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## Political Activism In Algeria In The Late 19th Century (1863 - 1900 Ad)

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**Received: 12/2023**

**Accepted: 03/2024**

**Published: 06/2024**

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### Abstract:

French policy in Algeria since the beginning of the occupation has been characterised by complexity and diversity, oscillating between the use of force at times and leniency and attempts at polarisation at others. In between, the colonial administration sought to enact laws and regulations to subordinate the natives to its authority.

With the failure of the last popular resistance movements at the end of the 19th century, Algerians were faced with the inevitability of changing the pattern of resistance, so they adopted political struggle as a means of confrontation. Petitions, complaints and reports became the platform on which Algerians expressed their rejection of the occupation.

What were the main laws and regulations issued by the occupying authorities? What were their aims? And how were the Algerian reactions to these laws represented?

**Keywords:** French Politics, Laws and Legislation, Popular resistance, Algeria.

### Introduction:

French colonial policy in Algeria was not characterised by a single consistent approach, but rather alternated between periods of force and violence and periods of feigned leniency. The underlying objective, however, remained constant: to subjugate the Algerians to the authority of the colonial occupation.

The late 19th century was one of the most difficult periods for the Algerians because of the failure of popular resistance movements. The colonial administration took advantage of this failure by enacting oppressive administrative laws and legislation, subjecting the local population to various forms of persecution and driving them into abject poverty.

No aspect of life was spared from these laws and regulations, from the dismantling of the cultural, religious and social foundations of Algerian society to the deliberate undermining

of the local economy. Despite the severe hardships resulting from the implementation of these measures, the Algerians did not resign themselves to passivity and surrender, as the colonial authorities had tried to propagate. Instead, they persisted in their struggle and expressed their resistance in various ways.

In addition to acts of retaliation against the settlers and collaborators, the Algerians adopted the strategic approach of submitting petitions to express their rejection of these laws and regulations. They used this platform as an arena of confrontation and as a means of exerting pressure on the colonial administration to force it to withdraw the enforcement of these measures.

These texts represented a crucial link in the ongoing struggle against the colonial “other” and a tributary of the political resistance movement towards the recovery of Algerian rights. They also served as a unifying factor in the struggle against the coloniser.

So what were the most significant of these laws and regulations that fuelled Algerian indignation? What were their underlying interests? And how did Algerians react to these laws?

## **1. Administrative laws in the service of colonial policy:**

### **1.1 The *Senatus Consultum* Decree of 22 April 1863:**

After his first visit to Algeria in 1860, Emperor Napoleon III decided to modify French policy in Algeria in general and economic policy in particular. He did so after concluding that the application of the law of 16 June 1851<sup>1</sup> had been negative. It was then that he made his famous declaration: “The inhabitants of the country have as much right to my protection as the settlers”<sup>2</sup>. He then promulgated a law in the form of a senate decree on 22 April 1863<sup>3</sup>.

Adedat Ben Dahha described this law as the decisive turning point in the history of land ownership in Algeria, as it caused a revolution and destruction in the social and economic structure of the Algerian individual<sup>4</sup>. It also represented a significant development in the

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<sup>1</sup>- Ibrahim Lonis: Real Estate Ownership in Algeria through the Newspaper “Al-Mubashir” under Military Rule, Proceedings of the First and Second National Colloquium on Real Estate in Algeria during the French Occupation (1830-1962), Publications of the Ministry of the Mujahideen, Algeria, 2007, p. 140.

<sup>2</sup>- Charles-Robert Ageron: History of Contemporary Algeria, translated by Issa Assfour, 1st edition, Oweidat Publications, Beirut, 1982, p. 60.

<sup>3</sup>- Kamal Kateb: European Natives and Jews of Algeria (1830-1962), Representation and Population Facts, translated by Ramadan Zabdi, Dar Al-Ma’rifah, Algeria, 2011, p. 119.

<sup>4</sup>- Adda Ben Dahha: The Actual Backgrounds of Land Legislation in Algeria during the French Occupation (1830-1873), Proceedings of the First and Second National Colloquium on Real Estate in Algeria during the French Occupation (1830-1962), Publications of the Ministry of Mujahideen, Algeria, 2007, p. 138.

colonial conception of land legislation in Algeria<sup>5</sup>. As Rachid Fareh points out, it authorised the distribution of Crown lands among the douars (rural communities) after demarcating their boundaries by dividing these lands into individual private property. This was done, on the one hand, in order to make the land available for seizure, which meant dismantling and weakening the peasant landowners<sup>6</sup>, and, on the other hand, to enable the Europeans to acquire more agricultural land by facilitating the process of acquiring communal crown lands and removing obstacles to this end. It also did not prevent the occupying authorities from expropriating new lands for the public good and allowed them to maintain their rights over crown lands and beylik lands, thus giving them the power of implementation and domination<sup>7</sup>. This led Tawfiq Bin Zardah to describe it as a sovereign law concerning the conditions of the Algerian homeland and its affiliation to the French state<sup>8</sup>.

Ahmed Sisawi, for his part, sees the *Senatus Consultum* as the fundamental building block of the project to dispossess the tribes. Thanks to it, the tribes were dismantled and more than 800,000 hectares of Crown land were converted into private property, with the aim of breaking up the tribe and destroying the social fabric and family cohesion. It also consolidated the principle of division by turning a single tribe into a communal Douar and creating so-called communal public property out of the territories formerly occupied by the tribes, as a prelude to the construction of a French-style Algerian society in which the commune, which replaced the Douar, would replace the tribe and the Crown. It also consolidated the principle of division, turning a single tribe into a communal Douar and creating so-called communal public property out of the territories formerly occupied by the tribes, as a prelude to the construction of a French-style Algerian society in which the commune, which replaced the Douar, would replace the tribe and the Crown. It also consolidated the principle of division, turning a single tribe into a communal Douar and creating so-called communal public property out of the territories formerly occupied by the tribes, as a prelude to the construction of a French-style Algerian society, in which the commune, which replaced the Douar, would replace the tribe and the Crown. It also consolidated the principle of division by turning a single tribe into a communal Douar and

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<sup>5</sup>- Rachid Fareh: *The Main Stages of the Establishment of Land Ownership during the Occupation Period and its Impact on the Traditional Social Structure of Algerian Society*, Proceedings of the First and Second National Colloquium on Real Estate in Algeria during the French Occupation (1830-1962), Publications of the Ministry of the Mujahideen, Algeria, 2007, p. 111.

<sup>6</sup>- Al-Taher Malekhssou: *The Documentation System under the Land Legislation in Algeria (1830-1962)*, Proceedings of the First and Second National Colloquium on Real Estate in Algeria during the French Occupation (1830-1962), Ministry of the Mujahideen, Algeria, 2007, p. 35.

<sup>7</sup>- Adda Ben Dahha: *The Previous Reference*, p. 142.

<sup>8</sup>- Toufik Ben Zerdah: *The Archival Resources of Colonial Land Legislation in Algeria*, The Senate Council Law Archives (1863), a case study of the Regional Land Survey Directorate in Constantine, *Journal of the University of Prince Abdul Qadir for Islamic Sciences - Constantine - Algeria*, Vol. 35, Issue 01, 2021, p. 07.

creating what are known as communal public properties<sup>9</sup> in the areas formerly occupied by the tribes, as a prelude to the construction of a French-style Algerian society in which the commune, which replaced the Douar, would replace the tribe and the Crown<sup>10</sup>.

The law, according to the life of the Qanun, aims to destroy and dismantle the Algerian social unit by indicating the need to distribute members of the same tribe among different villages, i.e. to replace the traditional unity of the tribe with a new administrative system based on the village and not on the tribe, allowing the creation of individual property and the elimination of the unity of the tribe and the community<sup>11</sup>. The aim, as Bashir Ballah puts it, is to achieve the cultural advancement of the Algerians, which means bringing them closer to French civilisation by intensifying their real estate transactions with the settlers and their influence over them<sup>12</sup>.

Saleh Haimer, on the other hand, believes that this law embodies a number of declared objectives, since it made it possible to identify the property of the inhabitants, to establish individual property rights and to put an end to the ambiguity that had surrounded property ownership in Algeria. However, it also had hidden objectives, such as achieving security and stability in society, which would allow the consolidation of the French presence in Algeria, and the fragmentation of the tribe by replacing collective ownership with individual ownership, as the colonial administration realised that the strength and cohesion of society lay in the tribal social system based on collective ownership<sup>13</sup>.

Despite the results achieved by this law, Maurice Vuillod was sceptical and considered that what had been achieved had not changed anything because the institution of the inhabitants remained within its stubborn and rigid framework<sup>14</sup>.

And since the decision of the senatorial consultation did not meet with the good will of the settlers and the colonial administration in terms of making land available for sale and purchase between the inhabitants and the Europeans in Algeria, since the acceleration of the process of establishing individual property rights among the Muslim inhabitants and

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<sup>9</sup>- Ahmed Sisawi: *The Bailiwick Dimension in the French Colonial Political Projects from Wally to Napoleon III (1830-1871)*, Doctoral thesis submitted to obtain the Ph.D. degree in Contemporary History, Faculty of Humanities and Social Sciences, History Department, Mentouri University, Constantine, 2013-2014, pp. 275, 276.

<sup>10</sup>- Moustafa Obayd: *The Saint-Simonian Colonial Thought in Egypt and Algeria (1833-1870)*, Dar Al-Ma'rifah, Algeria, 2013, p. 157.

<sup>11</sup>- Hayat Qanoun: "French Settlement and Confiscation of Algerian Lands During the Nineteenth Century", *Journal of Sources*, Issue 24, Second Semester, 2011, p. 22.

<sup>12</sup>- Bachir Bellah: "The Contemporary History of Algeria (1830-1989)", Volume 1, Dar Al-Maarifa, 2006, p. 159.

<sup>13</sup>- Saleh Haimar: "French Land Policy in Algeria (1830-1930)", Doctoral Thesis in Modern and Contemporary History, Faculty of Humanities and Social Sciences, Department of History and Archaeology, Hadj Lakhdar University, Batna, 2013-2014, pp. 118-119.

<sup>14</sup>- Maurice Wahl: "Algeria Typographie", Paul Broadard Coulommiers, 1882, p. 261.

settlers remained an obstacle to them, the law of 26 July 1873 came as a solution to this dilemma.

## **2. The Warnier Law of 26 July 1873:**

This law was called the “law of the settlers” because it unleashed them to achieve their goals and allowed them to acquire more land from the Algerians. It essentially consisted of the Frenchification of Algerian lands through the “total and definitive subjection to French laws of all lands previously administered under Islamic law”. It also provided for the necessary supervision and control by the French administration over all types of property in Algeria, regardless of the status of their owners. The aim was to abolish Islamic laws and forms of cooperation and solidarity within the tribe, as well as property rules derived from Islamic Sharia or tribal traditions that conflicted with French laws<sup>15</sup>.

According to Chaine’s biography, the Warnier Law paved the way for settlers to obtain Crown land, as the colonial administration handed over more than 400,000 hectares to settlers between 1871 and 1880, and 264 settlement centres were expanded<sup>16</sup>. According to Saleh Abad, Algerians lost 432,388 hectares between 1877 and 1898 as a result of this law, although official statistics are inaccurate and do not include unregistered sales<sup>17</sup>. This law confiscated 20% of the land in eastern and central Algeria and 40% of the land in western Algeria<sup>18</sup>.

Colonisation benefited from the Senate decision of 1863 and the Warnier law, as the peasants whose land was confiscated found themselves at the mercy of usurers who charged interest rates of between 20% and 200% and demanded land as collateral, with the result that the land was often confiscated in the event of non-payment of the debt<sup>19</sup>.

## **3. Law of 28 April 1887:**

In order to amend the law of Farnès, a committee was appointed, composed of “Sauteryra”, the president of the court of Algiers, “Pompei”, the attorney general, “E. Robe”, the lawyer, and “Perroud”, the director of real estate and deputy in the general council “Vigrard”. This committee presented several reports coinciding with the date of publication of the

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<sup>15</sup>- Issa Yazeer: “French Policy Towards Land Ownership in Algeria (1830-1914)”, Master’s thesis in Contemporary History, Faculty of Humanities and Social Sciences, Department of History, University of Algiers, 2008-2009, p. 74.

<sup>16</sup>- Hayat Qanoun: Reference above, p. 24.

<sup>17</sup>- Saleh Abbad: “Algeria Between France and the Settlers (1830-1930)”, DMJ, 1999, pp. 116, 117.

<sup>18</sup>- Ahmeda Amiraoui: “The Effects of Colonial and Settler Policies on Algerian Society (1830-1954),” Publications of the National Center for Studies and Research on the National Movement and the Revolution of 1 November 1954, Special Edition by the Ministry of Mujahideen, 2007, p. 54.

<sup>19</sup>- Mahfoud Kaddache: “Algeria of the Algerians: History of Algeria (1830-1854)”, translated by Mohamed Al-Maaraji, ANEP Publications, pp. 227, 228.

Sheikh's decree of 1863, which proposed a return to this decree, in particular article 02 concerning the methods of determining the lands of the tribes and the douars<sup>20</sup>.

The content of this new land law can be summed up as bringing agricultural land under French law in all matters relating to commercial land transactions. Articles 03 and 19 allowed the investigating registrar to assess the properties that were difficult to divide, either by mutual agreement or in the presence of the justice of the peace, and obliged the creditor to re-register the debt contract in the name granted to the native, while repealing article 06 of the Shaykh's decree, which prohibited the sale or transfer of tribal property, excluding Islamic justice in the process of determining ownership, in return for facilitating the transfer of ownership to Europeans<sup>21</sup>.

This law did not provide Europeans with a sufficient degree of security in property transactions because the technical procedures for its implementation were slow due to their nature and the fact that they required significant material and human resources. For this reason, the implementation of this land law was suspended in 1891 and, in response to pressure from the colonists, the government appointed a committee to prepare an alternative<sup>22</sup>.

#### **4. The law of 16 February 1897:**

Saleh Haimar points out that the law of 16 February 1897 was merely a transitional law, which was limited to introducing some reforms aimed at correcting the shortcomings and shortcomings of the laws of 1873 and 1887, in order to preserve the interests of the settlers and their tribal gains<sup>23</sup>. The most important aspects of this law include the definition of the Tell region as the geographical area for its application, as well as the purification of the properties acquired by the settlers<sup>24</sup>. One of the consequences of the application of this law was the reduction of Algerian agricultural land from 3 million hectares in 1880 to about 1.4 million hectares in 1940, the expulsion of Algerians from their lands and their transformation into sharecroppers, daily or seasonal labourers, which led to the collapse of the income level of Algerian families<sup>25</sup>. The characteristics of this project were manifested in the confiscation of waqf lands, the basis of the Islamic cultural structure, in order to integrate education and justice<sup>26</sup>.

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<sup>20</sup>- Ali Aboud: "Settlement and the Conflict over Land Ownership (1830-1899), the Oran Region as a Model," Master's thesis, Faculty of Humanities and Islamic Civilization, Department of History and Archaeology, University of Oran, 2013-2014, p. 144.

<sup>21</sup>- Ali Aboud: Reference mentioned above, p. 145.

<sup>22</sup>- Saleh Haimar: Previous Reference, p. 178.

<sup>23</sup>- Saleh Haimar: same work, p. 181, 182.

<sup>24</sup>- Ali Aboud: Previous reference, p. 150.

<sup>25</sup>- Rabah Lounissi and others: "The Contemporary History of Algeria (1830-1962)", Volume 1, Dar Al-Maarifa, Algeria, 2010, p. 91.

<sup>26</sup>- Ahmed Sissawi: See above, p. 245.

The colonial authorities did not limit themselves to issuing these laws, but there were other laws and decrees, some of which we will mention in chronological order. The law of 4 October 1870 was intended to strengthen the political representation of the settlers living in Algeria by granting them two additional seats, bringing their total to six in the French Parliament. The law of 8 October 1870 approved the extension of the civil administration to all non-military areas, while Adolphe Crémieux's law of 24 October 1870, which aroused the indignation of the Algerians, granted French citizenship to the Jews collectively<sup>27</sup>.

On 28 June 1881, the colonial administration enacted what it called the "native laws", which were punitive laws not subject to any general law<sup>28</sup>. With regard to the law of 1900, the colonial authorities, on the basis of this law, confiscated the places of worship and the endowments for Islamic religious affairs and incorporated them into the property of the French State and placed them under its administration<sup>29</sup>.

From the above, it is clear that the aim of these laws was, on the one hand, to subjugate the Algerians to the authority of the occupying power by force of law and to give the French colonisation of Algeria a legal character and, on the other hand, to transform Algerian society from a society that rejected colonialism to a society that was satisfied with the colonial situation of its country<sup>30</sup>.

## **II- Algerian reactions to French laws through petitions, complaints and reports:**

Although the writing of petitions appeared in the early years of the occupation, it emerged at the end of the 19th century as a prominent method of peaceful activism in which a broad section of society rose up to defend the spiritual and moral foundations of the nation and to express political positions that reflected the views of that generation on many important issues facing it.

This was achieved by the decree of 14 July 1865<sup>31</sup>, the second article of which allowed Jews to be naturalised as French citizens under French law<sup>32</sup>, followed by the "Crémieux" law of 24 October 1870, which guaranteed their right to naturalisation while preserving

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<sup>27</sup>- Nour-Eddine Haroush: "The Struggle Positions of Ben Youssef Ben Khadda, A Reading in Modern Algerian History", 1st edition, Dar Al-Ummah Printing and Publishing Company, 2011, p. 46.

<sup>28</sup>- Yahia Bouaziz: "Colonial Policy and the Algerian National Movement (1830-1954)," DMJ, 3rd edition, 2015, p.

<sup>29</sup>- Mohamed Khair Eddine, "Memoirs", Volume 1, National Book Company, n.d., p. 84.

<sup>30</sup>- Rabah Turki: "Abdelhamid Ben Badis", 5th edition, National Company for Communication, Publishing and Advertising, Algeria, 2001, p. 125.

<sup>31</sup>- Ahmed Sherif Al-Atrash Al-Senussi: "The History of Algeria in 5 Centuries", Volume 2, Al-Basaer Al-Jadida Publishing and Distribution, Algeria, 2009, p. 689.

<sup>32</sup>- Consistoire générale des Israelites de France, "Note on the Bill Concerning the Naturalisation of the Native Israelites of Algeria", Charles Schiller Press, Paris, 1871, p. 3.

their religious freedom and personal status<sup>33</sup>, A decision that aroused the indignation of the Algerians, as 21 personalities from different sectors, led by El-Mokarani bin Badis, presented a petition on this matter to the deputies of the prefecture of Constantine on 25 June 1871, in which they rejected the collective naturalisation of the Jews and asked the state to cancel the project and to maintain the original law, which allowed each individual in Algeria to apply for citizenship individually<sup>34</sup>.

The opinions were united around the categorical rejection of the decree, from the statement "It is not the Jews who have become French, but France that has become Jewish<sup>35</sup>" to the statement "I will never obey a Jew, and if a part of your country falls under the Jews, the matter is over and I will gladly put my neck under the sword, but under the Jew it will never be"<sup>36</sup>.

Opinions were unanimous that the collective naturalisation of the Israelites was a disgrace to the name of France and an insult to the Muslims, a wound to the Arabs and a violation of their dignity and a stab in their pride, favouring the Jews and making them superior to the Muslims. The Algerians were unanimous in their rejection of this decree, not out of jealousy or envy, but because it was a decision aimed at strengthening Jewish influence in Algeria and enabling them to control the Algerians and take revenge on them.

In a petition signed by a tribal chieftain and addressed to a member of the French Parliament in 1872<sup>37</sup>, he defended the right of Algerians to participate in general assemblies, stressing their eligibility and asking<sup>38</sup> "Have we not, for centuries, had the village community (Jamaat al-Arsh) and the national community or the families that have united under different names, the municipal council and the general council in the province with you?<sup>39</sup> The petition then openly declared its hostility to the Revolution of 1871<sup>40</sup>, saying: "Our position is that of the national community or of the families that have united with you under different names, the municipal council and the general council of the province with you, and in this there is a clear request for equality with the French in Algeria and their promotion to public functions and the right to parliamentary representation, because a people that is not represented cannot be defended: "Our

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<sup>33</sup>- Fares Kaouan: "Judge Al-Makki bin Badis of Constantine (1820-1890) and His Position on the Issues of His Time," *Kan Historical Journal*, Issue 20, June 2013, p. 51.

<sup>34</sup>- Abdelmalek Haddad: "Al-Makki bin Badis, Judge of Constantine (1820-1899), Report on the Legal Provisions Suitable for Desert Bandits in Algerian Territories", 2nd edition, Al-Asala Publishing, Algeria, 2017, p. 46.

<sup>35</sup>- Ahmed Sherif Al-Atrash Al-Senussi: Reference above, p. 691.

<sup>36</sup>- Saleh Al-Nabili Farkous: "The History of the Jihad of the Algerian Nation against the French Occupation: Armed Resistance (1830-1962)", Dar Al-Uloom for Publishing and Distribution, Annaba, 2012, p. 251.

<sup>37</sup>- Published by Jamal Qanan in his book: "Algerian Political Texts in the Nineteenth Century (1830-1914)", DMJ, 2009, p. 163.

<sup>38</sup>- Quoted in the text.

<sup>39</sup>- Mahfoud Kaddache: Reference above, p. 238.

<sup>40</sup>- Refers to the Mokrani revolt.



position, the petition says, we have made clear by condemning those who took part in these events and by considering that: “Those who participated in the rebellion were guilty...”<sup>41</sup>

In spite of this negative attitude towards the revolution, the Sheikh included in his petition a number of cunning demands: “The Muslims must strictly abide by the terms of the treaties they concluded with the Christians<sup>42</sup>...”. This was a reminder to the French of the need to respect the treaties and agreements they had broken, and a reference to the Treaty of 1830.

As for Ahmad Wald Qadi, at the end of his trip that took him to Paris on the occasion of the Paris International Exhibition, he signed a petition in 1878<sup>43</sup>, and although he was lavish in his praise and admiration for the French, this did not prevent him from including in his petition some demands, such as the call for attention to Arab affairs and the demand for the education of the Muslim population,

The petition also denounced the practices of the Jews and the brokers and their injustice to the inhabitants, and vehemently condemned the *Senatus Consultum* and *Farnir* laws, and also demanded greater representation of Muslims in the various elected councils.

For their part, on 10 July 1887<sup>44</sup>, 1,700 people, led by notables and elected representatives from the Constantine governorate, submitted a complaint to the Senate and the Parliament in Paris, in which they categorically rejected the principle of collective naturalisation, on the grounds that “taking French nationality would mean for us the abolition of our laws<sup>45</sup> ... and everyone knows that our Sharia is the basis of religion and that it is not permissible to deviate from this righteous path. ... and everyone knows that our Sharia is the basis of religion and that it is not permissible for us to deviate from this righteous path”<sup>46</sup>. The petition seemed to say that naturalisation into a non-Islamic nationality would require rejection of the rulings of Islamic Sharia, and that anyone who rejects a single ruling of Islam is considered an apostate.

The complaint then turned to the 1886 decree, calling for the cessation of the harm it had caused<sup>47</sup> as some of its provisions had proved difficult to implement when applied<sup>48</sup>. It called for the restoration of the Islamic judiciary under the same conditions as before, i.e.

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<sup>41</sup>- Referred to in the text.

<sup>42</sup>- Referred to in the text.

<sup>43</sup>- “*Impression du voyage à Paris de Si Ahmed Ouled Kadi, Bach-Agha de Frenda*”, typography and lithography, A. Boyer, 1878.

<sup>44</sup>- Jamal Qanan: Reference above, p. 197.

<sup>45</sup>- Quoted in the text.

<sup>46</sup>- Mohamed Al-Saleh Ramadan, Abdelkader Fodil: “The Imam of Algeria, Abdelhamid Ben Badis”, Dar Al-Ummah Printing, Translation and Publishing Company, Algeria, 1998, p. 150.

<sup>47</sup>- Quoted in the text.

<sup>48</sup>- Jamal Qanan: “Political Texts”, cited above, pp. 206-207.

in accordance with the provisions of the Decree of December 1866, while giving litigants the freedom to choose the judicial authority of their choice.

Faced with the hostile attitude of the colonial authorities towards the Islamic judiciary, El-Makki Ben Badis submitted a petition to the French government criticising the 1886 decree. The sheikh carried out a critical study of the content of the decree, revealing its contradictions and injustices against Muslims by targeting their most important cultural component, which was the reason for their rejection of it<sup>49</sup>, as it overturned the principles of legislation regarding the Islamic judiciary, where the French judge is the civil judge, while the Muslim judge's jurisdiction is exceptional<sup>50</sup>.

With his astuteness, El-Makki Ben Badis pointed out that the first victims of the decree are the French judges, because the French judicial system is lengthy, with several sessions and costly, while the Islamic judiciary is the opposite. He added that it is only fair that citizens should have the right to choose the judge and the Sharia to which they are subject<sup>51</sup>.

The complaint of the inhabitants of the city of Tlemcen, dated 7 April 1891<sup>52</sup>, attacked the policy of naturalisation and compulsory military service, pointing out that French citizenship was disproportionate to the status of the Algerian Muslim as long as he remained attached to his personal status, and that he remained a mere French subject who did not enjoy the rights of the Frenchman unless he renounced his personal status<sup>53</sup>. On the question of accepting military service, the complaint states that it is the epitome of humiliation and contempt, with severe coercion and oppression (...) and the Algerian still sees that his dignity does not accept coercion and oppression<sup>54</sup>.

Meanwhile, the complaint filed in 1891<sup>55</sup> by the members of the municipal councils of Oued Sakan, Qattar al-'Ayas and 'Ayn Samara demanded the provision of the means of decent living, the abolition of exceptional laws such as the indigénat, an attack on the land laws and a review of the tax system. It also called for the improvement of schools and the

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<sup>49</sup>- Ramadan Bourghouda: "Aspects of the Development of French Judicial Policy in Algeria During the Period (1830-1892)", Journal of the Faculty of Arts and Humanities, Issue 4, Mohamed Khider University, Biskra, 2009, p. 24.

<sup>50</sup>- Sebai Sidi Abdelkader: "The Issue of Integration in French Colonial Policy (1870-1940), Algeria as a Model," Ph.D. thesis in Modern and Contemporary History, Faculty of Humanities and Social Sciences, Department of History, Abou Bekr Belkaid University, Tlemcen, 2015-2016, p. 208.

<sup>51</sup>- Abou El-Kacem Saadallah: "The Cultural History of Algeria (1830-1954)", Volume 7, Dar Al-Gharb Al-Islami, Beirut, 1998, p. 90.

<sup>52</sup>- Jamal Qanan: Reference above, p. 210

<sup>53</sup>- Ahmed Al-Khatib: "The Algerian Popular Party: Its Historical and National Roots and Its Political and Social Activities", Volume 1, National Book Company, Algeria, 1986, p. 28.

<sup>54</sup>- Abdelrahman Bin Ibrahim Bin Al-Akoun: "National and Political Struggle Through the Memoirs of a Contemporary (1920-1936)", volume 1, National Book Company, 1984, p. 46.

<sup>55</sup>- "Petition of a Group of Indigenous Municipal Councillors of Oued-Séguin, Guettar-El Aich, Ain Smara", George Heim Printing, Constantine, 1891.

restoration of the status of the Arabic language, and condemned the practices and extortions of the Jews.

For his part, Qaid Yahya al-Sharif Ahmad ibn Sulayman signed a report sent to the French parliamentary committee on 28 July 1891<sup>56</sup>, which was comprehensive and reviewed the harms of the laws of 1863, 1873 and 1877, pointing out that their application had only harmed the Muslims, “as following them destroyed their lands and brought them losses and hard work”<sup>57</sup>.

The report condemned the various laws imposed on society (Senatus Consultum, Warnier Law, Personal Status Law) and denounced usury, which is forbidden by Islamic law. It also rejected the harsh tax system imposed on the local population, condemned the policy of mass naturalisation and compulsory military service, and demanded the right to study in Arabic.

The complaint of the inhabitants of the city of Constantinople in 1892<sup>58</sup> expressed their strong indignation at the catastrophic situation of the native community: “We, the four million Muslim natives of Algeria, live in the midst of five hundred thousand Europeans... while the latter are the sole administrators, or rather monopolists, of the affairs of the country... for them everything, for us nothing”<sup>59</sup>.

The complaint then condemned the imbalance in the payment of taxes between the European and Muslim elements and called for a fair and equitable distribution of these taxes, which was a clear criticism of the obligation of the natives to pay taxes according to Islamic law and to pay them according to French law<sup>60</sup>. The complaint escalated in tone, denouncing the confiscation policy to which they were subjected, which had turned them into mere servants of the settlers, and pointing out that this policy had widened the gap between the settlers and the natives, deepening the hatred between the two sides<sup>61</sup>.

## **Conclusion:**

Through our presentation of the objectives and dimensions of the laws and legislation initiated by the colonial authorities, which were the cause of the emergence of political activism during that period, represented in the writing of petitions, the filing of complaints and the submission of reports to the occupation administration, and through browsing

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<sup>56</sup>- “Reply of Qa’id Yahya Al-Sharif bin Ahmed bin Suleiman, General Councillor of the Province of Constantine, holder of the Movement’s medal, resident of Qasr Al-Tair, Sétif, to the Head of the Commission in Paris on the Algerian question”, Sétif, Roca Printing, 1891.

<sup>57</sup>- Quoted in the text

<sup>58</sup>- Jamal Qanan: Reference above, p. 250.

<sup>59</sup>- Quoted in the text.

<sup>60</sup>- Charles-Robert Ageron: “The Contemporary History of Algeria from the Uprising of 1871 to the Outbreak of the War of Liberation in 1954”, volume 2, 1st edition, translated by Jamal Eddine Fetimi, Dar Al-Ummah Company, Algeria, 2008, p. 325.

<sup>61</sup>- Olivier Le Cour Grandmaison: “Colonialism as Genocide: Reflections on War and the Colonial State”, translated by Noura Bouzida, Dar Al-Raed for Books, Algeria, 2007, p. 275.

the contents of these texts, we find that they opposed the policy of land usurpation and demanded the right to equality between the indigenous and European elements. They also rejected the policy of naturalisation and integration, called for the restoration of the Arabic language and education, and defended the Islamic judiciary. It is clear that the French occupation, through the declared and hidden objectives of these various laws and legislations, was a natural extension of a long-standing conflict between two nations that were different in every way.

A conflict that involved land and people, religion and culture, and was therefore a clash of civilisations par excellence. An occupation whose aim was to plunder the land and invade ideas, as the occupying authorities did everything in their power to eliminate any cultural heritage and made every effort to destroy the economic, social and cultural structures of Algerian society, on the one hand, and, on the other, revealed the hostility that the colonial administration had directed towards everything related to the Arab-Islamic identity of the Algerians.

A hostility that manifested itself in repeated attacks on religious and educational institutions and extended to the violation of the right to life through the policies of starvation, impoverishment, exile, deportation, imprisonment and mass extermination to which the population was subjected.

Whether or not these texts achieved their objectives, they forced the occupying administration to rethink its policy in Algeria, and one of the fruits of this struggle was the sending of commissions of inquiry to investigate conditions in the colony. These texts were also the spark that lit the fuse of unrest, fuelled the protests and paved the way for the birth of the national movement, marking the beginning of a new phase in the ongoing struggle against the occupation.

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