ Vincent Wright, *Les préfets de Gambetta*, ed. Éric Anceau and Sudhir Hazareesingh (Paris: Presses de l’université Paris-Sorbonne, 2007), 420-421; Osama Abi-Mershed, *Apostles of Modernity: Saint-Simonians and the Civilizing Mission in Algeria* (Stanford, Calif.: Stanford University Press, 2010), 237.

¹¹ Aix-en-Provence, Centre des archives d’outre-mer (henceforth: CAOM), F80/1798: Auguste Warnier au Ministère de l’Intérieur, 27 January 1871.

arguing that the colony's French population could thus be doubled within six months.¹² Defining the suggested project as “à la fois patriotique, coloniale et republicaine”, Warnier argued that it would redeem Algeria from previous regimes' incompetence: “La troisième République nous gratifiera [...] des colonies nouvelles [...] qui seront, pour l'Algérie, la récompense de quarante années de persévérance dans l'accomplissement d'une entreprise difficile.”¹³ As shall be discussed later in this chapter, parallel to his advocacy of immigration from Alsace-Lorraine, Warnier promoted legislation to facilitate the trade of land expropriated from the local population. Indeed, in *L'Algérie et les victimes de la guerre*, Warnier criticised the Second Empire's legislation on land ownership in Algeria, decrying the “faveur” of 700,000 hectares of land “octroyés” to local populations since 1865.¹⁴ He thus embodied more than any other figure the full historical significance of the Alsace-Lorraine settlement project in Algeria.

While Warnier represented the republican and Saint-Simonian pole of an overriding consensus regarding the settlement project, Algiers archbishop Charles Lavigerie (1825-92) gave religious aura to this undertaking. Like Warnier, Lavigerie was deeply entrenched in the colonial venture, albeit with different justifications: he portrayed Islam as the opposite of civilisation and promoted missionary work in the colony – particularly in the region of Kabylia, where most Alsatians and Lorrainers would later be settled. As a Catholic priest, Lavigerie was highly critical of the republican and anti-clerical convictions of many of the settlers who had arrived in Algeria in the 1850s in 1860s. Relying both on his current religious authority and on his well-established relations with the Lorraine region dating to his time as bishop of Nancy, Lavigerie now sought to attract settlers from Alsace-Lorraine, evidently hoping for some religious revival in Algeria. In an open appeal to Alsatians and Lorrainers to settle in the colony

¹² Auguste Warnier, *L'Algérie et les victimes de la guerre* (Algiers: Imprimerie Duclaux, 1871), 3-4, 8-10, 19-20.

¹³ Ibid, 4.

¹⁴ Ibid, 111.

from March 1871, Lavigerie wrote: “Chrésiennes populations de l’Alsace et de la Lorraine, qui errez en ce moment sur les routes de la France, de la Suisse, de la Belgique, [...] l’Algérie, la France africaine, par ma voix d’évêque, vous ouvre ses portes et vous tend ses bras.”¹⁵ Supported by republican Saint-Simonians on the one hand and by Catholic clerics on the other, the Alsace-Lorraine project soon became the focus of patriotic fervour, around which political rivals could unite.

The efforts of Warnier, Lavigerie and other proponents of emigration from Alsace-Lorraine to Algeria soon bore fruit, and in March 1871 legislation was passed to facilitate the settlement project. Here, too, the language of patriotism and reverence was adopted. In the preamble to the law, the newly reconstituted National Assembly stressed its commitment to the “war victims” and described itself as “attachée par des liens de cœur indissolubles aux patriotiques populations de l’Alsace et de la Lorraine [...] et voulant, autant qu’il est en son pouvoir, garder les âmes et les bras de si vaillantes races.”¹⁶ The Assembly pledged to distribute 100,000 hectares of Algeria’s most fertile land to families from Alsace-Lorraine, establishing selection commissions in Nancy and Belfort, which had become the main transit points for those leaving the occupied zone.

While public addresses such as those made by Warnier, Lavigerie and the National Assembly portrayed settlement in Algeria as an act of patriotic duty towards the “war victims”, internal correspondence reveals the actual motives. Rather than stemming from solidarity, the idea to settle in Algeria emigrants from Alsace-Lorraine was designed to ease the pressure created in France by the arrival of tens of thousands of emigrants. In Nancy, the local prefect was alarmed about the emigration wave. Whilst he admitted that there was no way to stop the

¹⁵ ‘L’Appel de l’archevêque d’Alger’, *Le Constitutionnel* (13 March 1871), p. 3 col e-f and p. 4 col a. On Lavigerie and missionary work see: Branche, *L’Embascade de Palestro*, 99. On Lavigerie and early settlers’ mentality see: François Renault, *Cardinal Lavigerie: Churchman, Prophet and Missionary*, trans. John O’Donohue (London: Athlone Press, 1994), 92.

¹⁶ *Journal officiel de la République française* (henceforth: JO), 8 March 1871, 145.

emigration from the occupied zone, he begged the government not to try and attract more emigrants. It was under the pressure of an incessant flow of new arrivals in France that the prefect suggested diverting at least some of them to Algeria.¹⁷ Another report from Lorraine stressed the harsh material conditions of the emigrants. In order to avert a chaotic situation along the border, the report suggested facilitating the emigrants' swift transfer to Algeria.¹⁸ Both in Nancy and Belfort, administrators reported large numbers of requests to settle in Algeria made by individuals and families leaving the occupied area in late 1871.¹⁹

The harsh conditions of most emigrants led to a wide civic mobilisation in the metropole in the early 1870s, a mobilisation which helped popularise the vocabulary of victimhood and patriotism and create a powerful national myth binding together France and Algeria. Several associations founded in 1870-71 launched campaigns to collect donations for the "refugees" or "war victims", as the emigrants were referred to. Led by prominent figures of the aristocracy and the political elite, these private associations organised exhibitions and auctions, established schools and clinics and engaged private companies to finance the emigrants' journeys to Algeria. Their success was considerable, raising donations worth two million francs, compared with a budget of six million francs allocated to the same end by the government.²⁰

It was out of the civic mobilisation of the early 1870s that the most important driving force of the Alsace-Lorraine settlement project was born: a private association supported by aristocrats, politicians and generals which quickly became a powerful actor in Algeria. This

¹⁷ CAOM, F80/1799: Préfet de Meurthe-et-Moselle, Note sur l'émigration des Alsaciens-Lorrains, Nancy, 26 March 1872.

¹⁸ CAOM, F80/1799: La Commission extraordinaire du Gouvernement français près le commandant en chef de l'armée d'occupation au ministre des affaires étrangères, 21 May 1872.

¹⁹ CAOM, F80/1798: Commissaire de l'émigration à Nancy au Ministre de l'Intérieur, 19 October 1871; Administrateur de Belfort au Ministère d'Intérieur, 20 October 1871.

²⁰ Comité des Dames, *Compte rendu des opérations du comité du 1^{er} Octobre 1872 au 15 Juin 1874* (Paris: Imprimerie centrale des chemins de fer, 1874), 1-4. On private donations and governmental budget see: Commission des Alsaciens-Lorrains instituée en exécution de la loi du 20 décembre 1872, *Rapport présenté le 31 Juillet 1875 à la commission générale par M. Bouteron* (Paris: Imprimerie nationale, 1875), 3-6, 13-14.

association, called the Société de protection des Alsaciens-Lorrains demeurés Français (henceforth in this chapter Société de protection), was founded in Paris in 1871 by Joseph-Othenin Bernard de Cléron, comte d'Haussonville (1809-84). D'Haussonville, a diplomat and deputy under the July Monarchy and a fierce opponent of the Second Empire, returned to France from exile in Belgium in 1871. Though initially recognising the new republic, he later became one of its fiercest critics.²¹ Raising 2,500,000 francs for the association, d'Haussonville initially planned to buy the occupied zone back from Germany. Following the failure of this plan, the Société de protection turned to the settlement of emigrants in Algeria and quickly became the main force behind this project. Equipped with considerable financial means, prestige and good connections with the Algeria administration, the association played a pivotal role in implementing the settlement project.²²

Almost immediately after the loss of Alsace and Moselle, then, a new settlement project was underway. It began in Algeria, where advocates of colonial settlement hoped to increase the French population, and was adopted by individuals, associations and officials in the metropole, anxious to divert at least part of the emigration flow to the colony. A variety of campaigns in favour of the “war victims” who wished to settle in Algeria helped to integrate the colony into a national myth of piety and patriotism. The founding of an association as powerful and well-connected as the Société de protection turned this myth into a reality in Algeria, one which had real – and devastating – consequences for the local population. It is to this reality of the myth, to the dispossession, expulsion and violence exerted to make space for the new settlers that we now turn.

²¹ H. Tribout de Morembert, “Haussonville (Joseph-Othenin Bernard de Cléron, Comte d’),” *Dictionnaire de Biographie Française* (Paris: Librairie Letouzey et Ané, 1989), 737-8; H. Tribout de Morembert, “Haussonville (Famille de),” *Dictionnaire de Biographie Française* (Paris: Librairie Letouzey et Ané, 1989), 741-2.

²² For the earliest documentation of the association see CAOM, GGA 3E 73: Comte d'Haussonville au Gouverneur général, March 1871.

II. Expropriation, Expulsion and Settlement

Whilst in the metropole the most visible facet of the Alsace-Lorraine project was that of charity and relief campaigns, in Algeria, this project showed its actual social and political impact: the wide-scale dispossession of local populations. The Société de protection, which in the metropole raised donations for the settlers, pursued a rather different, far more ambitious goal in Algeria: a radical change to the land ownership regime and an effort to eliminate what still remained of local populations' rights over their land. The newly established civilian administration, for its part, similarly identified the aftermath of the Franco-Prussian war and the repression of the 1871 uprising in Kabylia as an opportune moment to seize land in the coastal area between the cities of Algiers and Constantine and the Mitidja plain. It was in Algeria's soil, to use Raphaëlle Branche's phrasing, that the French expressed their victory and built their colonial pride after the 1871 uprising, resulting in harsh exploitation of the local population.²³ As this section seeks to establish, the settlement of families from Alsace-Lorraine proved to be an effective tool in the hands of associations, politicians and colonial administrators in their campaign to intensify land seizure and tighten control over the colony.

Though such a project necessitated the support of both the central government and the colonial administration, it was the private Société de protection which led the initiative. A report prepared in 1873 by its envoy to Algeria, Auguste Guynemer, a former sub-prefect in Alsace, expressed clearly the quest for unrestricted land seizure: "Il manque en Algérie trois choses: des routes, du bois et une bonne loi sur la propriété."²⁴ This was a devastating criticism of the agrarian policies of the Second Empire in Algeria and an open call to simplify land seizure by the Europeans.

²³ Branche, *L'Embuscade de Palestro*, 105.

²⁴ Auguste Guynemer, *Situation des Alsaciens-Lorrains en Algérie* (Paris: Imprimerie centrale des chemins de fer, 1873), 88.

Indeed, advocates of settler interests were quick to use the Alsace-Lorraine settlement project in their quest to eliminate the rights of local populations over their lands. A decade earlier, a sénatus-consulte from 1863 concerning the land property of local populations had constituted the first attempt to establish in Algeria a land-ownership regime along French principles. Coining four different types of land property, the sénatus-consulte of 1863 distinguished, firstly, between divisible and indivisible land and, secondly, between land which could be confiscated by the state and land protected from such measures. Though recognising the rights of certain local populations over their land, this law nevertheless led to extensive dispossessions across the fertile northern region of Algeria.²⁵ But for the Société de protection, the morcellation of land was advancing too slowly. Delineation proved a lengthy procedure, and in some cases, the sénatus-consulte of 1863 allowed local populations to object to it.

It was this last remnant of the rights of locals over their land that the Société de protection sought to eliminate. Tellingly, its 1873 report acknowledged that the Algerian administration already possessed 200,000 hectares ready to be distributed to new settlers – twice the territory decided upon by the National Assembly in 1871.²⁶ Hence Guynemer's demand for a “bonne loi sur la propriété” – i.e. simple division of land and uninterrupted trade in it – did not arise from any immediate interests related to the Société de protection's settlement project. It thus shows how the Alsace-Lorraine settlement project was used as a tool to extend and accelerate colonisation.

The figure who embodies the link between the Alsace-Lorraine project and the campaign to facilitate unlimited settler access to land is that of Algiers deputy Auguste Warnier. As discussed above, Warnier was one of the first voices to advocate such a settlement

²⁵ Didier Guignard, “Conservatoire ou révolutionnaire? Le sénatus-consulte de 1863 appliqué au régime foncier d'Algérie,” *Revue d'histoire du XIXe siècle*, no. 41, 82-6.

²⁶ Guynemer, *Situation des Alsaciens-Lorrains en Algérie*. 77.

project. At the same time, he was one of the most vocal lobbyists of settler interests in the newly constituted National Assembly. A fierce critic of the sénatus-consulte of 1863 and the recognition of hundreds of thousands of hectares as indivisible land, Warnier was now on the frontline of eliminating this remnant of local populations' rights as deputy at the newly constituted National Assembly.²⁷ In 1873, he successfully promoted legislation facilitating the trade in land property of local populations on a new scale. Known both as the "Loi Warnier" and the "Loi des colons", Warnier's law played a pivotal role in extending the reach of land property trade by settlers, creating a variety of legal tools aiming at morcellating collectively owned land or taking possession of land declared vacant or unused by the Algerian administration.²⁸

But Warnier and the Société de protection were not the only actors to demand access to lands in Algeria. Pressure came from the metropole as well. The central role of the Alsace-Lorraine settlement project in intensifying the dispossession of local populations emerges clearly from a correspondence between a former Moselle deputy to the National Assembly and the state authorities. In April 1872, Victor Rehm wrote to none other than the President of the Republic to inform him about his plan to move his factory together with his employees and their families to the east of Algeria.²⁹ However, after a long journey across the Constantine province, the former deputy's son reached a conclusion quite similar to that of the Société de protection's report from 1873: "Le plus grand obstacle [to colonisation – A.O.] est l'état indivis de la propriété indigène, laquelle constitue la presque totalité du territoire. [...] il serait urgent dès aujourd'hui que l'autorité supérieure fait son parti sur le mode d'aliénation des terrains domaniaux et le mode d'achat des terres aux arabes."³⁰ Like the Société de protection, the Rehm

²⁷ Ageron, *Les Algériens musulmans*, 74-8.

²⁸ Thénault, "1881-1918: L'« apogée » de l'Algérie Française et Les Débuts de l'Algérie Algérienne," 174.

²⁹ CAOM, F80/1800: Famille Rehm au Président de la République, 10 April 1872.

³⁰ CAOM, F80/1800: Léon Rehm au Directeur de l'Algérie au Ministère de l'Intérieur, 16 July 1872.

family advocated new legislation and a major overhaul of the land-ownership regime in Algeria.

This correspondence between a prominent Lorrainer family and the high authorities of the French government shows once again what a powerful tool the Alsace-Lorraine settlement project was. When technical difficulties seemed to frustrate Rehm's plan, the former deputy increased his pressure.³¹ Threatening to withdraw his settlement plan altogether, he wrote to the Minister of the Interior: "Aux députés de l'Algérie restera le devoir de porter à la tribune de l'Assemblée les riens d'un système qui, malgré la bonne volonté de l'administration métropolitaine, laisse perdre au profit de l'Amérique une occasion peut-être unique de peuplement [...]"³² Just how powerful such a threat was is evident from the government's considerable efforts to pacify the Rehms, including the intervention of the President of the Republic. With land property guaranteed to them, the Rehms embarked to Algeria in late 1872.³³

Alongside new legislation, the Alsace-Lorraine settlement project prompted new administrative methods of dispossession, which were no less effective and no less violent. In the early 1870s, the newly established civilian administration identified the new settlement project as an opportune moment for land seizure in Kabylia and pursued a policy of swift dispossession of local populations, forcing these to leave their land whenever it was regarded necessary for colonisation. This new impulse was led by vice-admiral Louis-Henri de Gueydon (1809-86), appointed governor general of Algeria during the 1871 uprising in Kabylia. A participant in the 1830 expedition to Algiers and the 1837 siege of Constantine and governor

³¹ CAOM, F80/1800: Gouverneur général au Ministre de l'Intérieur, 2 August 1872; Ministre de l'Intérieur à Victor Rehm, 5 August 1872.

³² CAOM, F80/1800: Victor Rehm au Ministre de l'Intérieur, 1 August 1872.

³³ CAOM, F80/1800: Ministre de l'Intérieur au Gouverneur général, 2 and 5 August 1872; Gouverneur général à Victor Rehm, 26 July 1872; Victor Rehm au Ministre de l'Intérieur, 15 August 1872; Service des forêts de Constantine au général commandant la division de Constantine, 18 November 1872; Victor Rem au directeur de l'Algérie au Ministère de l'Intérieur, 12 October 1872.

of Martinique from 1853 to 1856, de Gueydon played an active role in France's colonial expansion throughout his life. From 1868, he was a member of various consultative committees on colonial matters, and was associated with the royalist Right as a deputy to the National Assembly in the last year before his death.³⁴

A trusted ally and later member of the Société de protection, governor general de Gueydeon acted swiftly to expropriate land for the benefit of settlers from Alsace-Lorraine.³⁵ Writing in early 1871 to the prefects of Algiers and Constantine, the two departments hit by the 1871 uprising, the governor estimated that immigration from the occupied zone was set to augment quickly and gave them clear instructions: “Veillez donc [...] inviter les chefs locaux [...] à rechercher toutes les terres disponibles, et à négocier avec les indigènes dont les biens séquestrés sont situés à portée des lieux déjà colonisés ou en cours de colonisation, l’abandon de ces biens, moyennant les compensations territoriales sur d’autres points [...]”³⁶

De Gueydon's determined expropriation policy reflected a wide consensus amongst the Algerian administration.³⁷ The governor general was certainly the most prominent actor in the effort to accelerate land seizure, limited by an 1845 decree preventing the immediate use of sequestrated land for civilian use.³⁸ Yet he was merely reiterating other officials' view on the urgency of seizing land required “notamment par l’immigration Alsacienne et Lorraine” when ordering the departmental sequestration commissions to facilitate swift dispossession in June 1872.³⁹ In these orders, the commissions were instructed to reach an arrangement with notables

³⁴ M. Digne, “Gueydon, Louis-Henri de,” in *Dictionnaire de Biographie Française* (Paris: Librairie Letouzey et Ané, 1989).

³⁵ Société de protection des Alsaciens et Lorrains demeurés Français, *Éloge de feu M. le comte d’Haussonville, prononcé par M. F. Mannberguer*, 13; Guynemer, *Situation des Alsaciens-Lorrains en Algérie*. 89.

³⁶ CAOM, GGA 3E 38: Circulaire du Gouverneur général aux préfets, no date indicated, evidently late 1871 or early 1872.

³⁷ See for instance CAOM, F80/1810: Extrait des procès-verbaux du conseil de Gouvernement, séance du 22 juin 1872.

³⁸ CAOM, GGA 14L/1: Direction générale des affaires civiles et financières: Rapport sur la colonisation, 4 July 1873.

³⁹ CAOM, F80/1799: Gouverneur général, Instructions pour les commissions de séquestre, 26 June 1872.

in regions subjected to sequestration, under which local populations would immediately leave territories designated for settlement and in return be given back part of their sequestered land or alternative, more distant territories.

Though the term “negotiations” recurs in official documents, one should by no means overestimate the degree of freedom given to the local population whenever their lands were designated for colonisation. The instructions did mention the needs of local populations as a factor to be taken into consideration, yet other sources and the actions of the administration show that at no point did such considerations prevent the administration from expropriating land. In fact, the governor instructed the prefects that any population groups who refused to leave immediately would lose any right to compensation.⁴⁰ A report from January 1872 on the progress of colonisation claimed in quite harmonious language that around the rebuilt village of Palestro, “les djemmas [councils – A.O.] des tribus préalablement consultées ont accepté avec reconnaissance la transaction qui leur a été proposée.” It is only from the report’s reference to the village of Palestro as a “champ d’expérimentation” for the new settlement project that the power relations underlying such consultations and the administration’s approach towards the local population becomes clear.⁴¹

Whilst official sources remain silent on the consequences of expropriation, other sources allow for important insights. The Société de protection’s report from 1873 discusses these with almost surprising openness. Intended for the mostly metropolitan readership of the Société de protection’s members and supporters, this report shows clearly that actors behind the civic mobilisation were well informed about the consequences of their campaign for Algeria’s local population. Note for instance Guynemer’s account of arrangements for

⁴⁰ CAOM, GGA 3E 38: Circulaire du Gouverneur général aux préfets, no date indicated, evidently late 1871 or early 1872.

⁴¹ CAOM, GGA 14L/1: Direction générale des affaires civiles et financières: Rapport sur la colonisation, 4 January 1872.

newcomers in the village of Duquesne, about 140 kilometres north-east of Constantine, where settlers were housed in dwellings belonging to the local population:

Ce n'a pas été sans résistance que les Arabes, dont on séquestrait les terres, ont abandonné leurs gourbis [very simple dwellings – A.O.], et au mois d'octobre, il a fallu envoyer sur les lieux une compagnie de zouaves et un escadron de chasseurs d'Afrique. Depuis lors ces Arabes ont été dirigés sur d'autres points, du côté de la Tunisie; mais pour plus de sécurité, le village est encore occupé par une compagnie d'infanterie.⁴²

There are several indications that similar consequences occurred elsewhere as well. Indeed, the same report mentioned a similar case in a village located some 95 kilometres to the east of Algiers, where settlers were housed in dwellings of the local population. In another case, it was by compulsory labour service of the local population that dwellings were built for new settlers.⁴³ Even when local populations were able to avert sequestration by proving that they had not participated in the insurrection or even that they had fought for the French, this did not prevent dispossession. Such was the case with the village of La Réunion in the Constantine department, intended for forty families from Alsace and Moselle and ten families already residing in Algeria. The authorities simply expropriated the designated land and gave its owners alternative property further away from the village, “afin d'éviter un entrecroisement de parcelles qui serait la source de difficultés interminables.”⁴⁴ In several regions throughout the Constantine province, local populations were still awaiting the compensation agreed upon as late as October 1875.⁴⁵

⁴² Guynemer, *Situation des Alsaciens-Lorrains en Algérie*, 69.

⁴³ Ibid, 33, 64.

⁴⁴ Ibid, 65.

⁴⁵ CAOM, GGA L30 : Rapport d'ensemble du Colonel Renoux sur son inspection de l'année 1875 dans la province de Constantine, October 1875.

The settlement of families from Alsace-Lorraine was closely linked with the repression of the 1871 uprising. New villages were built only in areas in which populations took part in the uprising and were thus subjected to punitive sequestration in its aftermath.⁴⁶ This interrelation can be seen in the case of the village l'Alma, extended after nearby lands had been sequestered from the local population in June 1871 following the uprising.⁴⁷ In August 1871, the village council appealed to the Algerian administration with the request to extend its territory and increase its population with new settlers from Alsace-Lorraine.⁴⁸ The Comité consultatif de colonisation held the request to be both useful and viable, as local populations allegedly took part in the uprising and sequestration was to follow: "Il serait même bon [...] d'établir entre la Mitidja et Dellys une solide barrière de villages fortifiés. C'est par ce chemin seul que l'insurrection de Kabyle a menacée de nous envahir; il importe de le lui interdire désormais."⁴⁹ As for l'Alma, the committee described it as a crucial strategic point, a village threatened by the insurrection and which should thus be fortified and extended. Fifteen families from Alsace-Lorraine thus arrived in the village in late 1872.⁵⁰ Little is said in the sources about the fate of the local population, but a possible hint may be found in the recommendations made by the Comité Consultatif de Colonisation: "Il serait même bon de les déplacer tous."⁵¹

The village of l'Alma exemplifies how widespread and powerful the idea of a new, Algerian chapter for Alsatians and Lorrainers was despite the limited numbers involved. The villagers' expression of solidarity with emigrants from the occupied zone proved to be a useful

⁴⁶ Guynemer, *Situation des Alsaciens-Lorrains en Algérie*, 19-21.

⁴⁷ Bulletin officiel du Gouvernement général de l'Algérie, no. 368 (1871), 250.

⁴⁸ CAOM, GGA L10: Extrait du registre des délibérations du conseil municipal de la Commune de l'Alma, 27 August 1871; La population de l'Alma au Gouverneur général, no date indicated, evidently late 1871; Préfet d'Alger au Gouverneur général, 12 September 1871; Gouverneur général au Vice-Président du comité consultatif de colonisation, 16 September 1871.

⁴⁹ CAOM, GGA L10: Extrait de la délibération du comité consultatif de colonisation, 26 October 1871.

⁵⁰ CAOM, GGA L15: Préfecture d'Alger: Etat annuel no. 1 pour l'année 1874 – Situation des centres de colonisation – peuplement, 4 March 1875; CAOM, GGA L10: Gouverneur général au préfet d'Alger, July 1872; Préfet d'Alger au Gouverneur général, 22 November 1872.

⁵¹ CAOM, GGA L10: Extrait de la délibération du comité consultatif de colonisation, 26 October 1871.

argument for the expansion of the village, even though only fifteen out of fifty new allotments were given to settlers from Alsace-Lorraine. This was not an exceptional case: in June 1873, settlers from the zone occupied by Germany constituted the minority of newcomers in several villages visited by Guynemer and mentioned in his report.⁵² In June 1872 governor de Gueydon told the interior minister that “l’immigration Alsacienne et Lorraine ne participe que faiblement à l’occupation des territoires rendus disponibles.”⁵³ And yet, an internal document of the Algerian administration from late 1872 referred to the 123,000 hectares made available for settlement after the 1871 uprising as “terres susceptibles d’être livrées à l’immigration alsacienne et lorraine.”⁵⁴ And in his *Programme de colonisation* for 1874 the governor still insisted that the extension of existing villages and creation of new ones was necessary for the settlement of “*alsaciens, immigrants, ou colons du pays manquant de terres*”.⁵⁵

Well-aware of the limited role played by families from Alsace-Lorraine, the colonial administration nevertheless attributed great import to the project well into the late 1870s and even early 1880s. In all three Algerian provinces, significant sums of the budget dedicated to settlement projects in general were designated in 1871-75 to the benefit of settlers from Alsace-Lorraine only: more than a million francs in Constantine, c. 800,000 francs in Algiers and c. 540,000 francs in Oran.⁵⁶ A further annual budget of 22,000-25,500 francs was allocated to each of the three provinces by the government in Paris for the benefit of settlers from Alsace-Lorraine.⁵⁷ In 1875, a “Comité alsacien-lorrain” was still active in the Constantine province

⁵² CAOM, F80/1803: Bureau de la colonisation dépendant de la direction générale des services civils et financiers de l’Algérie, no date indicated, evidently June 1873.

⁵³ CAOM, F80/1799 : Gouverneur général au Ministre de l’Intérieur, 22 June 1872.

⁵⁴ CAOM, GGA L10: Terres susceptibles d’être livrées à l’immigration alsacienne et lorraine, no signature and no date indicated, evidently the second half of 1872.

⁵⁵ CAOM, 5M 9: Gouverneur général, Programme de la colonisation en 1874. Emphasis added.

⁵⁶ CAOM, F80/1803: Les inspecteurs des finances à Constantine, Alger et Oran, États indiquant les dépenses faites dans l’intérêt de l’immigration Alsacienne-Lorraine sur les fonds généraux de la colonisation pendant les exercices 1871-1874, février-mars 1875 (three separate documents).

⁵⁷ CAOM, GGA L11: Génie – Direction de Constantine: Relevés des opérations de compatibilité pour l’année 1874; CAOM, GGA L12: Préfecture d’Oran : Relevé des opérations de comptabilité constatées par le préfet du département d’Oran à l’époque du 1^{er} septembre 1875, 8 September 1875; Préfecture d’Alger: Relevé des

and prepared to distribute a special budget of 200,000 francs to families from Alsace-Lorraine.⁵⁸ In the Algiers province, the category “Alsacien-Lorrain” started to disappear from statistical reports from 1875. By contrast, in the Constantine province, which received the largest numbers of settlers from Alsace-Lorraine, reports on the settlers’ population still distinguished between Alsatians and other immigrants from the metropole in 1880.⁵⁹

Furthermore, the Algerian administration’s inspector of new villages, though critical of the settlers from Alsace-Lorraine, insisted that this settlement project must be further pursued. In his reports, the inspector used harsh words to describe these unqualified settlers and criticised them for renting their land to local farmers.⁶⁰ And yet, the inspector argued, the administration’s efforts to facilitate the settlement of Alsatians and Lorrainers had to be further pursued: Communal buildings in the villages had to be completed, and most crucially, roads and bridges had to be constructed – a conclusion quite similar to that of the Société de protection.⁶¹ Indeed, the 1871 legislation on the settlement project specified that each new village must be accessible by carriage, and according to governor de Gueydon, the construction of roads leading to the new villages was regarded as a high priority.⁶² Multiple sources originating from the Algerian administration indicate an intensive effort by the military

opérations de comptabilité constatées par le préfet du département d’Alger à l’époque du 30 novembre 1874, 29 December 1874.

⁵⁸ CAOM, F80/1802: Comité Alsacien-Lorrain de Constantine: Répartition de 200,000 francs aux Alsaciens-Lorrains, April 1875.

⁵⁹ See e.g. CAOM, 93/1907: Préfet de Constantine, Etat indiquant au 1^{er} mars 1880 le peuplement réel des nouveaux centres de colonisation, April 1880; CAOM, 5M 4: L’administrateur de la commune de Dra el Mizan, Renseignements généraux concernant le village Dra el Mizan, 14 August 1875.

⁶⁰ CAOM, GGA L29: Arrêté du Gouverneur général, 13 December 1873; CAOM, F80/1802: Immigration alsacienne-lorraine: état des centres créés ou agrandis dans la province d’Alger, January 1874; CAOM, GGA L29: Rapport du Colonel Renoux sur les Alsaciens-Lorrains [...] dans les villages de l’Est de la province d’Alger, 10 February 1874; CAOM, GGA L30: Rapport d’ensemble du Colonel Renoux sur son inspection de l’année 1875 dans la Province de Constantine, October 1875; CAOM, GGA L29: Rapport d’ensemble du Colonel Renoux sur sa tournée dans les nouveaux centres de colonisation de la province d’Alger, 1 March 1874.

⁶¹ CAOM, GGA L29: Rapport du Colonel Renoux sur les Alsaciens-Lorrains [...] dans les villages de l’Est de la province d’Alger, 10 February 1874.

⁶² CAOM, F80/1802: Gouverneur général au Ministre de l’Intérieur, 13 July 1872.

authority to complete various roads leading to villages intended especially for settlers from Alsace-Lorraine in 1871 and 1872.⁶³

To sum up, the settlement plan of families from the occupied zone facilitated further, much larger waves of immigration and settlement. When the limited dimensions of the original plan became apparent in the mid-1870s, land had already been expropriated, local populations expelled, villages built and roads constructed. The sense of urgency following the approaching deadline for Alsatians and Lorrainers to opt for either German or French nationality gave pressure groups and officials a powerful justification for large-scale dispossession of local populations. It was also a useful tool to launch a francisation of the colonised territory in both imagination and practice, to recreate in Algeria the landscape and imagery of the lost metropolitan province. Seizing Algeria's land went hand in hand with captivating the French mind, as we shall now see.

III. Re-shaping Algeria as a French province

Parallel to the dispossession of local populations, the Alsace-Lorraine settlement project was used as a tool by various associations and individuals to reshape Algeria's landscape. Intended for the eyes of new settlers and the metropolitan public opinion, this effort consisted of three main elements: keeping local populations away from new French villages and maintaining as strict a separation as possible between the two populations; staging a replicated Alsace-Lorraine in Algeria; and populating the newly seized territory exclusively with French citizens, thus setting the new, "official" colonisation apart from former "chaotic" settlement waves. This

⁶³ See e.g. CAOM, GGA L21: Génie – Direction de Constantine: Rapport sur les travaux à exécuter pour rendre carrossable la route de Sétif à Aïn-Abessa, 23 October 1872.

imagery of a new, seemingly authentic metropolitan province was crucial for the incorporation of colonised Algeria into the mythology of the new republic, as this section will show.

As we have seen above, expelling local populations from the surroundings of new villages was seen by all actors involved as a precondition before any settlers could be given land. And it was equally crucial for prominent figures to prevent any contacts between indigenes and settlers. Cardinal Lavigerie, for instance, was particularly concerned about the conduct of settlers' young daughters. In a letter to d'Haussonville from December 1872, the cardinal warned – subtly yet unmistakably – that young girls might be tempted to interact intimately with individuals from the neighbouring local population: “[...] il est facile de comprendre que dans une *population aussi mêlée* que celle d’une colonie, et avec les occupations absorbantes des nouveaux arrivés, les enfants manquent de surveillance, et cela est particulièrement fâcheux pour les jeunes filles, *qui se perdent bientôt sans retour* [...]”. Lavigerie thus asked the Société de protection for an additional budget to construct in each of the new villages a “maison des secours”, “déstinée [...] à élever et à patronner les jeunes filles”.⁶⁴ The society accepted the request and at least in one case reserved an allotment for such a “maison des secours”, namely in its new village of Azib-Zamoun, to the east of l’Alma.⁶⁵

Preventing contacts between new settlers and the local population was not a concern confined to Catholic archbishops. It was shared by deputies such as Warnier, by the governor general, and by the high ranks of the French government. In late 1872, Warnier, together with the deputy of Constantine, reacted with indignation to claims by new settlers about local families living in proximity to the newly constructed village of Bellefontaine, about fifty kilometres to the east of Algiers. In a letter to the Minister of the Interior they openly deplored

⁶⁴ CAOM, F80/1799: Cardinal Lavigerie au comte d'Haussonville, 31 December 1872. Emphases added.

⁶⁵ CAOM, F80/1799: Rapport de la commission des alsaciens-lorrains, 15 March 1873; CAOM, F80/1802: Société de protection des Alsaciens-Lorrains demeurés Français, Rapport sur les opérations de la société (Paris: A. Chaix 1874).

the slow pace of dispossession and expulsion of the local population: “[des] indigènes dépossédés et immigrants [...] sont [...] sur le même territoire, et [...] les Arabes se préparent à mettre le soc en terre, ce qui implique que rien n’est réglé pour leur dépossession.”⁶⁶ When asked by the Minister of the Interior to clarify the situation, governor de Gueydon repeatedly stressed that the dispossession and expulsion of the local population had been successfully completed: “Il n’y a pas d’indigènes sur le territoire affecté à ce centre. [...] Aucun indigène n’y dispute la terre aux colons. Ces terres sont parfaitement libres [...].”⁶⁷ From the Archbishop to republican deputies, from the governor general to the Minister of the Interior, then, an overriding consensus held mass expulsion to be necessary. The Algerian administration was closely watched by settlers, their elected representatives, and the central government to make sure no local population group maintained any access to its lands in the territory designated for colonisation by Alsatians and Lorrainers.

However, contacts between local and settler populations could not be prevented altogether. The Société de protection’s report on the progress of the settlement project mentioned several cases in which contacts between the settlers and local populations did occur. According to the report, inexperienced settlers were instructed and supported by local farmers. In another case, a *marabout* (local religious notable) dispossessed by the Algerian administration for the benefit of a new village near Constantine was said to have extended a warm welcome to the settlers arriving from Alsace. The interaction between the *marabout* and the settlers is described by Guynemer in terms too harmonious to be taken at face value, but the sentence “les enfants qui montent à son bordj [fortified building dating to Ottoman times –

⁶⁶ CAOM, F80/1800: Warnier et Lucet au Ministre de l’Intérieur, 20 October 1872.

⁶⁷ CAOM, F80/1800: Gouverneur général au Ministre de l’Intérieur, 26 October 1872.

A.O.⁶⁸] n'en reviennent jamais les mains vides" seems to testify to some contact at least.⁶⁹ However, such cases do seem to have been rather isolated exceptions.

The attempt to restrict the movement of the local population must also be understood as part of the quest to reshape Algeria's landscape. Thus, the Société de protection's report from 1873 called for a strict regulation of indigenes' movement across the newly colonised zones, relying on a reasoning which once again reveals the diversity of motives within an overriding consensus on the necessity of oppression in the colony. Whilst the Algerian administration was mainly interested in land seizure on the basis of military calculations, and whilst Lavigerie and Warnier each wanted to promote their vision of the good society, Guynemer was mainly concerned about Algeria's landscape. Concluding his report, he lamented, in a rare, honest expression of scorn and ignorance, the state of forestry in Algeria "que l'arabe et la chèvre détruisent depuis des siècles avec autant d'aveuglement l'un que l'autre". And, he went on, "[...] sans bois, pas de rivières, pas de prairies, pas de combustible; c'est-à-dire pas de chaux ni des briques pour construire."

Given his low esteem of the local population and its use of the land, it is hardly surprising that Guynemer's suggested remedy was somewhat radical: "L'administration par des reboisements et des mesures sévères de répression, les colons par des plantations multipliées peuvent contribuer beaucoup à l'assainissement et à la richesse future du pays."⁷⁰ With these lines, Guynemer expressed a concern which was central to the colonisation of Algeria by the French – the anxiety over the alleged deforestation in North Africa after the fall of the Roman Empire and the beginning of the Arab conquests. The case for the so-called reforestation of Algeria was taken up a decade later by the *Ligue du reboisement*, founded in

⁶⁸ Branche, *L'embuscade de Palestro*, 232.

⁶⁹ Guynemer, *Situation des Alsaciens-Lorrains en Algérie*, 53.

⁷⁰ Ibid, 88.

Algiers in 1881. The membership of this settlers' pressure group quickly reached 1500, including senior officials of the Algerian administration. With its petitions and articles, often written with the same mixture of Roman nostalgia and scorn towards the local population, this group played a significant role in restricting the local population's access to forestry areas.⁷¹

The word *reboisement* is particularly revealing in this context, connoting restoration rather than a breach. Perceiving the colonial endeavour as the restoration of Roman civilisation on the southern Mediterranean shore after centuries of absence was a well-established strand in French thought on Algeria. In this case, the intended *reboisement* reveals the extent to which the settlement project of Alsatians and Lorrainers was perceived in terms of preservation, and, indeed, reconstruction of a replicated Alsace-Lorraine, rather than of breach and new beginning. Whilst settlers' culture at the turn of the twentieth century often centred around the notion of a new society, indeed a new civilisation born on the southern Mediterranean shore, the predominant motif of the current project was the will to recreate the human and geographical landscape of the lost provinces. It is no coincidence that the prefix *re-* (as in *reboisement*, above) appeared in several other contemporary accounts of the project.

Preserving identity, and indeed recreating Alsace-Lorraine in Algeria was a main trope in Lavigerie's appeal to the emigrant families, to whom he promised a piece of homeland in Algeria:

Sous un ciel encore plus doux et plus beau que le vôtre, dans un climat qui
passionne bientôt tous ceux qui l'ont habité, vous pourrez former des villages
uniquement composés d'habitants de vos provinces, et où vous conserverez la

⁷¹ See for instance: *Bulletin de la Ligue du reboisement de l'Algérie* (Alger: 1882), no. 9, p. 184. On the ligue, and the motif of deforestation in French colonial thought, see: Diana K. Davis, *Resurrecting the Granary of Rome: Environmental History and French Colonial Expansion in North Africa*, Ohio University Press Series in Ecology and History (Athens: Ohio University Press, 2007), 1-8, 108-111. On the Code forestier see: Ageron, *Les Algériens musulmans*, 116-22.

langue, les traditions, la foi *du sol natal*. Vous y *retrouverez*, pour vous parler et pour vous instruire, des prêtres que nous vous donnerons pour pasteur ; vous pourrez [...] donner aux centres créés pour vous les noms de villes, des bourgs, des villages qui vous sont chers [...].⁷²

Lavigerie's wording here is particularly illuminating: since language, traditions and faith are all rooted in the native soil, naming new villages after those left behind was of great symbolic value. So powerful was the rhetoric of a reconstructed homeland that new settlers were implicitly described as reunited ("*vous y retrouverez*") with their trusted priests rather than as starting a new chapter.

An even clearer expression of the idea of Algeria as the ground for a new Alsace-Lorraine can be found in a letter published by the Algerian press, written by a civil engineer from Metz waiting to be given land near Constantine. Protesting over what he saw as the governor's inaction, the author lamented the fate of his and his countrymen's dream: "Il eut été glorieux pour nous de planter notre tente sur la terre africaine. [...] nous aurions *rebâti de toutes pièces* les villes chères à nos souvenirs. Nous aurions eu Metz, Strasbourg, Phalsbourg, Colmar, Bitché!"⁷³. The new villages in this text are not seen simply as named after those left behind, but rather as serving as a living memory and indeed a replica and substitute of the beloved homeland.

Guynemer, too, conveyed this sense of continuity in certain passages of his report from early 1873. Describing the new village of Bellefontaine, to the east of l'Alma, he wrote:

Il y a une école que les enfants suivent avec assiduité; elle est tenue provisoirement par M. Prost, ancien maire de Molsheim, conseiller général du

⁷² 'L'Appel de l'archevêque d'Alger'. Emphases added.

⁷³ J. Fiévé, *Lettre d'Algérie à Monsieur l'Amiral comte de Gueydon, Gouverneur de l'Algérie (extrait du journal La Solidarité)*, (Algiers: Typ. Aillaud et Cie, 1872), 5. Emphasis added.

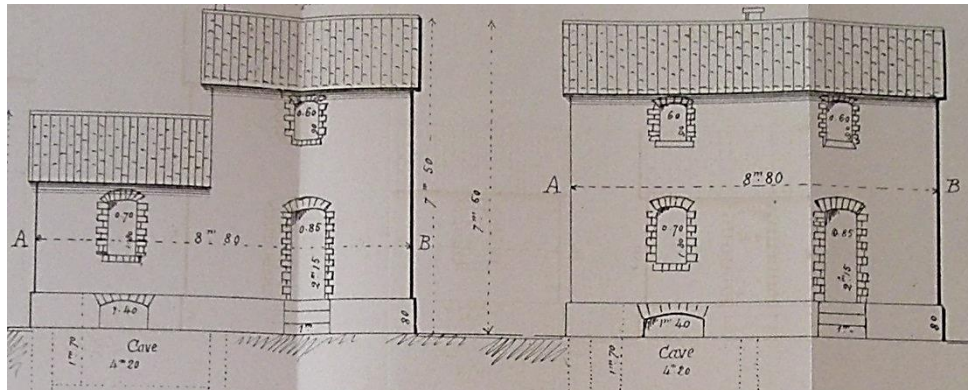
Bas-Rhin qui est venu se fixer à Bellefontaine et qui apporte à cette tâche un dévouement éclairé. [...] La mairie et l'église ne sont pas encore bâties, mais l'administration va très-prochainement faire construire un bâtiment provisoire pour la célébration du culte; les autres travaux publics, c'est-à-dire les rues, fontaines, abreuvoirs, sont terminés.⁷⁴

It is not only the personal continuity that is emphasised in this paragraph using the story of a former mayor now fulfilling his civic duties as a teacher. Rather, it is the sense of a daily routine and a social order well maintained (children visiting school, a mayor accomplishing civic duties); of trusted institutions – school, municipality and church – kept intact; and of the familiar landscape of the beloved *pays* being rebuilt in spite of the obstacles.

It was not only in representations of the new villages that a sense of continuity was conveyed, but in their actual planning as well. Architectural styles and spatial organisation principles from the metropole seem to have been applied in the new villages with only minor adaptations. Documentation of the village of Azib Zamoun, founded in 1873 by the Société de protection and named Haussonvillier two years later in honour of the society's founding president, allows for a good case study of the settlement project as carried out between Algiers and Constantine. Settlers' houses, for instance, were to be built with cellars and steeply tiled roofs (see figure 1) – the former feature hardly suitable for the humid climate in the coastal area, as governor de Gueydon himself acknowledged, the latter originating from northern climate zones covered with snow during winter and, as future generations of French geographers in North Africa would come to acknowledge, less suitable to North Africa's climate than the customary flat roofs.⁷⁵

⁷⁴ Guynemer, *Situation des Alsaciens-Lorrains en Algérie*, 27.

⁷⁵ CAOM, GGA L22: Gouverneur général à l'ingénieur civil C. Tallot, 11 April 1873. For later impressions of flat roofs in North Africa see e.g. Augustin Bernard, 'L'Afrique du Nord', in *L'Habitation indigène dans les possessions françaises* (Paris: Société d'éditions géographiques, maritimes et coloniales, 1931), 9.



As for the villages' layout, planners adopted many of the principles underlying spatial organisation of the agricultural regions of the metropole: church, town hall and school were to be built in immediate proximity to one another and be positioned centrally; houses were to be orderly arranged along straight streets, and a clear separation was to be kept between residential and agricultural areas (see figure 2).

The village lies to the south of the road leading from Algiers to Kabylia, near the turn north to the coastal town of Dellys. In the lower left-hand corner are situated the communal buildings, some of which had not yet been constructed in 1873. All streets lead to this public space, and a second communal area is indicated in the centre of the village, around the fountain. Several larger houses are indicated to the east of the village, possibly planned for the more affluent among the settler families. Besides these mansions, 49 houses with adjacent allotments were planned for Azib Zamoun. Plans drafted for the villages of l'Alma and Bellefontaine followed very similar patterns.⁷⁶

A drawing of the village appeared on a brochure published by the Société de protection in 1878 (see figure 3). It should be treated with caution as a historical source in absence of any details regarding the date and circumstances of its creation or the artist behind it. However, when verified with the plan above, the drawing seems sufficiently accurate to allow for a general impression, and particularly for insights regarding the representation of new villages. It appears to offer a perspective of the village from the east, with the painter standing a few steps to the south of the route connecting Algiers with Kabylia.

⁷⁶ See plans in: CAOM, GGA L10: Dossiers "l'Alma 1871-1878" and "Village de Belle-Fontaine 1871-1885".

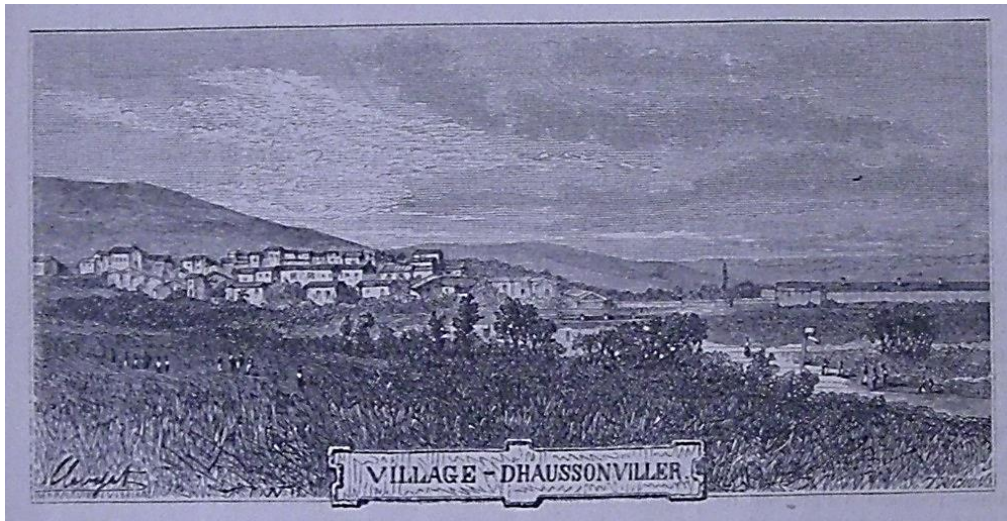


Figure 3: Drawing of Azib-Zamoun/Haussonvillier.

Drawn from a distance, this view offers a general, postcard-style impression rather than precision and detail. The figures working in the fields east of the village, shown here on the left-hand side below the village's houses, remain unidentified, but we may well assume that it was the artist's intention to depict the village's inhabitants rather than local day labourers. Set between the labouring settlers in the foreground and Kabylia's mountains in the background, the village houses connote a sense of harmony between labour, the built environment and the surrounding countryside. Stretching from the lower right-hand corner to the centre is the road to Algiers, curving behind the village. A crossing is clearly visible, within a few steps' distance from the figures walking along the road. As the plan above reveals, this is the turn north, leading to the coastal town of Dellys. A few steps down the road stands what seems to be a road sign – an ordinary, unspectacular and yet clear marker of a sovereign, confident presence. The centre of the picture is occupied by an older construction, depicted in blurred lines and a scale of greys. Juxtaposed with the sharp lines and black-and-white contrast of the village, this almost unnoticeably focal building connotes a ghostly presence of an earlier era – low and blurred enough so as not to overshadow the village to its left, and yet sufficiently present to remind the

viewer of events preceding the construction of the village, adding a subtle dimension of triumphalism to an overall impression of idyll.

Yet, for all of the idyllic accounts of a harmonious rural life, the new villages along the road connecting Algiers and Constantine were a military venture. Still preoccupied by the legacies of the 1871 uprising and well aware that inhabitants in the new villages might have to take up arms, governor de Gueydon defined the goal of the sequestration and settlement policy as “l’établissement en Algérie d’une population Française nombreuse, homogène, capable de résister au besoin par elle-même à toutes les tentatives insurrectionnelles qui pourraient se produire à nouveau”.⁷⁷ That de Gueydon at the same time asked the authorities in France to allow families rather than single people to settle in Algeria shows the extent to which civilians’ lives and well-being concerned the colonial administration.⁷⁸ Though by no means mistreated in the same manner as Algeria’s local populations, settlers were, in the end, also an instrument in the hands of the Algerian administration and the central government. This military calculation was a decisive factor in the attempt to populate these villages with French nationals only. In 1872, governor de Gueydon approved the proposals made by the Comité consultatif de colonisation to take the settlement from Alsace-Lorraine as a model for further colonisation projects and construct new villages homogenously composed of settlers according to their regions of origin. If foreigners wished to settle in this area, the administration was advised to consider this under the precondition that they be naturalised.⁷⁹

A well-orchestrated public mood of victimhood, a scramble for land by settlers and interest groups, and authorities anxious to ease pressure on the metropole and prevent future uprisings in the colony all contributed to the execution of a settlement project which proved to

⁷⁷ CAOM, F80/1799: Gouverneur général, Instructions pour les commissions de séquestre, 26 June 1872.

⁷⁸ Indications that the Algerian administration preferred families over singles are abundant, arising from most documents and correspondences. For an explicit request not to send singles to Algeria see: CAOM, F80/1799: Gouverneur général au Ministre de l’Intérieur, 1 October 1872.

⁷⁹ CAOM, GGA L10: Extrait de la délibération du comité consultatif de colonisation, 26 October 1871.

be an effective means for colonial interests seeking legitimacy as national concern. For a brief yet significant moment in the early 1870s, the colonisation of Algeria and the reconstruction of France from the ruins of war were interwoven in one and the same story. The short-lived episode of Alsace-Lorrainer settlements in Algeria left a lasting imprint not only on the geographical landscape of Algeria, but on its place within the nascent Republic. The age of francisation and, as colonial vocabulary had it, assimilation, was about to begin. And whilst the administration's new policy to favour naturalised settlers was clearly motivated by military calculations, naturalisation was soon to become one of the most pressing questions in the colony. When in 1906 the Algerian administration launched its enquiry into the state-initiated colonisation scheme (mentioned at the beginning of this chapter), the Alsace-Lorraine project had already become the object of nostalgia, whilst francisation through naturalisation was acknowledged as the most effective tool:

Du deuil des provinces perdues, est né le rêve d'en reconstruire de plus vastes, et aussi françaises. L'esprit public, jusqu'ici préoccupé surtout de la mise en valeur du sol, prend plus clairement conscience de l'avenir de la race qui doit garder ici le dépôt de nos destinées. La colonisation ne sera plus cosmopolite, elle ne fera appel qu'aux Français; *Français d'hier et Français d'aujourd'hui, Français de la métropole et Français de l'Algérie* [...] ⁸⁰

"Français d'hier et Français d'aujourd'hui, Français de la métropole et Français de l'Algérie" – three decades of heated debates on the relations between Algeria and France, on French citizenship and its boundaries in the colony were alluded to by this carefully measured terminology from the early twentieth century. By the time these words had been written, local Jews and European settlers had been collectively naturalised, and a violent crisis around the

⁸⁰ Peyrimhoff de Fontenelle, *Enquête sur les Résultats de la colonisation officielle*, 41. Emphasis added.

turn of the century shattered the relations between the colony and the metropole. The definition of “French”, the boundaries of French citizenship, were the running thread of these repeated conflicts. The kitsch of such a formulation as “Français d’hier et Français d’aujourd’hui, Français de la métropole et Français de l’Algérie” was but a thin veil over never-ending controversies.

The next chapters discuss precisely these controversies, starting with a particularly significant re-drawing of the *cit  française* in Algeria – the naturalisation of the Jewish minority. Yet as we shall see, one constant would remain intact during this series of political struggles: the economic and political exclusion of the Muslim majority. Here, too, colonial settlement left its impact, as such debates were often articulated through metaphors of geography and space. In Algeria, abstract concepts of political inclusion and exclusion directly corresponded to spatial perceptions of within and without. Even as administrators, experts and lobbyists moved away from colonial settlement to adopt political inclusion and exclusion as the main ruling method, the imagery of conquest, defence and homogenous, “patriotic” settlement remained a pivotal component of French colonial thought.

Chapter Two: “We shall become French”

The making of the Crémieux decree, 1869-70

In early January 1870, the French Jewish weekly *L'Univers israélite* published the anonymous testimony of an “israélite indigène [...] distingué par sa piété, sa science religieuse et ses lumières” regarding a question which was intensively debated in France and Algeria: the collective naturalisation of Algerian Jews, its prospects, advantages and complications. Discussing the complex situation of Algerian Jews, caught between religious and civil legislation, between local and foreign religious authorities, the author saw only one possible solution: “Je suis d’avis que mes frères en Algérie soient naturalisés Français; ils le demandent, ils le méritent.”¹

Resounding though this conclusion may seem, this testimony remains an elusive document. Who was the distinguished Algerian Jew, and why was he left anonymous? When and by whom was he contacted and in what language did he give his response? With its gaps and ambiguities, this document showcases the complex relations between French and Algerian Jews and the dynamics behind one of the most intriguing moments of French colonial rule over Algeria: the collective naturalisation of the local Jewish population in late October 1870, widely known as the Crémieux decree. The campaign for collective naturalisation and the governmental consultations which were sparked by it and eventually paved the way to the decree are discussed in this chapter. The documents studied here, hitherto not considered by research, invite a major re-interpretation of the Crémieux decree as a unique moment of fruitful negotiation between colonial subjects and the state on the conditions of naturalisation and citizenship.

¹ S. Bloch, ‘La question israélite algérienne’, *L'Univers israélite* 25, no. 9 (1 January 1870), 275-7.

As this chapter argues, Algerian Jewish elites were much more involved in their naturalisation than hitherto acknowledged by research. Exploring the relations between local Jewish elites, metropolitan Jewry and the French state in 1869-70, this chapter seeks to establish three main arguments: First, that the campaign leading to the Crémieux decree was a unique moment, when a colonised population articulated its demand for inclusion in its own language and vocabulary. Second, that the consultations between the French state and Jewish authorities in France and Algeria following this request amounted to a fruitful negotiation on the terms of French citizenship – a development which would remain singular in the upcoming decades. Finally, this chapter argues that the consultations of 1869-70 and the subsequent promulgation of the Crémieux decree further cemented the exclusion of the Muslim majority. The Crémieux decree did not only exempt Jews from the legal category of *indigène*, thus creating a complete correlation between this category and that of *musulman*. It was also the result of a campaign based on the assumption of fundamental difference between the Jewish and the Muslim population. Soliciting the inclusion of the Jews by contrasting them with the Muslims, this campaign strengthened a widely shared perception of Islamic law as incompatible with French citizenship.

The anonymous writer quoted above was not speaking abstractly when claiming that Algerian Jews asked to be naturalised. In late 1869, 1228 Algerian Jews signed a petition to the French government requesting to be collectively naturalised.² This was the culmination of a decade-long campaign which had encompassed both Jews and non-Jews in Algeria and France. The petition had an immediate impact, leading to intensive consultations between the central government, the local civil and military authorities and the Jewish consistories of Algeria and France throughout 1870. In March 1870, Minister of Justice and head of the cabinet

² This figure is mentioned in: Assemblée nationale, session de 1871, no. 530, Annexe au procès-verbal de la séance du 21 août 1871: Rapport fait au nom de la commission chargée d'examiner la proposition de loi portant abrogation du décret du 24 octobre 1870 [...] par M. de Fourtou, 6.

Emile Ollivier presented a decree proposal to the Conseil d'État which read: "Sont admis à jouir des droits de citoyen français [...] tous les israélites indigènes du territoire algérien."³ In July, the government declared its support for a collective naturalisation of the Algerian Jews and was examining the necessary formalities.⁴

Although many of these facts have been well documented in the literature, the Crémieux decree is still widely viewed as an abrupt, almost capricious measure undertaken by Adolphe Crémieux whilst serving as interim Minister of the Interior as part of the Tours delegation. The clearest example of this view is perhaps historian Michel Abitbul's article entitled *La citoyenneté imposée*,⁵ but this is by no means a singular case, as a recent overview of the literature on the Crémieux decree has shown.⁶ Apart from factual inaccuracy, this interpretation reduces the issue of Algerian Jewish naturalisation to a merely legalist question and misses its wider socio-political significance.

Relying on recent historiography and on documents hitherto not discussed in the literature, this chapter provides a new reading of the naturalisation of Algerian Jews. The first section focuses on a petition from 1869 signed by several hundreds of Algerian Jews and requesting collective naturalisation – a bilingual document written in French and Judeo-Arabic. Through a comparison of the two versions, this part seeks to uncover local voices in the campaign for naturalisation, enhance our understanding of the relations between Algerian and French Jews and emphasise the explanatory power and historical value of a document asking for French citizenship in a local language. The second section analyses the consultations

³ Conseil d'Etat: Projet de décret relatif à la naturalisation collective de tous les Israélites indigènes du territoire algérien, no. 94,808, première rédaction, 8 March 1870 (archived in: CAOM, F80/2043).

⁴ Michel Ansky, *Les Juifs d'Algérie du décret Crémieux à la libération* (Paris: Centre de documentation juive contemporaine, 1950), 38.

⁵ Michel Abitbul, "La citoyenneté imposée: du décret Crémieux à la guerre d'Algérie," in *Histoire politique des Juifs en France*, ed. Pierre Birnbaum (Paris: Presses de la fondation nationale des sciences politiques, 1990), 202-5.

⁶ Charbit, "L'historiographie du décret Crémieux," 43-59.

between the French state and the Algerian consistories sparked by the petitioning campaign. It views these consultations as a unique historical moment, when the naturalisation demanded by colonial subjects was discussed by the state, when the terms and conditions of naturalisation were negotiated between the state and communal authorities, and, crucially, when such consultations came to fruition. The third section examines consultations between the central government and local authorities in Algeria concerning the impact of collective Jewish naturalisation upon the political order in the colony – particularly the probable reactions amongst the Muslim population. As we shall see, the campaign for naturalisation was a crucial moment in cementing the exclusion of the Muslim majority and establishing the settler colonial order.

I. Two communities, two vocabularies

The main document discussed in this section is a bilingual petition written in French and Judeo-Arabic, signed by several hundreds of Jews across the Algiers department and submitted to the government in Paris in December 1869. A unique document, this petition allows for a new interpretation of local Jewish elites in their encounter both with the French state and with metropolitan Jewry. These local elites did not only solicit naturalisation, but articulated this request and their view of French citizenship in their own vocabulary and terms, differing significantly from the terminology of assimilation so dear both to state authorities and to French Jewry.

The discussion in this section seeks to challenge a prevalent view of the Crémieux decree as the culmination of a long, one-sided project on the part of metropolitan Jewry to reshape Algerian communities according to the French model. Historian Simon Schwarzfuchs

was perhaps particularly bold when qualifying this project as “colonialisme juif en Algérie”,⁷ but he represents a wider current. The subtitle of Joshua Schreier’s book *Arabs of the Jewish Faith*, discussing the relations between metropolitan Jewish institutions and local communities from 1830 until 1870, reads “The civilising mission in colonial Algeria”. Indeed, Schreier describes these relations as an outright conflict, a Jewish version of the *mission civilisatrice*, undertaken by French Jewry and its representatives in Algeria – rabbis, teachers, and administrators working in the local consistories.⁸

Certainly, the influence of French Jews and Jewish institutions in Algeria since the 1840s must be understood within the historical context of colonial domination. Leading Jewish figures and institutions in France – most notably Crémieux, the central consistory and the *Alliance israélite universelle* – openly called to “regenerate” Algerian Jewry along the same pattern of emancipation that had been at work in France since the Revolution. Indeed, Crémieux argued the naturalisation of Algerian Jews to be necessary despite their objection.⁹ French Jews often likened their Algerian coreligionists to metropolitan communities prior to emancipation – particularly the poor Ashkenazi ones in Alsace, which were regarded as the most backward.¹⁰

However, given the history of emancipation in France and the components of shared identity and exchange between communities across the Mediterranean, a one-to-one application of the *mission civilisatrice* framework to the Jewish case results in distortive oversimplifications. A more nuanced interpretation is provided by Lisa Moses Leff in *Sacred Bonds*

⁷ Simon Schwarzfuchs, “Colonialisme français et colonialisme juif en Algérie, 1830-1845,” in *Judaïsme d’Afrique du Nord aux 19^e-20^e siècles: histoire, société et culture*, ed. Michel Abitbul (Jerusalem: Ben-Zvi Institute, 1980), 43-48.

⁸ Joshua Schreier, *Arabs of the Jewish Faith: The civilizing mission in colonial Algeria* (New Brunswick, N.J.: Rutgers University Press, 2010), 145-8.

⁹ Assan, *Les consistoires israélites*, 362.

¹⁰ Michael Shurkin, “L’émancipation des Juifs d’Algérie, une déclinaison du modèle alsacien?,” *Archives juives* 45, no. 2 (Spring 2012): 18.

of *Solidarity*. Discussing the activity of such figures and organisation as Crémieux and the *Alliance israélite universelle* in Algeria against the background of nineteenth-century French Jewish internationalism, Leff sees the aspiration to “regenerate” Algeria Jewry as stemming from the unique experience of Jewish emancipation just as much as from orientalist and colonial thought.¹¹

The complexity of Jewish inter-communal relations under French colonialism is showcased by the report which constituted the basis for the “francisation” policy of Algerian Jews and its implementation by the newly founded Algerian consistories from the 1840s onwards. In 1845, amid alarming reports on the state of Algerian Jews and calls from generals in place to expel them, the central consistory in Paris commissioned a report from the consistory of Marseille, where the heterogenous community, composed of families from across the Mediterranean, maintained intensive contacts with Algiers. The report was co-authored (together with the Aixois scholar Joseph Cohen) by the president of the Marseille consistory Jacques-Isaac Altaras, an affluent shipbuilder and philanthropist, born in 1786 in Aleppo to a Jerusalemite rabbi.¹² In many ways the initiator of metropolitan involvement in Algerian Jewish life, Altaras, and the Marseille community more generally, represent a pattern of Jewish mobility and exchange which persisted in defiance of newly demarcated and increasingly strict borders throughout the nineteenth century.¹³

Though power relations between French and Algerian Jews were by no means symmetrical under French rule, it is crucial to note the increasing influence gained by local

¹¹ Lisa Moses Leff, *Sacred Bonds of Solidarity: The rise of Jewish internationalism in nineteenth-century France* (Stanford, Calif.: Stanford University Press, 2006), 18-20, 122-9.

¹² On Altaras see: Herman Rosenthal, “Altaras, Jacques Isaac” in *The Jewish Encyclopedia*, ed. Isidore Singer, vol. 1 (New-York: Funk and Wagnalls, 1906), 469.

¹³ On the relations between the Marseille and Algiers communities see: Joëlle Allouche-Benayoun, “Les Enjeux de la naturalisation des Juifs d’Algérie: du dhimmi au citoyen,” in *Le choc colonial et l’islam: les politiques religieuses des puissances coloniales en terres d’islam*, ed. Pierre-Jean Luizard (Paris: La Découverte, 2006), 182-6.

communities in their encounter with France. As emerges from the work of Valérie Assan, this development was mainly played out in the Algerian consistories: Initially under absolute control of French Jews, these institutions were forced to accept reform during the 1850s and 1860s. Though the rabbis appointed by the consistories were all French, local representation amongst the consistories' elected non-rabbinical members increased significantly. By the time the consistory of Algiers launched its campaign for collective naturalisation in 1869, its president and another four of its seven members were local Jews.¹⁴

The petitioning campaign of 1869 was but the culmination of a long advocacy for naturalisation by the French and Algerian consistories. Starting with Napoleon III's visit to Algeria in 1860, the Algerian consistories, as well as individual Jewish representatives, raised the demand that a path to French citizenship be opened for the Jewish population – either collectively or on an individual basis. Several petitions toward this end were submitted to the government in the early 1860s, requesting the naturalisation of Algerian Jews.¹⁵ This demand was to some extent satisfied with the publication of the *sénatus-consulte* of 1865 which defined the legal status of the Muslim and Jewish “indigènes” as that of French subjects and set the terms and the procedure for acquiring full citizenship. The main condition for Jewish and Muslim subjects wishing to acquire French citizenship was to accept French civil legislation in matters of marriage, divorce and inheritance, and give up being subjected to the jurisprudence of their respective religious authorities. As it soon emerged, such a condition was an insurmountable obstacle for the vast majority of both populations. Rather than loosening the grip of ethnic divisions by opening a path for naturalisation, the *sénatus-consulte* of 1865, by

¹⁴ Assan, *Les consistoires israélites*, 431 (Assan does not specify members' origins, but surnames allow to infer these).

¹⁵ *Ibid*, 313.

codifying the distinction between nationality and citizenship, subjects and citizens, became the legal groundwork of the settler colonial order.

The 1869 campaign for collective Jewish naturalisation arose from disillusionment with the possibility of individual naturalisation as envisaged by the sénatus-consulte of 1865 and openly called for its replacement by a different system. Though the consistories encouraged the local Jewish population to apply for full citizenship, the number of requests remained marginal: Only 125 such requests were made by Algerian Jews from 1865 to 1869, leading French rabbis and consistory members to pressure for collective naturalisation.¹⁶ The French version of the 1869 petition claimed: “Le Sénatus-consulte de 14 juillet 1865 [...] nous apprendre que les portes de la naturalisation ne s’ouvriraient pour nous, qu’avec discrétion et réserve”.¹⁷ This request for collective naturalisation was therefore a remarkable moment: Colonial subjects, through the consistories, rejected the existing system of the sénatus-consulte of 1865 and requested to be granted citizenship on different terms.

Though French rabbis and consistory administrators were deeply involved in the campaign for naturalisation, it is crucial to stress the role played by local Jews. In the early 1860s, various Algerian Jewish members of the departmental councils and consistories of Algiers, Oran and Constantine, openly called for collective naturalisation of the Algerian Jews. One of them, Moïse Séror from Algiers, even claimed to possess a petition in this spirit signed by 2,000 Jews from across Algeria. Calls to allow for Jewish naturalisation were by no means confined to consistories members: The three departmental councils discussed the matter

¹⁶ CAOM, F80/2043: Grand Rabbin d’Oran au Ministre de Justice, 12 October 1869; Ministre de la Justice au Grand Rabbin, 8 November 1869. On consistories encouraging naturalisation requests see: Assan, *Les consistoires israélites*, pp. 323-5.

¹⁷ CAOM, F80/2043: Pétition des Juifs d’Alger, 5 December 1869.

regularly, and called on the government to define a legal path for the “emancipation” – i.e. naturalisation – of the Algerian Jews.¹⁸

By 1869, local Jewish elites appear to have taken on the leadership of this effort. The president of the Algiers consistory, Daniel Stora, asked his envoys throughout the Algiers department to spread copies of the petition, and signatures were collected in communities large and small.¹⁹ As the petitions were ready for submission, they were sent to the central consistory in Paris with the request to forward them to the government. Yet members of the French consistory were reserved, and expressed the concern that Algerian Jews may refuse to comply with French civil legislation. This had been the case previously, when local rabbis kept operating their own Talmudic schools in defiance of the *écoles israélites françaises* set up by the French authorities and the consistories, or when local Jews were wedded by rabbis rather than officers of the *état civil*.²⁰ Members of the central consistory were evidently unsure how representative the petition was, and it was only after repeated requests from Algiers that the petition was submitted to the Ministry of Justice.²¹ Jewish public opinion in Algeria was certainly divided regarding the question of collective naturalisation, as indicated by the limited numbers of petition signatories throughout the 1860s. Yet rather than a conflict between communities in France and Algeria, this appears to have been a division between urban elites along the coast relying on trade with Europe and the smaller communities further south, whose contacts were mainly with the surrounding populations of the Maghrib.²²

¹⁸ Assan, *Les consistoires israélites*, 316-19. As Assan explains, the terms “assimilation” and “naturalisation” were used interchangeably.

¹⁹ CAOM, F80/2043: Président du consistoire d’Alger au délégué du Consistoire à Aumale, 17 December 1869; Délégué à Aumale au président du consistoire, 28 December 1869; Délégué du consistoire d’Alger à Dellys au président du consistoire, 23 December 1869; Lettre venant de Blidah au président du consistoire d’Alger, 26 December 1869.

²⁰ Schreier, *Arabs of the Jewish Faith*, 119-121.

²¹ Assan, *Les consistoires israélites*, 336.

²² On the socio-economic differences between the Mediterranean-oriented, coastal communities descending from Jewish 16th century emigrants from the Iberian Peninsula (“megorashim”) and the smaller, Sahara-oriented communities dating back centuries earlier see: Benjamin Stora, *Les trois exils juifs d’Algérie*, (Paris: Stock, 2006), 27-31.

What makes the 1869 petition such an invaluable document are its two versions in French and Judeo-Arabic. Whilst the Judeo-Arabic version constitutes a rare trace of local Jewish voices in their encounter with the French state, a comparison with the French version reveals at least some layers of the complex relations between French consistories and Algerian communities under colonial rule. Though the two versions were submitted to the government as a single document, they must be read as two separate sources. The vocabulary, linguistic registers and calligraphic skills of both versions indicate beyond any probable doubt that they were written by different authors. At the same time, each version clearly served a different goal and was intended for a different readership: Whilst the French text was intended for state authorities and sought to convince them that collective naturalisation would be an advantageous policy, the Judeo-Arabic version was clearly written with local Jewish recipients in mind, with the intention of persuading them to sign the petition. Furthermore, it is highly unlikely that anyone in the central French consistories, let alone the state authorities, would have been capable of reading the Judeo-Arabic of the Algiers area.²³ This was a version of classical Arabic written in Hebrew script and using extensively Hebrew, and to a lesser extent Spanish and later French vocabulary. The Judeo-Arabic text, then, constituted an autonomous space for the anonymous author to articulate the request for naturalisation in his and his community's own terms.

Most crucially, the motif of assimilation, which was pivotal to the French version, is all but absent from the Judeo-Arabic text. Whilst the French version relies heavily on the political vocabulary of 1789 when discussing the francisation of Algerian Jewry and articulating the request for naturalisation, the Judeo-Arabic text simply omits most such references. Thus, the sentence “Nous demandons l’assimilation et à la faveur de ce bienfait, nous nous soumettrons

²³ The first French study of this dialect appears to have been published in 1912: Marcel Cohen, *Le parler arabe des Juifs d’Alger*, (Paris: H. Champion, 1912). It remains the most systematic and detailed account today.

sans regret et sans réserve à l'empire de la législation française [...]” was translated simply as “We ask to become equal to the French, subject to their laws in every aspect”. In other parts of the text, the term “naturalisation” was translated as “we shall become French” (נרג'עו פרנסיס or نرجع فرنسيس in Arabic transliteration).²⁴ These variations were to some extent determined by translational constraints: Whilst the Judeo-Arabic of the Algerian cities differed from similar North African dialects in serving not only for everyday communication but for religious texts and rituals as well, it lacked the equivalents for much of the vocabulary of French political thought. Such terms as *citoyen* or *nationalité* only began to be borrowed from French around the turn of the twentieth century.²⁵

The 1869 petition is therefore a fascinating case of Algerian-Jewish engagement with the dominant political framework of France. By relying almost exclusively on Arabic and Hebrew vocabulary – the two exceptions were the French *sénatus-consulte* and the Judeo-Spanish *familia* – the petition’s author articulated the demand for political inclusion in the language of the local community. Though it would be mistaken to over-interpret the translational choices examined here, it is noteworthy that the demand for inclusion as formulated in the Judeo-Arabic version practically ignores the legal distinction between French nationality and French citizenship as enshrined in the *sénatus-consulte* of 1865. By asking “to become French”, the text’s author not only criticised the *sénatus-consulte*, but indeed rejected its common portrayal by politicians, journalists and state authorities as an act of political inclusion. The fact that hundreds of local Jews added their signatures to this petition indicates at least some degree of agreement with this rejection.

²⁴ CAOM, F80/2043: Pétition des Juifs d’Alger, 5 December 1869.

²⁵ Joseph Chetrit, “L’Influence du français dans les langues judéo-arabes d’Afrique du Nord,” in *Judaïsme d’Afrique du Nord aux 19^e-20^e siècles: histoire, société et culture*, ed. Michel Abitbul (Jerusalem: Ben-Zvi Institute, 1980), 144.

The articulation of the request for citizenship in local, Jewish terms was not confined to the field of political ideas, but is traceable in a different historical narrative, too. The French text, for instance, appealed to Napoleon III with the words “Votre Majesté [...] reconnaîtra notre longue dévouement et le sacrifice qu’il nous inspire en faisant en 1870, pour l’Algérie, ce que la Révolution en 1789 et le premier Empire en 1807 ont fait pour nos frères de France et d’Italie”;²⁶ in the Judeo-Arabic text, the word revolution was simply omitted and not replaced with any term conveying revolt or uprising. And whilst the French text alludes to the “Grand Sanhedrin” of 1807 – an assembly of rabbis convoked by Napoleon I to discuss the terms of Jewish emancipation – and attributes it to the First Empire, the Judeo-Arabic version, making full use of the text’s phrasing as a personal appeal to the emperor, refers not to the empire, but to “your uncle, may God have mercy on him”, conveying a sense of dynastic continuity rather than of a succession of political regimes.

Rather than the quest for assimilation or a reference to the 1789 legacy, what emerges from the Judeo-Arabic text is the strong emphasis placed on a distinct local Jewish identity. To some extent, this can be explained as an inherent feature of the language and the habitual use of Hebrew words woven into the Arabic text whenever religious matters were at stake.²⁷ Thus, for instance, the French “nos tribunaux” in a paragraph discussing the abolition of Jewish jurisprudence, was translated into Hebrew rather than Arabic and written in a different, larger font. But other translational choices seem more open for interpretation, as can be seen most clearly by comparing the following part of the French text with an English translation of the Judeo-Arabic version (separation into paragraphs differs slightly between the two versions;

²⁶ CAOM, F80/2043: Pétition des Juifs d’Alger, 5 December 1869.

²⁷ On the use of Hebrew vocabulary in the areas of religious rituals and faith see: Cohen, *Le parler arabe des Juifs d’Alger*, 391-8.

italics in the translation of the Judeo-Arabic version denote terms translated into Hebrew rather than Arabic):

[...] nous prouverons qu'inébranlables	We shall look up to our <i>faith</i> , strong and true
dans les convictions religieuses, que nous	as <i>the faith of the members of our nation</i> , the
partageons avec nos coreligionnaires de	Jews of France, and like them, we shall learn
France, comme eux, nous saurons puiser	from <i>our holy Torah</i> and from the people
dans les principes du Judaïsme et dans les	living amongst us <i>good virtues</i> for the service
enseignements que nous trouvons autour de	of our homeland. ²⁸
nous, les qualités et les vertus, qui	
conviennent à des citoyens et les rendent	
utiles à leur pays.	

Two translational shifts of meaning in this version of the document invite critical interpretation. First, the Judeo-Arabic version describes a relationship between French and Algerian Jews which is rather different from the one implied by the French version: Whereas the French version conveys the impression of a single religious faith shared by communities on both sides of the Mediterranean, the Judeo-Arabic text implies the existence of two separate, if related convictions. However, a sense of belonging to an overarching community is created in the Judeo-Arabic version through the phrasing “*the faith of the members of our nation*, the Jews of France”. A sense of unity is thus abandoned in favour of a more complex relationship between two communities belonging to one and the same “nation” whose nature is left undefined.

Second, the nature of religious faith and its role in the community’s political life is portrayed with different terms in the two versions. The French text implies both a rational mode

²⁸ CAOM, F80/2043: Pétition des Juifs d’Algeri, 5 December 1869.

of thinking – the scholarly term “Judaïsme” implies through its suffix a well-defined system – and some room for interpretation and reform – as it is the “principes” rather than commandments which are invoked. The Judeo-Arabic version, by contrast, simply refers to the Torah as the source of wisdom and good conduct, precluding any claim for rationality or modernity by describing it as “holy”. As for “virtues”, this word, mainly related to the field of ethics in European political thought, was translated into Hebrew rather than Arabic, thus laden with religious authority (since it was mainly religious terms which were translated into Hebrew). The term used in the Judeo-Arabic version, “Midot Tovot”, had been coined as early as in the sixth or seventh century in a commentary on the Song of Solomon in a context strikingly similar to the one at stake here, discussing “the virtues acquired by Israel”.²⁹ Whilst the French text evoked Judaism as a general source of moral guidance, then, the Judeo-Arabic version referred to the scripture as the source of good religious conduct.

The idea of Algerian Jewry differing in many aspects from metropolitan communities was shared by French Jewish representatives – only that they depicted Algerian Jewry in far less favourable terms than those emerging from the Judeo-Arabic petition: In the consultations that followed the petition’s submission, consistory members assured French officials that no component of the Jewish faith contradicted the Code civil. If any reform was needed, it was merely the elimination of certain local traditions, of which French Jews themselves did not approve. What was at stake, then, was not only the political assimilation of Algerian Jews, but also a reform of the local structures of the Jewish religion therethrough. Whilst local Jewish elites successfully made their voice heard in Paris, metropolitan Jews remained powerful intermediators between Algerian Jewry and the French state in the negotiation leading to collective naturalisation. It is to this negotiation that we now turn.

²⁹ Even-Shoshan New Dictionary of Hebrew, s.v. “Midah”.

II. Naturalisation as a religious reform

Once submitted, the 1869 petition led to a series of consultations between the government in Paris and the Algerian consistories – a unique, though asymmetrical negotiation of the terms of French citizenship. Whilst the government sought reassurance that Algerian Jews were willing to accept state laws and be integrated into the French society, the consistories sought to use this moment of transition to complete the reform of local Jewish life. Large parts of the Algerian Jewish population would have contested this transition, yet the voices traceable in the archives are almost exclusively those of the Jewish elite supporting naturalisation.³⁰ The following pages, analysing these consultations, provide by their very nature a discussion of the asymmetry of power in the run-up to the Crémieux decree.

The government's responsiveness to the petitioning campaign stemmed from a widely accepted perception in the political milieus of the metropole of collective naturalisation as the most efficient solution to the legal complexities concerning Algerian Jews. This view was articulated, for instance, by count Le Hon, deputy to the Corps législatif and an outspoken supporter of settler demands for a civilian administration in Algeria, who expressed in a speech to the assembly a most decisive endorsement of such a measure:

“Ils [the Algerian Jews – A.O.] demandent à être naturalisés en masse; il n’y a pas de bonne raison pour leur refuser la faveur qu’ils sollicitent, et il y a une très-grande nécessité de ne pas retarder cet acte. [...] Oui, il est indispensable de donner aux israélites les satisfactions demandées et de faire rentrer dans le sein de la grande famille française ces 38,000 israélites qui sont aujourd’hui dans la

³⁰ A rare exception is a short mention of an 1873 petition by 29 Jews from Oran protesting against their naturalisation, see: CAOM, F80/2043: Note au Chef du Cabinet du Ministre de la Justice, 30 April 1873.

condition difficile et même impossible que leur a faite le sénatus-consulte de 1865.”³¹

This view echoed a sentiment shared by considerable circles of the European community in Algeria in support of Jewish naturalisation. At the departmental council of Algiers, for instance, declarations in support of naturalisation were made at the initiative of the council’s president, baron de Vialar, owner of a large agricultural property and influential lobbyist and philanthropist.³² In early 1870, the Saint-Simonian Auguste Warnier, introduced in Chapter One as an important voice behind the Alsace-Lorraine settlement plan, published a series of demands on behalf of the settlers. One of these was to exempt the Algerian Jews from the sénatus-consulte of 1865 and naturalise them collectively – relying, among other reasons, on the demand raised by Jewish communities.³³ For figures like Warnier or de Vialar, the naturalisation of the Jews, which would augment the number of French citizens and strengthen civil authority in the colony, seemed opportune in their struggle to replace the military administration by an “attachment” to the civil authorities of the metropole; as soon as this goal was achieved, many of them turned their fire at the Jews and demanded the immediate abrogation of the Crémieux decree. (We will discuss this development in Chapter Four).

Various French legal experts equally supported Jewish naturalisation, describing it in various articles and books in the 1860s as the best and simplest solution to the unstandardised legal status of the Jews. Since the 1840s, a crawling and incomplete subjection of the Algerian Jews to the French civil legislation took place: Whilst rabbinical tribunals had been dissolved, many Jews insisted on being wedded by rabbis rather than officiants of the état civil. This led to confusion regarding the legal standing of such marriages whenever French courts had to rule

³¹ Cited in: S. Bloch, ‘La question israélite algérienne’, *L’Univers israélite* 25, no. 15, (1 April 1870), p. 471-2.

³² Assan, *Les consistoires israélites*, 317, note 14.

³³ Auguste Warnier, *Cahiers algériens* (Algiers: Imprimerie de Duclaux, 1870), 13-14, 144.

in disputes over divorce or inheritance matters, and the legal chaos was only aggravated by the fact that different courts across the colony varied in their rulings.³⁴ A sweeping, outright naturalisation thus came to be seen by many experts as the only solution. Most notable amongst them was Casimir Frégier, president of the tribunal of Sétif. In a voluminous study of the question from 1865, Frégier argued the collective naturalisation of the Jews to be an efficient measure requiring no Algerian “Sanhedrin” or any preparatory study, and suggested that the government could implement it per decree.³⁵ This was no marginal view: In October 1869, shortly before the petition was submitted to the government, governor general MacMahon consulted the Algerian consistories on whether collective naturalisation could solve the multiple legal difficulties.³⁶

When the petition of the consistory of Algiers was submitted to Paris in November 1869, a fertile ground had already been prepared for consultations between the government and the Algerian consistories, based on a notion of shared interests. In a letter from the central consistory to the Minister of Justice from November 1869 preceding the petition, collective naturalisation was presented as a solution to legal chaos and was thus justified with the interests of the state rather than those of the Jewish community.³⁷ An internal document written in the Ministry of Justice upon receipt of this letter confirmed both the consistory’s concerns and its view of naturalisation as a convenient solution.³⁸

But whilst the consistories sought to present the petitioning campaign as a proof of Algerian Jews’ loyalty to France, the government requested a ceremonial declaration thereof

³⁴ Assan, *Les consistoires israélites*, 315-16.

³⁵ Casimir Frégier, *Les Juifs algériens [...] : leur naturalisation collective* (Paris: Michel Lévy Frères, 1865), 374-8, 383. Further expressions of support for some form of Jewish naturalisation came from the attorney at the civil court of Oran and from legisl Jules Delsieux from Algiers. See: Assan, *Les consistoires israélites*, 318; Schreier, *Arabs of the Jewish Faith*, 164.

³⁶ According to a report in the Algerian daily *l’Akhbar* on 22 October 1869, cited in: S. Bloch, ‘La question israélite algérienne’, *L’Univers israélite* 25, no. 7 (1 December 1869), 214-17.

³⁷ CAOM, F80/2043: Consistoire central des israélites de France au Ministre de la Justice et de Cultes, 19 November 1869.

³⁸ CAOM, F80/2043: Note du Ministre de la Justice, 21 December 1869.

by the Jewish religious authorities in the colony.³⁹ If Jews wished to become citizens, they should follow the precedent of the “Grand Sanhedrin”, a congregation of rabbis and notables convoked by Napoleon I in 1807 to declare Jewish obedience to French civil legislation and facilitate the emancipation of Jewish subjects across the empire.⁴⁰ This request by the Ministry of Justice was embedded in a more general view of the emancipation of French and other European Jews as a blueprint applicable to Algeria, the colony’s Jewish population being generally regarded as essentially similar to the state of French Jewry before 1789.⁴¹ Under Emile Ollivier, who had been directly addressed by Crémieux, the Ministry of Justice argued that, were a rabbis’ assembly in Algeria to declare Jewish law to be abolished as did the 1807 “Grand Sanhedrin”, there should be no objection to the naturalisation of the Algerian Jews.⁴² When a collective naturalisation decree was presented to the Conseil d’Etat in March 1870, Ollivier was asked to consult the Algerian administration and the local consistories, to assess the viability and consequences of such measure.⁴³

What is intriguing about the questions of the Conseil d’Etat to the consistories regarding the convocation of an Algerian Sanhedrin of a sort is its ambivalence, entailing as it did both the potential for negotiation and an inflexible view of citizenship, incapable of accommodating difference. The question read: “Les consistoires d’Algérie [...] se considéreraient-ils autorisé à provoquer [...] une déclaration analogue à celle du grand Sanhédrin de 1807 pour délier leurs coreligionnaires de l’observation de la loi Mosaique, en ce qu’elle a de contraire aux prescriptions du Code Napoléon et à l’ensemble de nos lois civiles et politiques?”⁴⁴ On the one hand, then, by viewing the 1807 “Grand Sanhedrin” as a blueprint applicable to Algeria, the

³⁹ Ibid.

⁴⁰ Simon Schwarzfuchs, *Napoleon, the Jews and the Sanhedrin* (London: Routledge & Paul Kegan, 1979), 93-5.

⁴¹ Shurkin, “L’émancipation des Juifs d’Algérie,” 15-22; Abitbul, “La citoyenneté imposée,” 197-8.

⁴² CAOM, F80/2043 : Note du Ministère de la Justice et des cultes, 21 December 1869.

⁴³ CAOM, F80/2043: Projet de Décret relatif à la naturalisation collective de tous les Israélites indigènes du territoire algérien, 8 March 1870.

⁴⁴ Cited in CAOM, F80/2043: Président du Consistoire de Constantine au préfet, 25 April 1870.

government regarded its Jewish colonial subjects as similar to the French and European Jews made citizens under Napoleon I. On the other hand, as many of the documents produced by the government during its negotiation with the consistories display, this formulation seems to reveal concerns over the Jewish will not only to obey French laws, but to subscribe to their *principles*, not to say their logic and philosophy. Rather than simply enforcing its legislation or even assessing possible Jewish reactions to the proposed change, what emerges from the suggested convocation of an Algerian “Sanhedrin” is an attempt at bringing about a moral and indeed spiritual change amongst Jewish communities through collective naturalisation.

The consistories’ responses to this request all shared one assumption: That whilst some practices of Jewish life in Algeria had to be eliminated as part of the overall “regeneration” of Algerian Jewry, there was nothing in Jewish legislation itself to contradict French laws and an Algerian “Sanhedrin” was thus unnecessary. Rabbis and scholars had been trying to establish the compatibility of Jewish law with the Code civil for several years. The most ambitious of these attempts was made in 1868-69, when the rabbi of Oran Mahir Charleville and the non-Jewish jurist Édouard Sautyara published a French edition of the rabbinical code.⁴⁵ Still, the question remained to be answered how Algerian Jewish communities would react to the modification of their familial life where local traditions contradicted the Code civil – above all inheritance, marriage and divorce.

Jewish willingness to give up those aspects of familial life contradicting French legislation was signalled already in the 1869 petition, which stated: “[...] à la faveur de ce bienfait [naturalisation – A.O.] nous nous soumettrons sans regret et sans réserve à l’empire de la législation française, malgré les graves modifications qu’elle apporte à la constitution de la

⁴⁵ Joseph Caro ben Ephraïm, *Code rabbinique "Eben Haezer"*, ed. and trans. Mahir Charleville and Édouard Sautyara (Paris: Challanel, 1868-69).

famille et au partage des successions.”⁴⁶ But French rabbis in Algeria were much clearer in their intentions. Most notably, Rabbi Charleville of Oran saw the subjection of Algerian Jewry to French civil legislation as an opportunity to eradicate local customs which he viewed as unmodern – above all cases of polygamy and practices of divorce which he viewed as degrading for women. As historian Richard Ayoun has noted, Charleville and the other French rabbis in Algeria had little knowledge or understanding of the local Jewish culture and dismissed it as an “oriental” distortion of “pure” Judaism.⁴⁷

Responding to clarification requests from the government in 1870, members of the central consistory and of the Algerian consistories insisted that Judaism entailed the recognition of French legislation. Whilst the Quran, they argued, separated Muslims and non-Muslims by laying down a set of rules that were unmodifiable under any circumstances, Jewish legislation accepted change. To support this claim, they drew upon the Talmudic principle that “A state’s (or literally: kingdom’s) law is the law” (Aramaic: “Dinah deMalchouta Dinah”), i.e. that the law of the state in which Jews are living is binding. France had thus no reason for hesitation when naturalising the Jews, as acceptance of foreign laws was enshrined in Jewish legislation itself.⁴⁸ A similar argument concerning the inherent acceptance of foreign laws in Jewish law was put forward in a letter sent by the president of the Algiers consistory to the prefect of Algiers in response to a series of questions presented to him following the petition: “Que la naturalisation soit donc accordée aux israélites algériens [...], la loi rabbinique autorisera, obligera ipsa facta les israélites algériens à renoncer à leur statut personnel et à accepter celui de leurs concitoyens.”⁴⁹

⁴⁶ CAOM, F80/2043: Pétition des Juifs d’Algeri, 5 December 1869.

⁴⁷ Richard Ayoun, *Typologie d'une carrière rabbinique: l'exemple de Mahir Charleville* (Nancy: Presses universitaires de Nancy, 1993), 271-4.

⁴⁸ CAOM, F80/2043: Consistoire central au Ministre de la Justice, 19 November 1869.

⁴⁹ CAOM, F80/2043: Président du Consistoire israélite d’Alger au Préfet, 19 April 1870.

The crucial logical leap in this argumentation lay in applying the principle of “A state’s law is the law” to a situation in which a Jewish community did have the choice between its own laws and the laws of a foreign power. Whereas in 1807 it was the French government which summoned the “Grand Sanhedrin” to examine the relations between the state and its Jewish subjects, it was now Jewish representatives themselves who initiated a change into the legal status of the Algerian Jews. What had been interpreted by the 1807 Sanhedrin as the right Jewish *response* when required to obey to foreign rule was now used as the theoretical ground for an *initiative* by Jewish communities for such rule to be imposed on them. Under the influence of metropolitan Jewry, the consistories acted as veritable agents of francisation and indeed secularisation. If there was any moment in the history of Algerian Jewry worthy of Schwarzfuchs’s qualification of “colonialisme juif”, this was the one.

Whilst striving to establish that Jewish law posed no difficulty for naturalisation, French rabbis and consistory officials did admit that it was dated and unworthy of a modern community, thus adopting the categories of modernity and, though more implicitly, French progress. The members of the Algiers consistory thus wrote in a letter to Napoleon III preceding the petition’s submission: “Emprisonnée dans leur statut-personnel [...], elle [the Jewish population – A.O.] restait régie au sein de la société française, en plein XIXe siècle, par la législation mosaïque, admirable sans doute en elle-même, mais qui heurte les idées modernes [...]”⁵⁰ If other documents – above all the French version of the 1869 petition – sought to present the principles of Judaism as moral guidelines compatible with the principles of French social and political life, this letter, sent to the emperor three months prior to the petition, boldly argued the opposite. Rather than a spiritual awakening or a wave of excitement upon meeting “oriental” or “traditional” communities, the encounter with Algerian Jewry bolstered the commitment of French Jewish elites to the process of integration within French society. In the

⁵⁰ CAOM, F80/2043: Consistoire d’Alger au Napoléon III, 31 August 1869.

words of the members of the Oran consistory, this assembly viewed itself as acting towards “l’émancipation civile, morale et politique” of Algerian Jewry.⁵¹

Yet, for all their commitment to the “regeneration” of Algerian Jewry, when asked to abolish Jewish legislation, all consistories responded that this exceeded their authority. If the French government saw the 1807 “Grand Sanhedrin” as a practical model, responses from Algeria argued that another approach was required. If the consistories possessed any authority over religious matters, it was confined to abolishing local tradition, not Jewish legislation as such – the latter task was to be assumed by the state. Indeed, scorn for Algerian rabbis was at times expressed in rather violent terms. The president of the Algiers Consistory, in a confidential letter to the Algiers prefect, admitted that local rabbis were likely to resist collective naturalisation, afraid as they were of losing their privilege and influence. He expressed the hope that collective naturalisation could open Algerian Jews’ eyes to see the true nature of such rabbis, “qui ne rendent service ni au pays ni à la religion”.⁵²

Rather than declaring Jewish legislation to be abolished, consistory members and French rabbis in Algeria hoped to use the naturalisation of local Jews to complete the francisation of local communities. The president of the Constantine consistory, for instance, Attali Ben Haïm Joseph, when presented with the question of declaring Jewish law to be abolished, argued that no rabbi had such an authority, adding that such a measure was not necessary, since nothing in Jewish law contradicted French civil legislation. However, he suggested that a congregation of rabbis in Algeria could indeed be necessary, for slightly different reasons:

⁵¹ CAOM, F80/2043: Extrait du registre des délibérations du Consistoire Israélite de la province d’Oran. Séance du 10 Avril 1870 (copie).

⁵² CAOM, F80/2043: Président du Consistoire d’Alger au préfet d’Alger, 20 April 1870

Il est vrai qu'il existe certaines coutumes, certains faits de vie sociale et de famille, en partiel contraire aux institutions françaises et qui se sont implantés dans ce pays, coutumes et faits qui par le temps ont acquis force de loi. Or, nous reconnaissons que si aucune de nos autorités rabbiniques ne peut abolir ce qui fait le fond de notre loi religieuse, rien n'empêche cependant une réunion de rabbins d'abolir ces coutumes.⁵³

The Algerian consistories, then, were fully aware of the centrality of the rituals and practices they sought to eliminate from Algeria. According to the Constantine consistory president, a fundamental transformation of local Jewish life was at stake – well-established traditions regarded as laws by local communities were to be abolished. Yet by qualifying that which was to be abolished as additional to Jewish law rather than its core, the consistory president sought to accept the government's request for his involvement without laying claim to a religious authority he did not possess. Concluding his response, he thus wrote: “La question posée en ces termes à notre Consistoire et après longue délibération, nous avons décidé à l'unanimité des membres présents que le meilleur moyen pour répondre aux protestations que soulève la question de naturalisation serait la réunion d'une assemblée de rabbins à l'instar du Sanhédrin de 1807.”⁵⁴ The members of the Oran consistory, for their part, took a slightly different approach to avoid matters of principle and the need to make a declaration on Jewish law versus French law. Instead of re-staging a Sanhedrin, they argued their task to be merely to use their authority to introduce and extend to Algeria the decisions taken in France in 1807. Indeed, they viewed these decisions not as a particular agreement between France and its Jewish population, but rather as a “véritable concordat entre l'Etat et *le Judaïsme*”.⁵⁵

⁵³ CAOM, F80/2043: Président du Consistoire de Constantine au préfet, 25 April 1870.

⁵⁴ CAOM, F80/2043: Président du Consistoire de Constantine au préfet, 25 April 1870.

⁵⁵ CAOM, F80/2043: Extrait du registre des délibérations du Consistoire Israélite de la province d'Oran, 10 April 1870 (copie). Emphasis added.

In suggesting abolishing rituals and practices clearly central to Jewish life in Algeria, the local consistories continued the pattern which had characterised their action since the 1840s, above all in the area of marriages, as explained above, and of education. In their 1845 report to the central consistory in Paris, Altaras and Cohen argued the elimination of religious schools in Algeria (“*midrashim*”) to be of crucial import for the “regeneration” of local Jewry.⁵⁶ The metropolitan rabbis sent to Algeria to serve as “*grands rabbins*” of the three provinces sought not only to suppress religious schools, but also to reform the teaching and pronunciation of Hebrew according to the French usage and to exert a close surveillance of local teachers at the *écoles israélites françaises* (the Jewish communal schools set up by the French authorities in Algeria).⁵⁷ This often led to outright conflicts between local communities on the one hand and French authorities and metropolitan rabbis on the other, with private *midrashim* existing alongside state schools long after the 1845 report was issued.⁵⁸

The consistories’ argument for Jewish naturalisation often amounted to a justification of Muslim exclusion. A letter from the central consistory to the Minister of Justice Ollivier announcing the petition in November 1869 argued: “L’erreur regrettable du gouvernement français en Algérie, depuis les premiers jours de la conquête, a été de confondre la population israélite avec la population musulmane, et de régir l’une et l’autre par une même loi. [...] Le juif algérien était l’ennemi naturel de l’indigène musulman qui, depuis des siècles, l’opprimait et l’abreuvait d’outrages [...]”.⁵⁹ But the authors of this letter did not only deny any ties between Jews and Muslims in Algeria. Rather, they went on to explain why the situation of the Jews vis-à-vis the French state was fundamentally different from that of the Muslims, arguing that “les arabes” constituted a nation in its own right, organised in its own political system.

⁵⁶ Schreier, *Arabs of the Jewish Faith*, 117.

⁵⁷ Assan, *Les consistoires israélites*, 259-265.

⁵⁸ Schreier, *Arabs of the Jewish Faith*, 119-120.

⁵⁹ CAOM, F80/2043: Consistoire central au Ministre de la Justice, 19 November 1869.

France's policy of preserving their civil legislation and religious jurisprudence thus rightly facilitated their political existence along their own rules and within their own institutions – a dubious claim of course, considering the coercion exerted upon the Muslim population. Algerian Jews, in contrast, presented no such characteristics and like their metropolitan coreligionists were capable of far greater flexibility in their interaction with the French state. This reasoning, too, continued a pattern of argumentation adopted by Jewish rabbis and representatives since the 1840s, seeking to establish that Algerian Jews were closer than their Muslim neighbours to the French model of family and society. Altaras, for instance, seeking to prevent assumptions and policies concerning the Muslim population from being applied to the Jewish minority, compared the treatment of girls and young women by both religions, and argued Judaism to be the more enlightened.⁶⁰

In implicitly arguing against the naturalisation of the Muslim population, Jewish voices behind the petitioning campaign echoed a view which was widely accepted by politicians, administrators, legal experts and settler representatives in Algeria and France. Frégier, for instance, though arguing in his 1865 study that the naturalisation of the entire Algerian population was the ultimate future goal of French rule, claimed that Muslim subjects could not be collectively naturalised at present.⁶¹ Similarly, Warnier in his *Cahiers algériens* from 1870 repeatedly stressed that the reasoning behind the collective naturalisation of the Jews could not be applied to the Muslim population.⁶² Such perceptions were widely – but not unanimously – accepted by French officials and generals stationed in Algeria. The consultations leading to the Crémieux decree provided various occasions for such views to be articulated, developed and

⁶⁰ Schreier, *Arabs of the Jewish Faith*, 148-150.

⁶¹ Frégier, *Les Juifs algériens*, xii-xiv.

⁶² Warnier, *Cahiers algériens*, 13-14

reiterated, and were a constitutive moment for the perception of Islam as incompatible with French citizenship. It is to this constitutive moment that we now turn.

III. Jewish inclusion and Muslim exclusion

By contesting the sénatus-consulte of 1865 with the demand for collective naturalisation, the 1869 campaign for Jewish naturalisation sparked a debate on the very pivots of colonial order. Politicians, administrators and generals were well-aware that the political inclusion of the Jewish minority would raise a series of questions on the political status quo and the power relations in the colony – particularly in relation to the Muslim majority. As the following pages will show, the willingness to admit the Jewish minority into the *cit  française* was mostly framed as an exception to the rule rather than the beginning of an overall change. Jewish inclusion was thus inseparably linked with the continued exclusion of the Muslim majority.

When discussing the 1869 campaign, the Conseil d’ tat expressed several reservations, centring, most importantly, around Jewish electoral influence if collective naturalisation were implemented, and possible reactions amongst the Muslim population. Presented by Minister of Justice Ollivier with a bill to naturalise Algerian Jewry, the members of the Conseil d’ tat formulated a series of questions to be answered by local Algerian officials before the bill was to be presented to the Corps l gislatif. An analysis of these questions and the responses given to them reveals much about the assumptions, the interests, and the concerns amongst political circles in France and Algeria amid the demand for participation by colonial subjects.

A main concern shared by the Conseil d’ tat and local officials in Oran and Constantine was that Jews might gain disproportionate electoral power if naturalised. In its questionnaire, the Conseil d’ tat inquired: “La naturalisation en masse des isra lites indig nes n’aurait-elle pas pour effet d’attribuer   cette population, dans toutes les questions  lectorales, une influence

considérable, parfois prépondérante et, par suite, un rôle auquel elle ne semblait pas réservée?”⁶³ This indeed reflected fears amongst local officials in the provinces of Constantine and Oran. The prefect of Constantine was clearly concerned about Jewish influence over local elections in his department. Mentioning the large numbers of the Jewish population in Constantine (4396 Jews and 7679 French, i.e. a 36% Jewish share in a common electorate) and in the town of Ain-Beida to the south of Constantine (513 Jews and 437 French, i.e. almost 55% Jews in a common electorate), he argued that Jewish influence would be “fâcheuse” in these two municipalities. Thus, he argued, if the government insisted on naturalising Algerian Jews collectively, it should act to limit the number of their electors so as not to jeopardise French interests. Indeed, the prefect singled out what would come to be the main motive behind riots and attacks by Europeans against the Jewish population in the following decades.⁶⁴ The general commanding the division of Constantine, too, feared Jewish preponderance in elections, not only due to their sheer numbers, but also since he argued that they tended to vote as a bloc rather than according to their individual preferences. This, as we shall see in the next chapters, would become a central claim of anti-Semitic agitation in Algeria against the Jewish vote.⁶⁵ The prefect of Oran, too, was wary of the repercussions of collective Jewish naturalisation upon the local balance of power, as the Jewish population was concentrated in the important towns of the province. In Oran itself there were 5657 Jews and 8789 French, i.e. a 40% Jewish share in a common electorate; in Tlemcen 3185 Jews and 2307 French, i.e. nearly 60% Jewish vote in a common electorate; in Mascara 1564 Jews and 1967 French. Thus, he argued, the Jewish electorate would have to be limited if Jews were to be naturalised.⁶⁶

⁶³ CAOM, F80/2043: Président de Conseil d’État au Ministre de la Justice, 18 March 1870.

⁶⁴ CAOM, F80/2043: Préfet de Constantine au Gouverneur général, 30 April 1870.

⁶⁵ CAOM, F80/2043: Général de division commandant la province de Constantine au Gouverneur général, 9 May 1870.

⁶⁶ CAOM, F80/2043: Préfet d’Oran au Gouverneur général, 30 April 1870.

A second concern raised by the Conseil d'État was to do with the possible reactions amongst the Muslim population to a collective naturalisation of the Jewish minority. Here, there was almost a consensus amongst the Algerian administration that reactions amongst the Muslim population were no reason for concern. The answer to the question formulated by the Conseil d'État, whether Jewish naturalisation without similar measures for the Muslims might create tensions, “vu l’antagonisme plus ou moins latent qui divise les deux races”, was, in most cases, a decisive No.⁶⁷ The Constantine prefect argued that resentment amongst the Muslim population towards the Jews was as strong as towards the French, thus leaving them indifferent to Jewish francisation.⁶⁸ The prefect of Oran argued that the sénatus-consulte of 1865 and other facets of Jewish assimilation had accustomed Muslims to the idea of Jews as French nationals, thus making negative reactions improbable.⁶⁹ The general commanding the Constantine province, in contrast, warned that the automatic, collective naturalisation of the Jews might undermine its prestige in the eyes of Muslims. Like other French officials, he argued that French citizenship had to be accorded to those who desired it and were willing to request it and give up religious legislation.⁷⁰

What is most interesting about concerns regarding reactions amongst the Muslim population is that they yielded more general, theoretical elaborations on the political order in Algeria and the legal status of colonial subjects. Whilst some officials warned that such a measure would undermine the prestige of French citizenship in the eyes of the Muslim population, others suggested it might in fact accelerate the integration of Muslims in the political institutions of “l’Algérie française” as envisaged in colonial thought. Indeed, this

⁶⁷ CAOM, F80/2043: Président de Conseil d’Etat au Ministre de la Justice, 18 March 1870.

⁶⁸ CAOM, F80/2043: Préfet de Constantine au Gouverneur général, 30 April 1870.

⁶⁹ CAOM, F80/2043: Préfet d’Oran au Gouverneur général, 30 April 1870.

⁷⁰ CAOM, F80/2043: Général de division commandant la province de Constantine au Gouverneur général, 9 May 1870.

question was regarded as crucial by the Conseil d'État, and the questionnaire sent from Paris to the colony expressed some deep concerns in this regard:

L'acte souverain dont il s'agit consisterait à décréter d'office la naturalisation de tous les israélites, en se basant sur l'abdication présumée mais non consentie expressément, de leur statut personnel. N'est-il pas à craindre que cette mesure n'inquiète les musulmans, ne les porte à douter du respect réservé à leur propre loi, en ne rallume ainsi leur fanatisme?

Cette mesure ne serait-elle pas de nature à amoindrir chez les musulmans le respect pour le titre de citoyen français, par conséquence, en rendre encore plus rares, de leur part, les demandes en naturalisation?⁷¹

The questions formulated by the Conseil d'État reveal a view of citizenship not as a right or as an inherent feature of a certain political regime, but as a tool in the hands of the state, to be used according to changing circumstances and the political interests of the hour. In this case, two possible reactions by Muslim colonial subjects were feared and implicitly regarded as sufficient grounds to avoid collective Jewish naturalisation: fears amongst Muslims that the government might implement a similar policy towards them, thus eliminating Islamic jurisprudence in Algeria and subjecting them to French civil law; and a diminished "respect" amongst the Muslim population for the status of French citizenship, followed by a decline in individual naturalisation requests. The second concern reveals a certain tension between the government in Paris and the colonial administration in Algeria, a tension which would persist for the next decades: Whilst considerable political milieus in the metropole saw the individual naturalisation of Muslim colonial subjects willing to renounce Islamic jurisprudence as

⁷¹ CAOM, F80/2043: Président de Conseil d'Etat au Ministre de la Justice, 18 March 1870.

desirable, the Algerian administration was notorious for seeking to block this even in the rare cases when a request was made.

What emerged from the 1869 petitioning and the consultations that followed was a fundamental debate on citizenship in the colonial context and the role of naturalisation in France's presumed mission to "civilise" its colonial subjects. Whilst the Jewish consistories portrayed naturalisation as a *vehicle* by which to promote the assimilation of a colonised population within the colonising society, leading voices in the government and the colonial administration viewed it as the *accomplishment* of such a process. This can be seen in the response sent by the Constantine prefect to the Conseil d'État: "J'estime que la qualité de citoyen français a trop de droits à nos respects pour qu'on s'expose à la concéder à des individus qui ne s'en soucient point, qui ne parlent pas notre langue, qui ne connaissent pas nos lois, qui conservent l'empreinte de la longue servitude infligée à leurs pères."⁷² Here, French citizenship was viewed as a prize accorded to a subjugated population upon request and only once the country's language had been learnt and laws have been internalised and embraced.

Whilst most administrators and generals consulted by the Conseil d'État rejected granting citizenship to practising Muslims, a small number of statements did present a contrary view, embarking upon lengthy elaborations on naturalisation as an efficient tool at the hands of colonial, "civilising" France. These views remained rare and, as we know in hindsight, no policy seeking to facilitate the political inclusion of Muslims was ever implemented in the following decades. However, these are valuable historical documents, showing how one policy change – the planned inclusion of the Jewish minority – opened a more general debate on the character of French citizenship in a re-emerging empire.

⁷² CAOM, F80/2043: Préfet de Constantine au Gouverneur général, 30 April 1870.

An intriguing endorsement of collective Jewish naturalisation as harbinger of Muslim assimilation was made by the general commanding the Algiers division of the army, Joseph Pourcet. This was a rare case when the vocabulary of progress and the civilising mission was used not in order to argue that Muslims *could not* be assimilated, but rather as an argument in support of their assimilation. Unlike most officials and generals, Pourcet, who had previously been stationed in Algeria in the 1840s and would become a right-leaning senator in 1876, argued that there was genuine interest amongst “enlightened” (“*éclairés*”) Muslims in acquiring French citizenship.⁷³ Though Pourcet acknowledged that individual naturalisation requests by Muslims were uncommon, he explained this as the consequence of various technical and social obstacles rather than as a sign of indifference or hostility to the idea of political assimilation. Though acknowledging both Muslim interest in naturalisation and obstacles created by the current procedure, the general did not call for any reform. His treatment of Jewish and Muslim assimilation was instrumental for the former and purely theoretical for the latter. The naturalisation requests by some “enlightened” Muslims served merely as evidence that practicing Muslims might accept French civil legislation, should it be made obligatory by France in the future. The role of Jewish naturalisation was to accelerate this process:

La marche progressive de notre action dans ce pays nous amènera certainement encore à porter la main sur toutes les institutions musulmanes en désaccord ou en contrariété avec les nôtres, et qui nous paraîtront n’être pas absolument du domaine de la loi. Il est donc de notre intérêt que les populations s’habituent à cette séparation de l’ordre religieux et de l’ordre civil qui est la base de notre droit. *Le fait que les israélites acceptent cette distinction et ne croient pas leur*

⁷³ On Pourcet see: Ministère de la Guerre, *Annuaire militaire de la République française pour l’année 1870*, (Paris: P. Bertrand, 1870). 28; see also Pourcet’s biography on the website of the French Senate: https://www.senat.fr/senateur-3eme-republique/pourcet_joseph0091r3.html. Accessed 9.12.2017.

*religion menacée par l'adoption de la loi française peut être d'un bon exemple pour les musulmans.*⁷⁴

The fundamental assumption behind such a position was that French domination ought to be emancipatory for the dominated population, and that this could only be achieved through the secularisation of the legislation governing social structures – above all the family. The general did argue that it was France's duty to respect the religious core of Islam – “les prescriptions religieuses d'ordre absolument obligatoire” – when conducting its legislative reform in Algeria, committed as it was to Muslims' “liberté de conscience”. But since it was France who was to draw the distinction between the religious and the civil components of Islam, it was also France who was to draw the boundaries of that which was considered a “conscience” worthy of being protected.

The view of Jewish assimilation as paving the way for a similar development amongst the Muslim population was shared by legal circles, too. In a report to the governor general from 1865, the president of the cour d'appel in Algiers, Alfred Pierrey, argued that this would act as a catalyst of history itself: “Ce serait un avant-coureur et un stimulant des résultats à attendre de la marche du temps, dans les mêmes matières, en ce qui concerne la population musulmane.”⁷⁵ Yet, unlike all other commentators on Jewish and Muslim naturalisation, the court's president made concrete suggestions for concessions for the Muslim population to facilitate its assimilation. Indeed, acknowledging the differences between the two populations, he suggested that *greater concessions* be made to the Muslim population than to the Jews. Whilst the small numbers of Jews in Algeria, as well as the requests made by their elite to be subjected to French law, reassured him that naturalisation will not result in disturbances to

⁷⁴ CAOM, F80/2043: Avis du Général commandant la province d'Alger au sujet de la naturalisation collective des indigènes israélites, 17 April 1870. Emphasis added.

⁷⁵ CAOM, F80/2043: Premier président de la cour impériale d'Alger au Gouverneur général, 1 July 1867.

public order, the court's president was cautious about the Muslim population. But, since he thought it was in France's interest to allow for Muslims' naturalisation, he embarked upon a unique – and unfruitful – elaboration seeking to establish that doing so could be achieved without forcing them to renounce religious legislation on civil matters: “Qui dit citoyen français, ne dit pas cela même assujettissement à la loi civile française. [...] L'indigène musulman qui aura obtenu la qualité de citoyen français, conservera ses droits civils tels qu'ils sont réglés par la loi musulmane.”⁷⁶

A powerful justification for accepting Islamic civil legislation within the *cité française* was by depicting it as part of a longer trajectory of French history. Pierrey made full use of this reasoning: Though describing a profound difference separating Muslims and Christians, French and “indigènes” in Algeria, he argued that other cases in which several civil legislations had been maintained under one polity whose subjects all possessed the same citizenship could serve as example:

La France n'a aujourd'hui qu'une législation civile pour tous les régnicoles, mais le temps n'est pas encore éloigné où elle comptait autant de statuts différents que de provinces. Avant l'accomplissement de l'œuvre d'unification de notre loi civile, l'habitant de la Normandie, celui de la Bretagne, de la Bourgogne, de l'Auvergne, du Languedoc, étaient français en même titre, mais chacun avait son droit civil particulier.⁷⁷

What is so striking about this reasoning is not only the willingness to accept multiple civil legislations, but also the view implied by this historical excursion, seeing Algeria as a continuation of the process by which France achieved its current territory and uniformity. However, court president Pierrey did not suggest naturalising either the Muslims or the Jews

⁷⁶ Ibid.

⁷⁷ Ibid.

collectively. What is interesting about this report is its acceptance *in principle* of religious difference within the *cite française* – a unique view, which stands out in comparison with other contemporary and later views. Such a report, written by a high-profile legal expert and read by the highest ranks of the French government, demonstrates clearly that the political exclusion of the Muslim population was an active policy, reaffirmed time and again amid alternative views.

More importantly still, Pierrey's argumentation represents a pragmatic view of French citizenship which was made possible by the political regime of the Second Empire and would soon be replaced by what can best be described as the "ideology of French citizenship" (coinage of this thesis). For Pierrey served a regime and indeed a political entity which drew its legitimacy from dynastical continuity rather than from the equal and general representation of the people. In such a regime, the boundaries of citizenship were of a pragmatic, not principle order. Such a pragmatic view would all but disappear with the proclamation of the Third Republic.

Indeed, if the willingness to accept Islamic civil legislation was rare enough in the late 1860s and early 1870s, it would become practically non-existent in the following decades. The petitioning, consultation and subsequent collective Jewish naturalisation of 1869-70 indeed constituted a unique moment in the history of French colonialism in Algeria, when citizenship was demanded by local elites and its terms were negotiated with the state. But the backlash was immediate: As early as 1871, the Minister of Interior tried to undo Crémieux's act from 24 October 1870. And whilst legislative attempts to that end were repeatedly frustrated by the Assembly – instead, a governmental decree from 1871 limited the Crémieux decree's application – the collective naturalisation of Algerian Jews would become an anomaly, and a

“counter-model” in French colonial thought.⁷⁸ Ethnically grounded distinctions would only grow stricter in the 1880s, first with the systematisation of the restrictive regime governing the Muslim population in what came to be known as the Code de l’indigénat and later with the collective naturalisation of the non-French European population in Algeria. It is to this consolidation of the settler colonial order around the contrast of “European” versus “Muslim” and “indigenous” that we now turn.

⁷⁸ Blevis, “En marge du décret Crémieux,” 56.

Chapter Three: An ethnic *Jus soli*

European inclusion and Muslim exclusion, 1881-89

In late 1881, the newly appointed governor general of Algeria, Louis Tirman, addressed the Conseil supérieur of the Algerian administration to discuss the prospects of French rule. The picture he drew was dire: The majority of French nationals over non-French Europeans residing in Algeria was rapidly shrinking, and in the Oran province Spanish nationals already outnumbered the French. This, he argued, coupled with what by now was commonly viewed as the resounding failure of the settlement schemes of the 1870s, required a new strategy: “Puisque nous n’avons plus l’espérance d’augmenter la population française au moyen de la colonisation officielle, il faut chercher le remède dans la naturalisation des étrangers.”¹ The concern over a growing “foreign” population in Algeria would occupy a central place on the agenda of the Algerian administration for the next two decades: In 1889, after a long negotiation between Algiers and Paris, the non-French European population would be collectively naturalised, only to have their citizenship incessantly contested throughout the 1890s and into the twentieth century. The debates around the naturalisation of the Europeans and the multiple ways in which they cemented the exclusion of the Muslim majority in Algeria are discussed in the following pages.

In Algeria as in France, the 1880s were a moment of demarcation. In the metropole, a major reform of citizenship law was underway: The “right of blood” principle, introduced to the Code civil by Napoleon in 1803 and granting citizenship according to descent, was replaced by the “right of land” principle, granting citizenship according to birth in the French territory. The application of this reform to Algeria – legally considered an integral part of France – led the colonial administration to create a legal groundwork designed to fulfil a clear yet legally

¹ Cited in: Dain, *Étude sur la naturalisation*, 3-4, note 1.

complex goal: To allow for the sweeping naturalisation of the Europeans whilst maintaining – and indeed, enhancing – the repression and exclusion of the Muslim majority. This twofold undertaking and the inherent contradictions of applying the *jus soli* principle to the minority of residents of a certain territory led to the codification and entrenching of the settler colonial order.

This chapter offers a new reading of the 1889 naturalisation law and its wider historical significance. Leading historians of colonial Algeria, most notably Charles-Robert Ageron and David Prochaska, have rightly described 1889 as the birth of the settler society – a measure which led to the political assimilation and the socio-cultural integration of the Europeans within the French institutions of elections, education and military service.² Historians of citizenship in France, for their part – most notably Patrick Weil – have acknowledged the impact of the 1889 reform on Algeria.³ But the political and intellectual entanglements between Algeria and the metropole in the 1880s, which were crucial for the understanding of the 1889 citizenship reform, remain mostly unexplored in the literature. A rare exception is provided by Laure Blévis in her doctoral thesis. Discussing the struggles over the 1889 law in Algeria, Blévis acknowledges the exclusion of Algerian Muslims from the law's reach once it was passed and applied to the colony.⁴ Yet as this chapter argues, the 1889 law did not only re-affirm the status quo but in fact was a crucial stage in the cementing of the political exclusion of the Muslim population.

Building on Laure Blévis's concept of colonial law in Algeria as a "republican exception", the following pages investigate debates on naturalisation in Algeria during the 1880s and the partial application of the 1889 law as a significant fracture of French citizenship.

² Ageron, *Histoire de l'Algérie contemporaine*, 118; David Prochaska, *Making Algeria French* (Cambridge: Cambridge University Press, 1990), 145-6.

³ Weil, *Qu'est-ce qu'un Français*, 90-1.

⁴ Blévis, "Sociologie d'un droit colonial," 89-93.

Discussing the partial application of the new citizenship law to Algeria alongside special dispositions designed to maintain the colonial order, this chapter stresses the role of the 1889 citizenship reform in turning Algeria into a terrain of permanent state of exception. Whilst the sénatus-consulte of 1865 originally applied to all non-French residents of Algeria, - thus distinguishing between the colony and the metropole rather than between different populations in the colony – by 1889, it applied to the Muslim population only, thus instituting a permanent exception to French citizenship. In colonial Algeria, then, universal principles of citizenship were replaced by ethnically grounded categories of inclusion and exclusion. By the end of the 1880s, the myriad of legal statuses which had still been in place in 1865 was replaced by a clear-cut legal contrast: French citizens versus Muslim subjects.

Before we can discuss the content of the naturalisation and citizenship reform, we must situate these debates within the historical context of changing methods of colonial rule: from expropriation and expulsion on the ground towards political forms of exclusion. The first section of this chapter discusses this shift in colonial thinking over Algeria in the 1880s, by which colonial settlement ceased to be seen as the most efficient means of domination. The limited number of settlers drawn to Algeria in the 1870s, coupled with an increasing appreciation of the deprivation of the local population brought about by land seizure since the early 1870s led to growing criticism of expropriation and settlement.

At the same time, both amongst the Algerian administration and the French government, the growing non-French European population was increasingly seen as a menace and indeed a peril to France. Ten years after the repression of the Kabyle uprising, the colonial administration was confident enough in its grip over the local Muslim population to turn its attention and suspicions to the Italians and Spaniards residing in Algeria and to portray them as the main danger to France. The heterogeneity of the non-French European population

in Algeria and the resulting French perceptions of an imminent *péril étranger* in Algeria are discussed in the second section.

Those two developments – disillusionment with settlement schemes and growing hostility towards non-French Europeans – led the Algerian administration to look for naturalisation as a means to maintain the French majority in Algeria. The third section discusses the correspondence between Algiers and Paris and the legal acrobatics designed to apply to Algeria the *jus soli* without applying this principle to any part of the Muslim population. As this section demonstrates, these elaborations resulted in new interpretations of such categories as “European” and “Muslim”, in ways which consolidated the colonial order in Algeria for decades to come.

However, elaborations on assimilation, descent, and identity inevitably opened a more general debate on the boundaries of the *cite française*. At the same time, growing criticism of the excesses of the Code de l’indigénat led to the first, mostly reserved expressions of doubt about the nature of colonial rule in Algeria. These initial calls for colonial reform remained on the fringes of the French political spectrum throughout the 1880s and the 1890s. However, they deserve to be considered as testimonies – however rare – of contemporary appreciation of the contradictions and injustices of colonial rule in Algeria. The final section of this chapter is dedicated to a discussion of such critical impulses – and their limitations.

I. From settlement to naturalisation

In the 1880s, colonial settlement lost much of its prestige in political and administrative circles in Algiers and Paris and led many to view naturalisation as a preferable method. A peak in settlers’ numbers was reached with the *colonisation officielle* of the early 1870s, launched with the Alsace-Lorraine settlement scheme, but numbers were rapidly decreasing by the end of the

decade.⁵ Governor general Tirman's aforementioned statement on the need to adopt mass naturalisation to maintain French dominance in Algeria signalled a major shift. In late 1884, Tirman told the Conseil supérieur of the Algerian administration: "Malgré les efforts de l'administration pour attirer dans ce pays un courant de population française, malgré les concessions distribuées aux familles de cultivateurs choisies avec soin parmi celles comptant le plus de membres, l'élément étranger gagne sensiblement et déjà, à Oran, l'emporte sur l'élément national."⁶ As this section will show, a general disillusionment about the prospects of colonial settlement, coupled with a shrinking French majority in Algeria – from c. 26,000 in 1865 to only c. 14,000 in 1881 – led the administrators to rethink the methods of colonial rule.

Alongside disillusionment with colonial settlement, the shift towards the politics of citizenship was the result of growing opposition in the metropole to the expropriation and land seizure of the 1870s. Five decades after its occupation and four decades since the arrival of the first settlers, the idea of Algeria as a "colonie de peuplement", where the population ought to grow steadily, was on the retreat. In parts of the Parisian press, in articles written by former colonial administrators, and later even in the Assembly, there was a growing appreciation of the devastating effects of sequestration and expropriation on the local population. In 1891, a law from 1873 initiated by settlement lobbyist Auguste Warnier and designed to drive local populations out of their lands was suspended amid reports of the impoverishment it had caused. As discussed in Chapter One, Warnier sought to replace the collective land ownership dating back to the Ottoman era with the French system of individual ownership, thus paving the way for private French actors wishing the purchase land in Algeria. The suspension of this law in

⁵ Guignard, *L'Abus de pouvoir*, 111.

⁶ CAOM, F80/2043: Extrait des procès-verbaux du Conseil du Gouvernement général de l'Algérie, 8 August 1884.

1891 was part of a growing realisation in the metropole of the impoverishment and suffering inflicted upon the local population by expropriation and settlement.⁷

The growing scepticism regarding colonial settlement is best showcased by the controversy and eventual dismissal of a new suggested settlement scheme. In 1882, the moderate republican deputy for Constantine, Gaston Thomson (1848-1932), advocated in the Assembly the establishment of 300 new colonial villages throughout Algeria. Thomson explained that “la question principale était d’activer et plus que possible en Algérie le développement de la population française.”⁸ With this proposal, Thomson, who would serve as deputy for a record number of almost 55 years, relied on the two principles which had guided the colonial administration and settler representatives in previous decades: unrestricted land seizure and domination through settlement. Yet the public mood had changed significantly by the 1880s: With no perceived threat of renewed uprising and the patriotic fervour of the early 1870s long gone, his proposal was met with opposition from rather unexpected sources.

One of the most surprising critics of the new settlement scheme was Count d’Haussonville who, as discussed in the Chapter One, had been a crucial driving force of the Alsace-Lorraine settlement project in the early 1870s. In a study published in 1883 and much debated in the Parisian press, d’Haussonville argued against any new attempts at state-initiated settlement, explaining that it was not the government’s role to recruit settlers. Furthermore, he argued that no further land ought to be acquired by the state, since the Algerian administration already possessed enough land.⁹ In the early 1870s, Haussonville’s association was pushing for unlimited land acquisition even when the land required for the Alsace-Lorraine project had

⁷ Jean-Pierre Peyroulou et al., “1830-1880: la conquête coloniale et la résistance des Algériens – chronologie,” in *Histoire de l’Algérie à la période coloniale*, ed. Abderrahmane Bouchène et al. (Paris: La Découverte, 2012), 51.

⁸ Rapport fait au nom de la commission chargée d’examiner le projet de loi ayant pour objet de mettre à la disposition de M. le Ministre de l’Intérieur et des cultes une somme de 50 millions de francs [...], p. 10, cited in: Comte d’Haussonville, ‘La colonisation officielle en Algérie – II,’ *Revue des deux Mondes* 58, 1 July 1883, 80.

⁹ D’Haussonville, ‘La colonisation officielle en Algérie – II,’ 102.

long been acquired, and changes to Algeria's land ownership regime were seen not as means to an end, but as an objective in its own right. The fact that such a staunch supporter of colonial settlement as d'Haussonville now endorsed the opposite position indicates a major shift in colonial thought, and in public debates on Algeria more generally.

An even fiercer attack on colonial settlement as a method of colonial rule was advanced by a new society founded in Paris in early 1882 under the name *Société française pour la protection des indigènes des colonies*. The society was founded above all in reaction to the approval by the Assembly in 1881 of the Code de l'indigénat – a repressive set of laws designed to tighten the colonial administration's grip on almost every aspect in the life of the local Muslim population (we will return to the Code de l'indigénat later in this chapter). Though short-lived and not of a large membership – it counted c. 300 members at its peak – this new society nevertheless opened a public debate both in France and Algeria on the conditions of the Muslim population. This was mainly due to its high-profile members. These included, for instance, Ferdinand de Lesseps, who had played a major role in the construction of the Suez Canal, as well as public figures not immediately related to colonial expansion – for instance the chief rabbi of Paris, Zadok Kahn.¹⁰ The society was presided by the economist Paul Leroy-Beaulieu (1843-1916), who had established himself as a prominent commentator on colonial matters with a study from 1874 entitled *De la colonisation chez les peuples modernes* and was now advancing an alternative vision for the French empire: “Bien loin de voir, quant à moi, dans les indigènes un obstacle à la colonisation, je vois en eux des instruments utiles, des auxiliaires précieux. Je réprouve cette prétendue colonisation qui ne sait se signaler que par la violence et par le dédain des droits de l'homme.”¹¹

¹⁰ Ageron, *Les Algérins musulmans*, 423-4.

¹¹ Paul Leroy-Beaulieu, ‘Lettre aux membres de la société’, *Bulletin de la société française pour la protection des indigènes des colonies* vol. 1, no. 1, (March 1882), 2.

The campaign against a renewed wave of colonial settlement was the most significant and indeed the only tangible achievement of Leroy-Beaulieu and his society. Leroy-Beaulieu argued against this project not only in the society's publications, but, more importantly, in the more widely read *Revue des deux Mondes*. In an article from July 1882, he wrote: "Quand on voit combien les spoliations territoriales laissent de haines tenaces chez les descendants de ceux qui en ont été victimes, on ne peut que frémir à l'idée que notre gouvernement irait exproprier aux Arabes 300,000 hectares de terres par les procédés qu'il a jusqu'ici employés."¹² Once the project was dropped, the society published several letters and articles by Muslim notables from Algeria congratulating it upon its success. One of the most assertive amongst them was written by Tounsi Ahmed Ben Mohammed Etshalbi, a former interpreter for the French army decorated with medals of both the French and the Ottoman honorary legions. His attack on the settlement project went far beyond the criticism expressed by French contributors to denounce the very nature of colonial rule in Algeria:

On dit encore que l'expropriation des terres des indigènes de l'Algérie est demandée dans un but d'utilité publique; cependant, ce n'est pas un cas d'utilité publique que d'exterminer un peuple d'environ trois millions d'hommes. Nous comprenons l'utilité publique pour ouvrir un chemin ou une rue, une place publique ou un canal d'irrigation et d'autres édifices d'intérêt public, mais pas pour déposséder un peuple d'environ trois millions de sujets qui payent un fort impôt depuis cinquante-trois ans et pour donner leurs terres, leurs jardins, maisons et silos gratuitement à d'autres qui ne payent aucun impôt direct.¹³

¹² Quoted in: F.L.B. 'Revue de la presse algérienne', *Bulletin de la société française pour la protection des indigènes des colonies* vol. 1, no. 3, (September 1882), 222.

¹³ Tounsi Ahmed Ben Mohammed Etshalbi, 'Mémoire sur le passé et l'avenir des indigènes en Algérie', *Bulletin de la société française pour la protection des indigènes des colonies* vol. 2, no. 5-6 (June-September 1883), 24-25.

Though the French members and supporters of the society would have hardly shared this devastating verdict, they did call for a general rethinking of colonial settlement and depicted past projects in very critical terms.

The campaigns led by the Société de protection des indigènes and by various Parisian journalists in the 1880s succeeded in raising awareness in the metropole of the hunger and impoverishment inflicted upon the local Muslim population in Algeria by expropriation and expulsion. The most instructive example of this slowly changing public mood is that of Jules Ferry, in many senses the godfather of third-republican expansionism in the early 1880s. Following reports from Algeria and a private visit, he became aware of the scale of expulsion and demanded a parliamentary enquiry to study the situation. This demand was fulfilled in 1891, when Ferry presided over the senate's enquiry commission which studied the situation in Algeria for two years, marking a peak of metropolitan awareness of the situation in Algeria.¹⁴ From the 1880s, settlers lost much of their patriotic aura and settlement schemes much of their reputation. Disillusioned with the prospect of attracting large numbers of French nationals to Algeria and alarmed by the numbers of non-French settlers, the colonial administration turned to naturalisation and the politics of citizenship, as we now turn to see.

II. The *péril étranger*

Alongside disillusionment with the prospect of settlement projects, what led the colonial administration to seek the collective naturalisation of the colony's European population was a concern over their growing percentage within the settler population and their alleged reluctance to "assimilate". As this section will show, the early 1880s witnessed a twofold tendency amongst the colonial administration and metropolitan commentators: First, the large

¹⁴ Ageron, *Les Algériens musulmans*, 439-50, Guignard, *L'Abus de pouvoir*, 383-8.

concentrations of Spanish and Italian nationals were increasingly portrayed as the main menace to French domination over Algeria. A decade after the violent repression of the Kabylean uprising, the administration was confident enough in its grip over the Muslim population to turn its attention to a new perceived peril in the never-ending search for threats and dangers which underlay the colonial order: the “péril étranger”. Second, and as a result of the first tendency, administrators and politicians sought a rapid and thorough “francisisation” of this myriad of social groups. Naturalising this heterogeneous population, it was hoped, would facilitate its “francisisation” by subjecting it to the republican institutions of the French school and mandatory military service. The Algerian administration now looked to mass naturalisation as the method to tighten its grip over the colony.

The percentage of Spanish and Italian nationals within Algeria’s colonial population was indeed steadily growing, and led prominent thinkers to ponder on reasons and solutions. By 1883, only c. 55% of an overall colonial population of c. 424,000 were French nationals.¹⁵ Various commentators sought to explain the slow growth of the French colonial population in Algeria. D’Haussonville, for instance, echoed a widely accepted view when saying that the French were “naturellement sédentaire, attachée au sol, peu portée à l’émigration”.¹⁶ Leroy-Beaulieu himself, in a major study from 1887, explained the decline of the French population with high mortality rates compared with those of the Italians and Spaniards, stemming from different patterns of settlement: Whilst the French often settled south of the Atlas and worked as farmers, the Spanish, Italian and Maltese population tended to remain in the coastal cities and towns and worked as craftsmen and merchants.¹⁷ Whether due to a general reluctance to migrate, geographical conditions or different patterns of settlement, different commentators

¹⁵ Figures cited in: d’Haussonville, ‘Le colonisation officielle en Algérie – II,’ 80.

¹⁶ Ibid, 81.

¹⁷ Paul Leroy-Beaulieu, *L’Algérie et la Tunisie*, 2nd edition (Paris: Guillaumin et cie, 1897), 32-33.

shared a concern over the declining percentage of French nationals in Algeria's colonial population.

But numbers only tell part of the story. Alongside statistical data, what fuelled anxieties over the Spanish and Italian presence in Algeria was their alleged reluctance to “assimilate” and their supposed tendency to form communities of their own. This notion of threat was particularly strong amongst the Algerian administration. Governor general Tirman, addressing the administration's *conseil supérieur* in late 1884, warned: “Les Espagnols sont dans le département de l'ouest en majorité et s'y considèrent comme chez eux. Il est indispensable que les étrangers soient plus facilement dénationalisés et amenés vers nous.”¹⁸ A few months later, Tirman told the Minister of Justice that there was a “nécessité d'une prompte francisation des groupes étrangers déjà en majorité sur plusieurs points de l'Algérie”.¹⁹ When drafting a bill proposal aimed at naturalising the Spanish and Italian population, the *conseil supérieur* agreed that “la présence sur le sol français d'agglomérations étrangères de plus en plus denses et, par suite, de moins en moins susceptibles de désagrégation, constitue, au point de vue national, un véritable péril.”²⁰ In light of such concerns, swift naturalisation was seen as a measure of urgency.

This new vocabulary of menace and peril and the perceived urgency of naturalisation were supported by legal milieus in Algeria. In 1885, Alfred Dain (1851-1892), the colony's leading legal expert and a close advisor of the Algerian administration, published his study on the naturalisation of European foreigners in Algeria, commissioned by the governor general.²¹ Whilst arguing that the problem of absorbing foreigners into French society was not unique to

¹⁸ CAOM, F80/2043: Extrait des procès-verbaux du Conseil du Gouvernement général de l'Algérie, 8 August 1884.

¹⁹ CAOM, F80/2043: Gouverneur général au président du conseil, 23 May 1885.

²⁰ CAOM, F80/2043: Projet de loi relatif à la naturalisation des étrangers en Algérie: Exposé des motifs, March 1885.

²¹ Dain, *Étude sur la naturalisation des étrangers en Algérie*, 3-4, note 1.

Algeria, Dain nevertheless claimed the necessity to be particularly pressing in the colony. His study flagged not only the numbers of foreigners in Algeria, but above all their geographic concentrations. Qualifying such enclaves as “colonies”, he argued demographic studies to have shown that ethnic groups concentrated in one area tend to be particularly reluctant to integrate in the majority society (“désagglomérer”).²²

In all the debates and deliberations of the 1880s, the Spanish population in the department of Oran was depicted as the main menace to French domination in Algeria. Many of them, argued Dain in his study, were not even fully aware of their legal status: “Nés en Algérie, ils vivent dans cette illusion qu’ils sont, par cela même, ‘Algériens’, c’est-à-dire Français; la plupart sont imbus de cette idée, exacte en plus d’un pays, que la nationalité est attachée à la naissance sur le sol.”²³ Furthermore, according to a Spanish-French treaty from 1862, Spaniards born in France or Algeria were enlisted to the French rather than the Spanish army, which added to the confusion regarding their nationality. The problem, then, was not only the growing number of non-French Europeans in the colony or their geographical concentration, but a lack of attachment to the French polity.

In a similar development to the prelude of the Crémieux decree, French administrators, politicians and commentators disagreed on whether citizenship should be used as a vehicle for assimilation or rather be granted to those individuals showing a satisfactory level of integration. Moderate republican deputy for Oran, Eugène Etienne, for instance, attacked plans to naturalise the Spanish population there with harsh words: “En contact tous les jours avec leurs coreligionnaires, ces nouveaux venus conserveraient leurs mœurs, leurs tendances, leurs goûts, leurs espérances. Ils accepteraient d’être Français dans un seul but de [...] préparer moralement l’annexion du département d’Oran à l’Espagne, ce qui est dans l’esprit de beaucoup

²² Ibid, 8, 11.

²³ Ibid, 10.

d’Espagnols.”²⁴ Liberal economist and colonial reformer Leroy-Beaulieu, for his part, though attentive to the notion of a secessionist threat expressed by Etienne, argued social and political assimilation to be the only means to avert such danger: “Les divers modes de naturalisation, les mariages mixtes, l’école surtout, le culte aussi, devront faire que nos efforts n’aient pas ce lamentable résultat.”²⁵

Though the Spanish population in the west of Algeria was seen as the most pressing threat to French rule, much attention was also given to the Italian “colonies” in the coastal towns of the Constantine department, where more than two-thirds of the Italian population lived. Marked flows of Italian seasonal labourers seeking employment in Algerian agriculture and public works during the winter months had already been recorded in the first decades of French occupation, but it was not until the 1870s that a pattern of permanent residency emerged.²⁶ Only rarely was Algeria their first destination: most of these immigrants first sought employment in France and continued to Algeria when their efforts turned out to be in vain. By the 1880s, the Italian population outnumbered the French in the coastal cities of Calle, Philippeville and Bône. Bône, the city with the third largest non-French European population in Algeria after Algiers and Oran, was particularly important for the discourse of Italian “colonies” and “agglomérations”: In his study of the colonial society in Bône, David Prochaska has shown not only the geographical concentration of its c. 6,000 Italian residents in certain parts of the city, but also their marked presence in certain economic sectors, mainly the building sector or day labour in agricultural farms.²⁷

Whilst the Italian and Spanish populations preoccupied French administrators and commentators due to their large concentrations, by the 1880s the small Maltese population was

²⁴ Cited in Ageron, *Histoire de l’Algérie contemporaine*, 122.

²⁵ Leroy-Beaulieu, *L’Algérie et la Tunisie*, 42.

²⁶ Prochaska, *Making Algeria French*, 150-1; Gaston Loth, *Le peuplement italien en Tunisie et en Algérie* (Paris: A. Colin, 1905), 136-7, 158-9.

²⁷ Prochaska, *Making Algeria French*, 165-70.

present as a distinct community in memories and myths rather than actual numbers. The Maltese were amongst the first European immigrants to arrive in Algeria following French occupation, and in the 1840s constituted 15.5% of the European population. However, their percentage dwindled rapidly as Italians and Spaniards arrived in large numbers, and by 1876 they constituted no more than 4% of the settler population. Their presence was felt above all in the Constantine province, where they still constituted half of the European population in 1850. In the city of Bône, the Maltese community numbered a few hundred individuals in the 1880s. Like the Italians, they were mostly employed in the construction sector or as shopkeepers, whilst those worst off earned their living as porters on the quaysides of port cities and as pedlars.²⁸ In the late 1950s, the Maltese were still present enough in the public memory and imagination of the European community for Camus to identify a muscular gallant attracting the attention of the author's beloved mother as "Maltais d'origine".²⁹

What makes the Maltese community significant in the context of naturalisation and francisation are perceptions of its Otherness amongst French observers. Andrea L. Smith has reconstructed a certain anti-Maltese sentiment in the 1840s and 1850s, centring around a notion of Malta as situated – both geographically and culturally – in between Europe and Africa and of Maltese settlers as occupying a liminal position in Algeria. It was above all the Maltese language, originating from ninth-century Maghribi Arabic, which troubled many a French commentator. And, as was common in the mid-nineteenth century, this linguistic observation led many to speculate on the "racial" origins of the Maltese. Though such claims dwindled with the arrival of other population groups around the 1850s, some echoes of this reasoning can still be found in the 1880s.³⁰

²⁸ Andrea L. Smith, *Colonial Memory and Postcolonial Europe: Maltese settlers in Algeria and France* (Bloomington: Indiana University Press, 2006), 70-71.

²⁹ Camus, *Le premier homme*, 115.

³⁰ Smith, *Colonial Memory*, 85-9, 93-4.

If Oran, and to a lesser extent Constantine were often depicted as the hotbeds of the *péril étranger*, the city of Algiers occupied a position far more ambiguous in the European culture and society of colonial Algeria. Both in the writings of Europeans in Algeria and in French accounts of the colony, Algiers was often depicted as the Algerian melting pot, the birthplace of a new society to emerge from the “fusion des races” of the various Mediterranean populations residing there. Both as a real place and as the centre of settler literature, popular culture and historical myths, Algiers was one of the most important tropes in the attempt to forge an “Algerian” – i.e. common European – identity and culture.

This “Algerian” identity was forged, above all, through popular culture – most famously through the stories of the popular literary figure of Cagayous. Created in Algiers in 1895 by Musette, the literary pseudonym of a low-rank administrator, the stories of Cagayous were the most ambitious attempt to create a local hero and folklore, using the Algerian dialect, the *pataouète*. Of a mixed European origin, Cagayous (Occitan or Catalan for “gummy”, but, as linguist Paul Siblot notes, an explicit audial reference to the Latin root “cacare” and its variations in Latin languages) was a popular embodiment of the “fusion des races” notion.³¹ The feuilletons with his stories were often sold out within hours, and he is remembered for the words put in his mouth by his creator, reposting to the question “Êtes-vous français?” with “Algériens nous sommes!”. But as James McDougall has shown, despite their celebration of vitality, instinct, sexuality and youth, reading the Cagayous stories had already become an act of cultural nostalgia by the First World War.³²

As for *pataouète*, this was an equally celebrated symbol of a distinct identity shared by the European society in Algeria. Spoken mainly in Algeria’s port cities, this dialect borrowed

³¹ Paul Siblot, “« Cagayous antijuif ». Un discours colonial en proie à la racisation,” *Mots*, no. 15 (October 1987): 61.

³² McDougall, *A History of Algeria*, 112.

words from Spanish, Italian and southern French dialects, as well as Arabic – with a clear preference for curses.³³ However, as Siblot explains, *pataouète* never became an autonomous language with its own grammatical patterns, but was and remained an Algerian dialect of French. And, as McDougall has observed, the process of francisation influenced linguistics just as much as any other area of Europeans’ life in Algeria. After the mandatory education law of 1883 and with 84% of Europeans in Algeria attending French schools by 1901, *pataouète* was being rapidly replaced by standardised French as the main communication language for the colony’s European population.³⁴ *Pataouète* was and remained a powerful symbol, not to say a simulacre, of a popular, bottom-up tendency of unification, an alternative to the official policy of “francisation” as envisaged and initiated by the metropole.

Of course, Cagayous and *pataouète* were but the most popular expressions of the “melting pot” notion, which was a running thread of francophone fiction in and about colonial Algeria. In *Writing French Algeria*, Peter Dunwoodie has traced much of the currents and styles of literature written by Europeans in the colony, most importantly by Louis Bertrand (1866-1941), born in Lorraine and based in Algiers throughout the 1890s. Dunwoodie describes Bertrand’s political and literary development as follows: “Deeply disturbed by the French defeat of 1871 at the hands of the Germans, Bertrand discovered in Algeria a compensatory image of a victorious, conquering France. Brutalised by the fate of his native Lorraine, he saw the expansionism of the settler community as a sign of recovery (...).”³⁵ Bertrand thus became a leading voice portraying the European community in Algeria as the emergence of a new, Mediterranean civilisation. As Dunwoodie argues, this was the most important characteristic of settlers’ self-image, “the consciousness of forming a new beginning

³³ Prochaska, *Making Algeria French*, 224.

³⁴ McDougall, *A History of Algeria*, 112.

³⁵ Peter Dunwoodie, *Writing French Algeria* (Oxford: Clarendon Press, 1998), 84-5.

before which there was only a wilderness to be tamed and indeed, since the latter is by definition pre-cultural, a void to be filled.”³⁶

The trope of the “fusion des races” was advanced not only through novels and literary figures, but as means to assert France’s domination over Algeria. Leroy-Beaulieu, for instance, suggested an economic reasoning in support of the “melting pot”:

Si l’on réfléchit que la population dite française est déjà un peu bigarrée, on se rendra compte de la proportion de plus en plus forte d’alliage que subit l’élément français en Afrique. On ne doit, d’ailleurs, pas le regretter; en s’alliant aux Espagnols, aux Italiens et aux Maltais, la race française, si elle perd de sa pureté, accroît sa force de résistance au climat. Les unions mixtes doivent être recommandées au simple point de vue physiologique. [...] Les unions entre les Français et les races plus méridionales rendront l’acclimatation définitive plus aisée et plus prompte.³⁷

What was at stake, then, for Leroy-Beaulieu as for the Algerian administration, was the homogenisation of the colonial population in Algeria. By naturalising the Spaniards and Italians, French authorities hoped to subordinate them to the powerful agents of francisation, above all mandatory education and military service. Even before the collective naturalisation of 1889, the Algerian administration exerted pressure on foreigners to apply to be naturalised by banning non-French nationals from voting in municipal elections in 1883.³⁸ What was born out of the intensive debates on French citizenship throughout the 1880s was not merely a technical change to the terms of naturalisation, but a new identification between society and polity. Whereas in the period prior to 1889 a myriad of social groups and political statuses

³⁶ Ibid, 117.

³⁷ Leroy-Beaulieu, *L’Algérie et la Tunisie*, 43.

³⁸ Ibid, 36, note 2.

existed, the 1889 law demarcated much more strongly the boundaries of within and without. After the political inclusion (at least in principle) of the Algerian Jews in 1870 and the practical elimination of a foreign European population in 1889, a new, clear-cut division emerged: A small community of French citizens composed of the French, the Jewish and the European populations, and a majority of colonial subjects, now composed exclusively of the local Muslim population. It is to the making of this clear-cut division that we now turn.

III. European inclusion and Muslim exclusion

In its quest to maintain French dominance through naturalisation, the Algerian administration pursued – and ultimately achieved – a twofold objective: To facilitate the political inclusion of the Spanish and Italian population whilst maintaining the exclusion of the Muslim majority. Legal expert and advisor Alfred Dain argued in his 1885 study, introduced earlier this chapter: “Il ne faut pas oublier, en effet, que la France, à la différence de l’Angleterre, n’admet pas une nationalité coloniale. Le titre de Français, fût-il obtenu en Algérie, confère partout des droits identiques.”³⁹ Throughout the 1880s, the Algerian administration was engaged in the search for a legal formulation which would allow it to collectively naturalise the Spanish and Italian populations, and only them. The achievement of this goal with the collective naturalisation of 1889 and the continued exclusion of the Muslim majority amounted to nothing less than a fracture of French citizenship. The fact that different and indeed contradicting principles were applied to different populations – naturalisation for Europeans, exclusion for Muslims – may seem in hindsight like a self-evident feature of colonial rule. But this was in fact the result of a specific political development: the victory of the settler lobby in its struggle to preserve its

³⁹ Dain, *Étude sur la naturalisation des étrangers*, 15.

privileges. As this section will show, this victory resulted in the enshrinement of discrimination into the Code civil – a crucial moment in the exclusion of Muslims from French citizenship.

The naturalisation of the European population in Algeria was achieved in 1889 by applying to the colony a new legislation in the metropole, motivated by similar concerns over the “*péril étranger*” and entailing a major reform of French citizenship.⁴⁰ This reform replaced the *jus sanguinis* (“right of blood”), introduced to the Code civil by Napoleon in 1807 and determining citizenship according to descent, by the *jus soli* (“right of the land”), determining citizenship according to the birth in French territory. Throughout the 1880s, the Algerian administration was engaged in intensive consultations with the government in Paris, seeking the adoption of the *jus soli* in Algeria alongside restrictions designed to maintain the exclusion of Muslims. This goal was fully achieved when the 1889 citizenship reform was applied to Algeria in conjunction with special dispositions. What emerged out of the reform of 1889, then, was a merely conditional application of the Right of Land principle – a formula which can best be described as “*jus soli minus Muslims*” (coinage of this thesis).

As early as 1881, the Conseil supérieur transmitted draft legislation to the Ministry of Justice, seeking the collective naturalisation of the colony’s European population.⁴¹ Once debates on citizenship reform began in Paris, the Algerian administration sought to convince legislators and Ministry of Justice officials to apply the planned reform to the colony – with certain modifications. In fact, the goal pursued by the Conseil supérieur was even more ambitious than in the metropole: Whilst the Senate suggested declaring a French citizen upon birth any foreigner born in France to parents born there as well, the Algerian administration sought to naturalise the *first* generation of foreigners in Algeria – a proposal revealing the sense

⁴⁰ Weil, *Qu’est-ce qu’un Français?*, 73-7.

⁴¹ Dain, *Étude sur la naturalisation des étrangers*, 3-4, note 1.

of urgency amid the imminent loss of the French majority.⁴² Such proposals were met with little understanding in the Ministry of Justice, where legal experts saw no possibility of modifying such a major reform of the Code civil according to the needs of the Algerian administration. In fact, the Ministry of Justice originally planned to exempt Algeria from the new legislation – much to the distress of the Algerian administration, which pressed for the reform to be applied to the colony as well.⁴³

Pressure by the Algerian administration to apply the 1889 law to the colony ultimately bore fruit. Though the secondary goal of naturalising the first generation of Europeans in Algeria failed, the Algerian administration fully attained its primary objective: to facilitate the naturalisation of the European population whilst maintaining the exclusion of the Muslim majority. In 1887, it was agreed that the new citizenship law would apply to Algeria *alongside the sénatus-consulte of 1865*.⁴⁴ This agreement was indeed implemented: The 1889 citizenship reform introduced the *jus soli* in the metropole as well as in Algeria and the small colonies of Guadeloupe, Martinique La Réunion in conjunction with the sénatus-consulte and further, unspecified dispositions applying to Algeria.⁴⁵

Technical though it may seem, the writing of the sénatus-consulte into the Code civil as part of the overall citizenship reform of 1889 was a crucial moment in consolidating the settler colonial order and cementing the exclusion of Muslims from the *cite française*. As discussed in Chapter Two, the sénatus-consulte of 1865 sought to regulate the legal status and the procedure for naturalisation of Jews, Muslims and non-French Europeans in Algeria. Whilst maintaining the status of Europeans as foreign nationals, with regards to the Muslim and Jewish

⁴² CAOM, F80/2043: Extrait des procès-verbaux du Conseil du Gouvernement général de l'Algérie, 8 August 1884.

⁴³ CAOM, F80/2043: Ministère de la Justice – Direction des affaires civiles au Gouverneur général, 6 December 1884.

⁴⁴ CAOM, F80/2043: Gouverneur général au Ministre de la Justice, 17 March 1887.

⁴⁵ 'Loi sur la naturalisation, 27 June 1889', *JO. Lois et Décrets*, 28 June 1889, 2977-8.

population, it created a legal distinction between nationality and citizenship, declaring: “*L’indigène musulman est français; néanmoins il continuera à être régi par la loi musulmane. [...] Il peut, sur sa demande, être admis à jouir des droits de citoyen français; dans ce cas il est régi par les lois civiles et politiques de la France.*”⁴⁶ The same legal status of a non-Citizen French national, or, to use a less technical language, colonial subject, was defined for the local Jewish population.

Whilst the sénatus-consulte of 1865 originally regulated the legal status and naturalisation conditions of all non-French populations in Algeria, the 1889 reform accomplished a process by which it was gradually confined to the Muslim population alone. Already in 1870, the Crémieux decree practically exempted the Jewish population from the sénatus-consulte, creating, de facto, a one-to-one correlation between the legal status of colonial subjects and the Muslim population. The 1889 legislation now cemented this correlation, not only by enshrining a remnant of Second Empire legislation into the reformed republican Code civil, but by exempting yet another group from its reach.⁴⁷ Simply put, whilst in 1865 only French nationals exercised civil and political rights in Algeria, by 1889, all residents of Algeria had been made full French citizens – except the Muslim majority.

This one-to-one identification between the Muslim population and colonial subjecthood was part of a wider intellectual development, which witnessed the redefinition of such categories as “religion” and “origin” to make these valid criteria for political inclusion and exclusion. A most instructive example is a formulation adopted by the Conseil supérieur, suggesting the naturalisation of “tout individu d’origine européenne” born in the colony. This phrase was used time and again in deliberations of the Conseil Supérieur and was included in

⁴⁶ Second Empire: Bulletin des Lois no. 1315: no. 13,504 – Sénatus-consulte sur l’état des Personnes et la Naturalisation en Algérie, 177 (archived in: CAOM, F80/2043). Emphasis added.

⁴⁷ ‘Loi sur la naturalisation,’ 2977-8.

its final legislation proposal submitted to the Ministry of Justice for review.⁴⁸ Though this formulation was eventually dropped, it reveals the emergence of a new, unprecedented perception of citizenship and participation.

For “European origin” was a completely new category to demarcate the boundaries of French citizenry. At a time preceding any attempt to create a common European polity, this term denoted a sphere which could be understood geographically, culturally or religiously – but not legally. In fact, throughout the nineteenth century, the boundaries of “Europe” were not merely ambiguous but indeed culturally and politically contested. Whereas Prince Metternich’s alleged remark that “the Balkan [at the time still under Ottoman rule – A.O.] begins in Vienna” has gone down in public memory as no more than a gibe, other contexts yielded lengthy debates on the actual borders of Europe. Russia was of course the most prominent case of such ambivalent attitudes. But even Poland, seen by German liberals of the early 1840s as a “bulwark against Russian barbarism” later came to be regarded as “Asian”, hence barbarian.⁴⁹ And as late as 1899, the American scholar William Ripely argued that “Beyond the Pyrenees begins Africa”,⁵⁰ reviving a long historical memory of a much fought-over Iberian Peninsula, from the Islamic state of al-Andalus to the Catholic Reconquista. In light of such ambiguities, the category “European” or “European origin” could only serve as demarcation category when contrasted with a clear “Other”. In colonial Algeria, this ultimate Other was the Muslim population.

⁴⁸ CAOM, F80/2043: Extrait des procès-verbaux du Conseil du Gouvernement général de l’Algérie, 8 August 1884; Projet de loi sur la naturalisation en Algérie, 6 March 1885; Gouverneur général au Président du conseil des ministres, 23 May 1885.

⁴⁹ Tessa Hofmann, “Der radikale Wandel: Das deutsche Polenbild zwischen 1772 und 1848,” *Zeitschrift für Ostforschung* 42 (1993): 376-7; Wolfgang Wippermann, “„Gesunder Volksegoismus“. Vorgeschichte, Verlauf und Folgen der Polendebatte in der Paulskirche,” in *1848 – Revolution in Europa. Verlauf, politische Programme, Folgen und Wirkungen*, ed. Heiner Timmermann (Berlin: Duncker & Humblot, 1999), 353-4.

⁵⁰ William Ripley, *The Races of Europe: A sociological study [...]* (London: Kegan Paul, 1899), 272.

Indeed, “European” – in Algeria as elsewhere – correlated most clearly with “Christian” or, to be even more specific, “Catholic”. In the hierarchical mind-map of colonial Algeria, Catholicism was crucial for the drawing of political boundaries. This was most clearly the case regarding the Maltese population. As discussed in the previous section, Malta’s proximity to Africa and, more importantly, the Arabic origins of the Maltese language not only earned the Maltese a dubious reputation, but also placed them as intermediaries between the Muslim population and the French, a position resembling that of the Jewish population, and which was loaded with similar prejudices. As late as the 1880s, travellers and ethnographers described the Maltese as distinctively different from other European communities in Algeria, stressing their “wild appearance” and speculating on the origin of their “race”.⁵¹ Their reputation as devout Catholics, and it alone, distinguished them from the Muslim population and associated them with the French, the Italians and the Spanish.⁵²

But Christian faith alone was not enough in order to be given political rights; rather, what occurred in Algeria was an increasing identification between religion and origin. This was true for Christianity just as much as for Islam, and the 1890s saw the emergence of yet another neologism: “origine musulmane”. Indeed, for Muslim subjects seeking naturalisation, conversion to Catholicism was no guarantee, as their descent remained the crucial factor, and they were often referred to as “chrétiens musulmans”.⁵³ The consolidation of religion and descent as criteria determining participation and rights, then, was not confined to theoretical debates. If “origine européenne” remained nothing more than a colonial caprice, the term “musulman” underwent such a change in the late nineteenth century to imply descent and maintain the repression of the local population. If the sénatus-consulte of 1865 created the legal

⁵¹ Smith, *Colonial Memory*, 93-4.

⁵² According to one report, when Cardinal Lavigerie first visited Malta he was received with enthusiasm by the local population, who was made familiar with his figure and undertakings through familial ties to Algeria. See: Renault, *Cardinal Lavigerie*, 274.

⁵³ McDougall, *A History of Algeria*, 107, note 61.

status of colonial subjecthood and the Crémieux decree brought about the correlation between this status and the Muslim population, law-making and jurisprudence in the late nineteenth and early twentieth century aimed to make the crossing of these strict boundaries impossible.

It is, therefore, no coincidence that the 1880s witnessed both the collective enfranchisement of the *European* population and the systematisation of the repressive regime governing the *Muslim* population – the Code de l’indigénat. Originating in French martial law, the Code de l’indigénat consisted of various decrees and orders and was deployed in Algeria following the gradual French occupation during the 1830s and 1840s. This remnant of martial law remained intact when a civilian regime was established after 1870. It was thus considered necessary to codify it in legislation, as was indeed done in 1881. What emerged was a highly repressive regime, rooted in martial law but executed either by civil servants or mayors. In Algeria’s “communes de plein exercice” – modelled after metropolitan communes and covering the territories where most of the European population lived – the Muslim population was in practice at the mercy of politicians elected by the Europeans and attentive above all to their interests.⁵⁴ A second type of communes – the “communes mixtes”, where the majority of the Muslim population lived – was run by appointed administrators possessing sweeping powers.⁵⁵

Legal status, then, was not a theoretical matter. Rather, it was a key factor in determining questions of taxation, jurisprudence and even an individual’s movement. In the colonial order that emerged in the 1880s and 1890s, this legal status became increasingly subjected to ethnicity and descent. Whilst the official precondition for naturalisation was to renounce Islamic civil legislation and jurisprudence and accept the Code civil, in practice, even Muslims who converted to Christianity were further subjected to the Code de l’indigénat. In

⁵⁴ Guignard, *L’abus de pouvoir*, 45-60, 282-8.

⁵⁵ Ageron, *Les Algériens musulmans*, 173-5, 184-92.

1903, the Appeal Court in Algiers justified this with the argument that the term “musulman” referred not only to confession, “mais qu’il désigne au contraire l’ensemble des individus d’origine musulmane qui, n’ayant point été admis au droit de cité, ont nécessairement conservé leur statut personnel musulman, sans qu’il y ait lieu de distinguer s’ils appartiennent ou non au culte mahométan.”⁵⁶ As Patrick Weil has argued, “Cette assignation à l’origine ethnique ou religieuse, qui maintient le musulman converti dans le statut de l’indigénat tant qu’il n’a pas fait l’objet d’une naturalisation [...] montre le caractère ethnico-politique et non pas simplement civil ou religieux, de ce statut.”⁵⁷

The legal and intellectual developments discussed here did not remain confined to the colony. Presented to parliament in 1881, the legislation on the Code de l’indigénat was considered excessive due to the sweeping disciplinary authorities entailed in it and was thus approved as a measure of exception for a period of seven years. From here on and until its abolition in 1928, this legislation was repeatedly debated – and approved – by the National Assembly.⁵⁸ Moreover, colonial legislation and the legal status of colonial subjects were the matter of various studies, articles and scholarly debates. They were taught at the law faculties of the metropole. Most importantly, as Laure Blévis has pointed out, jurists and parliament members construed colonial legislation “non pas comme une exception, mais comme une branche normale bien que marginale du droit français.”⁵⁹

⁵⁶ Cited in Weil, *Qu’est-ce qu’un Français?*, 354.

⁵⁷ Ibid, 355.

⁵⁸ Blévis, ‘*La situation coloniale*,’ 94.

⁵⁹ Ibid, 98.

IV. First calls for reform

Throughout the intensive debates on naturalisation and the Code de l'indigénat in the 1880s, several suggestions were made to apply some reforms or allow for some participation of Algeria's Muslim population. Rare and without success, such voices nevertheless merit scrutiny, as they highlight the contingent nature of colonial coercion and the occasions on which it was questioned – and reaffirmed. Moreover, they also help us draw a more complex picture of the political and intellectual landscape of colonial France. It is by studying critical voices and identifying the weaknesses and limitations of their critiques that we can identify the contours of an overriding political consensus.

Unsurprisingly, calls for reform were particularly rare amongst the Algerian administration. When in 1884 a member of the Conseil supérieur suggested that naturalisation of Europeans should be accompanied by reform to the legal status of Muslims, he was met with strong opposition, above all from governor Tirman who argued that the *statut personnel* posed a barrier and could not be changed.⁶⁰ It was the same Tirman who, after cautiously criticising the excesses of the Code de l'indigénat legislation shortly after his appointment in 1881, quickly retreated when told by other administrators “qu'il importe que les indigènes fussent absolument dans la main de l'administration.”⁶¹

Other, more persistent campaigns were launched in the metropole, most notably by the Société de protection des Indigènes, introduced in the first section of this chapter. As mentioned above, this society was initiated by liberal economist and overseas expansion advocate Paul Leroy-Beaulieu, who viewed the inclusion of colonised populations as an efficient means of empire building. The society was founded in response to the first debates on the Code

⁶⁰ CAOM, F80/2043: Extrait des procès-verbaux du Conseil du Gouvernement général de l'Algérie, 8 August 1884; Projet de loi sur la naturalisation en Algérie, 27 February 1885.

⁶¹ Cited in Ageron, *Les Algériens musulmans*, 175.

del'indigénat in 1881, in which the society sought to intervene on behalf of the colony's Muslim population. In 1885, the society launched a campaign to allow for Muslim naturalisation, publishing petitions by Algerian Jews in support of that policy.⁶² However, failing to abrogate or alter the Code de l'indigénat, the association was dissolved the same year.

Amongst the members of the Société de protection des indigènes, the fiercest critique against the Code de l'indigénat and the political exclusion of the Muslim population was expressed by its secretary general Henri de Lamothe (1843-1926). A prolific writer and contributor to various French newspapers, de Lamothe would become governor of Senegal from 1890 to 1894 and would remain a prominent proponent of colonial reform well into the twentieth century. In an article from September 1882, he deplored the repressive regime in Algeria in harsh, prophetic words:

Partout où il y a privilège d'une race, il y a hostilité plus ou moins latente et instinct légitime de révolte chez la race sacrifiée. Aussi nous n'hésitions pas à l'affirmer, si les nouvelles lois organiques de l'Algérie [the Code de l'indigénat – A.O.] devaient donner satisfaction aux tendances qui dominant malheureusement aujourd'hui parmi la population coloniale algérienne, elles consacraient l'établissement définitif dans notre colonie d'un état social et politique absolument analogue à celui que l'on rend justement responsables de l'effondrement à demi consommé de l'empire ottoman. On aurait une race dirigeante, monopolisant les emplois et les revenus, en face d'une race exploitée et toujours prête à l'insurrection. Entre les deux, un fossé pratiquement

⁶² Blevis, "La situation coloniale," 100; Ageron, *Les Algériens musulmans*, 348-9.

infranchissable creusé par la différence du statut légal et sans cesse élargie, par le mépris d'un côté, par la haine de l'autre.⁶³

Instead, de Lamothe proposed to grant political rights to every male resident of Algeria who could prove his proficiency in spoken and written French – and, though less explicitly stated, his willingness to “assimilate.”⁶⁴ Indeed, for de Lamothe, naturalisation did not equal the acceptance of Islam. Rather, de Lamothe reiterated a trope which was central to all French debates on citizenship in Algeria, from the Crémieux decree in 1870 to the Blum-Viollette project in the 1930s, namely that of naturalisation as religious reform. What distinguished the reasoning of colonial reformers of his breed from that of their opponent was the claim that such a reform was possible. Indeed, De Lamothe argued Islam to be even more susceptible to French influence than other religions: “Au lieu de heurter de front les idées, les traditions, les préjugés des Musulmans de l’Algérie, si nous savions nous servir des armes puissantes que nous donnent certains textes de leurs livres sacrés [...] nous formerions peu à peu une école de docteurs à l’esprit ouvert, bien plus aptes que nous-mêmes à conduire leurs coreligionnaires dans le voies du progrès et de la tolérance.”⁶⁵

The Société de protection des indigènes aroused much interest in the metropole with its campaigns – and fierce opposition in Algeria. In Paris, various newspapers took up its pleas for reforms.⁶⁶ In Algeria, the society was ferociously attacked by the settler press, and a counter-society was founded in Constantine under the name Société de protection des colons,

⁶³ Henri De Lamothe: ‘De la Représentation des indigènes’, *Bulletin de la société française pour la protection des indigènes des colonies* vol. 1, no. 3 (September 1882), 152-3.

⁶⁴ *Ibid*, 160.

⁶⁵ *Ibid*, 158.

⁶⁶ L.H. [Léon Hugonnet], ‘Revue de la presse parisienne’, *Bulletin de la société française pour la protection des indigènes des colonies* vol. 1, no. 1 (March 1882), 41-8.

which chose as its honorary president Paul Bert (1833-86), Radical deputy and former Minister of Education who had introduced racial theories into the French curriculum.⁶⁷

However, the most interesting – though in no sense representative – criticism of the Société de protection des indigènes came in fact from the celebrated geographer Élisée Reclus (1830-1905). A former Communard, an anarchist and a member of the First Internationale, Reclus visited Algeria as part of his scholarly work. Originally sympathetic to the association's goals, Reclus wrote to one of its members upon his return from Algeria in 1884:

Je reviens de l'Algérie avec l'horreur de la conquête, plus profonde que je ne l'éprouvais avant. J'ai là si souvent entendu répéter par des bouches guerrières: 'Il faut les tuer tous!' que je tiens absolument à éloigner mon nom de la liste de ceux qui admettent le principe de la conquête. Protéger les indigènes par des lois françaises doit conclure qu'ils resteront sujets français. Si par ma peau, mon langage et mes mœurs, je suis solidaire des conquérants, je n'ai qu'une chose à faire à l'égard des indigènes: me faire pardonner ma participation au crime. Je n'ai que faire au milieu des 'Protecteurs': nous n'avons ni les mêmes sentiments, ni le même vouloir, ne la même expérience.⁶⁸

Such a radical criticism of the very principle of colonial rule was rare and remained confined to the margins of Socialist politics. Notions of developed versus backward "races", of Europe spreading progress to the colonies were shared by various Socialist thinkers, not least by Karl Marx himself in an article on British rule bringing industry and the railway to India and thus paving the way to a revolutionary proletariat.⁶⁹ In France, the mainstream of the

⁶⁷ *Bulletin de la société française pour la protection des indigènes des colonies* vol. 2, no. 5-6, (June, September 1883), 99-100.

⁶⁸ Cited in: Federico Ferretti and Philippe Pelletier, "Sciences impériales et discours hétérodoxes? Élisée Reclus et le colonialisme français," *L'Espace géographique* 42, no. 1 (January 2013): 8.

⁶⁹ Karl Marx, "The Future Results of British Rule in India," in *The Collected Works of Marx and Engels. Electronic Edition* vol. 12 (Charlottesville, Va.: InteLex Corporation, 2006), 217-22.

Left supported colonial expansion with varying degrees of enthusiasm, with two main arguments: Either that it was the responsibility of French Socialism to spread Enlightenment and progress; or that, once the colonies have been conquered, French socialism would betray the colonised by leaving them to the mercy of the bourgeoisie.⁷⁰ The views expressed by Reclus in the letter cited above, then, were at the very fringes of the French political spectrum. In fact, some of the assumptions underlying this spectrum and the language through which it was articulated can be found in Reclus' criticism as well. Declaring his opposition to colonial rule and his rejection of any attempts to ameliorate it, Reclus nevertheless drew on criteria of skin colour, language and "customs".

Colonial and national interests were the rationale behind reform suggestions, too. In 1887, deputies Henri Michelin (1847-1912) of the far left and Alfred Gaulier (1829-98) of the Radical left proposed to declare the entire Muslim population in Algeria French citizens. Explaining the rationale behind their radical proposal, Michelin and Gaulier mentioned the shortage in manpower amongst the French army and maintained that sweeping naturalisation would allow it to recruit 200,000 soldiers.⁷¹ This suggestion was unique in that it did not imply any changes in matters of civil status and jurisprudence of the Muslim population. Indeed, Michelin and Gaulier suggested to abolish all measures of exception and all special regulations in Algeria – an idea which would have drastically limited the powers of the Algerian administration and which earned the two deputies fierce criticism in the Algerian press.⁷² Strong opposition came from Muslim representatives as well: in Constantine, dozens of

⁷⁰ Manuela Semidei, "Les socialistes français et le problème colonial entre les deux guerres (1919-1939)," *Revue française de science politique* vol. 18, no. 6 (Autumn 1968): 1118-9.

⁷¹ Ouanassa Siari Tengour, "Constantine 1887: des notables contre la « naturalisation »,» in *Histoire de l'Algérie à la période coloniale*, ed. Abderrahmane Bouchène et al. (Paris: La Découverte, 2012), 235-6.

⁷² Claude Lazard, *L'accession des indigènes algériens à la citoyenneté française* (Paris: Librairie technique et économique, 1938), 49-50; Ageron, *Les Algériens musulmans*, 349.

notables signed a petition to the Chamber of Deputies to protest against any change to their civil status.⁷³

Few and feeble as these voices were, they succeeded in raising the question and opening a debate on Muslim inclusion – both in Algeria and in the metropole. Michelin's and Gaulier's proposal was followed by other proposals which, though not brought to a vote, nevertheless showed that in the course of ever-closer integration and francisation of the colony, the question of Muslim participation could not be ignored.⁷⁴ Even the Algerian administration considered it necessary to explain why the planned naturalisation of the European population could not include any change to the legal status of the Muslims. Governor general Tirman, writing to the Minister of Justice in late 1884 to inform him about the views of the Algerian administration, emphasised that, for the time being, no modification was possible to the legal status of Muslims.⁷⁵ The same reasoning was provided as explanation for the continued exclusion of the Muslim population in a draft legislation for the naturalisation of Europeans prepared by the administration in 1885:

À l'égard des indigènes musulmans, le Gouvernement Général s'est posé la question de savoir s'il convenait de les comprendre dans les mesures nouvelles [...]. le principal obstacle à la naturalisation des indigènes vient de leur statut personnel [...]. Aucune réforme efficace ne pourra être apportée à la situation présente, tant qu'on ne sera pas en mesure de modifier ce statut. Or le moment ne paraît pas encore venu de prendre cette décision; ainsi le projet que nous vous

⁷³ Tengour, "Constantine 1887," 236-8.

⁷⁴ Ageron, *Les Algériens musulmans*, 462-3; Lazard, *L'accession des indigènes algériens à la citoyenneté*, 50-5.

⁷⁵ CAOM, F80/2043: Gouverneur général au Ministre de la Justice, 30 September 1884.

présentons se borne-t-il à maintenir, pour les indigènes musulmans, la réglementation actuelle [...].⁷⁶

What is revealing about this paragraph is above all its strong emphasis on time as the decisive factor of French-Muslim relations and the legal status of the Muslims. Rather than specifying any concrete social or economic conditions which must be achieved before any reform could be considered, this passage simply postpones any such debate to an undefined future. Nevertheless, even the colonial administration recognised the growing tensions and multiplying contradictions of colonial citizenship. Once a debate on citizenship and assimilation was opened, it could not be confined to one group, and no legal acrobatics could suppress the questions regarding the legal status of the Muslim majority.

By 1889, a myriad of legal statuses had been replaced by a clear-cut legal contrast: French citizens versus Muslim subjects. Yet the extensive debates which accompanied this development nevertheless raised the question of Muslim inclusion and kept it on the public agenda of colonial Algeria for decades to come. The engagement of the colonial administration with the question of the Muslim population's legal status seems to indicate a growing appreciation amongst official milieus that questions of exclusion and inclusion could no longer be avoided.

What the Algerian administration failed to anticipate – as did the French government and colonial reformers – was that the battlefield for struggles over the boundaries of French citizenry was about to shift and their monopoly was about to be broken. Politically enfranchised, a nascent European community would soon seek to assert its own vision for the demarcation of the *cité française* in Algeria. Pursuing the logic of ethnicity and origin which guided the naturalisation law of 1889 and the Code de l'indigénat, a wave of violent agitation

⁷⁶ CAOM, F80/2043: Projet de loi relatif à la naturalisation des étrangers en Algérie: Exposé des motifs (no date, evidently from March 1885).

was soon to erupt in protest against what was seen as an inconceivable, unforgiveable breach of this logic: the naturalisation of the “indigenous” Jews. This powerful assertion of a local, “Algerian” identity, as we now turn to see, shattered Algeria with its one, simple call: “A bas les Juifs!”.

Chapter Four: “Vive l’Algérie! A bas les Juifs!”

Settler anti-Semitism, citizenship, and the colonial order

On 21 May 1898, Edouard Drumont, the famous anti-Semitic writer and journalist, arrived from Oran in Algiers, the city he had been elected to represent at the Chamber two weeks earlier. Among the crowd gathering at the train station, composed of hundreds of supporters waiting to welcome him, was also a secret police agent. Police were following Drumont with growing nervousness ever since his arrival in Algiers from Paris at the invitation of local anti-Semites two months earlier to stand for the city’s parliamentary seat, worried by the unrest he was seeking to ignite. On that day, however, the report submitted to the central police commissaire sounded almost relieved when concluding: “Aucun cri n’a été poussé autre que celui de “A bas les Juifs”.”¹

What seemed like a reassuring sign for the police agent is also what makes the historical episode of the Algerian anti-Semitic crisis around the turn of the twentieth century such a complex problem: The chants and slogans that worried the authorities the most, as recorded in thousands of police reports, were not those directed against the Jewish population, but those asserting local identity and interests to challenge the metropolitan authorities. Anti-Semitism in Algeria was a popular response to the legal measures undertaken by the metropole in the previous decades, making full use of the political rights given to the Europeans in 1889 to demand the exclusion of Algerian Jewry. As this chapter argues, the anti-Semitic agitation of the late 1890s was an attempt to re-draw the boundaries of the *cité française*, based on nothing but ethnicity and descent and shorn of the republican pretence so dear to the French mainstream.

¹ CAOM, GGA 7G 17: Commissaire de Police au commissaire central à Alger, 21 May 1898.

The anti-Semitic crisis of the late nineteenth century can be explained by two main factors. First, on an immediate, everyday level, Jews were the most visible and menacing “Other”, since they mostly lived as petty merchants and artisans in the towns and cities of Algeria – as did the vast majority of the Europeans. Local stereotypes evolved accordingly, bringing together the racial and cultural hierarchies of French colonial culture with the olden images of European anti-Semitism: Jews were depicted as usurers, as barbarous, uneducated and unhygienic.² Second, as Ageron has shown, in the late 1890s, anti-Jewish sentiment was fuelled by a severe economic crisis: The reduction of credit to farmers in Algeria led to a wave of bankruptcies and increasing dependency on private creditors between 1896 and 1898. Against this background, depictions of “the Jews” as greedy usurers became particularly lethal.³ In the 1890s, anti-Semitism became the common platform for European-Algerian socialists, who described the fight against the Jews as the most important front of their social struggle. Such traits became influential amongst leading French socialists: In 1895, Jean Jaurès described Jewish creditors as the source of Muslims’ plight, and expressed his support of the fight against their power.⁴

Yet as this chapter argues, anti-Semitism in Algeria, particularly during the crisis of the late 1890s, was above all a struggle to exclude the Jewish population and re-define the *cit   fran  aise* in Algeria as purely European. On the level of political interests, this was an attempt to protect settler privileges: In the Algerian colonial system, grounded in the exclusion of the majority, the Jewish population made up a much higher percentage of the electorate than in the metropole. This was above all the case in the department of Oran, where the Jewish percentage of the electorate reached 15% and in some towns even 50%.⁵ Protests against the participation

² Emmanuel Sivan, “L’antis  mitisme comme reflet de la situation coloniale en Alg  rie,” in *Pa’amei Ma’arav. Etudes judeo-maghr  bines*, ed. Itzhak Bezalel (Jerusalem: Ben-Zvi Institute, 1983), 58-74. (Hebrew)

³ Ageron, *Les Alg  riens musulmans*, 592-4.

⁴ Michel Abitbul, *From Cr  mieux to P  tain: Antisemitism in Colonial Algeria 1870-1940* (Jerusalem: Zalman Shazar Centre, 1993) (Hebrew), 43.

⁵ Ageron, *Les Alg  riens musulmans*, 584-5.

of Jews in local elections occurred as early as 1871, and Jews remained the victims of repeated riots and violence during local and national elections. Opposition to the Jewish vote was particularly strong in Oran, where anti-Semites claimed a handful of Jewish leaders to be controlling the Jewish vote and dominating local politics.⁶

However, beyond the attempt to preserve settler privileges, this chapter offers a new interpretation of the crisis of the late 1890s in seeing it as a constitutive moment for conceptions of citizenship and inclusion in colonial Algeria. For the collective naturalisation of an “indigenous” population amounted to nothing short of a disruption of the political order in the colony, where the boundaries of within and without were drawn according to ethnicity and descent. The anti-Semitic movement was an attempt to correct this historical anomaly. The demand to denaturalise the Jewish minority was a logical step in the ethnically grounded political order founded in the 1880s by the Code de l’indigénat, the 1889 naturalisation law and the various administrative decisions and court rulings designed to exclude the Muslim majority.

Whilst opposition to the Crémieux decree fuelled anti-Semitism in Algeria since the early 1870s, the explosion of the Dreyfus Affair in early 1898 propelled local anti-Semitic leaders to national fame. Though the local anti-Semitic press made only occasional references to the court proceedings against Dreyfus and Zola,⁷ the continued presence of the Affair in the metropole allowed Algerian anti-Semites to portray themselves as representatives of a higher cause. The most prominent amongst these leaders was a young law student of Italian origin by the name of Max Régis who was catapulted from absolute anonymity into the anti-Semitic pantheon during the turbulent months of 1897-98. Régis combined vulgar propaganda with

⁶ Geneviève Dermenjian, *La crise anti-juive oranaise: 1895-1905, l'antisémitisme dans l'Algérie coloniale* (Paris: L'Harmattan, 1986), 33-8.

⁷ Michel Abitbul, “L’Affaire Dreyfus et la montée de l’antisémitisme colonial en Algérie,” *Archives juives* 31, no. 1 (1998): 76-7.

spontaneous demonstrations and clashes with the police in Algiers to emerge as a local leader. In February 1898, after leading violent protests in Algiers following the publication of Zola's *J'accuse...!*, he was already famous enough to meet with Drumont and invite him to stand for Algiers's parliamentary seat in the upcoming elections. The alliance between these very different men – Drumont was a conservative Catholic, a writer of undeniable knowledge and skill (if little intellectual integrity), Régis a vulgar street orator and self-proclaimed Don-Juan – demonstrates like no other case the dynamics of Algerian anti-Semitism during the Dreyfus Affair (see figures 4 and 5).

Elected mayor of Algiers in November 1898, Régis was without a doubt the most important figure of Algerian anti-Semitism at the turn of the twentieth century. Nowhere in mainland France or elsewhere in Europe did a similar interplay of street violence and political power put Jewish communities under a similar threat. Astonishingly, however, Algerian anti-Semitism is absent from most studies of the Dreyfus Affair, including, most surprisingly, Pierre Birnbaum's *The Anti-Semitic Moment*. An overview of protests and riots in the major French cities, this book does not consider the bastion of violence during the Dreyfus Affair – Algiers. Birnbaum does refer to Algerian anti-Semitism in a chapter on “Algerian Marseilles”, but the discussion is confined to the metropolitan dynamics of the Dreyfus Affair and does not consider developments in the colony in their reverberations in France.⁸ It is the historian Zeev Sternhell who, in his study on the origins of French fascism, recognised the significance of the colony in the birth of organised political anti-Semitism: “pour la première fois, un mouvement politique regarda vers l'Algérie pour y chercher un chef. Il ne fait aucun doute que, pendant près de deux ans, le mouvement antisémite [...] avait voulu voir ce chef en Régis.”⁹

⁸ Pierre Birnbaum, *The Anti-Semitic Moment: A tour of France in 1898*, trans. Jane Todd (London: University of Chicago Press, 2011), esp. 151-62.

⁹ Zeev Sternhell, *La droite révolutionnaire, 1885-1914: Les origines françaises du fascisme*, 2nd edition (Paris: Fayard, 2000), 242.

Seeking to understand the relations between Algerian and French anti-Semitism, much of this chapter, particularly Sections II and III, focuses on Algiers, the city connecting the colony with the metropole, the seat of the governor general and the theatre of the Régis-Drumont alliance. The first section discusses the struggle to abrogate the Crémieux decree, from the 1870s until the crisis of the late 1890s. The main argument of this section is that the French mainstream was deeply involved in discrediting the decree, its initiator and the very idea that an “indigenous” population could be made French. The second section is a study of the Algiers-based anti-Semitic movement in action in the years 1897-99. It shows how anti-Semites, most prominently Régis, used street violence and clashes with the authorities to assert a local vision of inclusion and exclusion, emphasising their “Latin” origin and fostering an “Algerian” identity. This assertion of a local identity and the scale of violence alarmed administrators and politicians, who feared that the anti-Semitic agitation could engender a separatist movement. As the third section argues, though Algerian anti-Semitism was never secessionist, it entailed a sense of superiority vis-à-vis the metropole and a pledge to reinvigorate the Republic. In the end, this confrontation with the Republic led to the decline of Algerian anti-Semitism – helped by the re-emergence of an old-new collective enemy figure – the Muslims.



Figure 4 (left): Max Régis, the 1890s. Figure 5 (right): Edouard Drumont

I. The Crémieux decree and settler anti-Semitism

From its earliest days in 1871, the campaign to abrogate the Crémieux decree was shaped as an attempt to discredit both its initiator and the Jewish population of Algeria. In a stark contrast to the pragmatic nature of the consultations leading to the decree's promulgation, the campaign to abrogate it was never confined to the specific legal questions of the day. Rather, it resembled a crusade to save French civilisation, wrought with ethnic and religious stereotypes, with inflammatory rhetoric and severe allegations against Crémieux and "the Jews". Led and supported by a wide gallery of mainstream figures from military, administrative and political milieus, this campaign in many ways made possible the rise of political anti-Semitism in Algeria.

Anti-Jewish agitation was central to the public life of the European population in Algeria ever since the promulgation of the Crémieux decree. French citizens in the Oran department, alarmed by the large Jewish share of the electorate, submitted petitions to the National Assembly demanding the annulment of the decree almost immediately after its

promulgation.¹⁰ During the 1880s, a vibrant scene of anti-Semitic press and literature popularised the main tropes and ideas first formulated by Drumont in his best-selling work *La France juive* from 1885. Anti-Semitic newspapers were printed in tens of thousands of copies and disseminated even in the merest towns, where few or no Jews lived. Plays, songs, caricatures and merchandise were highly popular in Algeria, and helped disseminate negative images of Jews.¹¹ Anti-Semitic agitation became organised and better coordinated during the 1880s. Whilst riots and demonstrations had previously been reserved for election seasons, a series of *ligues* and committees were founded in the 1880s and provided regular social and leisure activities, particularly for the lower classes – always the power base of the movement.

The demands to abrogate the Crémieux decree relied on three main claims: First, that Algerian Jews were too “oriental” to become French; second, that Crémieux had no authority to promulgate the decree; and third, that the decree ignited the Kabylarian uprising of 1871. The third claim is of particular import, as it explains the abrupt change of public mood amongst the French in Algeria regarding Jewish naturalisation. As we have seen in Chapter Two, there was significant support for this measure amongst officials and representatives in the late 1860s. But the defeat against Germany and the humiliation amid the initial gains of el-Mokrani opened a long search for scapegoats, and the myth of Crémieux’s responsibility for the Kabylarian uprising made him the perfect candidate. Disseminated by generals, by senior officials of the colonial administration, and finally by the Minister of the Interior, this myth and others paved the way for the emergence of an anti-Semitic political movement in Algeria. When figures such as Drumont and Régis portrayed Jews as usurers and Crémieux as the personification of Jewish betrayal in the 1880s and 1890s, a fertile ground had already been prepared by the political establishment. Whilst the prelude to the decree constituted a unique moment of negotiation on

¹⁰ Assan, *Les consistoires israélites*, 339.

¹¹ Abitbul, *From Crémieux to Pétain*, 45-8, 64-7.

the terms and conditions of French citizenship, what followed was a determined attack on the very idea that a foreign population could become French, as this section seeks to establish.

A key document in setting the terms of the campaign against the Crémieux decree was a petition submitted to the Chamber in mid-1871 by former prefect of Oran Charles de Bouzet who, between November 1870 and February 1871, served as interim governor general (“Commissaire extraordinaire”) in Algeria, right before the outbreak of the Kabyle uprising. In his passionate appeal to save France from foreign influence, de Bouzet married two legacies of French and European thought, evoking the olden tropes of the greedy Wandering Jew and stressing the decidedly “oriental” character of Algerian Jews:

Les Israélites algériens ne sont pas des Français. Leur langue maternelle est l'arabe, *qu'ils parlent mal et écrivent en caractères hébraïques* [...] Leurs mœurs sont orientales et chez presque tous, le costume est celui de l'Orient. Nulle culture intellectuelle, une seule profession, le commerce, une seule passion, celle d'amasser de l'argent, en multipliant les petits bénéfices et en vivant d'une manière solide. Étrangers aux traditions de la nationalité française, restés en dehors de la civilisation européenne, ces Orientaux n'ont pas de patrie [...].¹²

The depiction of local Jewry not merely as inherently non-French but as a defective, incomplete version of the Arab civilisation (as implied in this quotation through the criticism of their spoken Arabic) would become a central element of anti-Semitic writing on Algeria. If Jewish life in Algeria was but a pale, incomplete imitation of the Arab civilisation, it logically followed that Muslims would regard the Jews with scorn, would find their naturalisation unacceptable and would see the authority of France as impeded by granting rights to such an inferior “race”.

¹² Charles du Bouzet, *Les Israélites indigènes de l'Algérie. Pétition à l'Assemblée nationale contre le décret du 24 octobre 1870* (Paris: Imprimerie Schiller, 1871), 4. Emphasis added.

That, as we shall see, was the reasoning of many anti-Semitic writers and politicians in the 1880s and 1890s.

When Minister of the Interior Félix Lambrecht submitted a legislation proposal to abrogate the Crémieux decree in the summer of 1871, many of de Bouzet's judgements were incorporated in the *Exposé des motifs*, albeit in more restrained language. Perhaps most importantly, this text reiterated the view of the Jewish communities in Algeria, and of Jews more generally, as eternal nomads. Crucially, this idea was applied not only in a geographical sense, but in political terms, too:

Ils [the Jews – A.O.] ont [...] conservé les mœurs et les institutions traditionnelles qui ont permis à leur race, par une exception unique, de traverser les âges sans se confondre avec les autres et ils ne se regardent point, en général, comme faisant partie de la communauté politique. Les intérêts dont ils s'occupent leur permettent de rester, en quelque sorte étrangers à cette communauté et ne les attachent pas au sol du pays où ils résident avec plus ou moins de fixité.¹³

In fact, this passage was even more radical in its attack on Jewish participation than de Bouzet's text. For whilst de Bouzet explicitly based his opposition to the Crémieux decree on the "oriental" character of the Algerian Jews, the *Exposé des motifs* referred to the nature of collective Jewish existence throughout history without any geographical specification.

Besides rejecting the possibility of making the Algerian Jews French, opponents of the naturalisation decree often based their campaign to abrogate it on the claim that the Tours delegation had no authority to undertake such a measure. The legislation proposal by Minister

¹³ Assemblée nationale, session de 1871, no. 412, Annexe au procès-verbal de la séance du 21 juillet 1871: *Projet de loi ayant pour objet d'abroger le décret du 24 octobre 1870 [...]*, 2.

of the Interior Lambrecht accused the interim government of not having received the support of the Algerian administration, and claimed that both the Algerian Jewish population and the consistories were hostile to the naturalisation plans drafted by the Ollivier government in 1869.¹⁴ As we have seen in Chapter Two, the opposite was true: Not only the French-dominated consistories but also a considerable part of the local Jewish population supported collective naturalisation. Yet opponents of the Crémieux decree nevertheless succeeded in engraving it in public memory as an anomaly, an abrupt, almost impulsive act of statesmanship. The aim of this claim was clear: By suggesting that the government had no right to publish such a decree in the first place, opponents hoped to pave the way for its abrogation on legalistic grounds. This view was approved a month later by the parliamentary commission studying the proposed legislation, which concluded its report by reminding the Chamber the *raison d'être* of the Algerian colony: “Vainement nous parlerait-on des intérêts et de l’avenir des Israélites! Il y a un intérêt et un avenir qui doivent nous tenir plus au cœur: ce sont ceux de nos compatriotes qui sont venus, avec nos soldats, fonder la puissance et la prospérité de notre colonie.”¹⁵

But the strongest claim against the Crémieux decree was that the decree sparked the 1871 uprising. The legislation proposal to abrogate the Crémieux decree argued that “l’insurrection des Arabes n’a pas tardé [...] à faire ressortir tout ce que le décret du 24 octobre a de dangereux et d’impolitique”,¹⁶ saying that these events led the Algerian administration and the War Ministry to demand the abrogation of the decree. The parliamentary commission studying the proposal was more reserved regarding the connection between the naturalisation of the Algerian Jews and the uprising, but it insisted that the measure created antagonism

¹⁴ Ibid.

¹⁵ Assemblée nationale, session de 1871, no. 530, Annexe au procès-verbal de la séance du 21 août 1871: Rapport fait au nom de la commission chargée d’examiner la proposition de loi portant abrogation du décret du 24 octobre 1870 [...] par M. de Fourtou, 11.

¹⁶ Assemblée nationale, session de 1871, no. 412, Annexe au procès-verbal de la séance du 21 juillet 1871: Projet de loi ayant pour objet d’abroger le décret du 24 octobre 1870 [...], 3.

amongst the Muslims and strengthened their opposition to French rule.¹⁷ The claim that the Crémieux decree sparked the Kabylean insurrection was supported by a series of prominent figures in the French military and administration – most notably by governor general de Gueydon. In his hearing before the parliamentary inquiry commission studying the policies of the Government of National Defense in Algeria, de Gueydon said: “Pour moi le décret d’assimilation [i.e. the Crémieux decree – A.O.] a été la cause déterminante de l’insurrection; les Musulmans en ont été extrêmement froissés. [...] L’idée seule d’être jugés par un jury comprenant des Juifs les exaspère.”¹⁸

Once such claims were established, they paved the way to the supposition that Crémieux was not acting on behalf of France’s interests, but was rather promoting those of his coreligionists. Such an allegation circulated in France in the early 1870s, and was reiterated even by one of Crémieux’s supporters, the man of letters Louis Ratisbonne – himself of Jewish origin. In an article in the *Journal des Débats* from August 1871 he wrote: “Le ministre qui édictait cette mesure avait peut-être moins de mérite qu’un autre à la prendre, car c’étaient ses coreligionnaires qui en étaient l’objet et qui en profitaient; mais, n’eût-il pas été, par cette raison même, plus répréhensible si, pouvant la prendre, il en avait laissé échapper l’occasion?”¹⁹

The Crémieux decree remained on the Chamber’s agenda, and though attempts to abrogate it never gained the necessary majority, the myths around the decree and the 1871 insurrection never lost their appeal. The person who formulated these allegations in the clearest, most violent manner was Drumont in *La France juive* from 1885. This “essai d’histoire contemporaine”, as the subtitle read, provided a linear argument on Jewish conspiracy in

¹⁷ Assemblée nationale, session de 1871, no. 530, Annexe au procès-verbal de la séance du 21 août 1871: Rapport fait au nom de la commission chargée d’examiner la proposition de loi portant abrogation du décret du 24 octobre 1870 [...] par M. de Fourtou, 12.

¹⁸ Léon de la Sicotière, Rapport fait au nom de la Commission d’enquête sur les actes du Gouvernement de la défense nationale – Algérie, vol. 2 (Versailles: Cerf et fils, 1875), 207.

¹⁹ As quoted in: ‘La naturalisation française des Israélites algériens’, *L’Univers israélite*, vol. 26 (September 1871), 504-5.

France, from the fourth century to Drumont's times. With its encyclopaedic habitus and scientific pretence, it continued the tradition of proto-racist thought announced by Gobineau's *Essai sur l'inégalité des races humaines* from 1855, clearly intended for the aristocracy and the conservative high bourgeoisie. Nevertheless, it became a commercial success and was popularised with an abridged, illustrated version – which may explain Drumont's popularity amongst the working-class milieus of Algerian anti-Semitism a decade later.²⁰ Whilst the first volume was dedicated to history, the second volume discussed contemporary society, beginning with a chapter on Crémieux and the Alliance Israélite universelle and a long discussion of the collective naturalisation of Algerian Jewry.

Drumont depicted the Crémieux decree as the epitome of Jewish betrayal: “Jamais le Juif, peut-être, ne s'affirma plus odieusement indifférent à tout ce qui touche à la Patrie, plus implacablement préoccupé de lui-même et de sa race, que dans les décrets rendus alors par Crémieux pour l'émancipation des Israélites algériens.”²¹ After a first volume dedicated to France's corruption by the Jews throughout history, Drumont shifted his reader's attention to a new theatre of Jewish conspiracy, announcing Algerian anti-Semitism as a national cause. (The use of the word “émancipation” – a positive term in its figurative sense, almost synonymous to “libération”²² – is of course rather odd in this context, and is probably best explained as an unreflective choice of words). Indeed, Drumont went much further than previous attacks on Crémieux, describing him not as one amongst several factors of the 1871 uprising, but as “l'auteur principal, le seul responsable de l'insurrection algérienne.”²³ This sort of argumentation would become a central element of anti-Semitism in and in relation to

²⁰ Édouard Drumont, *La France juive: Edition populaire* (Paris: V. Palmé, 1888).

²¹ Édouard Drumont, *La France juive: Essai d'histoire contemporaine* (Paris: C. Marpon & E. Flammarion, 1887), vol. 2, 11.

²² *Le Robert Dictionary* (1966), s.v. “Émancipation”.

²³ Drumont, *La France juive*, vol. 2, 20.

Algeria, seeking to portray the Jews as the source of plight and poverty amongst the Muslim population.

In his attempt to present social relations in Algeria as a clear-cut opposition between Muslims and Jews, Drumont portrayed Crémieux as the perfect opposite of al-Moqrani: “En face du Juif oblique comme Crémieux, qui trahit le pays qui s’est confié à lui, il faut placer la noble et loyale figure de notre ennemi Sidi Mohamed Ben Ahmed el Mokrani.”²⁴ His admiration of Muslim Algerian warriors went beyond Moqrani, and the Crémieux decree was all the more scandalous for him in light of what he saw as the poor military achievements of the Jews and the bravery of the Muslims. If any population group earned the right to participate in political life after 1871, it was the latter. And like many of his contemporaries, Drumont turned to Rome for inspiration:

On ne se fût étonné qu’à demi si le gouvernement de la Défense nationale eût accordé quelque récompense éclatante à ces Arabes héroïques qui, après avoir lutté si longtemps contre nous, nous défendaient à l’heure du péril. Rome émancipa les esclaves qui avaient combattu pour elle pendant la Guerre sociale, et quelque proclamation, honorant du titre de citoyen français ceux qui s’étaient montrés dignes de ce nom, eût produit un effet considérable en Algérie.²⁵

Drumont’s account of the Franco-Prussian war, the Crémieux decree and the Kabylean insurrection was disseminated in Algeria by a local scene of anti-Semitic literature.²⁶ One of the most detailed works of this sort was published in 1887 by a certain Georges Meynié, about whom little is known, under the title *L’Algérie juive*. The indebtedness of this tractate to *La France juive* was explicitly acknowledged by the author, who repeated many of Drumont’s

²⁴ Ibid, 22.

²⁵ Ibid, 12-13.

²⁶ Abitbul, *From Crémieux to Pétain*, 45-6.

claims concerning the Jews in Algeria, albeit in a more detailed and less flamboyant manner. Most importantly, Meynié reiterated the claim that the Crémieux decree was responsible for the 1871 uprising, stressing what he thought was a disproportionate Jewish influence in the Tours delegation.²⁷ Drumont himself was well aware of the fact that Algeria provided a fertile ground for his ideas and praised local newspapers as independent from the alleged Jewish influence paralysing the metropolitan press.²⁸ For Drumont, Algeria was destined to liberate France from Jewish yoke: “C’est par l’Algérie, peut-être, que commencera la campagne anti-sémitique française.”²⁹ A decade later, the rise of political anti-Semitism in Algeria would prove Drumont right and he himself would fulfil his prophecy by standing for parliament in Algiers.

The quotations and examples mentioned so far in this chapter demonstrate that the discrediting of the Crémieux decree was not the exclusive endeavour of outright anti-Semites, but a common trait in the writing of mainstream voices in the 1870s and 1880s. The denunciation of the decree by Drumont in *La France juive* was made possible by a series of figures from the French establishment – from prefect du Bouzet, through governor general de Gueydon to Minister of the Interior Lambrecht. It was they who spread the view of the Crémieux decree as an act of political negligence, if not outright betrayal. Mainstream figures remained central to the opposition to the Crémieux decree during the 1890s.³⁰ The myth of the Crémieux decree as the trigger of the Kabyle uprising in 1871 was so widespread that in 1897 a Parisian journalist by the name of Louis Forest sought to refute it with a brochure entitled *La naturalisation des Juifs algériens et l’insurrection de 1871*.³¹ Forest provided a detailed

²⁷ Georges Meynié, *L’Algérie juive* (Paris: A. Savine, 1887), on dedication and acknowledgement of Drumont see preface, on Crémieux decree and insurrection see esp. 172-4.

²⁸ Drumont, *La France juive*, vol. 2, 51.

²⁹ Ibid, 48.

³⁰ See for instance on historian Anatole Leroy-Beaulieu’s acceptance of claims against the Crémieux decree: B. M., ‘Encore l’Algérie’, *L’Univers israélite*, vol. 52-(2) no. 37 (4 June 1897), 328.

³¹ Louis Forest, *La naturalisation des Juifs algériens et l’insurrection de 1871*, (Paris: Société française d’imprimerie et de librairie, 1897), 3-6.

account of the crucial months in late 1870 and 1871 to prove that there could have been no connection between the two events. But the view of Jewish naturalisation as the origin of all plight and unrest in Algeria remained widely shared, and was at the core of the anti-Semitic crisis of the late 1890s. Tellingly, Max Régis invoked this myth in his first public appearance in the metropole in February 1898.³²

What made the myth of the Crémieux decree as the trigger of the Kabyle uprising such a powerful claim in the political climate of 1898 was the explosion of the Dreyfus Affair following Zola's *J'accuse...!*. If Dreyfus as the epitome of Jewish conspiracy made anti-Semitism in the metropole a national cause, the figure of Crémieux seemed to have a similar potential in Algeria. Invoking this myth in such a poisonous political climate helped portray the campaign to abrogate the Crémieux decree as an urgent measure of national defence. Indeed, the early months of 1898 saw the revival of this campaign, as the following examples demonstrate: In February, the departmental council of Algiers called on the Chamber to revoke the decree.³³ In the same month, two Algerian deputies raised the same demand in the Chamber.³⁴ A month later, Drumont's newspaper *La libre parole* addressed the same demand at the newly appointed governor general Armand Lafarrière.³⁵ And after their remarkable success at the general elections of May 1898, the four newly elected anti-Semitic deputies for Algeria were quick to seek the abrogation of the decree.³⁶ The myth of Crémieux's negligence and betrayal was a crucial link between the general upheaval around Zola and Dreyfus and the particular demand to denaturalise Algerian Jews.

³² AN, BB/18/6238: Extrait du rapport de M. M. Martin, Commissaire aux délégations judiciaires à Paris: Réunion de la Salle de Chaynes [certified copy made for trial against Régis on 21 March 1898].

³³ Charles Marchal, *Les troubles d'Alger: Opinion d'un témoin* (Algiers: Imprimerie Charles Zamith & Cie, 1898), 21.

³⁴ Abitbul, *From Crémieux to Pétain*, 63.

³⁵ *La Libre parole*, 4 September 1898 [archived in: CAOM, F80/1690].

³⁶ 1898-1902: *Quatre années des législature antijuive. Edouard Drumont à la Chambre des Députés* (Algiers: J. Angelini, 1902), 4.

Historian Michel Abitbul has aptly defined the crux of the Algerian anti-Semitic crisis around the turn of the twentieth century as “la négation absolue de la francité des juifs naturalisés”.³⁷ But the implications of the debate over the Crémieux decree, first in the early 1870s and later, with greater resonance, during the crisis of 1898, reached much further than that, and constituted a defining moment of French citizenship more generally: The negation at stake was not only of Algerian Jews as French, but of legal and political decisions as defining Frenchness. Nothing shows this development more clearly than the contrast between the legal affirmation “l’indigène israélite est français” in the sénatus-consulte of 1865 and the absolute negation thereof by de Bouzet in 1871: “Les israélites algériens ne sont pas des français”. The consultations between Jewish notables and French authorities in 1869-1870, as discussed in Chapter Two, constituted a unique moment of negotiation of Frenchness. The backlash against it was immediate – and of a considerable magnitude.

In its campaign to abrogate the Crémieux decree, the local anti-Semitic movement sought to present itself as the true representative of the local European community – its interests, its collective identity and its pride. At a large political meeting in Paris in February 1898 – the first public appearance of Algerian anti-Semites in the metropole – Louis Pradelle, mayor of the town of Mustapha near Algiers, expressed the humiliation which anti-Semites saw in the naturalisation of Algerian Jews: “Avant 1830, tous les quinze ans, les Arabes se partageaient les biens des juifs, et vous voulez qu’aujourd’hui ils soient les égaux des Arabes, nos égaux à nous?”³⁸ The campaign against the Crémieux decree was therefore a struggle for political influence and an attempt to assert local identity at once. It was an attempt to correct the historical anomaly of admitting an “indigenous”, Arabic-speaking community into a *cité française* which was supposed to be reserved to individuals of “European origin” only. And

³⁷ Abitbul, “L’Affaire Dreyfus et la montée de l’antisémitisme colonial en Algérie,” 78-9.

³⁸ *Le Figaro*, 21 February 1898 [archived in: AN, F/7/16001/1].

the anti-Semitic leaders of the late 1890s led this attempt with remarkable success, as we now turn to see.

II. Origin, violence, and the city: Algiers, 1897-99

Despite its metropolitan sources and inspiration, anti-Semitism in Algeria – particularly in Algiers – developed a new, distinctively local character in the late 1890s. It was an urban, popular movement which displayed its power through demonstrations and violent attacks on Jews, turning the urban space into a public sphere where various social groups united in shared hostility to the Jews and, not less importantly, the Paris-controlled administration. What made the confrontation with the metropole particularly explosive was the significant and unapologetic presence of naturalised Europeans in this new movement – and the virtuosity with which its leaders used origin and identity to mobilise their supporters. As this section argues, what started as a campaign against the Crémieux decree soon developed into a movement propagating a new version of citizenship and belonging, one which was exclusively grounded in ethnicity and origin. In the words of the anti-Semite and later mayor of Mustapha, near Algiers, Lucien Chaze: “Voilà tout un peuple, composé, d’ailleurs, d’éléments divers dont la cohésion ne peut-être pas parfaite, [...] voilà tout un peuple qui crie à l’unisson: “A bas les Juifs”.”³⁹

Before we turn to our case study of Algiers, let us briefly consider anti-Semitic violence throughout Algeria in the late 1890s. In Constantine during the elections of 1896, armed rioters, often helped by the police, physically prevented Jews from voting.⁴⁰ In the town of Mostaganem in the Oran province, rioters attacked Jewish shops and looted the synagogue in

³⁹ As quoted by Jean Drault in *La libre parole*, 4 September 1898 [archived in: CAOM, F80/1690].

⁴⁰ Abitbul, *From Crémieux to Pétain*, 55.

May 1897 as police stood by.⁴¹ From Mostaganem, the attacks spread to the city of Oran, where looters were joined by city councillors, while police and military stood by and occasionally joined in. The violence then spread throughout the province. Some twenty people were injured, hundreds of shops were plundered, and five synagogues attacked. In Algiers, deadly riots erupted following Zola's *J'accuse...!* in January 1898. Rioters attacked the Jewish population as well as the governor general and the prefect. Police and military often stood by. Two people were killed, dozens injured, and the damage was estimated at half a million francs. The Anti-Semitic press ignited riots by calling for violence and boycotts.⁴² Violence on the street and in the press was soon translated into political power: In the parliamentary elections of 1898, anti-Semites won four out of Algeria's six seats. Even before that, anti-Semitic lists conquered various municipalities and mayoralties, most notably in Oran and of course Algiers – the focus of our discussion, to which we now return.

What distinguished anti-Semitic agitation in Algiers from other cities in the colony was the central role played by the recently-naturalised European population, and the ways in which anti-Semitism was configured by local leaders to foster a common, "Algerian" identity. At the peak of anti-Semitic agitation in Algiers in 1898, even the popular literary figure of Cagayous was mobilised for the anti-Semitic cause. As discussed in Chapter Three, Cagayous was a highly popular epitome of the myth of an Algerian melting pot emerging on the streets and quays of Algiers. Anti-Semitism was now made an inseparable part of that myth with the publication of a special edition entitled *Cagayous antijuif*.⁴³

Fiction aside, the most important and instructive political figure in this context is that of Max Régis, a young law student who rose from complete anonymity in early 1897 to local

⁴¹ CAOM, F80/1685: Mémoire sur les troubles de l'Oranie, 31 May 1897.

⁴² Abitbul, *From Crémieux to Pétain*, 58-67.

⁴³ On the anti-Semitic twist of Cagayous and its wider social context see: David Prochaska, "History as Literature, Literature as History: Cagayous of Algiers," *The American Historical Review* 101, no. 3 (June 1996): 694-9.

and national fame the following year. Born to an Italian family, Régis became a French citizen in the late 1880s – a biographical detail which his opponents sought to use against him. But as we shall see, Régis skilfully turned his and many of his supporters' foreign origin into a source of pride, asserting a new collective identity and a new conception of being French.

Origin, history and the sense of a shared Latin identity were at the core of what triggered anti-Semitic agitation in Algiers in 1897. In January, a Jewish jurist by the name of Emmanuel Lévy was nominated as professor of Roman law at the Algiers law faculty, sparking immediate protests. Lévy's first lecture in early February was disrupted by some 200 protesting students who forcibly made their way into the lecture theatre, shouting "A bas les Juifs! à bas Lévy!" and forcing the professor out of the room.⁴⁴ The protests only ended after two weeks, following a promise by none other than the Minister of Education that Lévy would return to France at the end of the academic year. A report to the governor general revealed the priorities – and, as we know in hindsight, misjudgement – of the Algerian administration in its attempt to restore order with minimum confrontation, including asking the victim to cooperate with the agitators: "Tout est donc rentré dans l'ordre et il est à prévoir que l'agitation de ces jours derniers, un peu superficielle il faut en convenir, fera place à une plus saine appréciation de la situation. *M. Lévy semble disposé à faire tout ce qui dépendra de lui pour n'être plus un sujet de trouble.*"⁴⁵ As the report mentioned, the cheering students believed the subtext of the Minister of Education's promise to imply that no further Jewish professors would be sent to Algiers. It is unclear whether such a promise was indeed given, but the students' success in ousting a professor soon became a pattern of the anti-Semitic movement's confrontation with the metropole. In June 1898, governor general Lépine and several other functionaries of the Algerian administration were called back to Paris by the government, in an attempt to pacify the anti-Semitic

⁴⁴ CAOM, GGA 7 G 10: Commissaire spécial au Gouverneur général, 3 February 1897.

⁴⁵ CAOM, GGA 7 G 10: Secrétaire générale du Gouvernement général de l'Algérie, Rapport pour le Gouverneur général, 15 February 1897. Emphasis added.

movement.⁴⁶ Ever since then, anti-Semitic leaders pledged to oust any metropolitan official standing in their way.

Minor as this incident may seem, it showcases the interplay of identities and antagonisms which fuelled anti-Semitic agitation in Algiers: A myriad of communities undergoing a process of francisation through the institutions of citizenship, schooling, military service and higher education and developing an ambivalent relation towards the metropole. In this community, politically and socially demarcated by religious and ethnic criteria, the narrative of being “Latin” was a pivot of collective identity, and the reverence to Rome served to portray the colony as a Reconquista of a sort on the southern Mediterranean shore. The appointment of a Jewish professor to teach Roman law could easily be depicted as an assault by an arrogant, decaying metropole to the sweat and tears of the nascent, dynamic society. As the authors of the *Univers israélite* analysed the anti-Semites’ response to the nomination: “À ce nom de Lévy, ils s’émurent. Un juif enseignant le droit romain en Algérie, c’était un scandale qu’ils ne pouvaient tolérer.”⁴⁷ It was from these protests in early 1897 that Max Régis emerged as the leader of local anti-Semitism.

Opponents to Régis were quick to point out his foreign origin. In March 1898, after his imprisonment following a series of particularly violent riots, the metropolitan newspaper *Siècle* introduced Régis to its readers, mocking him – and French anti-Semitism more generally – by mentioning his Italian origin in an article entitled with the slogan of *La libre parole*: “La France aux Français”.⁴⁸ The Parisian daily *Le Radical* was less subtle when informing its readers that Régis’s father had only been naturalised in 1888 and that his full surname was Régis-Milano. Max Régis, reported the article, omitted the second part of his surname, “qui n’a pas [...] une

⁴⁶ Abitbul, *From Crémieux to Pétain*, 69.

⁴⁷ B. M., ‘Les incidents d’Alger’, *L’Univers israélite* 52-(1), no. 21 (12 February 1897), 653.

⁴⁸ ‘La France aux Français,’ *Le Siècle*, (4 March 1898) [archived in: AN, F/7/16001/1].

allure très française.”⁴⁹ The newspaper *Droit de l'Homme* did not only mention Régis’s Italian origin, but reported on his father’s convictions: “[...] bien avant sa naturalisation, cet Italien avait donné des preuves certaines de son amour pour la France : c’est ainsi que, par arrêt de la cour d’appel d’Alger, du 18 février 1875, il avait été condamné à un mois de prison et deux cents francs d’amende pour vente de poudre aux Arabes.”⁵⁰ More than anything else, this passage shows what a central criterion origin and ethnicity had become: A Dreyfusard newspaper, struggling against anti-Semitism in the name of universal rights, subscribed to the colonial view of transactions with “the Arabs” as an act of betrayal.

For the authorities, too, there was no doubt that foreigners were the main problem, if not the very source of the crisis. “C’est la population de Bab el Oued, du quartier Lalahoum et celui de la Préfecture qui représente l’élément espagnol et c’est particulièrement dans ces quartiers que l’on rencontre les antisémites les plus intransigeants.”⁵¹ Such was the concern about the foreign populations, that Charles Marchal of the conseil général called for the Spanish, Italian and German consuls in Algiers to be warned that their nationals could be deported if involved in riots.⁵² In Oran, the Spanish consul published placards warning Spaniards to stay away from any form of anti-Semitic riots.⁵³

Besides foreigners, the anti-Semitic movement in Algiers also saw the participation of women on a scale not known before. As the movement was gaining momentum in 1898, police agents repeatedly noted the large numbers of women in anti-Semitic political meetings and during the gatherings on the streets and quays of Algiers whenever Régis, and later Drumont, arrived from mainland France.⁵⁴ Régis explicitly addressed women, and sometimes only them,

⁴⁹ ‘Arrestation de M. Max Régis,’ *Le Radical* (23 March 1898) [archived in: AN, F/7/16001/1].

⁵⁰ ‘La famille Régis,’ *Droit de l’homme* (23 June 1898) [archived in: AN, F/7/16001/1].

⁵¹ CAOM, GGA 7G 17: Commissaire central d’Alger au Gouverneur général, 1 April 1898.

⁵² Charles Marchal, *Les troubles d’Alger*, 6.

⁵³ CAOM, F80/1684: Spanish consul in Oran: ‘A los Españoles’, 21 May 1897.

⁵⁴ See for instance: CAOM, GGA 7G 10: Commissaire central d’Alger, Rapport, 8 March 1898; CAOM, GGA 7G 17: Commissaire central d’Alger au Gouverneur général, 1 April 1898.

in the crowds listening to his speeches, and women were also much present in his well-staged public appearances.⁵⁵ Leaflets distributed by anti-Semitic groups often made an explicit appeal to women, appealing to “Antijuives! Antijuifs!” (note the order).⁵⁶ Drumont, for his part, in an article bidding farewell to Algiers after his electoral defeat in 1902, praised Algeria for showing the way to French anti-Semitism and acknowledged the active role of women as a unique, inspiring development: “En d’autres pays les femmes ont peur des batailles politiques, elles craignent pour ceux qu’elles aiment le danger des luttes civiques. Nos vaillantes algéroises n’ont point ces pusillanimités, elles sont toujours au premier rang et l’énergie se lit dans leurs yeux charmants.”⁵⁷

Anti-Semitic leaders also sought to mobilise the Muslim population, but this remained a very limited attempt with limited success. Anti-Semites in the Oran department occasionally hired young male Muslims to participate in demonstrations and riots, and even provided them with arms.⁵⁸ However, there was no real effort to address propaganda at the Muslim population or to appeal to the grievances of the Muslim population. Anti-Semitism in Algeria was and remained a movement of the European population, born out of the quest to preserve political monopoly and articulated as the collective voice of an emerging “Algerian” and “Latin” society. Anti-Semitic meetings and demonstrations were at times attended by Muslims, but numbers never exceeded a few dozens.⁵⁹ At best, Drumont sought to establish such connections and held several meetings with Muslim notables.⁶⁰ But for all of his admiration for “the Arabs” as expressed in *La France juive*, such meetings remained rare, and the actual power relations

⁵⁵ Abitbul, *From Crémieux to Pétain*, 74.

⁵⁶ CAOM, GGA 7G 17: Leaflet inviting for punch for Drumont, organised by comités antijuifs of Algiers, Mustapha and St. Eugène, 1902 (no specific date mentioned).

⁵⁷ Édouard Drumont, ‘Merci à Alger!’ *L’Antijuif algérien* (16 January 1902) [archived in: CAOM, GGA 7G 17].

⁵⁸ Ageron, *Les Algériens musulmans*, 602-3.

⁵⁹ See for instance: CAOM, GGA 7G 17: Commissaire central d’Alger au Gouverneur général, April 1898 (no specific date mentioned).

⁶⁰ CAOM, GGA 7G 17: Commissaire de Police de Mustapha au contrôleur général des services de police et de sûreté, 15 May 1898.

underlying his encounter with the Muslim society – and with women – were those which were at work in his brothel visits in the Casbah. It was here that the devout Catholic and his allies from the *Libre parole*, watching nude dancers, staged for themselves the local society as they were taught to imagine it by exoticist, sensual representations such as Delacroix's *Femmes d'Alger*.⁶¹

By mobilising foreigners, women, and to a limited extent Muslims, Régis and his fellow agitators succeeded in initiating a movement which challenged traditional hierarchies and was galvanised in its opposition to a common enemy around a simple language of slogans, symbols and gestures. At a political meeting in the town of St. Eugène near Algiers in June 1897, attended, according to the local police commissaire, by an equal number of foreigners and “véritables français”, Régis declared: “Nous devons lutter de toutes nos forces et de toute notre énergie contre le juif; nous devons nous grouper autour du même drapeau pour repousser la masse envahissante et notre devise doit être: “L’Algérie aux Algériens”.”⁶² Unsurprisingly, it was above all the suggested slogan and its separatist subtext and much less so anti-Semitism itself that disquieted the prefect when informed about the meeting. Algerian anti-Semites indeed flirted with separatism occasionally. But it was above all by asserting a local, shared identity rather than outright secessionism that anti-Semites built their movement, as Régis skilfully did in this speech. That, assumed the police commissaire, was the reason behind Régis's choice of the words “Algériens”, rather than a secessionist intention.⁶³ Seeking to reassure the alarmed prefect and governor general, the commissaire further argued that most attendees at the meeting were all but illiterate and incapable of understanding a political message, and that the meeting would thus be unlikely to have any lasting impact. That, of

⁶¹ CAOM, GGA 7G 17: Cabinet du Commissaire central d'Alger, Rapport pour le commissaire central, 29 April 1899. On the influence of Delacroix on contemporary perceptions of Muslim women and sexuality see: Judith Surkis, "Propriété, polygamie et statut personnel en Algérie coloniale, 1830-1873," *Revue d'histoire du XIXe siècle* 41, no. 2 (Spring 2010): 29-30.

⁶² CAOM, GGA 7 G 10: Commissaire spécial de Saint-Eugène, Rapport au préfet d'Alger, 21 June 1897.

⁶³ CAOM, GGA 7 G 10: Préfet d'Alger au Gouverneur général, 22 and 23 June 1897.

course, was a fatal misjudgement. Régis's mastery was in mobilising precisely those parts of the population ignored by the administration. In this sense, Algeria was no novelty. Here as in Europe, "le Juif", that mythical, elusive figure accumulating unimaginable riches, appealed to the darkest fears and envies of the dispossessed. In the heterogenous settler society of Algeria, this mythical enemy served as a powerful call for unity.

The leaders of the Algiers movement were innovative above all in their use of urban space. The close police surveillance of Régis allows us to trace this in detail: In the months preceding his election as mayor, Régis spent much of his days on the streets of Algiers, meeting fellow activists and agitators in cafés and leading spontaneous gatherings of supporters. These were quickly turned into improvised demonstrations, with Régis addressing the crowds with the same short, simple slogans repeated time and again, above all "A bas les Juifs!".⁶⁴ The audience at Régis's appearances grew rapidly in 1898 and crowds greeting him upon his returns from journeys to Paris easily reached several thousands – composed, according to police, mainly of Europeans and Muslims, and much less of French.⁶⁵

It was the combination of vulgar propaganda and a skilful use of the streets and cafés of Algiers that helped Régis into the town hall in November 1898, and he remained loyal to this tactic after his election. When the election results were announced, he promised his supporters: "La mairie sera la maison du peuple où tout le monde aura accès."⁶⁶ The *Libre parole* cheered at this victory of the popular movement, saying: "C'est [...] la réponse d'Alger aux dreyfusards qui eurent la fâcheuse idée de vouloir faire passer Max Régis [...] pour un émeutier professionnel."⁶⁷ In fact, "émeutier professionnel" was an apt description: Clashes

⁶⁴ See for instance routine police report: CAOM, GGA 7 G 10: Commissaire central d'Alger au contrôleur général des services de police et de sûreté, 1 December 1897.

⁶⁵ See for instance: CAOM, GGA 7 G 10: Commissaire spécial de sûreté (Alger), 10 July 1898; Commissaire spécial de sûreté (Alger): Rapport pour le Gouverneur général, 10 July 1898.

⁶⁶ As quoted in: 'Max Régis, maire d'Alger,' *Le Figaro* (21 November 1898) [archived in: AN, F/7/16001/1].

⁶⁷ 'Le nouveau maire d'Alger', *La Libre parole* (21 November 1898) [archived in: AN, F/7/16001/1].

with the law and its representatives were not by-products of anti-Semitic agitation, but their very essence. It was through them and their consequences – above all his suspension as mayor – that Régis portrayed himself as a victim, as an authentic representative of a popular sentiment oppressed by the institutions of the metropole. Tellingly, Régis continued to write in his newspaper *l'Antijuif algérien* after his election, and used it to publish not only anti-Semitic propaganda and municipal orders restricting Jewish rituals, but also fierce articles against metropolitan authorities.

Indeed, Régis's most climactic public appearances was made upon his return from Paris in January 1899, two months after his election success. Suspended by governor general Lafarrière soon after his election due to his repeated breaches of law and his attacks on the republican institutions, Régis, now more than ever before, portrayed himself as representing a popular "Algerian" sentiment repressed by unelected, metropolitan authorities. In defiance of his suspension, he made his way from the harbour to the Town Hall through a crowd a thousand-strong chanting "Vive Régis! A bas les Juifs!" and, surrounded by female supporters, climbed to the Town Hall balcony. In a highly symbolic gesture, a woman standing beside him detached a tricolour flag from the railing and reached it to Régis who, waving the flag, said to the crowd: "Le drapeau serait mieux placé entre les mains d'étrangers naturalisés que confié aux mains des Français d'origine tel que Lafarrière. Au lieu de se cacher au palais d'été ou à la place Soult-Berg, [seats of the governor general and the prefecture, respectively – A.O.] Lafarrière et Lutaud feraient bien mieux de venir au milieu de cette foule pour en connaître les aspirations."⁶⁸

Régis, then, claimed himself to be a loyal representative of the true, popular France, standing in defiance of unelected authorities which he depicted as indifferent to the people's

⁶⁸ CAOM, GGA 7G 10: Commissaire spécial adjoint des ports et des chemins de fer (Alger), Rapport, 8 January 1899.

will. Four years after the publication of Gustave Le Bon's *Psychologie des foules*, Régis celebrated the emergence of a new, once diverse, now unified crowd. Waving the tricolour from the town hall's balcony and condemning the unelected metropolitan authorities in front of a cheering crowd, the suspended mayor staged the clearest, most radical version of the anti-Dreyfusard cause: the idea of popular sentiment and national pride as the highest moral authority.

In a society founded on violence, where rights and laws were always secondary to ethnic divisions as imagined by the state, anti-Semitism appeared in its pristine form, rejecting the very principle of the polity as defined by citizenship, and of citizenship as negotiable and determined by legislation. As this local movement grew ever more confident, a clash with the metropole became inevitable. It was this clash, and the emergence of a new, collective enemy figure, that led to the decline of organised anti-Semitism in Algeria.

III. The clash with the metropole, 1899-1902

Though Algerian anti-Semites repeatedly stressed their loyalty to France and refuted allegations of separatism, they did not hide the anti-metropolitan traits of their movement.⁶⁹ Their growing confidence in asserting their own, local identity and the increasingly anti-metropolitan tone of their articles and slogans eventually led to a conflict with the state authorities and the political mainstream. Whilst the myth of Jewish conspiracy was not new to European thought, Algerian anti-Semites were unique in turning the allegation towards France itself. Whilst Drumont depicted France as suffering under a Jewish yoke, he never claimed it to be morally or culturally contaminated by it. A pessimist view of society and history was

⁶⁹ See for instance Régis's speech in January 1899 as recorded in: CAOM, GGA 7G 10: Commissariat spécial de sûreté (Alger), Rapport, 11 January 1899. See also a leaflet written by Régis's successor as mayor of Algiers: CAOM, GGA 7G 17: Maire d'Alger, Appel aux citoyens [evidently from 19 April 1899].

certainly present in *fin de siècle* France, but Jews were rarely seen as the source of cultural decadence and decay. This was where old French and new Algerian anti-Semitism parted: For Régis and his allies often described the metropole not only as manipulated by the Jews, but as willing to obey their rule. This can be seen in the closing sentence of Régis's aforementioned speech delivered from the Algiers town hall in January 1899: "On n'empêchera pas l'idée anti-juive de faire son chemin et si elle rencontre des obstacles, s'appelleraient-ils Lutaud ou Lafarrière, ils seront balayés comme l'ont été les autres."⁷⁰ Whilst they never claimed independence, Algerian anti-Semites evoked a sense of moral superiority by contrasting their "Latin" and "Algerian" identity with a weak, servile metropole.

This shift was never explicitly articulated by Algerian anti-Semites. It arises not from a single text, but from the ensemble of leaflets, newspaper articles, anti-Semitic ephemera and the chants and slogans from the streets of Algiers as recorded in police reports, from subtle choices of words and from certain juxtapositions and oppositions. It arises, for instance, from a leaflet, printed by Régis's newspaper *l'Antijuif* following the pardoning of Dreyfus in September 1899 by the President of the Republic Emile Loubet, signed "Max Régis & ses compagnons" and reading: "Puisqu'un Gouvernement en graciant Dreyfus provoque et notre armée et la population patriote, nous faisons appel à tous nos concitoyens pour nous aider dans notre rebellion [sic!] contre ceux qui ne servent de pouvoir que pour violer nos sentiments les plus chers. Si les Juifs triomphent aujourd'hui, nous ne devons pas permettre une pareille victoire."⁷¹ The call to resist a government decision with a rebellion against a collective, ambiguous enemy, followed by a warning from a possible Jewish victory evoked a sense of oneness of the state and the Jews. The government was not depicted as victim but as an

⁷⁰ CAOM, GGA 7G 10: Commissaire spécial adjoint des ports et des chemins de fer (Alger), Rapport, 8 January 1899.

⁷¹ CAOM, GGA 7G 10: Leaflet : 'A nos Amis,' imprimerie de L'Antijuif [no date on leaflet, but archived in folder covering September 1899].

accomplice of Jewish conspiracy. In June 1899, as Régis was set to return to Algeria after yet another trial, an anti-Semitic committee in Algiers called on his supporters to greet him upon arrival in a leaflet evoking the identification of the government as Jewish even more clearly, describing Régis as “prisonnier des Juifs”.⁷² Against this background, the slogan “Vive l’Algérie! A bas les Juifs!”, printed, for instance, on pins distributed to Drumont’s supporters during his visit to Algiers in April 1901, seems as composed not of two separate sentences, but of a juxtaposition, in which Algeria stands for the opposite of anything Jewish (see figure 6).⁷³



Figure 6: A pin distributed to Drumont's supporters in Algiers, April 1900.

If metropolitan France was held strictly in Jewish grip, Algerian anti-Semites assumed the role of liberating it – in line with the task ascribed to them by the founder of modern French anti-Semitism and now their deputy in parliament, Drumont. An important metaphor in conveying this sense of reinvigorating the republic through anti-Semitic violence was used by Max Régis who, at a joint meeting with metropolitan leaders in Paris in February 1898 concluded his speech by saying: “Ce qu’il faut, c’est l’expulsion des Juifs, ou leur extermination. [...] s’il le faut, *nous arroserons de sang juif l’arbre de nos libertés*.”⁷⁴ This image, which was unique to Régis and his close allies, evoked the reinvigoration of the

⁷² CAOM, GGA 7G 10: Leaflet : ‘Appel à la population,’ signé par Le comité central, imprimerie spéciale de *L’Express* [no date in document itself, but marked 6 June 1899 in handwriting – evidently by an administration member].

⁷³ Archived in: CAOM, GGA 7G 17.

⁷⁴ AN, BB/18/6238: Extrait du rapport de M. M. Martin, Commissaire aux délégations judiciaires à Paris: Réunion de la Salle de Chaynes [certified copy made for process against Régis on 21 March 1898]. Emphasis added. “Watering of the tree of liberty with Jewish blood” recurred as a motif, for instance in a speech by Mustapha mayor Pradelle as recorded in: *Le Figaro*, 21 February 1898 [archived in: AN, F/7/16001/1].

Republic using one of its most important allegories since the Revolution – the tree of liberty. Another expression of the same idea was a chant which was popular amongst protesters: “Vive la République honnête!”.⁷⁵ “République honnête!” must clearly be understood as a demand rather than a description of a given reality, implying the assumption that the current republic was dishonest and corrupt. Another powerful symbol appropriated by Algerian anti-Semites to re-write the Republic was the national anthem: Several versions of the *Marseillaise antijuive* circulated in Algiers around the turn of the twentieth century. One of them, from the neighbourhood of Bab el-Oued, read: “Dans la ville d’Alger / Il n’y a plus qu’un cri / Patrie, fraternité / A bas les youdis [derogatory term for Jews, derived from Arabic – A.O.]”.⁷⁶

The growing confidence of the anti-Semitic movement and the high percentage of naturalised Europeans sparked renewed debates on the naturalisation law of 1889. Such was the threat to the republican institutions that even an outspoken anti-Semite like Charles Marchal warned in February 1898: “Il y a urgence à ce que le législateur avise, autant pour les juifs que pour les étrangers, dont l’introduction prématurée sans condition et sans réserve dans le corps électoral français amènerait à bref délai des perturbations analogues [to those of anti-Jewish agitation – A.O.]”.⁷⁷ Marchal was not alone: Shocked by the anti-Jewish riots and the high percentage of naturalised Europeans amongst demonstrators and rioters, French politicians and administrators throughout Algeria called for the collective naturalisation of 1889 to be revised. Whilst some advocated the outright annulment of the naturalisation, others suggested suspending the right of vote for the first generation of the naturalised populations.⁷⁸

None of these suggestions was implemented, but the escalation of the anti-Semitic violence nevertheless pushed the metropolitan authorities to act from 1900 onwards. Alongside

⁷⁵ See for instance a report on a political meeting in Algiers presided by Régis: CAOM, GGA 7G 10: Commissariat spécial des chemins de fer et des ports (Alger), Procès-verbal administrative, 11 January 1899.

⁷⁶ Sivan, “L’antisémitisme comme reflet,” 72.

⁷⁷ Marchal, *Les troubles d’Alger*, 25.

⁷⁸ Dermenjian, *La crise anti-juive oranaise*, 101.

various concessions to settler demands – in 1898 the colony gained budgetary autonomy from the metropole, and Europeans gained greater influence upon its administration – the metropole eventually moved to curb the anti-Semitic movement. In the Chamber, a growing number of deputies denounced the anti-Semitic movement, and in 1900, a parliamentary inquiry commission refuted all claims about the absence of integration of the Jewish minority and the necessity to abrogate the Crémieux decree. After Régis was re-elected as mayor of Algiers in 1901, the governor general simply convinced the government to limit the mayor's authorities and give sweeping powers to the prefect, thus impeding Régis's ability to ignite riots and disorder.

In the end, the identification of anti-Semitism with anti-republicanism was a leading argument in the quest to curb anti-Semitic agitation in the aftermath of the Dreyfus Affair. An election placard of Drumont's rival Maurice Colin in the 1902 parliamentary elections expressed this formulation very clearly: "Voter pour Drumont c'est voter contre la République".⁷⁹ Drumont lost his seat, as did two other deputies of the anti-Semitic movement, whose political careers all ended after this election. As for Régis, he failed to win a parliamentary seat for the 11th arrondissement in Paris and vanished for good from the public eye as spectacularly as he had made his appearance only five years earlier. The only anti-Semitic deputy who survived the 1902 elections was Emile Morinaud of Constantine who, as we shall see in the next chapter, now fought with the same energy against any form of political inclusion of Muslims, now once again seen by Europeans in Algeria as their main, most menacing enemy.

An important event in the decline of political anti-Semitism in Algeria alongside the ending of the Dreyfus Affair was the Margueritte affair, the name given to an incident in April

⁷⁹ CAOM, GGA 7G 17: Election banner for and approved by candidate Maurice Colin, Mustapha: Imprimerie algérienne, evidently 1902.

1901, when a group of Algerian Muslims attacked a colonial settlement, killed six settlers and took dozens of hostages, forcing them to pronounce the Shahada – the sentence by which a person recognises Allah and the prophet Mohammed in order to convert to Islam. The deadly outcome of the attack and the forced conversion of the hostages shocked public opinion amongst Europeans in Algeria and in the metropole and opened a debate on the political, legal and economic situation in Algeria. During this debate, severe allegations were made against the anti-Semitic movement. In the Chamber, Deputy Gaston Thomson of Constantine, an opponent of the anti-Semites, accused Drumont and Morinaud of having undermined the French authority in the eyes of the Muslim population and of having provided arms and training to Muslims in Algeria, thus causing violence and chaos.⁸⁰ The prefect of Algiers Charles Lutaud claimed in a letter to Prime Minister Waldeck-Rousseau that the chaos and agitation of the anti-Semitic crisis were responsible for the Margueritte attack and that the francophone press, including anti-Semitic newspapers, were widely read by the Muslims.⁸¹ Similar allegations were made against Drumont by the newly appointed governor general Charles Jonnart, who accused him and the anti-Semitic movement more generally of having distracted the Algerian administration from the policing and surveillance of the Muslim population.⁸² The anti-Semites in turn blamed Margueritte on the “Jewish-controlled” administration which, as they claimed, had neglected the interests of the settlers.⁸³

Whilst in Algeria and amongst the French mainstream the main impact of the Margueritte affair was the appearance of “les indigènes” or “les Arabes” as the new arch-enemy, in some circles on the left, amongst colonial reformers and in parts of the liberal press it raised the question of the economic situation, the rights and the legal status of the Muslim

⁸⁰ JO, 24 May 1901, 1148-9.

⁸¹ CAOM, F80/1691: Préfet d’Alger au Président du conseil des ministres, 10 May 1901.

⁸² Abitbul, *From Crémieux to Pétain*, 114-16; Ageron, *Les Algériens musulmans*, 606-8.

⁸³ See for instance: Max Régis, ‘Les vrais assassins de Margueritte’, *L’Antijuif algérien* (30 April 1901) [archived in: CAOM, F80/1691].

population, with renewed force. In the Chamber, deputy Albin Rozet, a prominent opponent of the Code de l'indigénat since the 1890s, delivered a long speech denouncing it as one of the causes of the Margueritte attack.⁸⁴ Rozet would go on to become an important ally of Muslim notables and representatives in their struggle for penal and legal reform in Algeria until 1914. *Le Temps*, in an article discussing debates on Margueritte in the Chamber, reminded its readers that anti-Semites and their opponents were all united in their attitude to the Muslim population and its rights. It explained the attack by reminding its readers of the broader context: The settlement of Margueritte was founded on lands confiscated from the local population and its extension was funded with their taxes. Neither the anti-Semites nor their opponents, the article claimed, seemed to be concerned by such injustices.⁸⁵

A more militant attack on the anti-Semites and their approach to the Muslim population was launched by Jaurès in an article published in *Le Petit Républicain* in late April 1901. Jaurès, who had meanwhile abandoned his anti-Jewish approach from the mid-1890s and had become a leading supporter of Dreyfus, mocked the anti-Semites' purported allegiance with the Muslim population: "Quand nous avons demandé que la cité politique fût enfin ouverte aux Arabes, quand nous avons protesté contre leur exclusion absolue du droit de suffrage, et marqué par quels degrés, par quelles transitions on pouvait les préparer au suffrage universel, les antisémites algériens et Drumont lui-même nous ont accusé de vouloir livrer l'Algérie aux indigènes."⁸⁶

What began as a campaign against the Crémieux decree and the Jewish population quickly became a political crisis which shattered the hierarchies and divisions upon which settler colonial society was founded. In their attack on the Jewish population, Algerian anti-

⁸⁴ JO, 31 May 1901, 1193-7.

⁸⁵ 'L'Algérie à la Chambre', *Le Temps* (26 May 1901) [archived in: CAOM, F80/1690].

⁸⁶ Jean Jaurès, 'Antisémites et Indigènes,' *Le Petit républicain* (27 April 1901) [archived in : CAOM, F80/1690].

Semites followed the logic underlying the political order of the colony, advocating ethnicity as the sole criterion to determine political rights. But this popular mobilisation and its violence, particularly when directed against the authorities, alarmed the political mainstream and led to a renewed debate on the naturalisation of the non-French Europeans in 1889. In this upheaval, when controversies emerged and doubts were cast on each and every pivot of Algeria's political order, even the Margueritte affair sparked rather a different debate than the ones sparked by previous uprisings. Whilst for the Europeans in Algeria, it cemented the Muslim population in the role of a collective arch-enemy for decades to come, in the metropole, it drew attention to the repression of the Muslim population under the current political regime. Indeed, such was the concern, that the suspects were brought to trial in France, as it was assumed they would not be given due process in Algeria. Such concerns and the calls for reform, which in the 1880s had been pursued by the small, short-lived Société de protection des indigènes, now slowly began to preoccupy the liberal wing of the French mainstream. This preoccupation would grow ever more intense during the 1910s, as a renewed phase of colonial expansion and the escalation of conflicts in Europe led politicians and colonial administrators to embark on what can be best described as a rethinking of the French empire.

Chapter Five: “L’impôt du sang”

The First World War, conscription and political rights

In 2007, the Orchestre National de Barbès, a group of Algerian and Moroccan musicians from the ethnically diverse, overwhelmingly poor Parisian neighbourhood by that name, released its third album, *Alik*. Like the previous two records, this album was dedicated to the mixture of Maghribi and European genres that characterises the *Orchestre*. However, *Alik* was the first to include not only instrumental pieces but also songs. Whilst most of these were in Darija (western Maghribi spoken Arabic), the second piece, “Résidence” or “Carte de Résidence” was proudly sung in French with the unmistakable north African accent so often ridiculed in France – the same unapologizing, if subtle sarcasm which makes the group’s name. The opening lines read: “Mesdames, mesdemoiselles messieurs / Si je dois vous dire adieu / Sachez bien que nos aïeux / Ont combattu...” – only to be interrupted by the sounds of the *Marseillaise*. When repeated in the chorus, the verse is then completed: “...ont combattu pour la France / bien avant la résidence!”¹ The message is unambiguous: Migrant populations from the former colonies, now subjected to harsh residence and citizenship regulations, deserve more from a country for which they have for generations spilled their blood. These lines remind the listener not only of a long history of colonial subjects’ participation in French war efforts, but of a central, if contested, political claim in the struggle over inclusion and exclusion in colonial Algeria: that military service ought to be rewarded with political rights.

The most significant military mobilisation of Algerian colonial subjects occurred during the First World War, when c. 172,000 were recruited as soldiers and another 120,000 workers were sent to *usines de défense nationale* in the metropole.² The French campaign to

¹ “Résidence (Carte de Résidence)”, track 2 on Orchestre National de Barbès, *Alik*, studio l’usine, 2007.

² Gilbert Meynier, “Les Algériens et la guerre de 1914-1918,” in *Histoire de l’Algérie à la période coloniale*, ed. Abderrahmane Bouchène et al. (Paris: La Découverte, 2012), 230-2.

introduce conscription amongst Algerian Muslims and the resulting debates on political rights in the early 1900s, the struggle over reforms during the war and the success of the settler lobby in frustrating these are discussed in this chapter. As we shall see, what seemed for a while as a chance for emerging political movements in Algeria and their French allies in the metropole to force a political change in Algeria ended with the victory of settler leadership and a re-affirmation of the colonial order.

This chapter sees the military mobilisation of Algerian Muslims and the resulting debates on political rights as part of a major shift of colonial strategy in the early twentieth century. The ongoing colonial expansion in Africa and Asia, including occupations in Madagascar, Morocco and the Algerian south, required further troops. Meanwhile in the metropole, the reduction of mandatory military service to two years in 1905 and statistics showing a continued decline in birth rates resulted in a search for new manpower. Politicians, generals, administrators and journalists, motivated by French expansion on the one hand and a looming conflict in Europe on the other, were now calling to re-organise the French empire and seek the gradual inclusion of colonial subjects. What resulted from these calls were two parallel controversies: Whether or not to introduce conscription amongst Algerian Muslims, and whether conscription had to be accompanied by the extension of political rights. But this was by no means an internal French debate. A new generation of Algerian Muslim leaders campaigned for political rights and the abolition of the Code de l'indigénat and other repressive institutions with more effectiveness than ever before. Signalling their willingness to accept conscription if rewarded with more rights, the Young Algerians, as this new generation was often referred to, successfully spread their political agenda amongst considerable sections of the French political and media landscape and struck important alliances with prominent political figures in France.

The early twentieth century, then, witnessed intensive debates on Algeria, its political order and its place within the French empire. As this chapter argues, settler opposition to conscription and any form of extended political rights to the Muslim majority rendered visible a change in the public image of the Algerian colony in the metropole. Once portrayed as pioneers of the nation in its overseas expansion, settlers were now often seen as an obstacle to the future of an empire which was in urgent need of reform. More generally, Algeria, its settler population and its administration came to be seen as a counter-model for an efficient, “modern” colonial rule, particularly when compared with the protectorate in Tunisia and, even more importantly, the new protectorate in Morocco. Rather than moral concerns over abuse, French campaigners for political reform in Algeria were motivated by the perceived necessity to adapt the expanding empire to a new era of efficiency and modernity.

By studying the campaign for reforms in Algeria against the background of conscription in a changing empire, this chapter seeks to provide a new reading of the colonial reform movement, going beyond current historiographical controversies. As Laure Blévis has aptly put it, there exists a certain “mythe des occasions manquées” in the literature on the reform campaigns of the early twentieth century.³ For the campaigns for reform are most commonly studied in separation from broader political processes. Whether it is Ageorn’s study *L’Anticolonialisme en France* or American historian Vincent Confer’s book *France and Algeria: The problem of civil and political reform*, the prevailing tendency has been to interpret reform campaigns, even when motivated by the looming war, as criticism of colonialism or an expression of humanist zeal.⁴ Recent scholars have provided a more nuanced analysis – above all Blévis, who has interpreted reform campaigns as part of ongoing legal debates on the empire

³ Blévis, “Sociologie d’un droit colonial,” 128.

⁴ Charles-Robert Ageron, *L’anticolonialisme en France, de 1871 à 1914* (Paris: Presses universitaires de France, 1973), 36-9; Vincent Confer, *France and Algeria: The problem of civil and political reform, 1870-1920* (Syracuse, N.Y : Syracuse University Press, 1966), 62-70, 97-100, 112-13.

and its administration.⁵ Still, such analyses are not embedded in the wider context of contemporary debates over war and the empire.

As this chapter argues, calls for reform must be understood as a serious intellectual development, a significant re-thinking of empire and colonial rule. Gilbert Meynier discusses the link between changing geo-political circumstances and reform proposals in his monumental study *L'Algérie révélée*. However, Meynier sees reform debates during the war as a mere propaganda manoeuvre, designed to serve France's "chasse aux hommes" in Algeria and later to establish its image as a benevolent "puissance musulmane" in the scramble for new territories in the Middle East.⁶ The present discussion, by contrast, takes a different view. It insists on the intellectual seriousness and political import of the reform campaigns. The nature of calls for reform in Algeria in the early twentieth century can only be understood once we appreciate that these campaigns were led by colonial and military figures committed above all to France's political influence in Europe and in the colonies. Debates on reforms were never articulated as a controversy over the rights of the Muslim population, but on the duties of France and the interests of the empire. And whilst Algerian Muslim leaders successfully made their voices heard in the metropole, it must be stressed that reform advocates never regarded such leaders as partners in a debate on the future of Algeria, but rather used them as evidence in an internal French controversy.

The first section of this chapter discusses debates on military service and the political rights of the Muslim population in Algeria from 1907 to the outbreak of the First World War. The aim of this section is, first, to highlight the seriousness of such debates and, second, to show how even the most radical calls for change approved the colonial logic of exclusion and

⁵ Blévis, "Sociologie d'un droit colonial," 142-51. See also: Sibeud, "Une Libre pensée impériale?," 58-62.

⁶ Gilbert Meynier, *L'Algérie révélée. La guerre de 1914-1918 et le premier quart du 20^e siècle* (Geneva: Librairie Droz, 1981), 553. The term "chasse aux hommes" to describe recruitment in Algeria is from page 393.

inclusion rather than challenging it. The second section moves on to discuss the struggle over political reforms in Algeria from 1914 until the approval of the so called Jonnart Law in 1919, which increased Muslim representation in local Algerian councils and slightly simplified the procedure of individual naturalisation. Most importantly, this section points to initial attempts by French legislators to accommodate religious difference within the *cit  fran aise*, and traces the emergence of Algerian mayors as the main opposition to any political change. The third section discusses the changing colonial situation in Algeria after the war. Parallel to the well-documented emergence of a new generation of Algerian Muslim leaders, this section argues that the aftermath of the war witnessed a significant change in the image of the Algerian colony. Once the centrepiece of the French empire, Algeria was now seen as a colony administered poorly according to an outdated model – particularly against the background of new, “modern” protectorates and mandates.

I. Debates on conscription and reform, 1907-1914

The campaigns for colonial reforms in the early years of the twentieth century must be understood as part of an overall attempt on the part of generals, administrators and politicians to re-organise the French empire in response to recent developments. In North Africa, a renewed wave of colonial expansionism resulted in occupations in the south of Algeria and repeated interventions in Morocco from 1905 onwards. The reduction of mandatory military service from three to two years, combined with concerns over declining birth rates, led several generals and politicians to look to colonised populations as a means to increase the nation’s military manpower amid escalation in Europe. From 1907 until the outbreak of the war, two parallel discussions took place in France: Whether to introduce conscription amongst the Muslim population of Algeria, and if so, whether such a measure should be rewarded with

political rights – perhaps even citizenship. The outcome, as we shall see, was particularly despotic: mandatory military service without any form of political representation.

The most important driving force behind the introduction of conscription amongst Algerian Muslims was Adolphe Messimy (1869-1935), who had campaigned for this policy as Radical-Socialist deputy since 1907 and implemented it as War Minister in 1912. With his biography, Messimy embodies the intersection of republican and colonial thought in the early twentieth century, an ideology which legitimised colonial expansion as a fulfilment of France's duty to spread enlightenment. Affiliated with the Radical-Socialist left, Messimy was an ardent advocate of the Jacobin military legacy and called for the founding of a "veritable republican army" – a conscription-based, popular counter-model to the conservative and Catholic spirit of the French military. A former general and colonial administrator in Niger, he acted in parliament as *rapporteur* of the defence, marine and colonies budget. Patriotism, republicanism and a strong belief in the French empire were all incorporated in the campaign for conscription in Algeria.⁷

The mandatory recruitment of colonial subjects as a pillar of an overall reform of the Algerian colony characterised Messimy's campaign early on. As *rapporteur* of the war budget in 1907, Messimy pointed out that conscription had been introduced amongst colonial subjects in Tunisia from the first days of the French protectorate there in 1881, and was met with little resistance thanks to France's reliance on the authority of the Ottoman Bey. As a result, he argued, the Tunisian protectorate yielded more soldiers (in relative numbers) than Algeria – a

⁷ Biographical details from: http://www2.assemblee-nationale.fr/sycomore/fiche/%28num_dept%29/5219. Accessed: 13 December 2017.

French possession since 1830.⁸ In an article a year later Messimy concluded: “Évidemment le régime du protectorat offre sur cette méthode de colonisation toutes sortes d’avantages.”⁹

Messimy’s calls to introduce conscription amongst Algerian Muslims set in motion an overall strategic shift amongst generals, administrators and commentators who were now hoping to exploit the populations of the new colonies militarily. This was a major change: Of the three armies composing the French military, only the *Armée métropolitaine*, consisting of French citizens, relied exclusively on conscription. The other two armies, the *Coloniale*, dating back to the French colonies of the seventeenth century, and the *Armée d’Afrique*, which was founded in Algeria after 1830, recruited soldiers from the local populations as volunteers.¹⁰ But the prospect of escalation in Europe gave rise to new ideas: In 1910, colonel Charles Mangin, a veteran of colonial expeditions in Asia and Africa, published his book *La force noire*, in which he advocated the deployment of troops from the colonies in a future European war.¹¹ If in 1908 Messimy’s estimation that “une grande armée arabe” could be “le facteur déterminant de la victoire” in a future war was still a view confined to colonial and military milieus,¹² it was very quickly popularised. In 1911, Maurice Barrès wrote: “J’aime le Maroc, parce qu’il nous donne des hommes... Trente à quarante mille bons soldats, des Kabyles, la vieille race berbère.”¹³

What turned a debate on military strategy into a contentious political debate was the question of political rights to be granted to soldiers and veterans. Messimy himself was well aware of this and tried to reassure his opponents – above all the settler public opinion in Algeria – that he envisaged no *levée en masse* in Algeria and opposed any form of collective

⁸ AN, 509AP/5 – dossier 2: Lettre adressée par le rapporteur du budget au ministre de la guerre au sujet de l’organisation des réserves algériennes, annexe XXI, 30 September 1907.

⁹ Adolphe Messimy, ‘Les effectifs de l’armée et le service militaire des indigènes algériens (suite)’, *Revue bleue* 10, no. 26 (26 December 1908), 802.

¹⁰ Anthony Clayton, *France, Soldiers and Africa* (London: Brassey’s Defence, 1988), 6-8, 16. The French citizens residing in Algeria were subjected to conscription – albeit for shorter periods.

¹¹ Raoul Girardet, *L’idée coloniale en France* (Paris: Editions de la Table Ronde, 1972), 99-100.

¹² Adolphe Messimy, ‘Les effectifs de l’armée et le service militaire des indigènes algériens’, *Revue bleue* 10, no. 25 (19 December 1908), 776.

¹³ Quoted in: Girardet, *L’idée coloniale en France*, 100.

naturalisation. The only rewards he was willing to consider were some reforms of the Code de l'indigénat and extended Muslim representation in local Algerian councils.¹⁴ But various representative institutions of the settler population in Algeria remained hostile. In Oran, the *Chambre d'agriculture* argued that “il serait impossible de leur [Algerian Muslim soldiers – A.O.] refuser des avantages moraux et matériels, entre autres la jouissance des droits civils et politiques des citoyens français.”¹⁵

Indeed, the plans to introduce conscription amongst Algerian Muslims resulted almost immediately in a renewed debate on the boundaries of the *cité française* in the colony. In September 1908, the *Revue indigène*, founded two years earlier, dedicated an entire issue to Messimy's plan and the question of political rights under the title “l'empire franco-barbaresque”. An important platform to advocate colonial reforms in the early twentieth century, the *Revue indigène* advanced a more nuanced understanding of Islam amid widespread concerns over “pan-Islamism” or the territorial ambitions of the Ottoman empire. Its lengthy studies and scholarly articles were amplified by the daily *Le Temps* – a long-time arena for critical writing on Algeria and the Code de l'indigénat. In the opening sentences of the September 1908 issue, the review's editor Paul Bourdarie (1864-1950), a scholar of the history of equatorial Africa who would go on to advise the colonial administrator in Morocco, wrote: “L'empire franco-barbaresque. Il n'est pas à fonder. Il existe. Il est scellé dans la sang.”¹⁶ A detailed study of Messimy's conscription plans, the issue concluded with an approval of the plan, but added that military service had to be rewarded with political benefits. Whilst rejecting both collective naturalisation and any change to the *statut personnel*, the review argued that

¹⁴ Messimy, ‘Les effectifs de l'armée et le service militaire des indigènes algériens (suite)’, 802-803.

¹⁵ Quoted in: *La Revue indigène* 3, no 29 «L'empire franco-barbaresque» (September 1908), 377.

¹⁶ Ibid, 329. Biographical details from: <http://www.academieoutremer.fr/academiciens/fiche.php?aId=302>, Accessed: 13 December 2017.

even a gradual reform of the Code de l'indigénat and some limited political rights to soldiers and veterans would be a considerable achievement.

Though the notion of an “empire franco-barbaresque” can easily be dismissed as yet another chimera of colonial mythology – ultimately, it was nothing else – it is worthwhile to stress its significance in contemporary debates on reforms, if only to grasp the intellectual horizons of the time. In June 1912, deputy Albin Rozet, a long-time critique of the Code de l'indigénat, spoke in the Chamber against the suggested prolongation of sweeping penal powers given to administrators over the Muslim population in Algeria. Praising the establishment of the protectorate in Morocco as the inauguration of “l'empire arabo-berbère de la France”, Rozet reminded his colleagues of some simple statistics: The local population in North Africa was expected to reach 30 million within twenty-five years, compared with a European population of between two and three million. Rozet then concluded:

En présence de cette situation, on ne peut pas songer à administrer nos possessions de l'Afrique du Nord comme l'administrait, au lendemain de notre débarquement à Sidi-Ferruch, le capitaine adjudant-major qui, assis à la porte du camp, avec un tambour, faisait visiter les délinquants, les maraudeurs, les filles publiques [...] Vous vous trouverez désormais en présence d'un empire considérable, d'une énorme agrégation d'hommes sans cesse augmentant, qui doivent être traités comme doit être traitée toute société humaine, qu'on ne peut avoir la prétention d'administrer uniquement par la police et par la force.¹⁷

Calls for reforms in Algeria, then, were articulated above all as a debate on the character and future of the French empire. The predominant trope of such calls was that of modernisation and progress. Due process was advocated above all as a pillar of efficient, modern rule. Very

¹⁷ JO, 21 June 1912, 1535.

rarely did French colonial reformers evoke the idea that the Muslim population had the right to participate in the governing of its country.

But into this purely colonial process of re-thinking on exclusion and inclusion stepped a new generation of Algerian Muslim leaders who successfully mobilised growing sections of French public opinion to support their demands for more rights. The Young Algerians, as this new generation was commonly referred to, represented above all the politicised, urban, French-educated and often French-naturalised socio-economic elite. As their name suggests, the Young Algerians were much influenced by political developments in the Ottoman empire and the Young Turks' demands to restrain the power of the Sultan with a new constitution. The ousting of the sultan in 1908-9 by the Young Turkish revolution exerted great influence in the Middle East and North Africa – including Algeria. Young Algerian leaders maintained good contacts with French politicians and associations. Some of them were not only naturalised, but active members of the *Ligue des droits de l'homme* and close to French Freemasonry. In 1904, *Le Temps* published what was probably the first article in the metropolitan press on this social and political elite and called upon the Algerian administration to encourage their political development.¹⁸

In 1908, a delegation of the Young Algerians to Paris submitted a petition against the plans to introduce conscription amongst Algerian Muslims, stressing that they would only accept mandatory military service in return for civil and political rights. They met with Prime Minister Clemenceau to present their claim that military service ought to be rewarded with full civil rights. Though Clemenceau refused to commit to the 1908 delegation's demand for full civil rights, the agitation of the Young Algerians in Algeria and France does appear to have had some influence. In 1908, governor general Charles Jonnart wrote to Clemenceau and

¹⁸ Ageron, *Les Algériens musulmans*, 1032-52.

acknowledged the need for some reforms of the Muslim electorate for local elections.¹⁹ Messimy, for his part, was particularly blunt with regards to the Young Algerians and their demands:

Ces indigènes réclament bien haut des «droits politiques» et l'opinion française peut se demander si nous n'allons pas voir bientôt au Parlement soixante députés en burnous. Cette question ne peut pas se poser: Les Arabes instruits sont extrêmement peu nombreux et la masse de la population est encore des plus arriérées; elle ne sait et ne croit que ce que lui disent les administrateurs français, les Cheikhs ou les Marabouts.²⁰

Nevertheless, the protests of the Young Algerians set in motion a slow yet significant shift in growing sections of the French public opinion, which were now more open to the idea of naturalising Algerian Muslims without requiring them to renounce Islamic legislation. The organ which led this change was the *Revue indigène*. In an issue dedicated to the question of naturalisation in 1911, the editors and contributors suggested allowing for naturalisation without demanding that Muslims renounce Islamic legislation. Certainly, such proposals had been drafted already in the 1880s, as discussed in Chapter Three. But the 1911 publication of the *Revue indigène* appears to have exerted a far more significant influence on French public opinion. Gathering a group of renowned jurists and colonial administrators at the crucial moment of introducing conscription amongst Algeria's Muslim population, the *Revue indigène* effectively broke a decades-long taboo in openly calling for practising Muslims to be let into the *cit  française*. This call, as we shall see in the next section, would be taken up by prominent political figures and would preoccupy the Chamber on several occasions during the war.

¹⁹ Ibid, 1037-8, 1056.

²⁰ Messimy, 'Les effectifs de l'arm e et le service militaire des indig nes alg riens (suite)', 802.

Articulating their ideas through the language of assimilation and the civilising mission, most contributors to the 1911 publication of the *Revue indigène* viewed citizenship instrumentally: it was to be granted to certain colonial subjects not as a natural right, but as a useful tool in the hands of the French state. Editor Bourdarie, for instance, though portraying the ultimate objective of his reforms agenda as a “fusion complète et définitive du peuple arabo-berbère dans la nationalité française”,²¹ made it clear that political rights ought to be granted selectively. Criticising the indiscriminate application of the Code de l’indigénat, he argued that the local Muslim population should be divided into two major categories: “l’une, composée de tout ce qu’il y a de notable et d’honorable dans la population indigène; l’autre, comprenant tout ce qui est sujet de caution dans cette même population [...] Si l’indigénat se justifie vis-à-vis de la seconde, il est absolument impolitique vis-à-vis de la première.”²² The same principle was to apply in questions of naturalisation, and the Algerian administration was encouraged to adopt the “American principle” of distinguishing between “désirable” and “non-désirable” when admitting immigrants into the country.²³ In this last remark lies a crucial element of French colonial thought regarding citizenship: Though it was France which occupied Algeria and settled its nationals there, it was the local population which was perceived as the immigrants. Once again, we see the strong spatial dimension of French citizenship, a dimension which can be seen most clearly in the term *la cité française*.

Henri de Lamothe, a veteran of reform campaigns since the 1880s, provided a very critical view of French society and politics. Looking back at the fruitless campaigns launched by the Société de protection des indigènes in the early 1880s, he tried to explain this failure as follows: “[...] soit que le semeur eût mal choisi son moment, soit que la semence fût tombée

²¹ Paul Bourdarie, ‘Avant-propos,’ *La Revue indigène* 6, no. 63-64 (July-August 1911), 401.

²² Ibid, 402.

²³ Ibid, 406.

sur un terrain impropre à la recevoir”.²⁴ Though carefully articulating his criticism through metaphors, de Lamothe was rather clear: the French society of the 1880s was not ready to receive the messages of reformed colonial rule. Then as now, de Lamothe insisted that the right to vote had to be granted to parts of Algeria’s Muslim population. But most crucially, he provided an unusual view of the *statut personnel*: “[L]e statut personnel et familial des habitants musulmans du nord de l’Afrique est aussi digne du respect du législateur que les coutumes gallo-romaines sanctionnées par les codes de la métropole.”²⁵ It was by abandoning the common view of French civil legislation as the highest accomplishment of modernity and standardisation that de Lamothe was able to portray it as equally respectable as Islamic legislation. Rather than presented as an objective, infallible canon, the Code civil was historicised and portrayed as stemming from a specific constellation. As such, the “Gallic-Roman” legislation was of equal merit as Islamic legislation.

Whilst various contributors to the *Revue indigène* agreed that Islamic legislation posed no real obstacle to naturalisation, they all rejected vehemently the option of collective naturalisation. “[L]’expérience du fameux décret Crémieux”, Bourdarie wrote, “nous interdit, pour l’avenir, une semblable erreur.”²⁶ Bourdarie and the other contributors who viewed the Crémieux decree as a “counter-model” of colonial policy were clearly still influenced by the anti-Jewish crisis which had paralysed Algerian politics and administration in the late 1890s.²⁷ Tellingly, they attributed this crisis, during which recently naturalised Europeans played a major role in the anti-Semitic movement, not to the sweeping European naturalisation of 1889 but to the naturalisation of some 34,000 Algerian Jews in 1870. With their criticism of the Crémieux decree, the contributors to the *Revue indigène* showed how well-cemented the

²⁴ Henri de Lamothe, ‘Accession aux droits politiques’, *La Revue indigène* 6, no. 63-64 (July-August 1911), 412.

²⁵ *Ibid*, 411.

²⁶ Bourdarie, ‘Avant-propos,’ 428.

²⁷ As mentioned in previous chapters, I borrow the description of the Crémieux decree as a “counter-model” from: Blévis, “En marge du décret Crémieux,” 56.

colonial division between “European” and “indigenous” was and how successful the anti-Semites had been in contesting the very idea that an “indigenous” population could be made French. Only ten years after Régis, Drumont and their allies threw Algeria into chaos, a series of colonial reformers identified the source of the troubles in the naturalisation of the anti-Semites’ victims.

The campaign launched by the *Revue indigène* successfully broke the silence concerning Islamic legislation and French citizenship. As we shall see, debates and legislative proposals during the war adopted many of the ideas formulated in the 1911 issue. But this scholarly debate also reiterated and indeed sharpened various tropes of contemporary colonial thought. If supporters of the new approach were to have their way, the scholarly distinction between “developed” and less developed or “desirable” and “undesirable” subjects was to be made a legal category. Furthermore, citizenship was not seen as a natural right, but rather as a tool in the hands of the state in its attempt to promote its own interests – whether it was countering Ottoman influence, guaranteeing “l’avenir de notre domination”, or encouraging “la diffusion de notre langue et notre enseignement dans l’Afrique du Nord”.²⁸

But though the advocates of a path to naturalisation adopted certain elements of colonial thought, none of them equalled the cynicism of one of the project’s most unequivocal opponents, the influential colonial thinker Arthur Girault, author of the widely read and oft-reprinted book “Principes de la domination coloniale”. In his contribution to the 1911 issue of the *Revue indigène*, Girault explained his opposition to any reform of the naturalisation regime. Commenting on the will to introduce conscription amongst Algerian Muslims, Girault rejected the view that this should be recompensed with civil rights. Concluding this argument, Girault

²⁸ ‘Position de la question au point de vue juridique,’ *La Revue indigene* 6, no. 63-64 (July-August 1911), 447 (opinion expressed by jurist Charles de Bœck), 422 (opinion expressed by jurist André Weiss), 421 (introduction by editorial board, most probably written by Bourdarie) – respectively.

claimed with astonishing directness and sang-froid: “Le fait que les musulmans ne sont pas citoyens français ne les empêche pas actuellement d’être soumis à l’impôt; la même circonstance ne peut pas suffire à les empêcher d’être soumis à l’impôt du sang.”²⁹

Shameless and despotic though such a reasoning seems, it was in no sense unique. Girault simply reiterated a view which was commonly shared across the French political spectrum – including the Left. Messimy himself showed similar indifference to the suffering inflicted by France upon colonised populations. In an article published in September 1909 on the front page of the Parisian daily *Le Matin*, the Radical-Socialist deputy wrote: “L’Afrique nous a coûté des monceaux d’or, des milliers des soldats et des flots de sang. L’or, nous ne songeons pas à le lui réclamer. Mais les hommes et le sang, elle doit nous les rendre avec usure, maintenant que nous l’avons arraché à la barbarie, que nous lui avons donné l’ordre et la richesse.”³⁰

Chilling as such cynicism may be, this was exactly the outcome. In 1912, conscription was introduced for colonial subjects in Algeria without any form of political representation in return. The introduction of conscription remained, at first, of limited practical consequence. Opposition from settlers and the Algerian administration to Muslims’ mobilisation led to actual recruitment being limited to 5% of the overall potential contingent.³¹ Though the main consideration behind such opposition was doubtless the anxiety that military training and access to arms might lead to uprisings, opponents to the conscription of Muslims were also concerned that conscription might lead to political representation. Indeed, the idea that conscription ought to be rewarded with political rights was central to contemporary thinking – not only as part of the Jacobin legacy, but also as a lesson from the Roman model of empire

²⁹ ‘Position de la question au point de vue juridique,’ opinion expressed by Arthur Girault (mistakenly spelled ‘Girauld’ in the issue), 426.

³⁰ Adolphe Messimy, ‘Appelons l’Afrique à notre secours!’. *Le Matin* (3 September 1909), p. 1, col a-c.

³¹ AN, 509AP/5 – dossier 2: Note sur le service militaire des indigènes musulmans de l’Algérie (neither signature nor date. Document doubtless from early 1916, as can be inferred from its content).

building, according to which mandatory military service was bound up with political inclusion. In this context, the words of governor general Charles Lutaud (1855-1921) are particularly revealing. In a letter to the three Algerian prefects regarding the naturalisation of those Muslims who had successfully completed their military service, Lutaud wrote: “Je n’oublie pas la leçon de l’histoire; c’est en conférant trop tôt et trop vite l’intégralité du droit électoral aux africains, s’il faut en croire les plus éminents historiens, que Rome aurait précipité sa décadence!”³² On the eve of war, then, a clash of interests between the government in Paris seeking new manpower and the Algerian administration seeking to preserve the existing order began to emerge. This conflict was to become clearer as the war went on, as we shall now turn to see.

II. Mobilisation and reform debates, 1914-1919

The question of conscription and political rights in Algeria was propelled into the very centre of the metropolitan political agenda by the outbreak, and particularly the continuation of the First World War. With c. 172,000 Muslim Algerians recruited as soldiers and another c. 120,000 sent to France as workers, the political status of this population within the French empire could no longer be ignored. During the war and ever after, Algerian Muslims were no longer distant and unnoticeable, but a population whose presence was much felt and seen in the metropole and whose grievances necessitated debate.

Attempts to proceed with reforms in Algeria in order to gain the support of the Muslim population intensified as war loomed. Throughout 1914, Messimy, once again serving as War Minister, abandoned his past scorn and expressed support for the Young Algerians’ demands for exemption from the repressive penal system and for political rights for Muslims serving in

³² CAOM, GGA 12H 6: Gouverneur général au préfet d’Oran, 20 May 1913 (the same letter was evidently sent to the other prefects as well).

the French army. In July 1914, as war seemed inevitable, the Chamber exempted serving Muslim soldiers from the Code de l'indigénat – a move which all but confirmed the suspicions of settler leaders and colonial administrators regarding conscription. Once the war started, French authorities were particularly concerned about German-Ottoman propaganda and calls upon the populations in the colonies to join the Central Powers in a sacred effort (“jihad”) and liberate themselves from British and French yoke. The French government, for its part, appealed to the Muslims of Algeria to join the “union sacrée” of the “civilised peoples” against the “barbarism” of the Central Powers. Such measures and messages were not without effect. As historian Gilbert Meynier has argued: “Se trouver à l'improviste dans le camp des «civilisés», après avoir été tenus si longtemps pour barbares, peut expliquer des attitudes inaccoutumées: c'était la première fois que les Algériens étaient autant sollicités par le pouvoir colonial.”³³

Calls to reward Muslim soldiers with French citizenship were intensified in both content and magnitude by occurrences of resistance to recruitment amongst the local Muslim population. Alongside demonstrations and petitions against conscription, there were some limited, local insurrections by newly recruited soldiers who took to the *maquis*, most notably in the south of the Constantine province.³⁴ In 1915, it was no other than Georges Clemenceau, at the time already an influential politician and former Prime Minister (from 1906 to 1909), who called for the naturalisation of Muslim soldiers without requiring them to renounce Islamic jurisprudence in matters of marriage divorce and inheritance.

With Clemenceau's endorsement, the acceptance of naturalisation of Muslims still subjected to the *statut personnel* entered for a brief moment the French mainstream. Naturalisation *dans le statut*, as this principle came to be known, became a credible, acceptable

³³ Meynier, “Les Algériens et la guerre de 1914-1918,” 231.

³⁴ Meynier, *L'Algérie révélée*, 588-98.

political stance. Serving as chairman of the Senate's Commission of Foreign Affairs, Clemenceau, together with his counterpart in the Chamber Georges Leygues (later to serve as Prime Minister as well), wrote to the Minister of Foreign Affairs to demand on behalf of the two commissions a new policy in Algeria. In their letters on behalf of the two commissions – later made public – there was one key demand: “En premier lieu, accession progressive des indigènes à la qualité et aux droits politiques des citoyens français sans exiger d’eux la renonciation au statut personnel.”³⁵ What in 1911 was still an opinion confined to the Young Algerians and a limited number of colonial reformers in the metropole now became a demand raised by some of France's most prominent politicians and approved by two of the Assembly's most important commissions.

But the veritable turning point regarding conscription and political rights came in 1916. In September, amid continuing battles and no end to the conflict in view, previous decrees limiting the use of conscription were annulled and tens of thousands of Algerian Muslims were mobilised. The units that proved to be the most crucial for the war effort were those of the *Tirailleurs algériens* – Muslim-only infantry regiments with French officers and an interface of Muslim NCOs. Amongst the oldest units of the *Armée d’Afrique*, the *tirailleurs algériens* had previously taken part in the repression of the Kabyle uprising of 1871 and later in occupation campaigns throughout Algeria and Morocco.³⁶ After the war, the *Armée d’Afrique* would come to be seen by generals as a crucial factor in the French victory, and its deployment would be considered necessary in all war strategies developed in the 1920s.³⁷ Muslim Algerians were now an indispensable part of the French war effort. Providing them with incentives to

³⁵ CAOM, GGA 12H 6: Leygues, président de la commission des affaires extérieures de la Chambre des Députés au Ministre des affaires étrangères, 3 December 1915.

³⁶ Clayton, France, *Soldiers and Africa*, 246-8.

³⁷ *Ibid*, 37.

fight for France was no longer the caprice of a limited reformist milieu, but a concern of a national order.

Nothing reveals the French hope to encourage recruitment by granting rights as clearly as a series of telegrams sent from governor general Charles Jonnart to various ministries towards the end of the war. The Ministry of War, for instance, received a hundred copies of a recent speech by Jonnart on the need to reform the status of the Muslim majority in Algeria, translated into Arabic. “Il m’a semblé”, Jonnart wrote, “que ce document pourrait être utilisé avec profit pour notre propagande parmi les militaires et ouvriers musulmans qui servent actuellement dans la métropole.”³⁸ Further copies in French and Arabic were sent with a similar explanation to the Foreign Ministry, the French resident generals in Morocco and Tunisia, as well as the British consul in Algiers, who was asked to forward these to the “service de la propagande” at the Foreign Office.³⁹ Four years of bloodshed in Europe had left their imprint. France’s force had been exhausted and new manpower was urgently needed. For growing parts of the political elite, re-thinking the empire seemed an absolute necessity.

The re-thinking of empire made conceivable what until the 1910s had been an almost uncontested taboo: practicing Muslims becoming French citizens. It was in this context that two of the most important colonial reformers emerged: Maurice Viollette and Joseph Lagrosilliere. Viollette (1870-1960), elected Radical deputy for Eure-et-Loir in 1902, was later to become governor general of Algeria and secretary of state under Léon Blum, when he would draft a series of reforms for Algeria (to be discussed in the next chapter). In 1915, when still a rather anonymous politician, Viollette proposed to allow for the naturalisation *dans le statut* of members of the Muslim elite in Algeria. Seeking to respond to the usual criticism directed at

³⁸ CAOM, GGA 12H 11: Gouverneur général au Ministre de la Guerre, 8 October 1918.

³⁹ CAOM, GGA 12H 11: Gouverneur général au Consul général britannique à Alger, 8 October 1918; Gouverneur général au Ministre des affaires étrangères, 10 October 1918; Gouverneur général aux résidents généraux de France au Maroc et à Tunis, 10 October 1918.

such proposals, Viollette suggested annulling marriages in cases of polygamy so as not to create contradictions with the Code civil. In fact, this early proposal of Viollette's was far more radical than the proposals he was to submit during the 1930s, particularly in terms of the empire's structure. For Viollette suggested allowing for the naturalisation of colonial subject not only in Algeria, but in all colonies and protectorates – a revolutionary idea which would have meant a deep change in the relations between the metropole and the colonies.⁴⁰

Viollette's intrusive suggestions earned him harsh criticism from the Chamber's Commission of Foreign Affairs which, in 1918, published a report on the various proposals regarding Muslims' legal and political status. The commission's verdict is itself revealing, as it shows the growing contradictions posed to the French state by its rule over Algeria, caught in an intermediary status between a colony and an integral part of the mainland: "Elle [Viollette's proposition – A.O.] procède de théories assimilatrices dangereuses et affirme avec excès la croyance quasi mystique dans la valeur universelle du Code civil, dans la possibilité de l'unité de législation pour la totalité des êtres humains."⁴¹ Even more worrying for the commission was the prospect of the French losing their majority and predominance in local and above all national assemblies should colonial subjects be given the vote.⁴² Viollette's proposals were thus rejected.

Besides Viollette, the war years saw the emergence of Joseph Lagrosillière (1872-1950) as a prominent colonial reformer. Founder of the socialist movement in Martinique and the island's deputy to the National Assembly, Lagrosillière was a voice of unique creativity in seeking to reconcile the principles of the *cite française* with social structures of the Muslim

⁴⁰ Assemblée nationale, onzième législature, session de 1918, no. 4383, annexe au procès-verbal de la séance du 1^{er} mars 1918: *Rapport fait au nom de la commission [...] chargée d'examiner les propositions de loi concernant l'accession des indigènes aux droits civils et politiques* par M. Marius Moutet (Paris: Imprimerie de la Chambre des Députés, 1918), 147-51.

⁴¹ Ibid, 148.

⁴² Ibid, 150.

society in Algeria. He proposed to grant French citizenship upon individual request not only to veterans, but to any male subject whose son or sons have served in the French army, thus respecting family structures and paternal authority in Algeria as Lagrosillière understood them.⁴³ Lagrosillière did not suggest granting citizenship to practising Muslims *dans le statut* and viewed proficiency in French as a binding precondition for naturalisation. But his proposal was nevertheless radical: seeking to accommodate difference and account for the various social and familial structures across the French empire, it showed unusual pragmatism. Lagrosillière stripped French citizenship of the ideological value attributed to it by many of his contemporaries, viewing it instead as a tool at the hand of the empire-state. Moreover, his proposal understood citizenship as functioning within a given social context. Rather than shaping society according to the Code civil, as was the implicit demand in many debates, citizenship ought to be adapted to surrounding social conditions.

It is no coincidence that a proposal so radical in its willingness to accept difference within the *cit  fran aise* originated in the periphery of the French empire – a historical development significant enough to justify a short excursus in our discussion. Lagrosill re, who referred explicitly to his mixed origin as a motivation for his quest for reforms, was a part of a long history of south-south alliances in the French empire. Relations between the Caribbean and Algeria were particularly important, from the early days of colonial rule to the struggle for Algerian independence. They started in the 1860s with the reformist writings of the Saint-Simonian advisor to Napoleon III Thomas Isma l Urbain (1812-84), a convert to Islam born in French Guiana to a French father and a Guyanese mother who inspired the emperor’s vision of Algeria as an “Arab Kingdom”, where the Muslim population would exercise its own rule under French protection.⁴⁴ A century later, the Caribbean would become once again present in

⁴³ Ibid, 152.

⁴⁴ Ageron, *Les Alg riens musulmans*, 406-8; Abi-Mershed, *Apostles of Modernity*, 237.

colonial Algeria – albeit in a very different way. Now, it was the psychiatrist and theoretician Frantz Fanon (1925-61) of Martinique who, based on his experience in Algeria and France delivered penetrative analyses of the colonial world and the mental conditions it creates amongst the colonised and later endorsed the FLN.

Though Urbain, Lagrosillière and later Fanon differed fundamentally from one another, they represent an historical trajectory which accompanied the struggle of the colonised population in Algeria against colonial violence and exclusion. All three of them came from the small French colonies, where colonised populations exercised political rights, and they sought to make full use of their political, intellectual and professional position to support the far less privileged colonial subjects in Algeria. The same pattern recurred with the colony of Senegal. In 1916, some 4,000 Muslim colonial subjects were naturalised *dans le statut*, giving renewed impetus to those demanding similar reforms in Algeria. A central figure in this context was the Senegalese leader and deputy Blaise Diagne (1872-1934). A long-time advocate of colonial subjects' political rights, Diagne called as deputy in 1927 for the naturalisation *dans le statut* of Algerian Muslims according to the principles applied in Senegal in 1916.⁴⁵ The fact that such calls were never accepted under the Third Republic is to do with the settler colonial order which was, in the French empire of the early twentieth century, unique to Algeria – which brings us back to the main issue of this discussion.

The acceptance of religious or social difference as envisaged in the proposals of Viollette and Lagrosillière failed to gain sufficient support, and these were rejected by the Commission of Foreign Affairs. Certainly, the long campaign for reform successfully challenged the view of the Islamic *statut personnel* as an insurmountable obstacle to naturalisation. In 1918, the Commission of Foreign Affairs argued: “En résumé, si le statut

⁴⁵ For Diagne's speech see: JO, 11 July 1927, 2526. Biographical details on Diagne from: [http://www2.assemblee-nationale.fr/sycomore/fiche/\(num_dept\)/2496](http://www2.assemblee-nationale.fr/sycomore/fiche/(num_dept)/2496). Accessed 13 December 2017.

personnel des musulmans va à l'encontre de nos sentiments, de nos conceptions morales, de notre notion juridique de l'ordre public, on ne peut vraiment considérer qu'il soit un obstacle à la concession des droits politiques ou à la qualité de citoyen.”⁴⁶ Yet in the end, the commission chose not to legislate for the naturalisation *dans le statut*. Instead, it argued that French citizenship was to be viewed as a right to be granted to any Muslim willing to adopt French civil jurisdiction and satisfying further criteria. Furthermore, it suggested extending the civil and political rights in Algeria of colonial subjects not willing to adopt French civil jurisprudence. The term used in the report to refer to this latter group is telling: “indigènes restés musulmans”⁴⁷. In the end, then, the view of French citizenship and Islam as irreconcilable was even further cemented, and colonial subjects were given the choice between two diverging paths: accept the Code civil and become citizens, or else “remain Muslims”.

The proposition finally endorsed by the commission was the one prepared on behalf of the government by an inter-ministerial commission presided over by Socialist deputy Marius Moutet – a proposition which remained loyal to the orthodoxy of French colonial thought. An emerging authority on colonial questions who would serve as Minister of the Colonies under the Popular Front, Moutet reapproved the fundamental principle of French rule in Algeria: In order to become French citizens, Muslims would have to accept French civil legislation. The only reform in this respect was the idea that for those colonial subjects willing to do so, naturalisation would be recognised as a right (*droit*) rather than a privilege (*faveur*) and could thus only be refused under exceptional circumstances. A second, more substantial suggested

⁴⁶ *Rapport fait au nom de la commission [...] chargée d'examiner les propositions de loi concernant l'accession des indigènes aux droits civils et politiques*, 85.

⁴⁷ *Ibid*, 171.

reform was Moutet's proposal to guarantee Muslims representation in all local councils in Algeria and to participate in the election of mayors – though not on a proportionate basis.⁴⁸

These two principles – the recognition of naturalisation as right rather than privilege and the increase of Muslim representation in local councils – were the main elements of the so called Jonnart law, approved by the National Assembly in February 1919. A procedural rather than an essential reform, the Jonnart law fell short of all the demands raised by the Young Algerians during the previous decade and re-approved the well-established stance of French colonial thought, rejecting any naturalisation *dans le statut*.⁴⁹ Its namesake, former governor general Jonnart, had been trying to persuade the deputies and mayors of Algeria to accept some political reform during the previous months – without success. The legislation initiative was met with strong opposition from settler representatives, and its adoption was depicted by the settler press as a grave mistake which would jeopardise French rule in Algeria.⁵⁰

The main point of controversy between the metropole and the colony regarding reforms in the late 1910s was to do with the question of Algerian Muslims' representation in local councils. Though all proposals stated clearly that Muslims' representation should not be proportionate so as not to jeopardise settlers' predominance, the Algerian administration was almost unanimous in its opposition to any increase in Muslim representation. A report from 1917, almost certainly prepared by the governor general's office, explained this rejection with a pathos which exceeded even the usual melodramatic tone of official correspondence. Arguing that local representation should be exclusively reserved to full citizens, the report stated that "[...] il y a, dans les fonctions de maire, un reflet de la souveraineté nationale."⁵¹

⁴⁸ CAOM, GGA 12H 5: Commission interministérielle des affaires musulmanes – séance du 11 octobre 1917, annexe 1: Rapport concernant l'accèsion des indigènes algériens aux droits politiques: Exposé du projet de la commission.

⁴⁹ Blévis, "Sociologie d'un droit colonial," 169-70.

⁵⁰ Confer, *France and Algeria*, 109-12; Ageron, *Les Algériens musulmans*, 1208-11.

⁵¹ CAOM, GGA 12H 11: Gouvernement général de l'Algérie: Evaluation de la proposition de loi du député de Lyon Maurice Moutet [neither date nor signautre].

National sovereignty aside, mayors in Algeria exercised considerable political power and controlled economic resources on a much wider scale than in the metropole, and were determined to protect this position. In their quest to protect settler privileges, mayors were always the staunchest opponents to any form of participation of the Muslim population which might jeopardise the Europeans' political monopoly. In a colony drawing its riches from heavy taxation of the Muslim population and its disproportionate distribution for the settlers' benefit, this would have meant a considerable change of economic and political order.⁵² It is thus not surprising that mayors were always at the front of settler agitation. This pattern, which emerged during the anti-Semitic crisis of the late 1890s with the demand for the exclusion of the Jewish minority, now recurred with similar determination. Emile Morinaud, for instance, anti-Semitic deputy in the 1890s and now mayor of Constantine, warned that any attempt to grant political rights collectively to certain social groups within the Muslim population would irreversibly shift the political balance in Algeria.⁵³

The settler opposition to Muslim participation in local elections allows us to see how particular interests were transformed into a general argument on the alleged incompatibility of Islam with French citizenship and society. Seeking to avert any form of political representation which might shift the power balance in Algeria, the settler press, the Algerian parliamentary deputation and even the colonial administration advanced a thesis on this incompatibility. The economic and political interests behind this argument are laid bare by the opposition to Muslim participation in local elections, since what was at stake was not naturalisation, but an arrangement designed to avoid the question. Faced with growing pressure for reform, settler

⁵² Guignard, *L'Abus de pouvoir*, 144-6, 152-3.

⁵³ *Rapport fait au nom de la commission [...] chargée d'examiner les propositions de loi concernant l'accession des indigènes aux droits civils et politiques*, 313-16.

representatives disguised the quest to protect their privileges as an overall theoretical argument on national sovereignty, the Republic and Islam.

By the time the Jonnart law was in preparation in 1918, around 150,000 Algerian Muslims had fought under the French flag. Around 25,700 Algerian Muslim soldiers were killed and c. 72,000 were wounded.⁵⁴ The *impôt du sang*, to use Girault's colonial language, was paid in full. For a brief moment, the idea of naturalisation *dans le statut* seemed to be moving from the fringes to the mainstream, endorsed as it was by such prominent figures as Clemenceau. Yet in the end, a decade of campaigns and a mass mobilisation of the Algerian Muslim population could not shatter a fundamental assumption of French political thought, now re-affirmed by legislation: that being a French citizen and a practising Muslim was impossible.

III. The Aftermath of the war, 1919-1927

On the face of it, colonial order was re-instituted in the immediate aftermath of 1918. Calls for reform in Algeria all but evaporated once the war was won, and various repressive measures against the Muslim population were ordered, both by the colonial administration and by the Assembly. However, the war dramatically transformed the political conditions in Algeria. This section seeks to complement the existing literature on the aftermath of the war in Algeria by pointing to changes in the image of settlers and settlement and to shifting perceptions of the Algerian colony. In an expanding empire, now consisting of new, "modern" protectorates and mandates – from Morocco in the western Mediterranean to Syria and the Lebanon in the east

⁵⁴ Meynier, "Les Algériens et la guerre de 1914-1918", 230.

– direct rule was viewed as dated and inefficient, and the prestige of settlers diminished considerably.

In October 1921, senator of Moselle, Jean Stuhl (1862-1942), wrote to the governor general of Algeria, proposing to launch a new version of the Alsace-Lorraine settlement project of the early 1870s. Though hardly a very prominent figure, Stuhl embodies much of the Alsace-Lorrainian/Algerian complex of the Third Republic. His family remained in Lorraine after its annexation to Germany in 1871 and thus lost its French nationality. Stuhl nevertheless made a military career in the French Foreign Legion and later reclaimed his French nationality. Injured during the First World War, he ended his military career and was elected senator of the newly constituted French department of Moselle in 1920.⁵⁵ In his letter to the governor general Stuhl said:

Après la guerre de 1870, une organisation d'émigration vers l'Algérie a été spécialement développé en faveur des Alsaciens et Lorrains. [...] Le courant d'émigration vers l'Amérique, qui battait son plein avant la guerre de 1914, n'a pas repris depuis, parce que les États-Unis se ferment, et que maintenant les voyages coûtent fort cher. Il n'est pas besoin de souligner l'opportunité de conserver cette richesse nationale, en canalisant l'émigration vers les colonies françaises. Il serait donc souhaitable qu'un office de placement assurât nos jeunes émigrants de quoi gagner leur vie dès le débarquement.⁵⁶

What is striking about this letter is above all its anachronism, its endorsement of colonial practices long abandoned by leading figures of the colonial administrations and indeed made untenable in the changing world order of the war's aftermath. In the expanding and changing

⁵⁵ Biographical details from: https://www.senat.fr/senateur-3eme-republique/stuhl_jean0708r3.html, accessed 13.12.2017.

⁵⁶ CAOM, GGA 32L 11: Colonel Stuhl, Sénateur de la Moselle, au Gouverneur général, 22 October 1921.

French empire, colonial settlement was no longer viewed as an efficient means to exert colonial rule. Even to the Algerian administration, colonial settlement seems to have lost its appeal: classified by the governor's office without any further note, Stuhl's initiative remained a dead letter. A post-war public mood in the metropole did not result in any colonial settlement schemes this time.

Both in the metropole and in other colonies, Algeria was now viewed as an old-fashioned, inefficiently administered colony. This view was buttressed by contrasting Algeria with the new protectorate of Morocco, where the governor general Hubert Lyautey (1854-1934), quickly established himself as a champion of modern, efficient colonial rule, and where Europeans were kept in small numbers and in separation from the local population.⁵⁷ Once celebrated as pioneers and national heroes, settlers were now seen as an obstacle to the re-organisation of the French empire. Growing parts of the French political spectrum spoke of the need to re-organise the empire if it was to survive, and settler interests were perceived as an obstacle. Already in 1908, Messimy dismissed settler opposition to the introduction of conscription in Algeria as “inquiétudes chimériques”.⁵⁸ Lyautey, for his part, frustrated as many others at the settler opposition to the merest reform in Algeria in 1918-19, claimed that agricultural settlers in Algeria had the mentality of “pur boche, avec les mêmes théories sur les races inférieures destinées à être exploitées sans merci. Il n'y a chez eux ni humanité, ni intelligence.”⁵⁹

The changes of the French empire were even clearer in the new mandates of Syria and Lebanon. In the international order to emerge after the collapse of the Ottoman empire, France and Britain were entrusted by the newly founded League of Nations with the task of preparing

⁵⁷ Rabinow, *French Modern*, 290-6.

⁵⁸ Messimy, ‘Les effectifs de l’armée et le service militaire des indigènes algériens,’ 776.

⁵⁹ Ageron, *Les Algériens musulmans*, 1208.

the former Ottoman provinces for independence. And, though the “mandates” merely gave the League’s recognition to the *fait accompli* of British and French conquests without any effective oversight, the two empires had to maintain the façade of preparing these territories for self-determination. The age of direct colonial rule was clearly coming to an end.⁶⁰

However, the lost prestige of settlement and settlers did not result in any significant political will to reform the political status of the Muslim population in Algeria, and the pre-war campaigns all but evaporated after 1918. In 1920, the National Assembly re-introduced the *Code de l’indigénat*, and in the following years, the government imprisoned and exiled the prominent leaders of the Muslim population. Though settlers were increasingly seen as an obstacle to efficient colonial rule, their privileges or the conservation of Algeria’s political regime in order to retain French sovereignty were never seriously questioned. Once the war was over and conscription without citizenship was proven to be possible, reform campaigns lost their central argument. Whilst some journalists, politicians and colonial administrators dared call for extended rights in the name of national defence, the war proved them wrong. As Girault argued, it seemed well possible to impose military service upon a population deprived of any rights.

But, despite all efforts, the pre-war status quo could not be simply restored, and new forms of agitation did occur after 1918 amongst Algeria’s Muslims. The Jonnart law of 1919, though it fell short of most demands raised by the Young Algerians and failed to significantly reform the process of naturalisation, had nevertheless far-reaching consequences. Its main political significance lay in increasing the Muslim electorate in local elections. As McDougall writes, the Jonnart law “meant the advent of mass politics, of institutionalised electoral politics [...] throughout the countryside, and the emergence of new urban patterns of political

⁶⁰ Richard S. Fogarty, “The French Empire,” in *Empires at War 1911-1923*, ed. Robert Gerwath and Erez Manela (Oxford: Oxford University Press, 2014), 126-9.

mobilisation.”⁶¹ Out of this mobilisation emerged a new, more confident and militant generation of political leaders – most notably Emir Khaled (1875-1936), a retired soldier of the French army and grandson of the legendary warrior Abd al-Qadir who had led armed resistance to French conquests in the 1830s-40s. In November 1919, Khaled’s list defeated that of the old generation of the Young Algerians in the municipal elections in Algiers.⁶² One of the main controversies between the two camps, and the point around which Khaled could rally his supporters, was his attack on the practice of individual naturalisation and renunciation of Islamic legislation, a widespread practice amongst the older generation of Young Algerian leaders.⁶³

As in many other colonies, notables and leaders of the colonised population saw President Wilson’s endorsement of self-determination and the Versailles conference as an opportunity to put forward their political claims. Emir Khaled was the most notable protagonist of this Algerian “Wilsonian moment”, to speak with Erez Manela. In 1919, Khaled wrote to Wilson to demand representation for Algerian Muslims at the Versailles conference. At the same time, a group of religious notables from Algeria and Tunisia sent from their Swiss exile a similar letter to the Versailles conference and later to President Wilson himself. Having cooperated with the Central Powers during the war, these notables, now organised in an “Algero-Tunisian Committee”, were unaware of Emir Khaled’s letter. None of these documents represented a large-scale popular movement or bore any immediate, tangible fruits.⁶⁴ Rather, the significance of this new wave of political movements – particularly that of Emir Khaled – lies in the attempt to use new international forums to advocate for the Algerian cause.

⁶¹ McDougall, *A History of Algeria*, 152.

⁶² Ibid, 153.

⁶³ McDougall, *History and the Culture of Nationalism*, 93.

⁶⁴ Ibid, 44-5; Ageron, *Les Algériens musulmans*, 1052.

This new radicalism was even more pronounced in the programme of a new political movement founded in Paris in 1926, the first movement to call for Algerian independence: the Etoile nord-africaine (henceforth: ENA). Like other forms of Algerian agitation, the ENA was born out of the social and political conditions brought about by the war. First, it was the result of the large numbers of Algerians stationed in the metropole during the war. As mentioned earlier in this chapter, almost 300,000 Algerians were stationed in the metropole during the war, either as soldiers or as industrial workers. Beyond the military training and industrial skills they acquired, these soldiers and workers were exposed to a visage of France which was rather different from the reality of repression in Algeria. Though racism and discrimination were an omnipresent experience for Muslim soldiers, many of them – indeed, the majority, according to Gilbert Meynier – saw the military order as more just than that of the Code de l’indigénat at home.⁶⁵ Algerian workers, for their part, now experienced practices of unionising, demonstrating and striking first hand.⁶⁶ Though numbers dropped sharply after the demobilisation, demand for labour force meant that there were c. 20,000 Algerian workers in the metropole in 1920, 60,000 in 1923 and 70,000 in 1924.⁶⁷ It was amongst these milieus that the ENA was founded. As McDougall has argued: “The radical nationalism of the post-1919 migrant proletarians was developed and diffused through the very paths of transmission that the colonial state had established for its own exercise of control and exploitation [...]”⁶⁸

Alongside the emergence of a large migrant Algerian population in France, the emergence of the ENA was made possible by the founding of the French Communist Party (*Parti communiste français* – henceforth: PCF) in 1920, the first political party in France to adopt a decidedly anti-colonial agenda. This must be understood as part of a changing

⁶⁵ Meynier, *L’Algérie révélée*, 441.

⁶⁶ Ibid, 480-4.

⁶⁷ McDougall, *History and the Culture of Nationalism*, 34, note 22.

⁶⁸ Ibid, 35.

international order after the Soviet Revolution of 1917 and Lenin's pledge to support struggles against "the highest level of capitalism", as imperialism was defined by him, at the Second Congress of the Communist International in 1920. The PCF played a major role in supporting the ENA in its first years, before the two movements fell apart when the communists abandoned their anti-colonial agenda in the early 1930s. The ENA's founder, Messali, was himself a member of the PCF in the 1920s.⁶⁹

With tens of thousands of workers and demobilised soldiers from the colonies residing in France – and particularly Paris – after the war, the periphery was brought to the centre of empire. Indeed, as Michael Goebel has shown, in the interwar period, Paris became the hotbed and theatre of anti-colonial agitation. Crucially, anti-colonial activists formed networks in specific areas of the capital, with clubs and cafés opened to accommodate their needs. If pre-war debates on citizenship and reform in Algeria were conditioned first and foremost by developments in the colony, the aftermath of the war gave these a further dimension: For the first time, the issues of Algeria were present in France, and agitation on the part of Algerian Muslims was felt in the metropole more strongly than ever before. It is easier to understand the renewed sense of urgency for reforms in the 1930s against this background of increased visibility.⁷⁰

There was, of course, yet another factor which led to the renewed call for reforms in the metropole: the rise of Algerian nationalism. By the 1920s, the failure of colonial reformers to make conscription the first step of a major political change in Algeria was evident to all. The *statut personnel* was cast again as an insurmountable obstacle, and the promises for political change as made by President Wilson and the Versailles Conference had no bearing for Algeria.

⁶⁹ Ibid, 46.

⁷⁰ Michael Goebel, *Anti-Imperial Metropolis: Interwar Paris and the Seeds of Third World Nationalism* (Cambridge: Cambridge University Press, 2015) 24-6, 69.

The settler lobby successfully blocked any reform attempt, and little remained from the rhetoric of a new “empire franco-barbaresque”. What seemed for a while as a moment of opening and negotiation ended in the re-affirmation of the colonial order. Excluded yet again from the *cit  fran aise*, Algerian Muslims began to envisage their own political community. And though it was not until the mid-1940s that the formula “A bas la citoyennet  fran aise. Vive la citoyennet  alg rienne pour tous!”⁷¹ would be articulated and would galvanise significant support, the first national claims of the ENA nevertheless disquieted many a politician and administrator in the 1920s.

Based in Paris and formulating radically new demands, the ENA played a pivotal role in the emergence of renewed calls for reforms in the late 1920s and early 1930s. If before 1914 the main argument of reformists was the need to introduce conscription and integrate Muslims in order to maintain the empire, in the interwar period, reformers relied on growing Algerian nationalism to justify the need for reforms: either change the empire – and Algeria more particularly – or prepare for the loss of the colony. That, in the end, was the message implied by a brochure published in 1931 by Maurice Viollette who, after being ousted from the post of governor general under settlers’ pressure, was now becoming the leading figure of the colonial reform movement. It was in this brochure that Viollette first presented the reform ideas which he would later advance as minister of the first Popular Front cabinet and which would become known as the Blum-Viollette plan, to which we will now turn in Chapter Six. Seeking to convey the utmost urgency, Viollette entitled his brochure with a question hitherto only hinted at behind closed doors and which, asked publicly, was nothing less than scandalous: *l’Alg rie vivra-t-elle?*

⁷¹ McDougall, *History and the Culture of Nationalism*, 92.

Chapter Six: “Nous allons à la catastrophe”

The making and unmaking of the Viollette plan, 1931-1938

On 13 April 1939, Ferhat Abbas (1899-1985), the most prominent leader of the French-educated Muslim elite in Algeria and a champion of Muslim cultural and political assimilation within French society, published one of his numerous articles in the reformist mouthpiece *L'Entente franco-musulmane*. Looking back at the turbulent years of the Popular Front cabinets in 1936-38, whose reform plans for Algeria he had supported with enthusiasm and optimism, Abbas concluded with unusual sarcasm and unconcealed frustration:

On a trouvé le temps nécessaire [...] pour discuter et voter la loi sur les congés payés, la semaine de quarante heures, la retraite des vieux travailleurs. On a trouvé le temps pour discuter du blé, du vin, de l'orange, de l'artichaut et de la pomme de terre. On n'a pas trouvé une semaine, deux jours, vingt-quatre heures, pour examiner la seule question qui nous intéresse, le statut politique de l'Algérie.¹

What makes these sentences a revealing document is not only Abbas's disillusionment, but his recognition of the asymmetry which underlay the encounter between the Popular Front and its supporters amongst the Algerian Muslim population. Whilst the leadership of the Algerian Muslims placed much of its hope for political change in the Popular Front, the government in Paris was reluctant to pay any political price to advance reforms in Algeria. Abbas could not have foreseen what constitutive trope for left-wing politics and social struggles the “congés payés” would become in the following decades, long after the fall of the Third Republic. But he recognised – belatedly, as one must say – what an insignificant issue Algeria

¹ Ferhat Abbas, ‘Les Paroles et les actes,’ *L'Entente franco-musulmane* (13 April 1939) [archived in: AN, F/60/730].

was for the French Left once in power. This asymmetry tells, in a nutshell, the story of the struggle for political reform in Algeria under the Popular Front.

As this chapter argues, the struggle for reform under the Popular Front – brief and abortive though it was – was far more significant for the history of both colonial Algeria and French citizenship than hitherto acknowledged. For the first time, a French government suggested accepting religious difference (the Islamic *statut personnel*, as colonial language had it) within the *cit  fran aise*: Maurice Viollette, a colonial reformer and former governor general of Algeria now appointed Secretary of State, proposed to grant voting rights to c. 20,000 members of the French-educated or French-socialised Muslim elite without requiring them to renounce Islamic civil legislation. Intellectually radical and politically explosive, this proposal, entrenched though it was in Viollette’s commitment to the empire, had the potential of initiating a gradual transformation of the power relations in Algeria, and led to a veritable upheaval. Amongst the Muslim population, Viollette’s plan gained considerable and active support – much more than has hitherto been acknowledged by research. Amongst the Europeans, it was denounced as an act of betrayal. As this chapter argues, both supporters and opponents of the plan apprehended the radical potential of accepting religious difference and were motivated by the prospect of political change which it represented.

The following pages seek to capture the social and political significance of the Popular Front years by discussing the Viollette plan as the object of fundamentally asymmetrical negotiation between the government, the Muslim movement for political rights and the anti-reform leadership of the European minority. Whilst the L on Blum cabinet of 1936-37 regarded colonial matters as secondary to social reforms at home and the unfolding European conflicts, in Algeria, Viollette’s plan dominated the public agenda for two long, turbulent years. As historian Charles-Andr  Julien has argued in 1967, Blum and his cabinet failed to grasp the gravity of the situation in Algeria and refused to risk their office or pay any political price for

the sake of colonial reforms.² Julien has relied in his verdict on insights he had gained first hand as an advisor to Blum on colonial matters. In his article on the subject, he quotes from a letter sent to him by Viollette in September 1936 showing signs of frustration amid opposition to reforms from within the colonial administration and Blum's reluctance to assert his influence. Before even presenting his bill to the public Viollette warned: "Nous allons à la catastrophe."³

In fact, none of the political parties that composed the Popular Front was particularly committed to colonial reforms. The Radical Party had abandoned by the 1930s the reformist policies it seemed to represent during the 1910s under Clemenceau and tended to support the status quo in Algeria. The socialists, who had long been torn between various colonial schools, hoped to revive French economy from the recession of the 1930s by relying on the markets in the colonies. The communists, too, abandoned after 1933 their previous support for independence in the colonies and, following instructions from Moscow, subordinated any engagement with the colonial problem to the struggle against fascism. In 1937, PCF chairman Maurice Thorez, referring to the situation in Algeria and the demands for independence, declared: "Le droit au divorce ne signifie pas l'obligation de divorcer."⁴ What hindered colonial reforms from materialising, then, was not so much ideological rifts or the settler opposition in Algeria, but the simple fact that all three parties viewed this as a matter of marginal import.

This indifference to colonial matters, and to the situation in Algeria more specifically, is reflected in the historiography of the Popular Front. Julian Jackson, for instance, has

² Charles-André Julien, "Léon Blum et les pays d'outre-mer," in *Léon Blum chef de gouvernement, 1936-37* ed. Pierre Renouvin and René Remond (Paris, A. Colin, 1967), 383.

³ Unpublished letter from Viollette to Julien, quoted *ibid*, 381-2.

⁴ Quoted in: Thomas Adrian Schweitzer, "Le Parti communiste français, le Comintern et l'Algérie dans les années 1930," *Le Mouvement sociale*, no. 78 (March 1972): 135. On the different parties' stances see: Julian Jackson, *The Popular Front in France: Defending democracy 1934-1938* (Cambridge: Cambridge University Press, 1990), 154-6; William B. Cohen, "The Colonial Policy of the Popular Front," *French Historical Studies* 7, no. 3 (Spring 1972): 369-76; Semidei, "Les socialistes français et le problème colonial," 1145-51.

dedicated only four pages of his major study of the Popular Front to the colonial policies of the various cabinets in 1936-38. Benjamin Stora, for his part, underestimates, as this chapter argues, both the scale of rallying around the Viollette plan amongst the Muslim population, and the active part of its leadership in negotiating it with the government.⁵ Recent publications examine the Popular Front in Algeria in more detail. Charles-Robert Ageron has extensively discussed the political struggles of 1936. And, most recently, Claire Marynower has meticulously documented the reactions to the Viollette project in the Oran department and has highlighted the considerable support it received amongst Muslim leaders.⁶ But a critical discussion of the plan's content and the ways it was perceived by contemporaries is still missing in the literature.

This chapter seeks to provide a better understanding of the Viollette plan by insisting on the radical essence and the potential for a political change it entailed. As we will see, both the Algerian Muslim and the settler leadership viewed the Viollette plan in this way, and it is this understanding which explains the scale and magnitude of the political struggles of 1936-38. The first section discusses the ambivalence of the Viollette plan. A former colonial administrator, Viollette was committed above all to the interests of France as he understood them. Yet his understanding of the Algerian Muslim society and especially the social position of Muslim women was far more nuanced than that of most of his contemporaries. Deeply influenced by female writers and activists in France and Algeria, it was this nuanced understanding that led Viollette to accept Islamic civil legislation within the *cité française*. But Viollette only tells part of the story. As the second section argues, his reform bill was the result of effective pressure from the Muslim leadership in Algeria. As James McDougall has

⁵ Jackson, *The Popular Front*, 154-8; Stora, *Des Nationalistes algériens face au projet Blum-Viollette*, 90-5.

⁶ Charles-Robert Ageron, "Sur l'année politique algérienne 1936," in *De « l'Algérie française » à l'Algérie algérienne* (Paris: Editions Bouchène, 2005), 387-416; Claire Marynower, "Être socialiste dans l'Algérie coloniale: Pratiques, cultures et identités d'un milieu partisan dans le département d'Oran, 1919-1939," (Doctoral thesis, Institut d'Etudes politiques de Paris, 2013), esp. 562-70.

demonstrated, “resistance through dialogue” was the preferred strategy of Muslim leaders since the 1910s.⁷ New religious and political movements in the 1920s and 1930s exerted political pressure more effectively than ever before – forcing the government to accept religious difference.

This acceptance explains the furious rejection of the proposal by the settler leadership. As the third section argues, the agitation around the Viollette plan was a moment of public dispute on the essence of French citizenship and the boundaries of the Republic. This meant that past hostilities towards the *metropole* were now articulated as rejection of the *Republic*, as the Republic now came, for the first time since 1792, to be identified with difference rather than uniformity. Crucially, this struggle was carried out, for the first time, not only between the colony and the metropole, but directly between Europeans and Muslims, as reform opponents sought to discredit the Algerian Muslim leadership and the latter responded with a new level of confidence and determination. Against this background, even the most cautious historian may be drawn to see in 1936-38 the seeds of later, more violent confrontations.

I. The Viollette plan – a colonial reform with a radical potential

In order to discuss the Viollette plan, we must first acknowledge its inherent ambivalence. On the one hand, this was a plan motivated by the will to guarantee French rule over Algeria and to avert the rise of anti-colonial nationalism. On the other hand, Viollette’s proposals were informed by a nuanced view of Muslim women and their position within Algerian society – views which led him to abandon some of the main assumptions of the assimilationist school of colonial thought to which he belonged. The following pages seek to capture this ambivalence, which is crucial if we are to understand the upheaval of 1936-38.

⁷ McDougall, *History and the Culture of Nationalism*, 74.

Viollette first accepted the Young Algerians' demand for naturalisation *dans le statut* in 1931 as part of an overall plan to reinforce French rule over Algeria through alleviating the plight of the Muslim population and tightening metropolitan oversight over the colonial administration.⁸ As he argued in his manifesto *L'Algérie vivra-t-elle?* from the same year, reforms would demonstrate France's "civilising mission" at work in time to conclude the centenary celebrations of Algeria's conquest.⁹ Viollette saw the political and cultural assimilation of the Muslim population as the only effective answer to the rise of nationalism and the emergence of religious revival movements in the Islamic world, movements which he qualified, in common with most colonial administrators, as "pan-Islamist". In the 1930s, the school of assimilation was increasingly contested by new political movements. Messali Hadj and the ENA had been calling for independence since 1927. And in 1931, some of Algeria's most prominent religious notables and scholars, led by Abdelhamid Ben Badis (1889-1940) and Tayeb al-'Uqbi (1889-1960) founded the Associations des Oulémas (this was the Gallicised version. The following pages use the transliteration *'ulama*). The 'ulama sought to bring to Algeria the Islamic reform movements that spread throughout the Middle East in the early twentieth century. Religious revival was to provide Algerian Muslims with a national historical narrative and serve as the cultural and intellectual ground for the emergence of a "community of faith and resistance".¹⁰

As state secretary in the Blum cabinet, Viollette sought to avert the rise of these new movements by winning the support of the francophone elite of the Algerian Muslims, composed above all of municipal and departmental councillors and organised in the Fédération

⁸ Sénat, Année 1931, session ordinaire, n. 734, annexe au procès-verbal de la session de 3 juillet 1931: Proposition de loi relative aux réformes à réaliser en Algérie à l'occasion du centenaire, présentée par Maurice Viollette.

⁹ Maurice Viollette, *L'Algérie vivra-t-elle? Notes d'un ancien Gouverneur général* (Paris: Alcan 1931), xiii-xiv.

¹⁰ McDougall, *History and the Culture of Nationalism*, 14-17.

des élus musulmans. In late 1936, he explained to Blum the rationale behind his proposal to naturalise the Muslim elite amid growing nationalism:

Quand [...] une population déjà partiellement évoluée n'a point de patrie véritable, il est inévitable qu'elle en cherche une. Il faut empêcher que ce soit contre nous. Il faut éviter que les masses Algériennes, encore inconscientes de leur force, puisse[nt] trouver dans une élite [...] [des chefs] qui pourrai[tent] faire naître un nationalisme local ou musulman susceptible d'écarter définitivement les masses indigènes de la France. Il n'y a pas de meilleur moyen de s'opposera un danger aussi grave que d'annexer à la France, par les mille liens de l'intérêt personnel du sentiment national et même de la vanité, cette élite qui peut nous servir autant qu'elle peut nous nuire.¹¹

This stance was a response to the constitution of the Congrès musulman earlier in 1936, which brought together the assimilationist representatives of the Fédération des élus and the religious reform of the 'ulama. When in June 1936 the Congrès musulman, presenting a list of demands to the government, demanded universal suffrage, Viollette objected, intending to grant political rights only to those parts of the Muslim population which had been socialised in French institutions – above all the army, the public sector or the education system.¹² Viollette showed little respect to the opinions of the “indigenous masses” and tried to convince the francophone Muslim elite to preserve its privileges, as he explained in a note to Blum from late 1936:

¹¹ AN, F/60/729: Maurice Viollette, Note sur le décret relatif à l'exercice des droits politiques...; [neither date nor signature, but marked as “note Viollette”. Date and writer's identity can be inferred from the text and the dossier. Text in rectangular brackets signifies hand-written corrections to the printed document. The words “des chefs” cannot be deciphered unequivocally].

¹² Chambre des députés, seizième législature, 2^{ème} session extraordinaire de 1936, no. 1596, annexe au procès-verbal de la séance du 30 décembre 1936: Projet de loi relatif à l'exercice des droits politiques par certaines catégories de sujets français en Algérie.

Je l'ai expliqué [his rejection of universal suffrage – A.O.] aux indigènes en leur faisant observer combien l'Administration serait tentée de manœuvrer contre eux toute la masse des ignorants, de telle sorte que les voix des éléments conscients et évolués de l'Algérie musulmane se trouveraient noyés sous un nombre considérable de bulletins qui ne représenteraient aucune valeur pour une grande majorité de ceux auxquels on le confèrerait.¹³

Just how central averting Algerian nationalism was for Viollette and how severely he was willing to act is exemplified in his note to Blum explaining his opposition to the Congrès musulman's demand for freedom in teaching classical Arabic: "Je ne crois pas que nous ayons grand intérêt à faciliter la diffusion de l'arabe en Algérie, et surtout de l'arabe littéraire qui établirait une communication directe entre l'Algérie, l'Egypte et la Syrie. [...] Diffuser l'arabe littéraire c'est rapprocher les influences panislamistes du milieu algérien."¹⁴

And yet, the Viollette plan, though conceived in order to guarantee French rule, entailed radically new principles which had the potential of bringing about an initial political change in the colony. The plan specified social groups which would be entitled for political rights and would indeed receive them automatically. Though numbers were limited at the time of the plan's publication, there was now for the first time the prospect that social and cultural processes of socialisation through French institutions would be translated into political power.

To understand the origins of this potential, we must turn our attention to Viollette's view of Muslim women and their position within Algerian society. As Judith Surkis has convincingly shown, a colonial discourse on polygamy had been configured as the main theoretical fundament of exclusion since the early days of French occupation in Algeria.¹⁵

¹³ AN, F/60/729: Maurice Viollette, Note pour le président du conseil [no date].

¹⁴ AN, F/60/729: Maurice Viollette, Note pour le président du conseil [no date].

¹⁵ Surkis, "Propriété, polygamie et statut personnel," 27-31, 42-6.

Viollette's atypically nuanced views constituted the decisive factor in his reform programme and his willingness to accept Islamic civil legislation.

Already as governor general, Viollette pushed for a significant reform of Muslim women's legal status. Whilst previously, Muslim women could only acquire civic rights through the naturalisation of their spouses, Viollette suggested allowing them to be naturalised independently – a suggestion implemented in 1928.¹⁶ But the most revealing evidence of Viollette's views can be found in his 1931 brochure, an entire chapter of which was dedicated to the situation of Muslim women. Viollette stressed that conditions in Algeria were rapidly changing, pointing out to the first female Muslim students, the decrease in polygamy and the first Muslim women not wearing the veil – now increasingly a shibboleth of “assimilation” in French colonial writing.¹⁷ He stressed the protections given to women by Islamic law and the important, active role of women in Muslim societies: “[L] a femme en pays arabe est certainement considérée par son mari et [...] a une réelle influence sur lui”.¹⁸ Viollette lamented the lack of knowledge about Muslim women amongst their French counterparts and characterised the common French view of the Muslim woman as that of an “objet de curiosité”.¹⁹

This metaphor, which the reader of the twenty-first century would rather associate with post-colonial theory than with the writing of a colonial administrator, discerned the objectification and exoticisation of Algerian Muslim women in much of the French and French-Algerian literature and reportages of the time.²⁰ Whilst admitting that the Algerian society was

¹⁶ CAOM, GGA 12H 5: Direction des affaires indigènes du Gouvernement général de l'Algérie au directeur-adjoint du cabinet du Gouverneur général, 6 June 1927; Lazard, *L'accession des indigènes*, 36.

¹⁷ Viollette, *L'Algérie vivra-e-elle?*, 412-16.

¹⁸ Ibid, 413.

¹⁹ Ibid, 417.

²⁰ On the depictions of Algerian Muslim women by French-Algerian female writers see: Sara L. Kimble, “Emancipation through Secularisation: French Feminist Views of Muslim Women's Condition in Interwar Algeria,” *French Colonial History* 7, no. 1 (Winter 2006): 110-111.

highly religious, Viollette rejected the idea that it was France's role to initiate secularisation, arguing that such processes should be left to unfold at their own pace. Where most French commentators saw a stagnant society yet to enter history, Viollette saw a society in motion. Logically, once Islam was not seen as hindering social developments, the *statut personnel* no longer constituted an obstacle to naturalisation.

In all of these questions, Viollette was deeply influenced by the work of a few French women swimming against the stream such as novelist Henriette Célarié, whose book *Nos soeurs musulmanes* from 1925 he mentioned as a source of nuanced knowledge on Muslim women. Perhaps even more crucial was his wife, Thérèse Viollette (née Mathon) who, during their time in Algeria, sought to organise meetings and charity projects in which European and Muslim women would work together.²¹ In July 1937, the Viollettes visited Algeria and were photographed together upon arrival at the port of Algiers (see figure 7). The importance of their work with regards to Algerian women was evident in the report of the left-leaning daily *Echo d'Alger*: “Mme et M. Maurice Viollette sont les hôtes d’Alger. [...] Une foule des musulmans lui a fait une ovation pleine d’enthousiasme.” A further picture showed the reception extended to the couple, followed by the caption: “Un groupe de dames musulmanes viennent souhaiter la bienvenue à M. Maurice Viollette [...]”.²²

²¹ Viollette, *L’Algérie vivra-t-elle?*, 417-18.

²² ‘Mme et M. Maurice Viollette sont les hôtes d’Alger’, *Echo d’Alger* (6 July 1937) [archived in: AN, F/60/731].



Figure 7: The Viollettes as photographed upon arrival in Algiers, July 1937

The Viollette plan must therefore be understood in the context of an ongoing and indeed intensifying debate on the position of Muslim women in Algeria the 1920s and 1930s – first amongst French feminists and later between them and female Muslim writers and activists. As Sara Kimble has shown, leading French feminists, most notably Maria Vérone (1874-1938), chairwoman of the leading suffragist association, the Union française pour le suffrage des femmes (henceforth: UFSF) saw Islam as the source of women's poor conditions in Algeria and called on the government to apply French civil legislation to Algeria to emancipate them. In the early 1930s, the UFSF called for an increased effort – both by the state and by philanthropists – to spread French education, language and social norms amongst Muslim women in Algeria. The Algerian branch of the UFSF portrayed itself as an agent of the “civilising mission” and justified with this reasoning the demand for greater rights and participation for French Algerian women.²³ The branch's chairwoman, Lucienne Jean-Darrouy, appearing before a parliamentary enquiry commission sent to Algeria in 1937 to study reform plans, expressed concern that French Algerian women might find themselves in an inferior position to the Muslim population should the Viollette plan be implemented before French

²³ Kimble, “Emancipation through Secularisation,” 119-24.

women are granted the vote. She demanded that female suffrage come first so that they can fulfil their educational mission in the colony: “Le rôle de la femme française en Algérie est très important. L’homme ne peut pas pénétrer dans la famille indigène. La femme le peut. Il est certain que si elle se présente dans une situation diminuée, son rôle, son action ne seront pas aussi utiles à la colonisation.”²⁴

Such calls were repeatedly contested by Algerian Muslim women. In 1935, the review *La voix indigène*, a francophone, reformist organ of the Muslim population, published several articles by female writers rejecting any attempt on the part of France to alter Islamic civil legislation. As Kimble has argued, such articles emphasised the necessity to accept religious difference within the French polity.²⁵ Once the Viollette plan was published, a number of Algerian Muslim women demanded its urgent implementation and rejected any attempt to use their own situation as an argument against the plan. Interviewed by the left-leaning newspaper *Oran républicain* amongst dozens of other supporters of the Viollette plan, they formulated a fierce criticism against its opponents including French feminists. One of them, Madame el-Boudali Safir, a teacher from Mascara and a *devoilée*, as the author cared to mention, said:

[...] ce n’est pas sans indignation que j’ai rencontrée dans des milieux féminins et féministes – non réactionnaires par conséquent – une opposition de mauvaise foi [to the Viollette plan – A.O.]. Il serait souhaitable [...] pour Maria Vérone, que tous les électeurs européens eussent la culture, le discernement, le libéralisme des Musulmans composant l’élite à laquelle le projet Blum-Viollette doit accorder de légitimes droits. Ces dames n’auraient plus de raison d’être. Je veux dire qu’elles n’auraient plus rien à revendiquer,

²⁴ CAOM, GGA 12H 13: Commission parlementaire d’enquête, séance du 16 avril 1937.

²⁵ Kimble, “Emancipation through Secularisation,” 123.

et la situation juridique de leurs compagnes serait, au moins, celle de mes sœurs musulmanes. [...] ²⁶

With this testimony, el-Boudali Safir attacked a central idea of French colonial – and, as she argued, Feminist – thought: the idea that Muslim women could only be emancipated if liberated from the grip of Islam and of Muslim men. By so doing, she sought to dismantle one of the main arguments of reform opponents. According to her, the naturalisation of Muslim men *dans le statut* and the acceptance of Islamic civil legislation was not an obstacle to female emancipation, but a necessary first step thereof.

Similar arguments were made by other interviewees, for instance Mademoiselle Benabed, a *licenciée ès lettres*, daughter of an employee at the court of Rabat originating from Oran. A *devoilée* as well, Benabed was one of the few Algerian Muslim women to have received a French education and perhaps the only Muslim woman holding a French academic degree at the time. Benabed rejected any notion of her religion as oppressive. Acknowledging a disadvantaged social position of women, she argued the Viollette plan to be the best guarantor of emancipation, saying female emancipation would follow that of men:

Nous avons, nous femmes musulmanes, de droits civils plus étendus que ceux de la Française. Le malheur est que la plupart d'entre nous ne les soupçonnent pas. Du jour où elles en prendront conscience, la situation changera du tout au tout. Or, ce changement ne s'opérera que lorsque l'homme, d'abord, aura évolué, lorsqu'il aura été émancipé socialement et civiquement, lorsque sa condition matérielle se sera améliorée. Et c'est pourquoi le projet Viollette qui est le

²⁶ Mohammed el-Aziz Kessous, 'Une grande enquête sur le Projet Blum-Viollette', *Oran républicain* (6 May 1937) [archived in: AN F/60/731].

premier pas vers cette évolution, travaillera fatalement à l'émancipation et au relèvement de la femme indigène.²⁷

Like many feminists across the Middle East and Europe, Benabed turned to Turkey and Egypt as political points of reference. In the Turkish Republic proclaimed in 1928, secular civic legislation was instituted, and in 1931 and 1934, women received the vote in local and national elections, respectively. The Egyptian women's rights movement was highly influential as well due to the journeys and speeches of its activists throughout the Middle East and Europe. However, whilst French feminists such as Vêrone were reassured by such movements in their view of secularisation as the key to the emancipation of the Muslim woman, Benabed provided a different reading of recent developments: "Voyez ce qui s'est passé en Egypte, en Albanie, en Russie, en Turquie. *C'est d'abord l'homme qui s'est redressé*, puis il a tendu la main à sa compagne [...] La polygamie – ce prétexte commode que les colonialistes invoquent si souvent – est tombée en désuétude, à moins qu'elle n'ait été supprimée radicalement."²⁸

By adopting the novelty of the Viollette plan – the assumption that Islamic law was no obstacle to political rights – Muslim female writers in fact challenged the repressive aspect of Viollette's plan – his attempts to privilege a limited elite. The writers quoted above insisted that their religion and culture were compatible with emancipation and with exercising political rights within the *cite française*. In so doing, they were part of a wider movement of the Algerian Muslim elite which welcomed the reform plan – but only as a first step towards a political change running much deeper than what was intended by Viollette. Let us now consider this movement.

²⁷ Mohammed el-Aziz Kessous, 'Une grande enquête sur le Projet Blum-Viollette', *Oran républicain* (11 May 1937) [archived in: AN F/60/731].

²⁸ Ibid. Emphasis added.

II. Negotiating the Viollette plan: The Congrès musulman in action

The story of the Viollette bill is the story of negotiation between colonial subjects and the French state. For all of Viollette's innovation, the reform plan so closely associated with him was the result of an intensive campaign by the leading movements of the Muslim population in Algiers. Of course, this was a very asymmetrical negotiation, conducted mostly in French and from a position of legal, political and economic inferiority on the part of the colonial subjects. Nevertheless, the years 1936-38 witnessed the leadership of the Muslim population raising demands with more confidence – and, as it seemed for a brief moment, with greater success – than ever before. Such negotiations entered a particularly important stage in mid-1937, when Muslim leaders and notables spoke before the parliamentary enquiry commission led by socialist deputy for Martinique Joseph Lagrosillière – a veteran of colonial reform campaigns during the First World War, as discussed in the previous chapter. As we shall see, the campaign for political rights, though eventually abortive, was significant in the development of new views of citizenship and participation.

The main religious and political movements of the Algerian Muslim population did not wait for the Blum cabinet to announce its policies for Algeria. In June 1936, the assimilationist Fédération des élus musulmans and the religious reformers of the the 'ulama joined forces in the newly formed Congrès musulman, formulating a series of demands to the government. These ranged from political representation and legal equality to religious liberties and socio-economic policies, reflecting the different character of the two main movements behind the Congrès musulman.

The political agenda of the Congrès musulman amounted to nothing less than the dismantling of the colonial system. The Congrès musulman demanded Algeria's complete administrative integration in France, including the abolition of the colonial administration, the

Délégations Financières and the communes mixtes. It demanded mandatory education for both sexes and the abolition of separation between French and “indigenous” schools. Classical Arabic was to be taught at schools alongside French and restrictions on Arabic press were to be lifted. Arabic was also pivotal for religious practice, for which the document demanded freedom of preaching and the restitution of religious property. In social and economic matters, the *Congrès musulman* demanded equal pay for equal work, equal opportunities in the military and the public sector; proportionate budget expenditure amongst Muslims and Europeans; a halt of expropriation and redistribution of previously expropriated land, as well as the lifting of restrictions on access to forestry areas.²⁹ It is in the context of this broad agenda that we must read the demands regarding political representation. The Congrès musulman demanded universal suffrage for the Muslim population (meaning, most probably, male suffrage) to elect representatives to all assemblies including the parliament. This was to be done through a single Algerian electorate, unlike the separate Muslim electorate suggested by various French deputies and legal experts since the First World War. At the same time, it demanded that the *statut personnel* be maintained, save for marginal modifications.

Though it is hard to assess how representative the Congrès musulman was in its endorsement of the Viollette plan, there is sufficient evidence to suggest that it galvanised considerable support, surpassing the confines of the urban elite. In June 1936, some 5000 Algerian Muslims gathered in Algiers for its first conference. It received the support of dozens of unions, associations and ad-hoc initiatives set up to promote its cause throughout Algeria and which expressed their support in telegrams sent to Blum’s cabinet.³⁰ When Lagrosillière’s enquiry commission arrived in Algeria in early 1937, the Congrès musulman prepared to welcome it with banquets and demonstrations, and the colonial administration documented

²⁹ CAOM, GGA 12H 13 : Charte revendicative du peuple algérien musulman, June 1936.

³⁰ AN, F/60/728: Dossier "Congrès musulman".

support gatherings and “une animation extraordinaire” amongst the Muslim population, including in the remote southern territories.³¹ In the series of interviews conducted by the *Oran-républicain* in mid-1937 and mentioned in the previous section, a dockers’ trade union leader from the city of Mostaganem in the Oran department, representing c. 900 workers, expressed support for the Viollette plan, saying he was speaking on behalf of the unanimity of his trade union and calling for the plan’s extension.³² Members of the Congrès musulman also sought to spread support for the Viollette plan amongst Muslim soldiers, using Muslim NCOs, who were amongst the social groups intended to benefit from the reform bill.³³

Viollette himself was concerned about pressure exerted on the government. In July 1936, he urged Blum to announce reforms swiftly so as not to appear to have been pressured by the Congrès musulman, whose leadership was expected to arrive in Paris later that month to present their demands. Given opposition from the Europeans in Algeria, Viollette conceded that political reforms could be postponed, but insisted social measures had to be taken urgently in order to minimise the influence of “communist propaganda” and of “nationalists” and “pan-Islamists” such as Ben Badis.³⁴ The rush for reforms in the French government demonstrates how effective the Congrès musulman was. Raising its demands through meetings, demonstrations, articles and delegations and in a language more assertive than ever before, the Congrès musulman was a movement to reckon with. On 20 December 1936, the general secretary of the Congrès musulman addressed a letter to Prime Minister Blum, reminding him of the movement’s allegiance to the Popular Front and expressing disappointment that nothing had been done yet: “6 mois se sont écoulés depuis notre congrès. Alors qu’en France vous avez

³¹ See for instance: CAOM, GGA 12H 13: Département de Constantine, arrondissement de Sétif, Commune mixte des Uléma, Rapport Mensuel, March 1937; Autour du voyage du docteur Bendjeloul au Mzab à l’occasion du passage de la commission parlementaire d’enquête, 18 May 1937.

³² Mohammed el-Aziz Kessous, ‘Une grande enquête sur le Projet Blum-Viollette’, *Oran républicain* (9 May 1937) [archived in: AN F/60/731].

³³ CAOM, GGA: 3CAB 85: Commissaire spécial aux ports au chef des service de police spéciale, Marseille, 22 January 1938.

³⁴ AN, F/60/729: Maurice Viollette à Léon Blum, 15 July 1936.

modifié d'une façon aussi heureuse que profonde les conditions de vie des travailleurs, en Algérie votre action énergique et clairvoyante tarde à se faire sentir."³⁵ Ten days later, Viollette's reform proposals were presented in parliament.

The proposed reform fell short of most demands expressed by the Congrès musulman. Rather than universal suffrage, Viollette suggested to grant voting rights to c. 15,000-20,000 members of the Muslim elite. The social groups which were to be granted the vote included Muslim officers and NCOs, Muslims educated at French institutions, industrialists, merchants and proprietaries, the elected representatives in the Algerian councils, and certain functionaries of the public service.³⁶ Crucially, Viollette did not propose full naturalisation, but envisaged an intermediate political status which would grant political rights and representation without full citizenship, similar to that given to c. 4,000 Senegalese in 1916.³⁷ This was motivated by two main considerations.

First, by suggesting an intermediate status and avoiding full naturalisation, Viollette hoped that opposition from Algeria could be circumvented by promulgating the bill as a decree by the Prime Minister without seeking parliamentary approval – yet such hopes were frustrated by legal experts.³⁸ Second, beyond political calculations, the intermediate status suggested by Viollette was designed to give the colonial state the continued control over the size and character of the Muslim electorate: Unlike full citizenship, this intermediate status was not conceived as automatically transmissible from one generation to the next, as Lagrosillière

³⁵ AN, F/60/728 : Dossier "Congrès musulman": Secrétaire général du Congrès musulman au Président du conseil, 20 December 1936.

³⁶ Chambre des députés, seizième législature, 2^{ème} session extraordinaire de 1936, no. 1596, annexe au procès-verbal de la séance du 30 décembre 1936: Projet de loi relatif à l'exercice des droits politiques par certaines catégories de sujets français en Algérie.

³⁷ AN, F/60/729: Maurice Viollette, Note sur le décret relatif à l'exercice des droits politiques... [neither signature nor date.]

³⁸ AN, F/60/729 : Secrétariat général de la présidence du Conseil, Note sur le projet de décret relatif à l'exercice des droits politiques [...], 16 June 1936; Note pour le président du Conseil, 8 October 1936 [no signature]; Note sur le projet de décret relatif à l'exercice des droits politiques [...], 10 October 1936, [no signature].

pointed out.³⁹ What we can see here, then, is “the essence of the colonial process” at work, as defined by Abdallah Laroui in his interpretative essay on the history of the Maghrib: “to destroy indigenous society and then to accept individuals one by one into a new society organised by and for foreigners.”⁴⁰

Once published, the Viollette plan was greeted with numerous expressions of support from Algeria. No fewer than 195 telegrams were received by the Prime Minister’s office from late December 1936 throughout January 1937. They included telegrams from individuals and associations from across Algeria, representing a wide range of movements and social groups: branches of the Congrès musulman and its youth organisation; branches of the French Socialist and Communist parties; Muslim veterans’ associations; civic and mutual aid societies; and telegrams from Muslim councillors.⁴¹ But, one should not read these telegrams as statements of unconditional support: a repeated trope was the demand that the Viollette plan be extended to include further social groups and the emphasis that it must be the first step towards a general reform in Algeria.

This form of conditional support and demand for amendments, characteristic of the campaign for reform throughout the period of 1936-38, was particularly central in mid-1937, as the parliamentary enquiry commission entrusted with studying reform proposals visited Algeria. The Congrès musulman welcomed the commission members with banquets across Algeria, seeking to display both its support and loyalty to the Popular Front and the plight of the Muslim population. Crucially, according to a report by the Service des affaires indigènes – the surveillance agency of the Algerian administration – even Messali Hadj was involved in

³⁹ Joseph Lagrosillière, Rapport présenté à la Commission de l’Algérie, des Colonies et Pays de Protectorat [...] sur les résultats des investigations de la Sous-Commission d’Enquête parlementaire en Algérie [...], mars-avril 1937 (Paris: Imprimerie E.P., 1937), 77-9

⁴⁰ Abdallah Laroui, *The History of the Maghrib: An Interpretative Essay*, trans. Ralph Manheim (Princeton, N.J.: Princeton University Press, 1977), 340.

⁴¹ A detailed list is kept alongside the telegrams themselves in: AN F/60/730.

such plans.⁴² Hearing dozens of representatives of the European, the Muslim and the Jewish populations, the commission held lengthy discussions with some of these representatives, most notably in its hearings with leading ‘ulama. In a sense, such debates can be seen as a parallel moment to that of 1869-1870, a moment when the terms of political participation were negotiated between French authorities and colonial subjects. The two moments differed of course above all in their outcomes – but not only: Unlike during the prelude to the Crémieux decree, colonial subjects and French deputies now sought to accommodate religious difference in the *cite française* rather than abrogate religious law altogether.

One of the central questions during this moment of negotiation was that of language and translation. Al-‘Uqbi, for instance, a prominent leader of the ‘ulama movement, spoke in classical Arabic and was translated by his own aide, editor of the ‘ulama’s newspaper in French *La Justice*. Since the following discussion relies on the French transcription – the only one research for this study could find – it can only offer an analysis of how French perceptions of participation and inclusion were influenced by the translation of ideas of the Muslim leadership. Crucially, members of the commission showed much awareness to language barriers and the difficulties of translation. Al-‘Uqbi, for instance, was to be sent the French transcription of his hearing for approval, whilst the ‘ulama’s delegation, after protesting over tendentious translations of his articles by the Algerian administration, was assured by the commission that it would rely on its own, independent translators.⁴³ Indeed, the identity of the commission’s translator was regarded significant enough to be discussed in a meeting at the

⁴² On Messali Hadj see: CAOM, GGA 12H 13: Service des affaires indigènes nord-africaines, 29 May 1937. For further banquets and receptions see for instance: CAOM, GGA 12H 13: Sûreté départementale d’Alger, Rapport, 12 June 1937; Sûreté départementale d’Oran, Rapport: Union Socialiste républicaine – Apéritif offert à M. Lagrosillière, 9 June 1937.

⁴³ See hearing of al-‘Uqbi: CAOM, GGA 12H 13: Commission parlementaire d’enquête, 6 March 1937; and the ‘ulama delegation: 16 April 1937.

Prime Minister's office amid concerns about the translators employed by the Algerian administration.⁴⁴

Indeed, the protocol of al-'Uqbi's hearing is an intriguing document, a testimony of the attempt to bring together Muslim religious and French political reforms. Perhaps the most prominent voice amongst the 'ulama alongside Ben Badis, al-'Uqbi was heard separately from the official 'ulama delegation and emphasised that he was merely presenting his own vision – a vision which indeed differed substantially from the ideas presented by Ben Badis a few weeks later. Describing his intellectual and religious training in Medina in the 1910s as formative for his view of local Islam as requiring reform, al-'Uqbi said: “Lorsque je suis venu en Algérie, j'ai donné au Coran une interprétation moderne. Je me suis dressé contre les préjugés, contre le maraboutisme, contre la superstition.” His harsh words were reserved not only for local religious notables (the *marabouts*), but were directed at local religious practices as well: “Je veux épurer cet Islam algérien qui est un amalgame de préjugés et de superstition. L'Islam est un! L'Islam est pour la science et pour la logique!”⁴⁵

Crucially, such positions went hand in hand with al-'Uqbi's views on citizenship and changes to Islamic legislation. When asked about naturalisation, he replied that he supported naturalisation *dans le statut* and opposed any attempt to impose French civil legislation on Muslims. Yet he signalled willingness to tolerate certain changes to Islamic law imposed by France, above all the abolition of polygamy – a central trope in French objections to reform. Read in conjunction with his ambition to reshape Algerian Islam, al-'Uqbi seems to have hoped to use modifications imposed by France as a vehicle to his aspired religious reform. Not less crucially, he sought to assure commission members of Muslims' loyalty to France in case of war by saying that, although Islam prohibited Muslims from taking up arms against their

⁴⁴ AN F/60/729: Présidence du Conseil, Visite de M. Lkhedari, 17 February 1937 [no signature].

⁴⁵ CAOM, GGA 12H 13: Entretien à la commission parlementaire d'enquête, 6 March 1937.

coreligionists, they were required to obey a state law as long as they trust this state not to act against their interests. It was in this context that al-‘Uqbi, referring to France as the “peuple protecteur”, urged the government to take measures in favour of the Muslim population and grant it equal rights: “Ne nous obligez pas à défendre les intérêts d’autrui! Nous sommes prêts à mourir, c’est entendu, mais pour défendre une idée! Actuellement – excusez-moi de le dire – les indigènes objectent, un peu brutalement peut-être: ‘Pourquoi voulez-vous que nous nous fassions tuer si nous devons rester des esclaves et continuer à gagner 4 francs par jour?’”⁴⁶

In all these questions, al-‘Uqbi expressed views which differed substantially from those of Ben Badis, who opposed any attempt to modify Islamic legislation. Ben Badis insisted, for instance, that polygamy was an integral part of the indivisible Quranic law and therefore could not be abolished. Furthermore, he argued that Muslims’ acceptance of military service during the 1914-18 War should not be interpreted as a renunciation of *statut personnel*. The clearest difference to al-‘Uqbi was Ben Badis’ vision of the relation between Algeria’s Muslims and France. Whereas al-‘Uqbi spoke of France as the “peuple protecteur”, Ben Badis described his vision for a future political arrangement in far less harmonious terms:

Nous sommes algériens et nous sommes du sang arabe. Nous sommes musulmans dans tout le sens du mot, mais nous désirons tous la fraternité avec le peuple français. Nous ne voulons pas vivre en esclaves français, mais en hommes libres, sous l’autorité française. [...] Quand nous disons que nous ne voulons pas être français, il faut comprendre que nous ne voulons pas renier notre race et notre religion. *Nous ne voulons pas de la naturalisation.*⁴⁷

⁴⁶ Ibid.

⁴⁷ CAOM, GGA 12H 13: Entretien à la commission parlementaire d’enquête, 16 April 1937. Emphasis added.

The Congrès musulman's campaign – the hearings, demonstrations and numerous articles published throughout 1937 – strengthened the commission's support for the Violette bill. In its report, the commission argued that support for the reform bill amongst the Muslim population was almost unanimous, stressing that the proposals were widely seen as a first step towards a major political reform.⁴⁸ What might seem as a merely descriptive assertion was in fact a significant argument: Contrary to repeated claims amongst the European minority and the Algerian administration about the alleged indifference of the wide masses of the Muslim population to political matters, the commission rejected the attempts to portray the Muslim population as essentially a-political and acknowledged the demands of the Congrès musulman as representing the Muslim population.⁴⁹

Echoing the extensive debates on Muslim women in Algeria in the mid-1930s, the commission's report described their legal status and social position in very favourable terms. Reiterating the assertion that polygamy was disappearing from Algeria, the report claimed the position of Muslim women to be in some aspects even better than that of French women. More generally, the report argued that the *statut personnel* was not essentially incompatible with the Code civil. The commission acknowledged the centrality of Islamic legislation to religious and communal life in Algeria. Warning that any attempt to abolish it would cause furious reactions and thus fail, it concluded that the *statut personnel* was “une bastion inattaquable”.⁵⁰

Most importantly, the report argued that the establishment of an empire required a re-thinking of French society and politics: “Il faut bien admettre que l'existence d'un Empire colonial aussi vaste que le nôtre, doive faire naître des situations nouvelles et l'on ferait preuve d'une singulière étroitesse de vues à vouloir, en toute circonstance, les adapter aux cadres

⁴⁸ Lagrosillière, Rapport présenté à la Commission de l'Algérie, 37-8.

⁴⁹ A report written at the prefecture of the Oran department, for instance, claimed 80% of the Muslim population to be indifferent to the Violette plan, see: CAOM, GGA 12H/14: Préfecture d'Oran, Centre d'informations et d'études: Note sur le projet Violette et ses répercussions dans le département, 23 March 1938.

⁵⁰ Lagrosillière, Rapport présenté à la Commission de l'Algérie, 64.

juridiques conçus pour la Métropole.”⁵¹ This general claim was followed by concrete proposals: Whilst the Viollette plan foresaw the granting of voting rights which were not to be transmissible from one generation to the next, Lagrosillière’s report recommended the granting of full citizenship. In other words, whereas the Viollette plan aimed at preserving the granting of political rights according to certain criteria as a means of domination in the hand of the colonial state, the commission’s report recommended that the state give it up from the second generation of naturalisation onwards. Once a colonial subject in Algeria was to acquire political rights, these were to be passed on regardless of next generations’ religious or political habits. This was a unique – and indeed abortive – intellectual development in the history of colonial Algeria and of French-Muslim relations.

Presided by deputy Lagrosillière of Martinique, the enquiry commission demonstrates yet again the importance of south-south relations, and of the Antilles more specifically, in the struggle for political reform in Algeria. A veteran of the struggle for more rights to the Muslim population during the First World War, Lagrosillière was amongst the deputies suggesting the most inclusive legislation, as discussed in Chapter Five. Indeed, during the commission’s visit to Algeria, Lagrosillière explicitly mentioned his mixed origin and his descent of a “race opprimée” as a motivation behind his engagement for the political rights of the Muslim population.⁵²

⁵¹ Ibid, 70.

⁵² For Lagrosillière’s remark see: CAOM, GGA 12H 13: Sûreté départementale d’Oran, Rapprt: Union Socialiste républicaine – Apéritif offert à M. Lagrosillière, 9 June 1937.

III. Settler opposition and the rejection of religious difference

Though the Popular Front's reform plan soon became associated with Blum and Viollette, the peak of upheaval in Algeria occurred after the fall of the Blum cabinet and the sacking of Viollette in late 1937. As long as the Viollette plan was advanced by a clear-cut political camp – the left – representatives of the European minority could still hope to isolate it from the French mainstream. Yet with the continued debates of the Viollette plan under Radical Prime Minister Camille Chautemps, the acceptance of religious difference and the threat of a change to the status quo seemed to have been embraced by the French mainstream. It was at this point, in early 1938, that protests entered their most violent phase. As this section argues, the Viollette bill did not only entail for its opponents in Algeria the danger of a change to the balance of power in the colony. On a more abstract level, the Republic was identified not only with reform, but with a new understanding of participation and representation and the acceptance of religious difference within the *cit  française*.

The struggle over the Viollette plan, then, was now also a struggle on the nature of France and the Republic. And whilst the French-educated, reformist elite of the * lus musulmans* repeatedly evoked the legacy of 1789 and the Republic, the settler leadership relied increasingly on anti-Semitic and at times even overt anti-Republican tropes. Though no longer in power, the ousted Jewish Prime Minister and the detested former governor general were portrayed by settler opposition as enemies of *l'Alg rie fran aise*. Viollette was now described in the settler press as the “ennemi commun” promoting “Alg rophobie”, and his plan qualified as “anti-fran ais”.⁵³ Anti-Semitic motifs were on the rise, including swastikas and slogans such

⁵³ ‘Organisons la r sistance fran aise en Alg rie: Tous les Fran ais d’Alg rie se sont unis solennellement contre l’ennemi commun M. Viollette’, *La D p che alg rienne* (9 February 1938) [archived in: CAOM, GGA 3CAB 85]. The term “Alg rophobie” was used in reports of *La D p che de Constantine* throughout February 1938, see various articles archived in: AN F/60/730. The *R publicain de Constantine* denounced Viollette’s plan as “anti-fran ais” on 3 January 1938 [article archived in: AN, F/60/731].

as “A mort les Juifs! Les Métèques en Paléatine! Blum au Poteau!”.⁵⁴ Debates on political reform were now regularly cast by the settler press in terms of patriotism and betrayal, sovereignty and national integrity. Agitation against the suggested reform effectively relied on well-established hatreds to turn a debate on the political rights of a limited Muslim elite into a struggle for national unity, indeed a “crusade”, as some politicians in Oran called it – evidently inspired by a similar vocabulary adopted by the Spanish Francoists with whom they allied.⁵⁵

Various historians have interpreted the settler opposition to the Viollette plan simply as a local expression of French far-right politics. The most recent example is Samuel Kalman’s study *French Colonial Fascism: The extreme right in Algeria, 1919-1939*. Studying settler far-right associations and the Algerian branches of such metropolitan movements as the *Action française* or the *Croix de Feu*, Kalman argues that the Europeans turned to a “uniquely colonial variant of fascism” to protect their privileges.⁵⁶ Kalman is of course right to stress the escalation of settler agitation once the Viollette plan was presented, but the label “fascism” (or even a “colonial variant” thereof) is conceptually flawed – for two reasons. First, if French fascism is broadly understood as an attack on the legacy of 1789, it seems illogical to apply this term to a terrain of permanent state of exception, a territory exempted from the republican equality principle in the first place. Second, though settler opposition to reform adopted some anti-republican tropes, the actual controversy between the Europeans and the Popular Front was more complex than a dichotomy of pro- or anti-republicanism. Rather, what was at stake was the *definition* of the *cité française* and the demarcation of exclusion and inclusion. The agitation against the Viollette plan was the continuation of decades of struggles on French citizenship and ethnic and religious difference in Algeria. If the settler agitation of 1936-38 resembled the

⁵⁴ Julien, “Léon Blum et les pays d’outre-mer,” 380.

⁵⁵ On fraternisations with Spanish Francoists and adoption of their motifs see: Samuel Kalman, *French Colonial Fascism: The extreme right in Algeria, 1919-1939* (Basingstoke: Palgrave Macmillan, 2013), 105-7.

⁵⁶ *Ibid.*, 2.

anti-Semitic crisis of the late 1890s, it is because the Viollette plan was perceived as entailing the same threat to the colonial order as was the Crémieux decree decades earlier.

The complexity of this struggle as a controversy on the nature and definition of French citizenry is best demonstrated by the fact that opposition to the Viollette bill was not confined to Europeans in Algeria or the colonial administration. Even within the government, various ministers and officials opposed the plan.⁵⁷ Though a growing number of scholars, journalists and politicians now accepted the idea of political representation to Algerian colonial subjects, many of them remained opposed to the admittance of practising Muslims into the *cite française* alongside French citizens. Instead, several opponents of the Viollette plan suggested creating a separate Muslim electorate in Algeria to send its own deputation to the National Assembly alongside the deputies elected by French citizens.⁵⁸ The rationale behind these proposals, though rarely declared openly, was to hinder Algeria's Muslims from gaining real political influence. Rather than having their share – however disproportionate – in electing Algeria's deputies, Muslims voters would send an own deputation, whose political weight would be nil in an assembly of hundreds of deputies. But here again, the argumentation referred to the trope of Islam versus the Republic. Paul Saurin, for instance, a senator for Oran and part of the independent left group in the Senate, argued:

[...] ce projet [Viollette's plan – A.O.], s'il était adopté, cristalliserait définitivement nos frères musulmans dans les mœurs et les lois de l'Islam et présente des inconvénients tellement graves qu'il risque de mettre en péril, dans l'avenir, la souveraineté française en Algérie. [...] Certains électeurs seront des laïcs, avec toutes les charges voulues par le Code civil. Les autres resteront

⁵⁷ See for instance, on opposition from State secretary Raoul Aubad: AN, F/60/728: Ch.A. Julien, Note pour le Président du Conseil [no date, evidently from April 1937]; *La Dépêche algérienne* 9 April 1937, *Le Matin* 10 April 1937, *Excelsior* 12 April 1937 [archived in the same folder].

⁵⁸ CAOM, GGA 12H 14 : Proposition Taittinger, 28 December 1936; Contre-projet Saurin [no date]; Contre-projet Doriot [no date].

soumis à un droit religieux, antidémocratique, immuable dans son texte coranique divine et par-là même incompatible avec l'évolution normale et le progrès des sociétés humaines.⁵⁹

In fact, settler leaders occasionally sought to use republican opponents to the Viollette plan in order to present their own agitation as legitimate and respectable. That, for instance, was at times the strategy of the mayor of Oran, abbé Gabriel Lambert. An outspoken supporter of Hitler and Mussolini and active ally of the Spanish Francoists,⁶⁰ Lambert presented a very different visage when in the metropole. In a speech in Paris in February 1937, Lambert, evidently trying to appeal to the metropolitan audience, denounced the portrayal of reform opponents as fascists. To illustrate his argument, he cleverly mentioned leading republican opponents of the Viollette plan – most notably Henri Guernut, former secretary of the Ligue des droits de l'homme.⁶¹ (Guernut later presided a parliamentary commission appointed by the Daladier cabinet in 1938 to investigate the situation in the colonies and which recommended to postpone political reforms).

President of the mayors' federation of Oran, Lambert played a pivotal role in leading the mayors' campaign – the most important and effective opposition to the Viollette plan and the decisive factor behind the shelving of the reform bill. The mayors' campaign reached its peak in early 1938, when the Viollette plan was debated and subsequently approved by the Chamber's Commission de suffrage universel. On 8 February 1938, hundreds of mayors, municipal and departmental councillors, members of the Délégations financières and the elected members of the Algerian administration's Conseil supérieur met in Algiers to launch a coordinated protest. The action was sparked by the endorsement of the Viollette plan by

⁵⁹ AN, F/60/729: Amendement au projet de loi relatif à l'exercice des droits politiques par certaines catégories de sujets français en Algérie, présenté par M. Paul Saurin, 22 January 1937.

⁶⁰ On Lambert see: Kalman, *French Colonial Fascism*, 105-7.

⁶¹ Gabriel Lambert, *L'Algérie et le projet Viollette* (Oran: F. Plaza, 1938), 14-16.

Minister of the Interior Albert Sarraut at the Commission de suffrage universel a week earlier.⁶² Attacking “l’esprit de haine et de discorde” behind Viollette’s, the delegates demanded to be heard urgently by the Commission de suffrage universel.⁶³

Though uncompromising in its rejection of the Viollette plan, the mayors’ declaration demonstrates that by the late 1930s, opponents of reform were forced to respond to developments in the Islamic world such as those praised by the female Muslim writers discussed earlier in this chapter. Referring to reformers’ claim that the *statut personnel* no longer constituted an obstacle to naturalisation, the mayors argued: “si cela est vrai en Turquie, en Albanie et même en Egypte, cela est absolument faux en Algérie, où le statut personnel a été maintenu dans toute sa rigueur en ce qui concerne les successions, le mariage, le sort des femmes et des enfants, la polygamie.”⁶⁴ The mayors evidently felt forced to a further stance of colonial reform, namely the attempt to integrate colonial subjects in preparation for eventual military conflicts. Replying to the argument that naturalisation and conscription were the best formula against growing nationalism, the mayors stressed that colonial subjects had previously been enlisted to the French army without naturalisation, and added: “si l’argument était fondé, ce serait une singulière manière de conjurer le danger [of Algerian nationalism – A.O.] que de l’installer dans la maison.” The mayors concluded by warning that they would have to resign collectively should the Assembly proceed with the Viollette plan, “ne voulant pas assumer la responsabilité d’une expérience qu’ils jugent fatale à l’avenir de la France.”⁶⁵

In March 1938, following the adoption of the Viollette plan by the Commission de suffrage universel, the threat was fulfilled. In a statement broadcasted by *Radio-Alger* on 6

⁶² CAOM, GGA 12H 14 : Préfecture d’Oran, Centre d’informations et d’études, Note le projet Violette et ses répercussions dans le département, 23 March 1938.

⁶³ Fédération des maires d’Algérie, *Les droits électoraux des indigènes algériens: Le projet Viollette* (Algiers: Imprimeries la Typo litho et Jules Cabonel, 1938), 5-6.

⁶⁴ Ibid, 6.

⁶⁵ Ibid, 6-7.

March, the Algerian mayors and councillors announced their resignation, declaring they could no longer serve as Minister of the Interior Sarraut's representatives in Algeria given his support for the Viollette plan. In a clear escalation of their rhetoric, the mayors portrayed their resignation as a struggle to maintain national sovereignty, referring to the Viollette plan as “un acte très grave mettant en péril le maintien de la prédominance des idées françaises en Algérie et partant la souveraineté nationale”.⁶⁶ The use of a radio station to present an ultimatum to a sovereign government, at a turbulent time when radio was becoming a crucial medium of political power struggles and coups, caused much distress amongst officials of the Algerian administration, who asked the radio station for explanations.⁶⁷ Indeed, the administration had reason enough for concern: The mayors effectively paralysed the work of the Algerian administration. 92% of mayors in the Constantine department, 88% in the Algiers department and 58% in the Oran department resigned within ten days.⁶⁸ The mayors' continuing pressure achieved its goal in April 1938, when the Daladier government confidentially agreed to cease any activity to advance the Viollette plan. Both the Minister of the Interior and the Prime Minister were to meet in confidence with the leader of the mayors' protest, Gabriel Abbo, who, in return, was to call upon his colleagues to resume their work.⁶⁹

The political and economic interests behind the mayors' campaign can be clearly inferred from their declarations. In January 1938, mayoral federations in the Constantine and Oran departments adopted their first motions condemning the Viollette plan. Rejecting reform proponents' evocation of the 1789 legacy, the mayors declared that allowing the Muslim elite to exercise political rights while maintaining its *statut personnel* would give it excessive

⁶⁶ AN, F/60/730: Secrétaire général du Gouvernement général de l'Algérie (Alger) au Gouverneur général (Paris), 6 March 1938. Emphasis added.

⁶⁷ CAOM, GGA: 3CAB 85: Chef-adjoint du cabinet du Gouverneur général au Gouverneur général, 6 March 1938.

⁶⁸ CAOM, GGA 12H 14: Cabinet du Gouverneur général, 17 March 1938.

⁶⁹ AN, F/60/730: Gouverneur général au Ministre de l'Intérieur, 11 April 1938.

advantages, “incompatibles avec cette égalité que 1789 a consacré par une Révolution qui a balayé tous les privilèges pour proclamer l’égalité de tous les citoyens sans exception, devant la loi une et indivisible.” The political interests behind the mayors’ rejection of the plan were laid bare in a second motion, predicting that it would lead to a Muslim takeover of some 380 rural communes where only a quarter of the European population (200,000 people) resided compared with c. 6 million Muslims and adding: “la prépondérance des idées et des mœurs françaises ne peut subsister que si les directives appartiennent dans les Conseils municipaux, à des élus soumis au statut français.”⁷⁰ The political and economic interests behind the campaign were acknowledged even more explicitly in the mayors’ internal debates. The mayor of Boufarik in the Algiers department, reporting to his colleagues on the mayors’ visit to Paris in mid-February 1938, said they explained to Minister of the Interior Sarraut that 80% of the Algerian communes “tomberaient entre les mains des indigènes” if the Viollette plan were adopted. At their appearance before the Commission de suffrage universel, the Boufarik mayor reported, the mayors explained: “Le projet Blum-Viollette nous ferait perdre l’Algérie. 40,000 électeurs indigènes devenus français ayant en moyenne 3 enfants donneraient un total de 360,000 électeurs dans 40 ans, de ce moment, les indigènes tiendraient en mains les destinées de notre belle colonie.”⁷¹

To understand how dramatic the changes in Algeria had become by 1938, we must turn our attention to the numerous responses of the Muslim leadership to the mayors’ campaign. Dozens of letters and telegrams were sent in February 1938 to the Prime Minister’s office, denouncing the mayors’ campaign and demanding an urgent vote on the Viollette bill.⁷² During

⁷⁰ CAOM, GGA: 3CAB 85: Fédération des maires et adjoints spéciaux du département de Constantine: deux motions adopté le 12.1.1938 [the date marked on the document – 15 January 1937 – is doubtless a typal mistake]; Fédération des maires d’Algérie: Congrès des maires du 27 janvier 1938, Oran.

⁷¹ CAOM, GGA: 3CAB 85: Commissaire de police de la ville de Boufarik, Rapport journalier de 25 au 26 février 1938.

⁷² These letters and telegrams archived in: AN, F/60/730.

the debates at the Commission du suffrage universel, a joint delegation of the Congrès musulman and European socialists and communists from Algeria left for Paris for consultations.⁷³ Even amid halting progress as time passed, members of the Congrès musulman kept their optimism. Abbas, for instance, in an article from April 1938, expressed his confidence that the newly formed Daladier cabinet would advance the Blum-Viollette plan, assuring his readers: “Nous n’avons pas l’impression d’avoir été battus.”⁷⁴ Muslim leaders now explicitly framed their political cause as a demand for a profound change of the political order and of the relations between Europeans and Muslims in Algeria. Such was the case for instance, in an open letter to the governor general published in March 1938 by Taleb Ahmed, the secretary of the Tlemcen branch of the Congrès musulman:

Nous voulons vivre en paix avec tous. Mais il faut que chacun comprenne le mot paix comme nous le comprenons. Pour nous le mot paix signifie: Justice et Liberté. Nous ne voulons pas de la paix telle que la conçoivent les Allemands. A leurs yeux la paix c’est le monde pilé à leur discipline, soumis à leurs intérêts égoïstes. Ce qu’il faut rechercher c’est une Paix Française, une paix basée sur le droit et la justice égale pour tous.⁷⁵

The full harshness of this criticism of Algeria’s political order is revealed through the implied comparison with Nazi Germany. Whether the author referred to Germany’s foreign policy in Europe or its treatment of Jews at home, likening Algeria’s existing order to it and contrasting it with a “French Peace” amounted to a devastating criticism and a radical call for

⁷³ “Le projet anti-français devant la Commission du Suffrage Universel: La délégation musulmane est appuyée par une délégation française de quatre rouges d’Alger et d’Oran,” *Républicain de Constantine*, 2 Febrary 1938 [archived in: AN, F/60/731].

⁷⁴ Ferhat Abbas, ‘Le Gouvernement Daladier ne nous oubliera pas,’ *L’Entente Franco-Musulmane*, 28 April 1938 [archived in: AN, F/60/730]; another example: AN, F/60/730: Boussouf Abdelkrim [conseiller général de Mila] au président du Conseil Daladier, 31 May 1938.

⁷⁵ Taleb Ahmed, ‘Pour le projet Blum-Viollette. Lettre ouverte à M. le Gouverneur général de l’Algérie,’ *L’Oran Républicain* (27 March 1938) [archived in: AN, F/60/730].

reform. A similarly confident language was deployed by Ferhat Abbas. In an article entitled “La désertion des Maires”, Abbas accused the mayors of undermining French sovereignty. Claiming they represent nothing more than the interests of the “grosse colonisation”, Abbas likened Algeria’s political order to that of feudal France and the mayors to the aristocratic enemies of the French Revolution: “En désertant leurs postes, les Maires – toutes proportions gardées – commettent la même erreur que les émigrés de 1789. Ceux-là aussi croyaient que la France ne saurait survivre au Roy et au régime féodal.”⁷⁶

Amongst the most vocal denunciations of opposition to the Viollette plan were those made by representatives of the Jewish minority. In March 1938, the Oran branch of the influential *Ligue internationale contre le racisme et l’antisémitisme* expressed support for the Viollette plan and denounced the mayors’ campaign in particularly harsh words. In a letter sent to the Prime Minister’s office, members of the Oran branch argued that the “maires dits nationaux” did not represent the majority of the European population, as many of them had been elected prior to the rise of the Popular Front, whilst others had gained their posts through manipulation and pressure rather than genuine democratic process. Furthermore, the letter accused mayors of supporting anti-democratic parties and alleged some mayors in the Oran department of supporting Franco, Mussolini and even Hitler. Deploying the language of patriotism and loyalty, the letter emphasised the foreign origin of many of the mayors and accused them of anti-French agitation, designed to undermine the empire: “Quelques-uns de ces étrangers maires – en favorisant les menés du fascisme international – travaillent à l’amoindrissement de la Puissance française dans la Méditerranée.”⁷⁷

⁷⁶ Ferhat Abbas, ‘La désertion des Maires,’ *L’Entente Franco-Musulmane* (24 April 1938) [archived in: AN, F/60/730].

⁷⁷ AN, F/60/730: Ligue internationale contre le racisme et l’antisémitisme – Section d’Oran, Lettre adressée à la Présidence du Conseil, reçue le 3 mars 1938.

Paradoxically, the position taken in this document highlights the limits of naturalisation policies up until the 1930s. Despite the thorough francisation of Jewish life in the decades following the Crémieux decree, Algerian Jews were not integrated into the social structures and political institutions of the Algerian European minority. Their representatives now stood in overt opposition to the Europeans and expressed their solidarity with the Muslim majority – relying, for their own part, on the foreign origin of Algerian mayors. From the late 1860s and up until the late 1930s, the dynamic of inclusion and exclusion in Algeria was determined, above all, by origin rather than by legal or political status. The collective naturalisation of the Jewish minority, regarded by most colonial thinkers as a “counter-model”, a mistake to be avoided in the future, remained an anomaly.

It was this dynamic, this centrality of origin and ethnicity, that the Viollette plan had the potential of changing. Though the categories suggested by Viollette were to apply to only c. 25,000 Muslims in the first instance, they could nevertheless pave the way for many more in years to come and indeed provide an incentive for larger parts of the Muslim population to pursue careers which would give them political rights. When warning of an imminent loss of *l'Algérie française*, opponents of the Viollette plan did not necessarily mean the loss of the colony, but the breakdown of the Algerian political order, the loss of domination over the Muslim majority. In the changing international situation, colonial reformers indeed hoped to strengthen the Mediterranean empire by winning the support of the Muslim population. The key to maintaining the empire, then, was no longer in settlement, but in the gradual inclusion of colonised populations. That was the divide that underlay the turbulent years of 1936-38: a controversy on what *l'Algérie française* meant and should mean. The Viollette plan, seeking to guarantee the empire, suggested a radical change of what French Algeria – and indeed “French” more general – could mean. To save the empire, it suggested to tolerate religious difference and accept Islam and practicing Muslims in the *cité française*. Viollette surely infuriated many

Europeans in Algeria when reminding them in early 1939 that Catholics, too, had their *statut personnel* and that this set of rules was hardly more compatible with Code civil than the Islamic civil legislation so vehemently attacked in France and Algeria ever since the 1860s:

Il n'est exagéré de dire que, pour un croyant qui voudrait respecter tous les anathèmes de l'Eglise, la vie dans la société de 1938, serait bien plus impossible que pour un musulman attaché sans réserve aux prescriptions coraniques. L'école laïque, par exemple, serait interdite à un catholique, et elle n'est pas interdite à un musulman.⁷⁸

Equating Islam with Catholicism was provocative enough; but suggesting that Muslims were in certain aspects closer to the institutions of the French Republic than Catholics was veritably scandalous – particularly in Algeria, where the Catholic faith served as a unifying factor for the various Mediterranean communities. Viollette, a colonial administrator well acquainted with Algeria, was surely aware of that. The lines cited here were not an attempt to convince, appease or reach compromise, but a frontal, polemic attack on his political rivals.

More than anything else, Viollette's article indicates his realisation that the attempt to accommodate difference in the *cite française* was doomed. For decades, Islam had been portrayed as inherently incompatible with French citizenship. The consolidation of a permanent state of exception in Algeria allowed to exempt Muslim subjects even from the most fundamental principles of the French Republic. The victory of settler opposition to reform over the Algerian Muslim leadership stemmed not only from a deeply asymmetrical power balance, but ran much deeper: Evoking 1789 by Muslim leaders proved to be politically futile after decades during which the Republic was demarcated along ethnic-religious rather than civic-political lines. The shelving of the Viollette plan was much more than a defeat for the school of

⁷⁸ Maurice Viollette, 'La Question indigène,' *Alger-Républicain* (2 February 1939) [archived in: AN, F/60/730].

colonial reforms or a bitter disillusionment for such supporters of reform and inclusion as Abbas. It was the failure of the only attempt of the Third Republic to envisage an alternative model of political participation. If the Viollette plan itself went down in history as little more than the swansong of the French empire, the clear victory of its opponents was an important moment in the continued exclusion of Muslims from the French Republic.

Conclusion

In June 1939, Albert Camus – at the time a young journalist of some reputation in the Europeans' left-wing milieus of Algiers – published a series of reportages from Kabylia in the leftist newspaper *Alger républicain*. In the first of these reportages, published on 5 June and describing the extreme poverty in the region, he highlighted the necessary measures to be undertaken: “Dire qu'on aime ce peuple ne suffit pas. L'amour n'a que faire ici, ni la charité ni les discours. C'est du pain, du blé, du secours, une main fraternelle qu'il faut tendre. Le reste est littérature.”¹ No reference was made in the article to the political mobilisation of the Algerian Muslim population in the previous three years – the meetings, demonstrations and petitions which had articulated, reiterated and amplified the political programme of the Congrès musulman since 1936. In fact, Camus himself thought this article to be too vague to be reprinted in *Chroniques algériennes*, the edition of his articles on from 1939 to the year of the edition's publication in 1958.²

But even with the benefit of hindsight in 1958, Camus thought his article from the following day, *Le dénuement*, to be worthy of reprinting. Seeking to analyse the reasons for the Kabylean misery, Camus identified one main cause: “La Kabylie est un pays surpeuplé et elle consomme plus qu'elle ne produit. Ces montagnes abritent dans leurs plis une population grouillante qui atteint, dans certaines communes comme celle du Djurdjura, une densité de 247 habitants au kilomètre carré. Aucun pays d'Europe ne présente ce pullulement.”³ But what had led to this over-population? The article remained silent on the recent history of the region. Camus did not refer to policies of “cantonnement” and the delimitation of territories assigned to local populations by the colonial administration in this region in the 1890s and early 1900s.

¹ Albert Camus, ‘La Grèce en haillons,’ *Alger républicain* (5 June 1939), p. 2, col. A-E.

² See Camus' explanation in Albert Camus, *Actuelles III: chroniques algériennes, 1939-1958* (Paris: Gallimard, 1958), 31.

³ Camus, *Le Dénuement*, in *Actuelles III*, 33.

The following day, on 7 June 1939, Camus published a report from an area of Kabylia further north, from the villages of Dellys and El-Kessur.⁴ Here, again, he included no reference to the historical and political origins of over-population and misery – above all the expropriation that followed the repression of the Kabyle uprising in 1871. In fact, expropriation was particularly violent in this region. It was between the town of Dellys and the Mitidja area to its west that the colonial administration sought to create “une solide barrière de villages fortifiés” in 1871.⁵ As for El Kseur, a colonial settlement was founded there in 1872 and received several families from Alsace-Lorraine – the settlers amongst whom Camus chose to imagine his own ancestors in *Le Premier homme*, as discussed in Chapter One.⁶

Like Maupassant in 1881, with whom we have opened this study, Camus in 1939 failed to recognise the role of the state and of the colonial order in bringing about the misery he encountered in Kabylia, and failed to acknowledge the political demands of the Muslim leadership. Of course, Camus’ was a much more nuanced picture than Maupassant’s, shorn of outright prejudice and scorn. He was a politically involved writer and journalist, and maintained contacts with Algerian Muslim intellectuals and militants. His gaze on Algeria was not that of a metropolitan visitor shaking his head with a mixture of arrogance, amusement and disbelief, but of a son of Algiers, very much attached to the landscape surrounding him. The failure of this young journalist to recognise the source of the poverty of which he reported with such shock and to attend to the political demands of the Muslim leadership shows how deep and common the blindness to the true nature of the colonial order was. If the various episodes

⁴ Camus, *Le Dénuement* (suite), in Camus, *Actuelles III*, 41-49.

⁵ CAOM, GGA L10 (5): Comité consultatif de colonisation: Extrait de la délibération du comité consultatif de colonisation, 26 October 1871.

⁶ On El Kseur see : CAOM, GGA L15 (6): Préfecture de Constantine: Etat annuel no. 1 pour l’année 1875 – Situation des centres de colonisation – peuplement, March 1876. Further information from: <http://anom.archivesnationales.culture.gouv.fr/geo.php?ir=&lieu=El+Kseur+%28Alg%C3%A9rie%29>; accessed 24.11.2017.

studied in this thesis reveal one intellectual continuity across time and throughout the French political spectrum, it is precisely this failure and a wide acceptance of a legal castes system.

Indeed, what occurred in France and Algeria in the late nineteenth and early twentieth century was the dismantling of republican citizenship in favour of ethnically grounded demarcation criteria. These new criteria emerged from the very first years of the Third Republic and were drawn on the ground just as much as in legal theory. Whenever the colonial administration announced the expropriation of land from a local population “pour cause d’utilité publique” – i.e. for the creation of a colonial settlement designed for French citizens only – it perpetuated the breach of the republican notion of the public good. In the republican metropole, expropriation “pour cause d’utilité publique” meant a limited violation of an individual’s rights for the sake of a higher, public cause. In the colony, it meant the systematic violation of one population’s rights for the interests of another. At the same time, the backlash against the Crémieux decree in the early 1870s was articulated as the negation of the very idea that a foreign, Arabic-speaking population could be included in the *cit  française*. Prefects, generals and politicians joined forces in their struggle against the very idea of collective naturalisation.

The ethnic character of exclusion and inclusion criteria became clearer and stricter in the 1880s and 1890s. Though certain concerns about the social and political integration of the Italians and Spanish were raised prior to the naturalisation law of 1889 and in the decade thereafter, these were never articulated with the same degree of ferocity and racially-laden prejudice. Rather, the 1889 naturalisation became a constitutive moment, when the boundaries of the *cite française* in Algeria were re-drawn and a new coinage was created – that of a “European”, an “Algerian” or a “néo-Français” community. Of course, such terms as “néo-Français” or even “Français d’Alg rie” – not to mention the later coinage “pied-noirs” – all connoted some sense of inferiority when used in the metropole. But by the turn of twentieth

century, even though some commentators lamented the 1889 naturalisation and some even suggested to grant voting rights only to the second generation of the naturalised, there was no doubt that the Italians and Spanish of yesterday were now French.

Mirroring the emergence of this new “European” community in Algeria was an emerging consensus on the incompatibility of being a Muslim and a French citizen. With the category of *indigène* correlating exclusively to that of *musulman* after the naturalisation of the “indigenous” Jews, and with *musulman* increasingly denoting origin from the 1890s onwards, the perception of the Muslim population as inherently alien to the *cité française* was well in place by the end of the nineteenth century. The quarter of a century between the sénatus-consulte of 1865 and the naturalisation of the Europeans in 1889 witnessed a long process by which the multiple legal statuses which existed in Algeria on the eve of the proclamation of the Third Republic were replaced by a clear-cut opposition: French citizens versus Muslim colonial subjects.

Of course, the contrast French/Muslim was of legal, not social nature – not least since the Jewish minority in Algeria was never considered as part of the European community by the mainstream of the settler press and leadership. This was made abundantly clear during the crisis of the late 1890s, when local anti-Semitic leaders made the demand to exclude the Jews from the French polity – and in some cases to expel them altogether – a common cause around which to unify the diverse European community. Even the decline of the anti-Semitic movement after the end of the Dreyfus Affair did not amount to a radical change in this view: three decades later, a renewed wave of anti-Semitic propaganda sought to delegitimise the Blum-Viollette plan by demonising the Jewish Prime Minister Blum and depicting Jews and the Popular Front as accomplices in a plot against *l’Algérie française*.

The ways in which the anti-Semitic crisis was interpreted by the public opinion in Algeria and the metropole reveal the consensus around the colonial order and the boundaries of citizenship in Algeria. For no observer noted that the main feature on the agenda of Algerian anti-Semitism – the abrogation of the Crémieux decree – was perfectly in line with the logic of exclusion and inclusion as it developed in Algeria in the 1880s and 1890s. The colonial order rested upon the demarcation along the line of ethnicity and origin, and it was for this reason that the Crémieux decree was viewed as such an inconceivable measure by its opponents. The supporters of Jewish naturalisation, for their part, were motivated not by an alternative vision of citizenship, but simply by the conviction that Algerian Jewry were or could be made truly French by abandoning local customs and practices. But anti-Semites and their opponents were unified in their rejection of difference and in their opposition to the political inclusion of Algerian Muslims.

The only development which for a while seemed to challenge the political exclusion of the Muslim population in Algeria was the expansion of the French empire and a looming European war in the first years of the twentieth century. Generals and politicians turned to the colonies in their quest to increase France's military manpower, and calls for some form of representation and rights, which had been voiced prior to the introduction of conscription in 1912, increased once the war mobilisation began. This link between conscription and citizenship was deeply grounded in French republican and colonial thought. The repeated reference to Rome whenever the demand for inclusion was made was much more than a lip service or a rhetorical device: it represented a widely shared perception of history, in which a slow, gradual change of a political system and a variety of legal statuses belonged to the very essence of a constantly expanding empire.

But how serious was this new impulse, this re-thinking of the French empire? The first years of the twentieth century witnessed considerable changes in the empire. In 1912, following

several years of growing involvement in Morocco, a French protectorate was created there, giving renewed relevance to views of the France as a *puissance musulmane* and of the empire as an “empire franco-barbaresque”. In 1916, the granting of the right to vote *dans le statut* to c. 4,000 Senegalese colonial subjects sparked intensive debates in the National Assembly on similar reforms in Algeria.

In the metropole, the inauguration of the Grand Mosque of Paris in 1926 marked a cultural development which should not be underestimated. If vestiges of “Mauresque” architecture (itself a French category) had been previously used in purely colonial contexts – above all in colonial exhibitions and in the building of the *Ecole nationale de la France d’outre-mer* – the Mosque of Paris was a project of a different character. It was a concrete manifestation conveying the concept of France as a *puissance musulmane* which should be absorbing cultural and religious influences from the empire. Whilst Pascal Blanchard and Sandrine Lemaire – the leading historians of colonial culture in the metropole – have described a process of the metropole being “conquered” by its empire, the Mosque of Paris indicates a parallel trajectory – a deliberate attempt to absorb culture from the colonies.⁷

But the empire was significant for our story in a further aspect – the involvement of politicians and militants from the Antilles and from Senegal in the struggles for the political rights of the Algerian Muslims. This thesis sees such interventions as part of a wider historical context. Despite their vast differences, figures like Ismaïl Urbain in the late nineteenth century and Frantz Fanon in the mid-twentieth century testify to the significance of south-south relations throughout the history of the French empire. Though mentioning a colonial advisor like Urbain and an anti-colonial thinker like Fanon side by side may seem intellectually brazen, it is worthwhile to stress that both were shaped by the empire and saw the oppression of the

⁷ Pascal Blanchard and Sandrine Lemaire, *Culture coloniale: La France conquise par son Empire, 1871-1931*, (Paris: Éditions Autrement, 2003).

Algerian Muslim population as a facet of a system in which they, too, were caught. So did the Senegalese deputy Blaise Diagne and deputy for Martinique Joseph Lagrosillière – two representatives of the colonies who called for the political inclusion of the Algerian Muslims. Lagrosillière was particularly important, first, during the First World War, by proposing alternative conceptions of naturalisation designed to respect the social structures of the Algerian Muslim society, and later as chairman of the parliamentary inquiry commission studying the situation in Algeria in 1937.

However, despite repeated appeals and attempts, the re-thinking of the French empire was halted at the gates of Algeria by the settler leadership, the colonial administration and the colonial lobby. A decade of campaigning – first by sections of the liberal and colonial press, later in parliament – ended in the adoption of extremely limited reforms in 1919. Of procedural rather than essential nature, the Jonnart law slightly increased the representation of the Muslim population in local councils and promised to simplify the process of individual naturalisation. Theoretically, the Jonnart law entailed an important development – the recognition of naturalisation as a right, rather than a privilege granted by the state to colonial subjects. But the powers given to the colonial administration to block naturalisation requests on various grounds meant that even this modest reform of naturalisation remained a dead letter. All in all, the political and intellectual development of the 1910s can be likened to a pendulum movement: A struggle which started with the first serious attempts to envisage alternative models of naturalisation and inclusion in Algeria ended with the reaffirmation of the status quo by an opposition to reforms which had always been and would remain more determined and better organised than the proponents of reform.

Though this thesis is above all a study of French colonial theories, the political and intellectual shifts thereof cannot be understood without studying the demands raised by colonial subjects – particularly local elites – in their encounter with the colonial state. This

study has no pretence to have discussed the various strategies of grappling with colonial power in all their complexities. Rather, this thesis has sought to demonstrate the effectiveness of such campaigns in influencing colonial conceptions of citizenship and the republic.

Tellingly, the most effective and self-confident campaign for collective naturalisation was launched before the proclamation of the Third Republic. Indeed, the Second Empire of the late 1860s appears to have been more flexible in its approach to citizenship and naturalisation than the republic founded upon its wreckage. Certainly, the success of the Jewish campaign for naturalisation was due above all to the small numbers involved. Contemporary warnings and statistics notwithstanding, the naturalisation of c. 34,000 colonial subjects posed no threat to the overall balance of power in the colony. Furthermore, the role played by the French and Algerian consistories in bringing about this change cannot be underestimated, nor can be the influence of Crémieux himself in this process. Still, the fact that Jewish consistories expressed their demand for political inclusion in petitions written in their own language indicates that there was no fear that such a move might jeopardise this process – and the responsiveness of state authorities all but proved them right. The openness of officials and politicians to local demands, the seriousness with which the demand for naturalisation was considered and the process of negotiation with the consistories reveal a pragmatic view of citizenship under the Second Empire.

Certainly, state authorities showed much concern on whether Algerian Jews were willing to adopt the French model of family and society. But officials and politicians nevertheless showed a considerable degree of flexibility when agreeing to rely on the inherent acceptance of state law within Jewish legislation as was explained to them by the consistories. In other words, the naturalisation of Algerian Jews relied on religious Jewish law as guarantor of francisation. In a polity defined through its political regime rather than through common will as represented by an elected assembly and defined by a constitution, in a polity grounding its

legitimacy in dynastical continuity rather than consent, the institution of citizenship was of a pragmatic rather than of principle order. The success of the Jewish campaign for naturalisation under the Second Empire is an instructive negative for a discussion on the struggles over inclusion under the Third Republic.

Indeed, in the early twentieth century emerged what can be best termed the “ideology of French citizenship” – a view of citizenship as a predefined, ideologically-laden concept rather than a pragmatic feature of the social contract. This development explains the wide acceptance of theories developed to justify the exclusion of the Algerian Muslims by stressing the alleged incompatibility of Islam and the French Republic. In this process, emphasis was increasingly put on customs, norms and beliefs as barriers to the extension of the *cit  fran aise*. Naturalisation was seen as the accomplishment of an “assimilation” process rather than as a legal process of integration within a polity. A most instructive example of this intellectual development was a *Trait  th orique et pratique de la naturalisation* published in 1880 by the jurist and later deputy Daniel de Folleville (1842-1916), a prolific writer on various aspects of French legislation and jurisdiction in the late nineteenth century. De Folleville’s reasoning was a fascinating exercise in the exclusion of Muslims not only from French citizenship, but from the reach of universally framed principles more generally. Whilst he argued that “la diversit  de races et de langues n’emp che pas l’unit  d’une nation” and that “pour qu’une annexion soit l gitime, il faut le consentement pr alable des populations, qui devront changer de nationalit ”,⁸ de Folleville nevertheless concluded:

[...] lorsque le conqu rant se trouve en pr sence d’une population *aux m eurs et aux coutumes essentiellement contraires* aux siennes, en face d’individus ayant une religion propre, professant un culte particulier, il est  vident qu’il ne peut

⁸ Daniel de Folleville, *Trait  th orique et pratique de la naturalisation:  tudes de droit international priv * (Paris: A. Marescq a n , 1880), 194, 199.

point changer, du jour au lendemain, la face de ce territoire et la rendre brusquement semblable à son image. [...] Dans une telle hypothèse, il faut bien que le régime, imposé aux nouveaux citoyens, diffère de celui imposé à la suite d'une cession volontaire.⁹

Though formulated as general observations, the objects of these statements were very specific. De Folleville said explicitly that he referred above all to the local populations in Algeria and in the French colonial possessions in India. The crucial point here is not de Folleville's rejection of Muslim naturalisation as such – in fact, in 1880, very few, if any Muslim voices demanded this – but his emphasis on norms and rituals, and above all, his manner of exempting the Muslim population from a theory he himself developed. Rather than legitimising the existence of different legal statuses for different populations by avoiding general normative statements, de Folleville chose to argue that universal rules did not apply to the Muslim population in Algeria. Such views, developed to reject calls for reforms, became a maxim by the eve of the First World War. In October 1910, Messimy, trying to reassure those of his opponents fearing that introducing conscription amongst Algerian Muslims could lead to a political change in the colony stated openly: "l'égalité absolue des droits politiques est inadmissible."¹⁰ And whilst certain advocates of colonial reform hoped that introducing conscription would pave the way for some political change in Algeria, the result was the opposite: The successful introduction of mandatory military service without the merest reform cemented even further the inferior status of the Muslim population as subjected to all duties and having no political rights. Ultimately, even the naturalisation of 4,000 Senegalese subjects

⁹ Ibid, 210-211. Emphasis added. The word *citoyen* in this context is of course erroneous, as the author refers to subjects, not citizens.

¹⁰ Adolphe Messimy, 'Ressources militaires de l'Afrique du Nord', *La Revue de Paris*, 15 November 1910, 345.

failed to change the status quo in Algeria and was quickly framed as an exception rather than a precedent.

That was the perception of French citizenship with which the Congrès musulman had to grapple when drafting its demands for political change in Algeria in June 1936: an ideological concept not open for negotiation or adaption. In this intellectual climate, the republican language adopted by various Algerian Muslim leaders, particularly such prominent members of the *Fédération des élus musulmans* as Ferhat Abbas, could do little to win over the mainstream of French political elites. Abbas could invoke 1789 as often as he pleased; in French imagination, this legacy had been configured as irrelevant to any discussion on Algerian Muslims. The trope of “assimilation” and the colonial category of “évolués” to refer to certain colonial subjects expressed precisely this thought: To be eligible for French citizenship, one had to have left behind the religion, culture, and communal life of the Muslim society. Viollette’s proposal to grant the right to vote to a group – however small – of practising Muslims was thus inconceivable not only to settler representatives, but to a wide political spectrum in the metropole.

Under these circumstances, it is no surprise that opponents to the Blum-Viollette plan denounced it as an act of betrayal. Whilst there was nothing new in Algerian mayors’ objection to any measure jeopardising settler privileges, the confrontation around this reform plan was not merely over political interests, but was a clash of ideological order. The attacks on the metropole and the fraternisations with Spanish Francoists, the eruption of riots, the demonization of Viollette and the revival of anti-Semitic propaganda, now directed at Blum, turned this confrontation into an overall conflict on the boundaries of French citizenship. For the Blum-Viollette plan indeed contained a radical essence: In signalling the willingness to accept some form of religious difference and practising Muslims within the *cité française*, this

plan parted from the political orthodoxy which had been established and consolidated since the 1880s.

Even on the leftist end of the Popular Front, few politicians understood the gravity of the situation. In March 1937, PCF deputy and member of the Lagrosillière inquiry commission Charles Michels (1903-41), told party members in Constantine: “[...] toutes les réformes ne peuvent être réalisées immédiatement. Il nous faudrait une baguette magique et le Gouvernement de Front populaire n’en possède pas. [...] Un jour, le Gouvernement sera entièrement aux mains des communistes. Ce jour-là, peut-être aurons-nous alors une baguette magique et bien des réformes seront faites.”¹¹ With his view of colonial reforms as a matter of magics and his request from colonial subjects to remain patient until an undefined future, Michels continued a long tradition of French generals, administrators and politicians who failed to grasp the acuteness of injustice and suffering caused by the colonial order. Tragically, Michels’ own fate captures the fullest futility of the PCF’s promise for reforms in a future communist utopia: he was shot by the Germans alongside 26 other opponents of Vichy in the Breton town of Chateaubriant in October 1941.

There were, of course, a few, always isolated and marginal dissenting voices in France. Viollette was perhaps the closest to achieving an actual political change, but he was preceded by several foresighted commentators. One of the clearest and least known amongst these voices was that of Henri de Lamothe, discussed in several contexts in this study. In 1882, de Lamothe wrote the following:

C’est une loi de l’histoire qu’un régime d’exception tend à se développer
incessamment dans le sens de l’exagération de son propre principe, accentuant

¹¹ CAOM, GGA 12H/13: Sûreté départementale de Constantine, Rapport – Communisme, 19 March 1937. Biographical details from: [http://www2.assemblee-nationale.fr/sycomore/fiche/\(num_dept\)/5268](http://www2.assemblee-nationale.fr/sycomore/fiche/(num_dept)/5268). Accessed 13.12.2017.

ainsi chaque jour davantage l'antagonisme entre ceux qui en bénéficient et ceux qui en souffrent. La persistance même des abus engendre des intérêts qui se coalisent ensuite pour empêcher toute réforme, jusqu'à ce qu'une catastrophe intérieure ou extérieure vienne renverser l'échafaudage édifié au mépris des lois de la justice politique est sociale.¹²

"Laws of history" lie beyond the scope of an academic thesis. In fact, if this study has shown one thing, it is that the dismantling of republican citizenship under the Third Republic in favour of ethnically grounded divisions was the result of conscious political choices, a process made by contemporaries and intelligible to them. Teleology is always flawed, and the present discussion is no exception. The fact remains, however, that some observers – not necessarily those one might expect – understood all too well what catastrophic consequences could be engendered by a regime which was designed to deprive an entire population of its land, rights, and dignity.

¹² Henri de Lamothe, "De la Représentation des indigènes," *Bulletin de la société française pour la protection des indigènes des colonies* 1, no. 3 (September 1882), 153.

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