

THE INVENTION OF
DECOLONIZATION



The Algerian War and the Remaking of France

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The Algerian Revolution, as writers such as Frantz Fanon and Jean-Paul Sartre who supported it explained, summoned France and the world to see the paradoxes, limits, and incoherencies of Western universalism, as well as the violence it required and thus produced. Along with writers from colonized Africa such as Albert Memmi (Tunisia), Sembène Ousmane (Senegal), and Mongo Beti (Cameroon), the Caribbean-born Fanon demanded answers to the biting question posed by French-Martinican poet and theorist of Negritude Aimé Césaire: "Colonization and civilization?" They expected more in response than the transfer of power. These critics did not reject all the values associated with Western universalism; they fought for the emergence of what Césaire's *Discourse on Colonialism* (1950) termed a "new pluri-humanism," one that would open up unimagined possibilities, a "new pluri-itude," to the decolonized. In turn, Sartre emphasized that this hoped-for Third World revolution had universal pretensions. His preface to Fanon's *Wretched of the Earth* (1961) stated that "we, too, the people of Europe, we are being decolonized . . . let us look at ourselves, if we dare, and see what it makes of us."²² Yet, when France ceased contesting Algeria's independence, the government and most French actors did so while avoiding any engagement with the problems these radical thinkers identified. Instead, the ways France came to terms with Algerian independence only exacerbated them.²³

Premises

In 1962 the French government abandoned its twinned efforts in Algeria—to make French a territory that had been French for decades and to turn the inhabitants of this territory, despite their being French nationals, into Frenchmen. This was unprecedented. Yet the specific ways France chose to effect the division between the metropole and Algeria erased the rupture and made its dramatic effects on France appear natural. French actors, within the

d'Algérie (Paris, 2001), and Sylvie Thénault, *Une drôle de justice: Les magistrats dans la guerre d'Algérie* (Paris, 2001). For a summary of efforts to count the number of dead and wounded, see Guy Perrille, *Pour une histoire de la guerre d'Algérie* (2002), 237–47. The demographer Kamel Kateb has criticized the demographic method that French historians have used to establish estimates that between 250,000 and 350,000 Algerians died during the conflict. He argues that a more rigorous analysis of the same numbers leads to estimates of roughly 430,000 deaths and upwards of 578,000. See Kamel Kateb, *Européens, "indigènes" et juifs en Algérie* (1830–1962). *Représentations et réalités des populations* (2001), 313.

²² Preface to Frantz Fanon, *Les damnés de la terre* (Paris, 1991), 54.

²³ See Paul A. Silverstein, *Algeria in France: Transpolitics, Race, and Nation* (Bloomington, 2004); Françoise Gaspard, *A Small City in France: A Socialist Mayor Confronts Neo-fascism*, trans. Arthur Goldhammer (Cambridge, Mass., 1995); Maxim Silverman, *Deconstructing the Nation: Immigration, Racism, and Citizenship in Modern France* (London, 1992); and Peter Fish and Jim Wolfreys, *The Politics of Racism in France* (New York, 1998).

government and without, made decisions at the war's close that effaced what was going on and expunged the importance of Algeria from French history.²⁴

Rather than pursue recent approaches to memory in terms of commemoration, or in relation to trauma, this book explores how a rewriting of the Algerian history of France took place at the moment of independence.²⁵ Critical thinking about the formative role played by Algeria and the "new imperialism" in the construction of the French nation-state disappeared. In its place there emerged the fiction that the "Algerian experience" had been an unfortunate colonial detour, from which the French Republic had now escaped. This fiction set the stage for what the political scientist Adrian Favell identifies in French debates since the 1980s as a "mysterious reinvention of the republican tradition . . . trumpeting the grand moments of modern French self-definition . . . and forgetting the rest."²⁶ Many French people came to imagine their acceptance of decolonization as a victory, celebrating the daring of "de Gaulle the decolonizer" or the signatories of the 1961 "Manifesto of the 121" in support of conscientious objection and against the Algerian War. Efforts in 1962 and since to exclude the minority of French people who continued to argue that Algeria was French from the realms of French and republican memory or history helped make such a story seem feasible. Only "fascists"—symbolized by the terrorist OAS (Secret Army Organization), a group led by deserters from the French military, which had enjoyed wide support among Algeria's roughly one million so-called Europeans—had opposed independence, or so many have been led to believe.

²⁴ On the effects and durability of this forgetting, see Benjamin Stora, *La gangrène et l'oubli: La mémoire de la guerre d'Algérie* (Paris, 1991).

²⁵ On memory as memorialization, see, in particular, Daniel J. Sherman, *The Construction of Memory in Interwar France* (Chicago, 1999), esp. the introduction; John R. Gillis, ed., *Lessons of Memory: The Politics of National Identity* (Princeton, 1994); and Pierre Nora, ed., *Lieux de mémoire*, vols. 1–3 (Paris, 1984–1992). On memory in terms of trauma, see, in particular, Dominick LaCapra, *Representing the Holocaust: History, Theory, Trauma* (Ithaca, 1994); Saul Friedlander, "Trauma, Transference and 'Working Through' in Writing the History of the Shoah," *History and Memory* 4, no. 1 (Spring–Summer 1992); and Stoler, *Race and the Education of Desire*, 62.

²⁶ Adrian Favell, *Philosophies of Integration: Immigration and the Idea of Citizenship in France and Britain* (New York, 2001), 59. "New imperialism" refers to the renewal, in the last decades of the nineteenth century, of European enthusiasm for conquering and governing foreign countries. This renewal led to a European "scramble" for parts of the globe, which the United States and Japan eventually joined. On the cultural effects of "new imperialism," see John M. Mackenzie, *Propaganda and Empire: The Manipulation of British Popular Opinion, 1880–1960* (Manchester, 1984), 10. For an analysis of how Mackenzie's approach can be applied to France see the editors' introduction to *Promoting the Colonial Idea: Propaganda and Visions of Empire in France*, ed. Tony Chater and Amanda Sackur (New York, 2002); and Owen White, *Children of the French Empire: Miscegenation and Colonial Society in French West Africa, 1895–1960* (Oxford, 2000), 117. On the rise of scientific racism, see Adas (1989); Michael A. Osborne, *Nature, the Exotic, and the Science of French Colonialism* (Bloomington, Ind., 1994); on colonialism and racism, see William B. Cohen, *The French Encounter with Africa: White Response to Blacks, 1530–1880* (Bloomington, Ind., 1980); August (1985); Julia Clancy-Smith and Frances Gouda, eds., *Domesticating the Empire: Languages of Gender, Race, and Family Life in French and Dutch Colonialism* (Charlottesville, Va., 1998).

Such amnesia encourages us to view divisions fabricated by recent historical events (France and the French, different from Algeria and the Algerians) as obvious.²⁷

Understandings premised in newly clear racial and ethnic differences proved the most secure harbor for French universalism in its stormy exit from the reassuring certainties that overseas empire had seemed to offer. For French officials from the 1830s until independence in 1962, Algerian "Muslim" was above all a legal, rather than a religious category. In 1962, invocations of "Muslim origin" gave way to descriptions of "North Africans" or "Algerians" who could not be "European" or "French." With no public debate, the French government made common-sense understandings of racial or ethnic difference the basis of laws that denied most people from Algeria the right to remain French.²⁸

In this revolutionary moment, political institutions and the law joined with, reinforced, and sometimes redefined other crucial definitions (scientific, medical, bureaucratic, and cultural, for example) of who was French and how France should be governed, definitions in which race and ethnicity were already explicit. This is why, in studying the disappearance of a France that included Algeria, my focus on political institutions and the law is particularly telling. I understand the law and formal politics, first, as specific modes of representation, which act to define the people each claims to regulate, represent, and govern. As modes of representation, law and formal politics also inform how such people relate to other people and to institutions. Second, in this book I examine law and formal politics for the ways they discipline debates and people: I pay particular attention to how both rely on institutions to produce subjects who can be categorized through specific characteristics (e.g., gender, sexuality, nationality, religion, and ethnicity), and to shape these subjects' possibilities for acting.²⁹ Attending to formal politics and the law also allows us to use investigations of imperialism to assess the real importance of "sameness" and universality in post-1789 French politics and thinking.³⁰ It was in these twinned domains that

²⁷ On what he terms the "heroic narrative" of decolonization in post-independence histories of Africa, see Cooper, "Conflict and Connection", 163.

²⁸ For an overview of how cultural historians analyze these discourses of French colonialism and "difference," see Daniel J. Sherman, "The Arts and Sciences of Colonialism," *French Historical Studies* 23 (2000): 700–29.

²⁹ On integrating the law and political institutions into the critical schemas that Michel Foucault elaborated, see Michel Foucault, *Il faut défendre la société* (Paris, 1997) and *The History of Sexuality, vol. 1, The Will to Knowledge*, trans. Robert Hurley (New York, 1978); see also Nicos Poulantzas, *State, Power, Socialism* (London, 1978); Alan Hunt, "Foucault's Expulsion of Law: Towards a Retrieval," *Law & Social Inquiry* 17, no. 1 (Winter 1992): 1–38; and Pierre Bourdieu, "The Force of Law: Toward a Sociology of the Juridical Field," trans. Richard Terdiman, *Hastings Law Journal* 38, no. 5 (July 1987).

³⁰ On the need to take seriously claims to "sameness," see Alice L. Conklin, "Colonialism and Human Rights, A Contradiction in Terms? The Case of France and West Africa, 1895–1914," *American Historical Review* 103, no. 2 (April 1998): 419–42.

modern France had maintained some semblance of color blindness. In discussions of Algerian "Muslims" in Algeria from the conquest on, or alongside other workers and soldiers from the colonies in the metropole during and after World War I, scholars have shown how racial thinking framed official as well as other (scientific, popular, and so forth) understandings.³¹ Yet, as a number of these authors rightly note, despite the sometimes frequent appearance of racist affirmations, and even the use of explicitly ethnic or racial categories in state documents, France never made these categories official, never gave them legal or codified definition.³²

The French had remained most reticent toward "scientific" understandings of race-based distinctions, and most attached to universalist principles, in precisely those areas where the law was implicated. French legislators after 1789 avoided placing racial classifications into law. Inspired by the goals and achievements of the French Revolution (as democrats, socialists, writers, and politicians of the nineteenth century defined them and as the Third Republic institutionalized them³³), French law and republican ideology resisted the embrace of racial categories. Such attempts at embodying French revolutionary ideas, of course, were only partly successful. Studies of French anti-Semitism offer the most insight into this phenomenon and its paradoxes.³⁴ Yet, as the formulation of post-Vichy immigration policy illustrates, republican commitment to keeping French law "color blind" had real effects. The most influential French proponents of recognizing ethnic and racial categories, demographic experts such as Georges Mauco and Albert Sauvy, wrote the official recommendations. They invoked science to affirm that group membership should determine suitability for immigration. The policy

³¹ Emmanuelle Saada offers the best description of the way that understandings of race, ethnicity, or place of origin shaped how the French dealt with and thought about their colonial subjects in Algeria and other colonies. See "Une nationalité par degré: Citoyenneté et situation coloniale," in *L'esclavage, la colonisation, et après*, ed. Patrick Weil and Stéphane Dufoux (2005), 193–227. On such practices in metropolitan France, see, e.g., Tyler Stovall, "The Color Line behind the Lines: Racial Violence in France during the Great War," *American Historical Review* 103, no. 3 (June 1998), 737–69; Laurent Donnel, "Les usages du racialisme: Le cas de la main-d'œuvre coloniale en France pendant la Première Guerre mondiale," *Genèses* 20 (September 1995); Laura Levine Frader, "Gender, 'Race,' and the Body at Work in France, 1919–1939," *International Review of Social History* 44, supplement 7 (1999): 123–47; Elisa Camisoli, "Producing Citizens, Reproducing the 'French Race': Immigration, Demography, and Pronatalism in Early Twentieth-Century France," *Gender & History* 13, no. 3 (November 2001): 593–621; and Sandrine Bertainx, "Entre ordre social et ordre racial: Constitution et développement de la démographie en France et en Italie, de la fin du XIXe siècle à la fin des années cinquante," PhD diss., European University Institute, 2002.

³² See Erik Bleich, "The French Model: Color-Blind Integration," in *Color Lines: Affirmative Action, Immigration, and Civil Rights Options for America*, ed. John David Skrentny (Chicago, 2001), 270–96.

³³ See William Sewell, *Work and Revolution in France: The Language of Labor from the Old Regime to 1848* (Cambridge, 1980); and Philip Nord, *The Republican Moment: Struggles for Democracy in Nineteenth-Century France* (Cambridge, Mass., 1995).

³⁴ See, e.g., Pierre Birnbaum, *Jewish Destinies: Citizenship, State, and Community in Modern France*, trans. Arthur Goldhammer (New York, 2000); and Paula E. Hyman, *The Jews of Modern France* (Berkeley, 1998).

would expand its strikes against outposts of the colonial state to include all European civilians. This decision was made in the name of responding to French collective punishment against “Muslims” suspected of complicity with the ALN. In practice, FLN forces killed far more “Muslim” civilians (over 16,300 in Algeria through 19 March 1962) than “European” civilians (over 2,700 in Algeria through 19 March 1962).⁷⁰ The French government and other supporters of French Algeria produced photographs and testimonials of FLN terrorism and “savagery”; French and international media fixated on incidents where guerrillas had emasculated or beheaded soldiers or civilians. International and French condemnations of FLN violence reached their height in 1957, after the FLN’s massacre of the villagers of Mélouza. The mainstream press presented such “barbarism” as far more despicable than such French army activities as napalming villages, collective punishment, and torture. The almost complete absence of images of such state-sponsored acts facilitated this wartime focus on nationalist atrocities.⁷¹

The FLN eventually triumphed more through diplomacy, popular support, and political acuity than through military might and tactics. Indeed, the historian Matthew Connolly argues compellingly that FLN representatives pioneered forms of diplomatic maneuvering and negotiation that gave shape to the “post-Cold War world.”⁷² Yet analysts invariably emphasize the forms of violence that the FLN embraced in conjunction with its ideological combat and diplomatic maneuvers. For numerous authors, inspired by the arguments of the Martinican-French-Algerian revolutionary Frantz Fanon, terrorist violence established the basis for national renaissance and unity, by enabling the colonized to overcome the sense of inferiority and humiliation that colonialism produced, that allowed diplomatic action to bear fruit. Other commentators focus on how the FLN’s tactics gave new legitimacy and currency to “terrorism” on the world stage. (Although popular among anarchists at the fin de siècle, this form of political violence had largely disappeared after 1917, as the Communists and Marxist-Leninist analysis—which rejected “blind terror”—marginalized other forms of radical political contestation. The 1940s embrace by right-wing Zionist groups of terrorism, targeting Arab civilians in Palestine and the British, had not

⁷⁰ Meynier, *Histoire intérieure du FLN*, 322–23; and Hartmut Eisenhans, *La guerre d’Algérie 1954–1962: La transition d’une France à une autre. Le passage de la IV^e à la V^e République* (Paris, 1999), 210–11 and 430–36. The numbers for civilian casualties are drawn from official French statistics, as cited in Guy Pervillé, *Pour une histoire de la guerre d’Algérie* (Paris, 2002), 242.

⁷¹ See James D. Lesueur, *Uncivil War: Intellectuals and Identity Politics during the Decolonization of Algeria* (Philadelphia, 2001).

⁷² See Matthew Connolly, *A Diplomatic Revolution: Algeria’s Fight for Independence and the Origins of the Post-Cold War Era* (Oxford, 2002), 276–287; Charles-Robert Ageron, “Post-face” in *Les archives de la révolution algérienne*, ed. Mohammed Harbi (Paris, 1981), 536; and Jean Lacouture, *Algérie 1962. la guerre est finie*, 2nd ed. (Brussels, 2002), 24.

transformed such tactics into “weapons of the weak” in the way that the Algerian Revolution did.⁷³

There has not been a similar effort to analyze French political efforts to keep Algeria French in conjunction with the government’s use of violence. It is morally tempting to focus only on French military and police responses. The scale and effects of French military and police efforts to destroy Algerian nationalism and the terrorism linked to it led directly to the deaths of at least 150,000 (and upwards of 350,000) Algerian “Muslims.”⁷⁴ Wide in scope, it was the kinds of violence that the French state employed that sparked much controversy, first among intellectual circles in France and then across the world. French armed forces targeted civilians and made regular and frequent use of torture against Algerian “Muslims” and, far less often, “Europeans” whom they suspected of sympathy or collaboration with, or having information about, the nationalist rebellion.⁷⁵ But we also need to pay attention to the second element of the French response: an extension of political rights and economic assistance unparalleled in the history of Western overseas imperialism. Efforts that administrators and politicians had blueprinted when they designed the French Union became a way to guarantee that Algeria would remain part of the French Republic. These attempts to enhance the political and economic possibilities for Algerians began in earnest in 1955–56, at precisely the moment when post-1944 French attempts to relegitimize their empire definitively foundered. Redefining the nation-state, rather than the novel federal-imperial structure of the French Union (which withered away when, in 1956, France began to “territorialize” its functions), was the way France attempted to reconcile republican values and imperial conquest. Political reforms played an enormous role in France’s Algerian War, and they particularly shaped the new French Republic that Algeria’s independence crystallized.⁷⁶

The French decisions between 1944 and 1947 to create “French Union citizenship” and to extend French citizenship to all “Muslim” Algerians—without offering the vast majority of these new citizens the political rights that, since the French Revolution, were associated with this status—had left the very meaning of this seminal category uncertain. The Algerian Revolution forced the French to clarify what French citizenship—and equality—meant. Writing in July 1958, one official noted that “it took the painful events that, since All-Saints Day [1 November] 1954, have disturbed public order in Algeria to make real the formal promises we had made to our Mus-

⁷³ See Lesueur, *Uncivil War*; Martha Crenshaw Hutchinson, *Revolutionary Terrorism: The FLN in Algeria, 1954–1962* (Stanford, 1978).

⁷⁴ Pervillé, *Histoire de la guerre d’Algérie*, 240–41.

⁷⁵ See Raphaëlle Branche, *La torture et l’armée pendant la guerre d’Algérie* (Paris, 2001), and Sylvie Thénault, *Une drôle de justice: Les magistrats dans la guerre d’Algérie* (Paris, 2001).

⁷⁶ On “territorialization” and how it put an end to reforms undertaken by local officials since World War II, see Cooper, *Decolonization and African Society*, and Cooper, *Colonialism in Question: Theory, Knowledge, History* (Berkeley, 2005).

lim comparitios." In Algeria, in response to the Algerian Revolution, the French government worked to eliminate all uncertainties about the reality of "Muslim" French citizenship. The same official noted that "equal rights are now presented as the prime imperative behind our Algeria policy." This, he noted, had been a legal imperative since 1944, but "until 1956, the will to achieve equality, although clearly expressed in a series of laws and constitutional articles voted ten years earlier, widely was seen as merely a declaration of what we intended to do, without any effect in practice." The policies this official wanted the government to extend to the metropole were supposed to make clear that formal rights offered real benefits to all Algerians.⁷⁷

Directly challenging French justifications for their rule in Algeria, their Algerian nationalist opponents had rejected formal or legal definitions as meaningless. The FLN took action in the name of the Algerian nation. This nation was not defined in the law but rather by "Berber heritage, Arabic language, and Islamic tradition."⁷⁸ Further, the FLN broke with all previous Algerian nationalists by rejecting any discussion with France based in French law. Because of who they were, the Algerian people had the right to rule Algeria and the French did not. This challenge to French claims to sovereignty based in the law was also a challenge to post-1889 republican understandings of the nation, which used the law, and not ethnicity, language, or religious heritage, to define all Algerians as French.⁷⁹

To keep Algeria French, French laws, policies, and, above all, some of the key principles that structured those rules changed. In 1958, the Constitution of the Fifth Republic reasserted and reinforced the juridical revolution of 1944: all French nationals from Algeria—men and women—who had "local civil status" were full citizens who could maintain their civil status, in Algeria as well as in the metropole. Articles 3 and 75 clearly and specifically addressed Algeria as a part of the French Republic, rather than as part of the French Union (unlike the October 1946 Constitution); they (re)established or extended, in attribution of citizenship rights and in all other domains, territorial indivisibility between Algeria and the metropole, which had been sundered in 1947.⁸⁰ The French Revolution's promise of universal adult suffrage was fulfilled not when women's suffrage was accepted in 1944 but when the Constitution of 1958 extended full citizenship to all adult Algerian men and women with local civil status.⁸¹

⁷⁷ Victor Silvera, "L'accès à la fonction publique des Français musulmans d'Algérie" (Paris, 19 July 1958), in CAC 19960393, 2 and 6.

⁷⁸ See Meynier, *Histoire intérieure du FLN*, 125–26.

⁷⁹ See Brubaker, *Citizenship and Nationhood*, and Weil, *Qu'est-ce qu'un Français?*

⁸⁰ See the Constitution of the Fifth Republic, Articles 3 and 75. Removed from the section on the "French Community" (placed instead in Title I, "On sovereignty," and Title XII, "On territorial units," which defined no larger unit than the department), this equality was recentered in the Republic. The new constitution also reaffirmed the territorial unity of Algeria and the metropole.

⁸¹ See, e.g., Rosanvallon, *Le sacre du citoyen*, and the two volumes of *La démocratie en France*, ed. Marc Sadoun (Paris, 2000).

Beyond establishing formal political equality, French bureaucrats and politicians in the 1950s and early '60s adopted a radical new approach to Algerian difference in the Republic. Starting in 1955, the liberal Gaullist governor general of Algeria, Jacques Soustelle, theorized and pursued policies aimed at "integrating" "Muslims" into the nation. So-called integrationism attempted to break the tight connections between colonial oppression and France's self-proclaimed universalism. Since the 1870s French governments had claimed that everyone in Algeria could become a French citizen—a theory "proven" by the fact that several thousand Algerians with Koranic civil status (and their descendants) had obtained full citizenship by abandoning that status. Those drafting integrationist policies recognized that equal political rights for all, if always a theoretical possibility, had not happened because it could not have happened.⁸²

The architects of integration admitted that official failure to grapple with the reality of the mass exclusion of "Muslim" Algerians from citizenship had institutionalized discrimination; that is, more than just failing to efface existing factors that made them different from other French nationals, the state had produced novel distinctions in the guise of pursuing republican universalism. Decades of applied assimilationist theory—which worked to eliminate group "particularisms" in order to create individuals who could be French citizens—had pushed most Algerian "Muslims" farther away from other French people, not closer. French governance also had encouraged new forms of French racism. With these analyses in mind, they looked for ways to hold on to their ideals of equality for all, while coming up with novel ways to allow some differences to be taken into account. These integrationist policies, implemented in response to the Algerian Revolution, reveal a willingness to confront France's history of racist colonial oppression. This willingness was grounded in the belief that France had the capacity to deal with that heritage and, in so doing, to keep Algeria French.⁸³

Integration was the policy extension of the post-1944 recognition that French citizenship was compatible with various civil statuses. This meant that legal uniformity was no longer a prerequisite for political equality. Previously, official references to civil status had ascribed differences in treatment between groups to the existence of distinct legal regimes. Integration recognized that civil code status did not simply mirror regrettable but real group differences that impeded the extension of citizenship to all adults in Algeria. Rather, integrationists proposed a historical analysis: since 1830, France had established a system that produced new differences and reinforced the privileges of one group, French with common civil status, over nationals with other civil statuses. Integration policies aimed to reverse the inequalities that this institutionalized discrimination had produced. Integration broke with

⁸² For a description of this new analysis, see Commission relations entre les communautés, "Le régime juridique des statuts privés et des juridictions civiles en Algérie," 11–13.

⁸³ *Ibid.*

collapse of integrationist measures in the months leading up to the Evian Accords set the stage for the institutionalization of this understanding of French identity, which took place during the exodus. In their secret negotiations with Algerian nationalists, French officials had worked to craft terms that maintained the continuity of republican definitions and practices that determined who was French, as well as to reproduce them in Algeria. Popular understandings in France provided the basis for what would emerge, without discussion, in the exodus: a rupture.

One key factor that allowed this rupture to disappear was that, in the months leading up to the “exodus,” a more long-standing tension in French conceptions of national membership reemerged. The “Jewish Question” once again played a key role in shaping French discussion of who was French. In the next chapter I explore debates among French officials and among defenders of French Algeria about Jewish Algerians. These worked to eliminate the uncertainties about identity that “integrationism” had embraced, which attempts to formulate “minority status” had brought to the fore. Concurrently, taking Jews into consideration reinforced claims that republican assimilation had worked in Algeria, at least for some people.

Chapter 6

Repatriation Rather Than Aliyah

The Jews of France and the End of French Algeria

The collapse of thirteen decades of assertions that Algeria was part of France confronted republicanism with the limits of its post-1789 claims about universalism and French identity. Concurrently, the Algerian crisis once again confronted the French with the “Jewish Question” that had so troubled the Republic since the 1789 Revolution. Jews, as a growing scholarly literature emphasizes, were the French citizens whose supposed “group” differences had obsessed and shaped French culturalist xenophobia, itself the force that both had refounded the Far Right after the Dreyfus Affair and molded much of modern French politics and history. In the last months of the Algerian War, French politicians, bureaucrats, and political movements engaged a number of discussions about whether the Jews of Algeria were the same as or different from the “Europeans of Algeria.” Their answers suggested that the French Republic might finally have found a way out of this obsession.

The close of the Algerian conflict capped a period that began on 21 October 1943, when the Provisional Government of the French Republic in Algiers reinstated (after much hesitation) the Crémieux Decree.¹ The Vichy government’s Law of 7 October 1940 had overturned the Decree of 24 October 1870, the landmark text that had “declared all Indigenous Israelites of Algeria French citizens.” The 1940 law reassigned anyone who had citizenship as a result of the Crémieux Decree—that is to say, not only any person who had been “naturalized” in 1870 but their descendants as well—to “Indigenous Israelite” status, a group whose political rights were the same as

¹ See Patrick Weil, *Qu’est-ce qu’un Français? Histoire de la nationalité française depuis la*

"Indigenous Muslim Algerians."² Following World War II and the collapse of the Vichy state, the Republic and most French Jews emphatically reaffirmed the assimilation of Jews—metropolitan and Algerian—into the nation. Events during the Algerian War consolidated this development. In turn, the urgency with which the French government and other French people insisted that Algerian Jews were wholly French helped fix a new boundary for the nation, which now excluded Algerian "Muslims."

"Individuals," Not an "Ethnic Community"

Leaders of Jewish organizations in Algeria and the metropole made great efforts to avoid getting drawn into the post-1954 struggles and debates over Algerian independence.³ Yet a spring 1961 article by SFIO leader and former prime minister Guy Mollet forced them to enter the public fray. He described a recent conversation with Charles de Gaulle in which the president of the Republic evoked "the rights of the Arab, Chaouia, Mozabite, Jewish, and French communities." This comment—distinguishing the "Jews" from the "French" in Algeria—shocked Algerian Jewish leaders, despite Mollet's admission that he was not certain he had quoted de Gaulle correctly.⁴ The specter of 1940, and the Vichy regime's revocation of the Crémieux Decree, had risen again. To counter what they saw as the clear implications of this "communities' policy," Algerian Jewish leaders denied any political importance to their history as a group. They turned instead to a history in which French laws had made them all, as individuals, French citizens, emphatically reasserting the assimilationist rhetoric central to what the historian Pierre Birnbaum describes as "Franco-Judaism." Like all "French people," as one of the preeminent community organizations, the Alliance Israélite Universelle (AIU), laid out in a position paper on minority status, they should be considered as "individuals," and not as "belonging to an ethnic community."⁵

² See J.O. of 8 October 1940. For the political rights of "Indigenous Israelites," see Article 2. "Indigenous Israelites" as individuals had the same legal rights as "Muslims" to apply for "naturalization." See M. Camboulives, directeur des Affaires civiles et de Santé, "à M. le Chef du Gouvernement, Ministre Secrétaire à l'Intérieur, Sous-Direction de l'Algérie" (Vichy, 17 July 1942), which states, "Given the very terms used in the Law of 18 February 1942 . . . we must admit that 'indigenous Jews' have the possibility of obtaining citizenship" through the terms of the Senatus-Consulte of 14 July 1865. Dossier "Statut des Juifs en Algérie," MJFA S54 113. This last point contradicts the claims of Jacques Camier, *Algérie sous le régime de Vichy* (Paris, 2002), 73; see also Michel Abitbol, *Les Juifs d'Afrique du Nord sous Vichy* (Paris, 1983).

³ See Sarah Susman, "Changing Lands, Changing Identities: The Migration of Algerian Jewry to France, 1934-1967" (PhD diss., Stanford University, 2002), 92-142.

⁴ See Mylene Sultan, "La synthèse impossible, 1954-62," in *Les Juifs d'Algérie: Textes et images*, ed. Jean Laloun and Jean-Luc Allouche (Paris, 1987), 46.

⁵ Alliance Israélite Universelle, "Note concernant les modalités de conservation de la nationalité Française et l'acquisition de la nationalité Algérienne dans l'Algérie future" (Paris, 17

Beginning in late 1954, Algerian Jewish organizations began to repeatedly affirm the French citizenship of Jews, while also trying to avoid appearing as if they were taking a political position in the name of "the community." Now, faced with de Gaulle's assertion of their existence as a group distinct from other French citizens, they wanted, as one General Delegation in Algeria memo summarized, explicit official recognition that their French citizenship was "acquired by paternity and no longer by virtue of the Crémieux Decree."⁶ What made each Jew French was being born of parents with French citizenship and/or on French soil. Anti-Semites and then the Petainist state had argued that their citizenship, even generations after 1870, was not a birthright, but a reversible "naturalization," which would end if the 1870 decree was revoked.

In the metropole, the AIU among others also actively sought to counter "the so-called communities policy." In a note to Minister of State Louis Joze, Alliance president René Cassin, a jurist who also served as vice president of the Council of State (and who in 1968 received the Nobel Peace Prize for his work on human rights, especially the drafting of the UN Declaration of Human Rights), argued that officially only "Muslims" and French people should be identified in Algeria. He recognized the historic distinctions between different "Muslim" groups—Arabs, Kabyles, Chaouris, Mozabites—yet argued that history and events since 1954 effectively had effaced them. As for non-"Muslims," he pointedly remarked, "French law does not allow the identification of French people by their origins." History here explicitly made all Algerian "Muslims" one people, just as, here implicitly, decolonization should make them—although currently French citizens—not French. Note the critical role the law played in this definition of French identity.⁷

Rejecting references to the Crémieux Decree, metropolitans and leaders of Algerian Jewish organizations recalled the shame of Vichy. They also spurned the position of the GPRRA, announced at the Congress of Soummam in 1956, which argued that the 1870 decree's mass assimilation of the Jews of Algeria was not a generous reform but a colonial act that arbitrarily divided one group of Algerians from the rest. From this historical interpretation, the 1956 GPRRA Congress had insisted that "Jewish Algerians" were fully part of the Algerian nation. In 1961 such claims, which had made little headway except among certain Jewish members of the Communist Party (PCA), were further discredited by the FLN's assassination of several well-

State Jews in France from Gambetta to Vichy, trans. Jane Marie Todd (Stanford, 1996); Michael Laskier, *North African Jewry in the Twentieth Century* (New York, 1994).

⁶ Direction générale des Affaires politiques et de l'information, Délégation Générale en Algérie, "Note sur la réaction de la communauté Israélite d'Algérie face à l'évolution du problème algérien" (Rocher Noir, 24 January 1962), 1-2, in MAE 121 bis.

⁷ Direction générale des Affaires politiques et de l'information, Délégation Générale en Algérie, "Note sur la réaction de la communauté Israélite d'Algérie," 1-2.

known members of the Jewish community. On 22 June, for example, from-ists in Constantine murdered Cheikh Raymond Leyris, the widely popular Jewish star of Malout (a form of classical Arabo-Andalusian music). By invoking French law and the recent Vichy episode of French history, Jewish leaders and their allies successfully made sure the government adopted a position that wholly rejected Algerian nationalist claims. These efforts made quick headway within the government. The point men were Bernard Tricot, a diplomat on the staff of the president of the Republic, and Louis Joxxe, Algerian Affairs minister. Both served as negotiators at the two Evian conferences, the latter as the head of the French delegation.⁸

Their rejection of any invocation of Jewish specificity weighed heavily in resolving official uncertainty over how to define the "European minority." Tricot repeatedly intervened to point out the implications for Jewish Algerians of proposed French position papers. He edited out all formulations that appeared to admit the existence of a Jewish community in Algeria. In one note, with respect to the "Definition of the Minority" section, he warned against "talk of extending access to the European community to the Israeli minority." The French position "up to now," he chided, "considers them as belonging without question [*de plein droit*] to the European community."⁹ Tricot's emphasis on the nonexistence of the group "Israelites" in French law inadvertently emphasized how in defining "the minority" Algerian Affairs officials had begun by isolating group identities not anchored in French law. Early proposals made few if any references to civil status: the minority was to be "European." Thus, one study identified the people concerned as "Europeans," "Israelites," and "Arabs loyal to France." Among the first group, the document proposed only one distinction: between those who lived in Algeria and those "passing through." Civil status was not the primary criteria, although it constantly was taken into consideration. In the above proposal, while arguing that both of the other groups should also be offered minority status, the "Israelites" were included because they "have the right," whereas self-selecting "Muslims" "could" enjoy the benefits minority status would offer.¹⁰

Tricot's attention to protecting the inclusion of Algerian Jews in any definition of "European" clarified this definitional confusion. In his response to the 17 May 1961 study, he criticized the attempt to "parallel" Israelites and

"loyal Muslims." After repeated interventions by Tricot and other high-ranking government officials, "Israelites" disappeared from French proposals, except in affirmations that they were part of the group to be included in the "European minority." The effect on French demands was immediate: it attenuated the claim that certain "Muslims loyal to France" necessarily should be offered minority status. Efforts to solidify the definition of a "European minority" in order to eliminate any reference to Jews as a group worked to exclude "Muslims" altogether. Tricot made clear his strong agreement with the reticence one study expressed about including any "Muslims," an inclusion described as "barely compatible" with the "European character" of the proposed minority.¹¹ It was Tricot's articulation of a distinction between "Muslims" and "others" that had the most impact on the revised proposal. While affirming the full "assimilation" of "Algerian Jews," Tricot's reticence to include any "Muslims" in the proposed definition—he noted that "for Muslims it certainly [would be] an extension"—undermined French efforts to have the accords with the GPRA take integrationist policies into account.¹²

Rather than try to negotiate using existing religious and ethnic differences, as integrationism had begun to attempt, Tricot's position reaffirmed pre-1944 assimilationist efforts. Civil status, rather than French citizenship or desire to retain French citizenship, eventually emerged as the primary determinant of "European" identity. Indeed, no "Muslim French citizens from Algeria," even those who had "French civil status" or who legally had "assimilated," should be included automatically in the "European minority."¹³ The new position did admit that "Muslims who expressed the desire" could be included "for political reasons," but not as a right and with an impressive condition: "as long as they merit benefiting from the same protection as French people." Further, documents increasingly referred to the "Muslim"-free category not as "Europeans" but as "French."¹⁴

Countering the Jewish "Exodus"

While Jewish community leaders and well-placed insiders pressured Paris-based Algerian Affairs officials to include Jews in the category of "Europeans," other French bureaucrats worked strenuously in late 1960, 1961, and into 1962 to prevent the separation of Algerian Jews from "European"

⁸ Minister for Veterans Affairs and War Victims Raymond Triboulet also lent his offices to the assimilationist agenda, while Chief Engineer Louis Kahn worked to present AUI concerns to a number of ministers. Cf. René Cassin, president, Alliance Israélite Universelle, "Pneumatique à M. le Ministre Louis Joxxe" (17 May 1961), 1, in MAE 100; [Joxel] Ministère d'Etat chargé des Affaires algériennes, "Personnelle à Raymond Triboulet, Ministre des Anciens combattants et Victimes de la Guerre" (March 1961), 1, in MAE 100.

⁹ Bernard Tricot, présidence de la République, "Note au sujet du dossier relatif à la minorité" (8 May 1961), 1, in MAE 99 folder.
¹⁰ Ministère d'Etat chargé des Affaires algériennes, "Contenu du dossier des pourparlers d'Evian" (17 May 1961), 5, in MAE 103.

¹¹ Ministère d'Etat chargé des Affaires algériennes, "Définition de la minorité" (24 March 1961 with revision 18 April), 1, in MAE 96; Bernard Tricot, présidence de la République, "Note au sujet du dossier relatif à la minorité" (8 May 1961), 1-2, in MAE 99.

¹² *Ibid.*

¹³ Ministère d'Etat chargé des Affaires algériennes, "Garanties de la minorité européenne en Algérie" (31 March 1961), 2, in MAE 96.

¹⁴ See particularly Ministère d'Etat chargé des Affaires algériennes, "Définition de la minorité" (24 March 1961 with revision 18 April), 1, in MAE 96.

Algerians. In the midst of the government's brutal fight to crush Algerian nationalists, Interior and Foreign Affairs officials engaged in a tug-of-war with Jewish nationalism, Zionism, over Algerian Jews. Although there was a general effort by the French government to keep Algerians with French civil status from leaving, the involvement of the government of Israel and the Jewish Agency gave a particular valence to their efforts concerning Algerian Jews. Just as the challenge of Algerian nationalism had led to an "integrationist" ferment of new republican policies, so the challenge of Zionism reshaped republican certainties and provoked new possibilities.

The biblical term "exodus" was used, not surprisingly, precociously and repeatedly to characterize Jewish departures from Algeria. As early as 1960, first in the region around the eastern city of Constantine and then elsewhere, police and army intelligence noticed that a good number of Jews were leaving with no intention of returning.¹⁵ Official attention to such activity began in early 1961, when civil servants attributed this growing phenomenon to foreign intervention. These bureaucrats made considerable effort to see that the "approximately" 128,380 Algerian Jews one list claimed were living in Algeria at the beginning of 1961 remained in Algeria. Their aim was to allow most Jews, like most other non-"Muslims," eventually to become citizens of Algeria.¹⁶

French sources detailed two types of foreign contacts with Algerian Jewish leaders and organizations: the first involved rumors that members of the Israeli right-wing extremist organization Irgun were in Algeria to train OAS commandos. In January 1962, *Paris-Match* claimed that there was a violent Jewish underground in Algeria.¹⁷ That the far-right Zionist terrorist organization, known for its brutal killing of Arab civilians and British soldiers in pre-1947 Palestine (and a precursor of Israel's Likud Party), would be linked to the OAS was little surprise. French officials, however, never took these unproven claims seriously.¹⁸ (The idea of a "plot," however, remained plausible to many long after independence.¹⁹) The Jewish Agency, also based in Israel, was the second contact. French functionaries had verifiable intelli-

¹⁵ See Secrétaire d'Etat aux Affaires algériennes, "La communauté Israélite d'Algérie" (19 October 1962), 1, in MAE 121 bis, which offers an overview of developments up to that point.

¹⁶ For reports on Jewish departures, see CAC 920172/08. For early 1961, see "Liste approximative des Juifs en Algérie par localité au début de 1961," in CAC 920172/08. For choice of France versus Israel and other countries, see Secrétaire d'Etat aux Affaires algériennes, "La communauté Israélite d'Algérie" (19 October 1962), 2, in MAE 121 bis.

¹⁷ Jean Maquet, "A Oran comme Alger un passant invisible: La peur," *Paris-Match* 667 (20 January 1962), 26-31.

¹⁸ See, for example, Jean Sicurani, "Note sur les 'commandos juifs' d'Oran" (16 January 1962), 2, in MAE 121. Karim Rouina affirms that there was an "organization established by the Israeli secret services, called Haganah Magen." See the roundtable discussion transcribed in Jean-Louis Planché, "Français d'Algérie, Français en Algérie: Jacques Chevallier ou les impossibles compromis," in *Intelligentsias françaises au Maghreb colonial*, ed. G. Meynier and J.-L. Planché (Paris, 1990), 92.

¹⁹ See, for example, H. Argod, ambassadeur, haut représentant de la République Française en Algérie, "als Les Juifs d'Algérie" (Algiers, 9 August 1963), 1, in MAE 121 bis.

gence that delegates of the paragovernmental organization were encouraging French Jews in Algeria to leave and go to Israel, "to make aliyah" in Zionist parlance. In January 1961, the French government's highest civilian official in Algeria, Delegate General Jean Morin, alerted the Ministry of the Interior to the request for entry permits by "ten delegates of the Jewish Agency," who wanted, they stated, "to calm the apprehensions of the Israeli population of Algeria." Morin argued that they had a different agenda, noting that the "most important activity of the Jewish Agency always has been to encourage emigration to Israel." He asked whether the French government "would facilitate such an enterprise." He stressed "above all" that emigration to a foreign country was being urged on "a population that was the first autochthonous population to acquire French nationality."²⁰

In response, not only did the minister of state for Algerian affairs deny entry to the delegates but a July letter made clear that France "refused to accept applications for entry on Algerian territory from representatives of any Jewish organization." This "rigorous position," the letter announced, "is impossible to maintain for much longer."²¹ The Israeli government was aware that France had blocked the agency's access to Algeria. On 9 March 1961, the French ambassador in Tel Aviv told the Quai d'Orsay that Foreign Minister Golda Meir had summoned him to inquire about a visa problem for Jewish Agency officials wanting to go to Algeria. He pleaded ignorance.²² Morin, however, appeared unaware of this decision. In mid-March, complaining that, since his first warning, the government had taken no action, Morin now reported that Jewish Agency representatives had shifted from "facilitating the emigration of Israelites who wanted to leave" to "exhortations to leave for Israel."²³ In July 1961, Morin's earlier concerns about the Jewish Agency's encouragement of departures to Israel now were twinned with a warning about how Agency envoys "laid out new reasons for the general malaise of the non-Muslim population." This argument was typical of all efforts to prevent groups of French citizens from definitively leaving Algeria. "It is not so much the results" that were worrisome, for there was, he asserted, "no question of anything like an exodus of Algerian Jews"; it was rather "because of the psychoses it encourages that this activity by the Zionist movement is troublesome."²⁴ Morin again touched on the issue of Algerian Jews' unique history of successful assimilation. Jew-

²⁰ C. Vellesecazes, dir. du Cabinet, Délégation Générale en Algérie, "A l'attention personnelle de M. Aubert n. 699 CC" (24 January 1961), 1, in CAC 920172/08.

²¹ Délégation Générale en Algérie, "à M. le Préfet . . . n. 7059 CC" (18 July 1961), 2, in CAC 920172/08. Emphasis added.

²² Bourdelle, ambassadeur to Israel, "Télégramme no. 175/76/80" (Tel Aviv, 9 March 1961), 1, in MAE 121 bis.

²³ Jean Morin, "Objet: Activité des mission israéliennes en Algérie" (Algiers, 24 March 1961), 1, in MAE 121 bis; see also Délégation Générale en Algérie, Affaires politiques, "Télégramme n. 2784" (22 March 1961), 1, in MAE 121 bis.

²⁴ Ibid.

ish Agency speakers claimed, Morin reported, that "Algerian independence is inevitable in the short term" and that Israel "merited their trust more than France."²⁵

The Jewish Agency's denigration of the Republic, following Morin, was the heart of the matter. Israel's first prime minister, David Ben-Gurion, had stated in 1958 that the French should trust no Algerian Arabs "no matter how assimilated." In 1961, internal documents repeatedly invoked Ben-Gurion's remark. His assertion of inassimilable difference—and necessary enmity—revealed the ethnic nationalist crux of the Zionist project the Jewish Agency advanced. French republicans found the idea anathema. Most French politicians supported Algerian independence while avoiding any consideration of what it meant for republican ideology that France had been unable, via assimilationist policies pursued (or announced) since 1830, to make most Algerians French. Proving that French citizens who were at once Jewish and Algerian could "trust" the Republic more than Israel (and that, in turn, the Republic could trust them) allowed republicanism to emerge reinforced.²⁶

Official efforts to prevent Jewish departures at first seemed futile. Throughout fall 1961 and into 1962, all government observers emphasized Jewish departures. The RG estimated that barely half of Constantine's 1954 Jewish population remained in Algeria.²⁷ As part of his tabulation of French nationals "definitively leaving" Algeria, the secretary of state for Algerian affairs made special note of those bound for Israel: 302 of 1,913 in September; 173 out of 2,086 in October; 21 of 2,530 in December. The report warned that "the real destination generally is no longer given by voyagers of the Jewish faith." The Jewish Agency had given instructions to this effect.²⁸ By early 1962, whatever their destination, the abandonment of Constantine by its Jewish population had become a source of continuing interest to the metropolitan press.²⁹ Yet in official reports a counterrevolution seemed to be occurring. At the end of 1961 and, more markedly, the beginning of 1962, in what proved the last months of French Algeria, military and civilian officials noted a slowdown in Jewish departures. Concurrently, they evoked a new

²⁵ *Ibid.*, 1 and 2.

²⁶ For Ben-Gurion, see *Le Figaro* (10 April 1958). For invocations of this comment see Sitcurani "Note sur les 'commandos juifs' d'Oran," 2, in MAE 121 bis. See also Morin, "Activités des missions israéliennes en Algérie," 2, in MAE 121 bis.

²⁷ RG d'Alger, Bône, Constantine, Orléansville, "Etat d'esprit de la communauté israélienne" (27 and 30 November 1961), 45, in MAE 121 bis.

²⁸ "Statistiques des départs définis d'Européens d'Algérie" (7 November 1961 and 6 December 1961), in MAE 121 bis. Note that these statistics do not correspond to those given elsewhere, for example, "Débat budgétaire Fiche II/p. 6, 'Départs définis d'Algérie'" (1 April to 31 October 1961), in MAE 121 bis.

²⁹ Christian Mouly, "L'exode des familles israéliennes d'Algérie . . ." *Le Monde* (17 February 1962), for official concern, see MAE 121 bis and SHAT 1H/1436/D(1). For an example of discussions of "reparation" to Spain, see Lt.-Colonel Cousin, "Bulletin hebdomadaire de renseignements. Semaine du 10 au 16 février 1962" (SP 87.000, 17 February 1962), 2, in SHAT 1H/1436/D(1). Such reports also began to identify "Europeans" who were leaving as "of Spanish origin" and "of Maltese origin."

and increasing solidarity between Jewish and non-Jewish Algerians with French civil status. Across the divide that anti-Semitism had enforced, as with the other divides—"ethnic," partisan, and, most important, class—the joining together of Algerian non-"Muslims" occurred through the OAS.³⁰

The "Rapprochement between Israelites and Europeans d'origine"

Until January 1962, intelligence sources had emphasized Jewish suspicion of the OAS. One RG report spoke of Jewish notables' doubts about "a clandestine movement in which some leaders are said to want to establish totalitarianism in France, with all its sinister historical ancestry."³¹ A National Security report on "one particular ethnic group . . . the Jewish communities" of Algeria, examined their "obstinacy before FLN propaganda as well as that of the OAS." Overwhelmingly opposed to FLN claims about belonging to the Algerian nation, nevertheless, "Jews in general avoid association with the diverse French Algeria movements. Nazism remains too alive in their memories for them to accept any connection with local leaders of the far-right movement." Jews in Oran and "to a lesser degree, Algiers" were picked out as atypical in their sympathy for the activists.³² Yet, outside of Algiers, Oran, and, to a lesser extent, Bône, most "Europeans" shared a similar reticence—and occasional enthusiasm—for activist engagement. Where active support for the OAS now dominated among "Europeans," it did so among "Jews," and vice versa. While official reports and the press clung to indications of Jewish difference, the evidence they reported pointed increasingly to a coming together of all Algerian non-"Muslims" around shared political goals and analyses.

The press quickly remarked on signs of Jewish activism. Most prescient was *El Moudjahid*, the voice of the FLN, which warned Algerian Jews away from such a course.³³ In January 1962, when *Paris-Match* made its accusation of Irgun involvement in Algeria, the journalist wrote first of the "Jewish" victims of an FLN attack: "the schoolboy, grandson of the greengrocer

³⁰ Although all subgroups shared the same legal status, the infamously intense engagement with anti-Semitism of non-Jewish "Europeans," which began a few years after the Crémieux Decree, had anchored a distinction between Jews and gentiles far more important than the other "ethnic" fissures that divided "Spanish" from "Italian," or "Maltese" from Algerians "of [French] origin" with French civil status.

³¹ RG de Constantine, "Malaise au sein de la communauté israélienne de Constantine" (27 December 1961), 46, in MAE 121 bis. On Gagayous, see David Prochaska, "History as Literature, Literature as History: Gagayous of Algiers," *American Historical Review* 101 (June 1996): 671-711.

³² Direction de la Sûreté nationale en Algérie, Jean Fachot, "La communauté Israélite face au problème algérien" (January 1962), 2, in SHAT 1H/1255/2.

³³ "Les rations de l'avenir de l'Algérie," in *El Moudjahid* (Arabic edition: 30 September 1961; French edition: 1 October 1961), in SHAT 1H/1152/1.

... his throat cut"; "four bullets in her stomach" that killed "a young woman seven months pregnant"; and a "seventy-five-year-old man struck down." The article then describes the "lynching" that followed. "They were horrible, the Israelites," according to a witness who linked "Jewish" violence to the fact that "during seven years they watched and waited, even flirting with the FLN." After invoking the Irgun's arrival, the article concludes, "Ready to defend themselves against the Muslims or the Christians, they have chosen sides: the OAS."³⁴ Military reports of anti-"Muslim" vigilantism also increasingly noted Jewish participation. Unlike years past, when on rare occasions Jewish Algerians had been accused of spontaneous "lynchings" in response to FLN violence, these actions suggested a new communitywide response. On 8 March, in Mascara, Army Intelligence reported that four explosions attributed to the FLN were followed by "a European demonstration, principally led by Israelites." The result: "eight Muslims injured, one of whom died at the hospital."³⁵

After October 1961, the OAS aggressively reached out to Jewish Algerians, as well as to "Muslim" Algerians, emphasizing that their definition of French people included Jews as well as "Muslims." The OAS celebration of Jewish Algerian Frenchness included explicit recognition of the twentieth-century history of anti-Semitism. This differed from pro-French Algeria claims that Algerian "Muslims" were fully French. The OAS only acknowledged colonialist racism—by the government and among Algeria's "Europeans"—when it argued that the "fraternization of the May Days" of 1958 had offered a clean slate. Unlike their silence about past racism, references to Nazi persecutions, pogroms, and even Vichyite collaboration peppered OAS propaganda. All revealed how Gaullist policy and metropolitan support for Algerian independence were anti-Semitic as well as racist. They repeatedly attacked the Gaullist state as "Nazi" and "SS", and accompanied these condemnations with specific reference to the exterminationist anti-Semitism inherent in this link. Again and again, pro-OAS propaganda described the martyrdom of young Noah. On 19 January 1962, a French soldier shot at a group of high school students who, in the words of one handbill, were "sticking patriotic posters on a wall." As the soldier walked on, "the blood of a young boy, who looked Israeli, drained away on the sidewalk." The author of "My Dear Friend" explained that "this scene did not take place in Warsaw, 1942, but in Bône, in the European Quarter. No, the man in the uniform is not an SS, but an officer with the Military Court at Bône."³⁶ Jacques Soustelle, former governor general of Algeria and the architect of "integrationism," wrote a syndicated column entitled "Gan-

grène" (the title appropriated from one of the first French books to detail the state's habitual use of torture against accused nationalists).³⁷ He compared the French Army's "roundup of all boys between sixteen and twenty-five whose physique gives away their ethnic origin" to the Gestapo "when it organized dragnets to capture Jews in occupied France." The goal of this "physiognomic roundup of young Europeans," he argued, was "to strike out against the French of Algeria as a people, as French people, Christians or Jews."³⁸ References to pogroms also were common in Algerian OAS propaganda. OAS handbills directed at soldiers serving in Algeria reminded them that if they left, as the open letter addressed to "My Dear Friend" stated, "the harkis you served with will have their throats slit," while "the Israelites will fall victim to pogroms."³⁹

Some on the far right, in an evolution forced by their overwhelming desire to keep Algeria French and their support of the OAS, sought to hold on to the premises of Maurassian xenophobia, yet to assert that Jewish Algerians were fully French. This move broke with the history of the new Far Right that emerged in late nineteenth-century France, where suspicion and demonization of "the Jew" played such a foundational role.⁴⁰ These Jewish Algerians were French not because of Crémieux, nor assimilation, nor the rules of the *pays légal* (the legally defined country) but because of their actions in the *réel* (the actual). The anonymously authored paperback *The Activist* rehearsed the old Action Française chestnut about "not calling French someone who acts like a member of a foreign community," yet denied that this was a sign of "racism or anti-Semitism." The "Algerian Jew fighting against the secession of this province" was just as French as "the German or Hungarian or Russian" who had "served under our flag in the Foreign Legion."⁴¹ "OAS-Métropole," an operation particularly infested by militants from far-right groups, went further. In defense of Israel, they claimed the mantle of anti-anti-Semitism, identifying anti-Semitism (or, in Pierre-André Taguieff's terms, Judeophobia⁴²) as a key element motivating de Gaulle's desire to abandon French Algeria. OAS-Métropole argued that de Gaulle wanted France to "take its place in the anti-Semitic concert of nations" alongside the Soviet bloc and the Arab states. Algerian independence was part of an international conspiracy "to strangle the State of Israel." It would turn the nation that in 1956 had fought at Suez beside the Israelis against Arab na-

³⁷ *La gangrène* (1959).

³⁸ Jacques Soustelle, "La gangrène," *Indépendance du Sud-Ouest* (Agen, 15 June 1962), 1.

³⁹ *Ibid.*

⁴⁰ See, e.g., Raoul Girardet, *Le nationalisme français: Anthologie, 1871-1914*, parts 3 and 4 (Paris, 1983); and Zeev Sternhell, *Marrice Barrès et le nationalisme français* (Paris, 1972).

⁴¹ Anonymous, *L'Activiste* (1962), 28, in AN 78 AJ/31. Although Jews here are named only to celebrate their patriotism, the phrases used to denigrate those who "act foreign" depend on anti-Semitic stereotypes for their resonance, invoking high-placed conspiracies in the banks and government.

⁴² *La nouvelle juidéophobie* (Paris, 2002).

³⁴ Maquet, "A Oran comme Alger un passant invisible," 26-31, 27. The article suggests that all the violent undergrounds in Algeria "are trying to copy the methods" of the Jews.

³⁵ Lt-Colonel Cousin, "Bulletin hebdomadaire de renseignements. Semaine du 3 au 9 mars 1962," (SF 87.000, 10 March 1962), 27, in SHAT IH/1436(D)(1).

³⁶ OAS, "Mon cher ami..." (1962), AN 78 AJ/32.

tionism into two states that accepted Arab nationalism. The end of French Algeria would deform France in order to destroy Israel.⁴³

Commentators on the left noticed the lull in far-right anti-Semitism, which they attributed to hypocrisy. In late spring 1962, the editor of *L'Esprit* Jean-Marie Domenach remarked that "they have muted their anti-Semitism." Even the 14 April 1962 nomination of Georges Pompidou, an "employee of Rothschild's," to head the government had brought only "a serial in *La Nation Française*" (a neo-Maurassian weekly), and not the apparently expected onslaught of anti-Semitic outbursts from far-right journalists about Jewish money and hidden cabals. "A single racism is enough for the moment," Domenach argued—"against the Muslims." In this schema, anti-Semitism was not downgraded in favor of anti-"Muslim" racism. Rather, Domenach identified pro-French Algeria muting of anti-Semitism as part of a larger cynical denial of their essential racism. As he reminded his readers, "The OAS's antiracist alibi is the support it has among a portion of Algerian Israelis."⁴⁴

From Jewish Algerians to Europeans

It is reasonable to qualify as hypocritical the embrace by the OAS and supporters of French Algeria of a strategy that emphasized its antiracism and its opposition to anti-Semitism. Yet such an interpretation risks ignoring the actual effects of these tactics. Not only did this propaganda propose a non-racist vision of the French nation that explicitly embraced "Jews" and "Muslims," as with the Plan Salan, the rhetoric paralleled as well as contributed to on-the-ground developments. The definitive departures of Jews from Algeria, so remarkable and of such concern to French bureaucrats, slowed. More significant, as an army summary in October 1962 described it, "In the spring and early summer of 1962, the emigration tendency for both communities [Jewish and non-Jewish "Europeans"] followed a parallel curve." The curve, in fact, fluctuated wildly, swinging in tandem with pied noir confidence in the OAS-led struggle to prevent independence as well as with pied noir discipline in following OAS orders. What is undeniable is that, in these months, departures—like confidence and discipline—became pied noir, and no longer "Israeli," "Spanish," or "of French origin." Army intelligence in late 1961 and early 1962 reported that Algerian "Israeli" opinion shifted definitely from *attentisme* (waiting to see what happens) to pro-OAS activism.⁴⁵

⁴³ See OAS Presse Action, "Information semaine du 21 au 28 octobre 1962," 2, in AN 78 AJ/30; OAS Délégation en Métropole, "OAS/Méto/APP Presse Service" (Paris, 17 April 1962), in AN 78 AJ/30. The same OAS-Métropole bulletin ended, however, with a characterization of newly named Prime Minister Georges Pompidou as "Rothschild banker."

⁴⁴ Jean-Marie Domenach, "Journal à plusieurs voix: La droite nihiliste," *L'Esprit*, n.s., 6 (June 1962): 972-76, 974.

At the war's end, the Far Right presented Algerian Jews as first and foremost French, as were all Algerians. For most people in the metropole, however, they were above all "French of Algeria": they were, that is, not really French, but in the same way as all pied noirs were not really French. This conception underlay the government's establishment of repatriate status as well as French diplomats' efforts to insert "minority status" into the Evian Accords. In the next chapter I describe metropolitans' definitions of pied noirs in the months before the 1962 exodus and the emergence of a strongly anti-pied noir public discourse, which included "Jews" as well as "Europeans." Yet the successful efforts of Tricot and others to distinguish the relationship of Algerian Jews to French identity from that of any "Muslim" Algerian was a precursor: their shared exodus demonstrated that Europeans, and Jews in particular, were French in ways that were greater than the citizenship they shared with Algerian "Muslims."

Between March 1960 and March 1962 French officials stopped referring to Jewish Algerians as a group apart, first in presidential rhetoric and then in policymaking. A concerted lobbying effort from inside and outside the executive branch joined with a reflexive but intense bureaucratic resistance against Israeli efforts in Algeria to silence considerations of Jewish difference. This process changed official thinking about how to define all people from Algeria. While these tactics failed in their explicit goal of preventing mass departures from Algeria, the results were striking: in overwhelming numbers, Jews left Algeria and "repatriated" to France. Since the State of Israel's establishment in 1948 in Palestine this remains the only example of the flight of a group of Jews where most did not go to the self-proclaimed homeland of all Jews.⁴⁶

The shift in government assertions, from distinguishing between Algerian Jews and Algerian "Europeans" to collapsing all references to Jews into the category "European," offers grounds for two, somewhat contradictory, points of assessment. The most important implication (and that which has dominated scholarly consideration of this question) is that in 1960 it was still possible to consider Jews as a group apart from other French citizens. In this optic, the developments this chapter has charted reinforce a narrative of republican progress. What such a perspective obscures, however, is the early history of the Fifth Republic: presenting a narrative of republican progress effaces how France had used integration to recognize the existence of certain (cultural, religious, and ethnic) differences as fully compatible with the Republic. The second perspective from which these debates must be viewed places them within the history of efforts to make Algeria French. In the assimilationist approach, which dominated official thinking (if often not official actions) in Algeria before 1944, any bureaucratic or political recognition of distinctions between Jewish and non-Jewish Algerians with French civil status can and should only be seen as evidence of anti-Semitism. Recent

⁴⁶ See Sussman, "Changing Lands, Changing Identities," 162-68.

work—on popular anti-Semitism among Algerian “Europeans” and campaigns to reverse “Crémieux” as well as on bureaucratic efforts to distinguish between Jewish and non-Jewish “citizens with French civil status”—proves the important effects and disastrous consequences of such official “recognition.” Yet post-1955 integration proposed new means to officially consider and discuss religious and ethnic differences within the Republic. Legal definition of FMAs was one sign of this. With civil status no longer a marker of citizenship, it became possible politically or bureaucratically to “recognize” group differences without necessarily implying that such people were not as fully French as others from Algeria. In 1961 and 1962, the disappearance of official references to Jews as a distinct Algerian group prefigured the political collapse of French integrationist policies and pretensions. Alongside discussions of repatriate status, this process marked the return of classic assimilationist strategies; now, it was an assimilationism where the inassimilable was starkly indicated: “Muslims.” The 1962 exodus would make clear that it was the emergence of this boundary that allowed republican ideologies of national belonging to be reasserted without reference to the limits and incoherencies that integrationism had worked to address.

Beyond 1962, the victory of those who had struggled for Jewish assimilation, the long-delayed acceptance by French elites of the tenets of “Franco-Judaism,” ironically created the context in which Jewish critics of assimilation à la française garnered new influence and importance in the Hexagon. The post-1962 context offered newly solid grounds for the arguments of those self-identified Jews in France who called for affirmations of Jewish specificity. French Jews could and did begin to speak about their political identity as Jews. This was the new context from which, five years later, French people stunned by de Gaulle’s antagonism toward Israel for its aggression in the Six-Day War and his infamous characterization of Jews as “an elite people, sure of themselves and dominating” began to speak politically as Jews.⁴⁷ Many of these Jews had come from Algeria as part of, not a Jewish exodus, but the pied noir exodus.

⁴⁷ See Birnbaum, *Jews of the Republic*, and *Jewish Destinies: Citizenship, State, and Community in Modern France*, trans. Arthur Goldhammer (New York, 2000).

Chapter 7

Veiled “Muslim” Women, Violent Pied Noir Men, and the Family of France

Gender, Sexuality, and Ethnic Difference

On 7 February 1962 OAS commandos set off a bomb in Minister of Culture André Malraux’s apartment building. The explosion’s only victim was his four-year-old neighbor “little Delphine,” left permanently blind in one eye. A widely reprinted black-and-white close-up showed the young brown-haired girl covered with blood; the snap-shot that usually accompanied it showed the white-skinned child amid a field of flowers, her eyes smiling. This could have been yet another incident in the terrorist campaign that OAS activists had begun in spring 1961, which through late April 1962 killed some 1,660 people and injured an estimated 5,148, the vast majority “Muslims.” Yet this time was different: “Delphine Renard,” as the historian Rémi Kauffer remarks, “immediately became the symbol of the almost universal rejection of the OAS.” During the winter of 1961–62, popular revulsion at these lost lives and the shattered bodies—Delphine’s in particular—seemed to offer proof that the newly pressing French desire to leave Algeria revealed something more than enmity. OAS violence, in this interpretation, had done what nationalists and their metropolitan supporters had been unable to do, catalyzing a political reaction among French people against racism and colonial oppression and for the right of the Algerian people to self-determination. Before December 1961, of course, such a public reaction to events in Algeria had not been evident.¹

¹ See Rémi Kauffer, “OAS: La guerre franco-française d’Algérie,” in *La guerre d’Algérie, 1954–2004: La fin de l’amnésie*, ed. Mohammed Harbi and Benjamin Stora (Paris, 2004), 451–76, 51. For the casualty figures until 20 April 1962, see Guy Pervillé, *Pour une histoire de la guerre d’Algérie* (Paris, 2002), 242–43. Between 19 March and 19 May, the OAS killed 1,658 and injured 2,450. Besides the chronological overlap between these two sets of statistics, reliable numbers for the last weeks of French Algeria are unavailable, so that an overall number is not available.

key questions the Algerian revolution forced France to address: Who could be French and why? In the next chapter I analyze how the government used powers the Law of 13 April 1962 offered to realize, at least partially, one pre-exodus metropolitan expectation: that Algerian "Muslims" would no longer be French.

Chapter 9

Rejecting the Muslims

There was, when the Evian Accords were announced, no official hesitation concerning what it meant for Muslim French citizens from Algeria. A telegram from National Defense headquarters in Paris to army headquarters in Algeria "conveys the prime minister's instructions" concerning their future:

Question: Will they have the same possibilities as the "French of origin" to settle in the metropole with French citizenship and the benefits of the Law on Assistance to French repatriates? Response: Yes.

Question: Will this possibility remain available to French Muslims? Response: Yes, by returning to the metropole at any moment after self-determination they can reclaim French nationality under French law and benefit from the Law.¹

One month before, a six-page message from Minister of the Armies Pierre Messmer to all officers had assured "French Muslims serving in the armed forces and as auxiliaries that their legitimate interests as soldiers and citizens will be guaranteed."² Officials conveyed this message to officers in Algeria, who in turn announced it to French of North African Origin (FSNA) soldiers (there were 22,746 Muslim French citizens from Algeria serving in the French armed forces around the world³) as well as harkis, *moghazin*, and other auxiliaries. Radio France broadcast across the metropole the official

¹ DeFNat Paris, "Télégramme au Bureau moral" (received 15 March 1962), in SHAT 1H/2467/6.

² Commandement Supérieur des Forces en Algérie, "Message n. 0560/CSFA/EMI/MOR" (22 February 1962), 3, in SHAT 1H/1260/1.

affirmation that continued French nationality and all measures of the Boulin Law were available to "every inhabitant of Algeria," whether "French Muslims or Europeans." In the metropole, supporters of the referendum of 8 April 1962 also specified that "French nationality would be maintained for all in Algeria who currently have it, Europeans or Muslims, and who do not explicitly renounce it."⁴

The exodus confronted republican bromides about the irrevocability of French citizenship—these legally binding facts—with their implications, and it was in this crisis that popular certainties about what made most Algerians different from French people took bureaucratic and juridical form. The suddenness of the unexpected confrontation certainly exaggerated its effects. Army sources, like other French officials, had believed that the transition between French sovereignty and independence would be one of stages. As the marginalia on one internal memo concerning "Muslim auxiliaries" presupposed: "It seems as though it will be progressive: cease-fire; provisional regime; consultations via elections; new institutions. We must prepare our activities for each phase, while planning for the next." The transition did not take years, as expected, but weeks. In that short period, the idea that those people French law defined as Muslim French citizens were part of an ethnically racial group different from that of other French citizens left the sphere of common sense to shape the legal categories established by the French government in July 1962. "Racialized ethnicity" explained why some people with French nationality ("Muslims") were Algerian, while other people from Algeria (*pieds noirs*) could remain French.⁵

From Muslim French Citizens from Algeria to Harkis

In late April and early May 1962, when it was publicly denying the existence of the exodus, the government acted to stop certain people from coming to the metropole: Muslim French citizens from Algeria. Or, as military orders and government decrees increasingly put it, "harkis," or simply "Muslims." Officials charged with assisting Algeria's "Muslim" population, a Top Secret note of 23 May from de Gaulle's office explained, must "cease all initiatives linked to the repatriation of harkis." To be "welcomed in the metropole, Muslims" must exit by permission of the Algerian high commissioner, and "their names must be on a list established to this end."⁶ By late May, an officer directed that "Muslims" who were "too old, physically handicapped,

or too young" as well as "single women" should not be transported. Such people, he remarked, "are destined effectively either to live off public charity or, with the young women, to turn to prostitution; all will become deadweights."⁷ At the cabinet level, the shift in terms was more subtle—and easier to interpret. The secretary of state for repatriates' April report to the government referred to "Muslims" only as "auxiliaries"—harkis, whom the army would be in charge of dealing with. The May report referred to two distinct categories, "repatriates of European origin [*souche*]" and "repatriates of Muslim origin [*origine*]." With these categories, the government abandoned previous references that tied identity to territory (Algeria), and instead identified people from Algeria on the basis of descent, or ethnicity.⁸

Still referred to in May 1962 as "Muslim repatriates," French citizens with Koranic civil status were increasingly referred to as "harkis" or "returnees," a shift that stripped them of the terms "repatriate" and "citizen." This was inextricably linked with another shift, in which "Muslim" was no longer an adjective for "French," or even for "civil status," but an "origin" [*origine*]. If the April report to the cabinet noted regarding "Muslim families whose head served in the French Army in Algeria" that their "lack of preparedness for metropolitan life poses special problems," the May report adopted a new tone and recommended a new approach: "As these Muslims are not prepared for European life, it would be inopportune to give them the aid reserved for repatriates as individuals."⁹ De Gaulle pretended on 25 July that "the term 'repatriates' obviously does not apply to the Muslims. In their case, we are dealing only with refugees." His statement disregarded the Evian Accords and the definition of "repatriate," both of which had the force of (French) law. This disdain for legal definition was in marked contrast to the pointillist precision with which the president of the Republic, citing French and international law, asserted French sovereignty over Algeria up to and including 3 July, the date of the decree by which France recognized Algerian independence.¹⁰ French officials already had affirmed that refugees were not repatriates. In the first weeks of mass departures for the metropole, government officials had embraced a distinction between repatriates and what de Gaulle's chief of staff characterized as "temporary refugees." This euphemism allowed officials to maintain that most French people fleeing to the

⁴ Bureau du moral, Commandement Supérieur des Forces en Algérie, "Recensement des suppléants et civils FSNA menaces" (SP 87.000, 26 May 1962), 2, in SHAT 1H/1260/2.

⁵ Secrétariat d'Etat aux rapatriés, "Comité des Affaires algériennes du 28 avril 1962: Accueil des rapatriés," 6, in MAE 39; Secrétariat d'Etat aux rapatriés, "Objet: Personnes rentrant d'Algérie," 5-6, in MAE 39.

⁶ Secrétariat d'Etat aux rapatriés, "Comité des Affaires algériennes du 28 avril 1962," 6, in MAE 39; Secrétariat d'Etat aux rapatriés, "Objet: Personnes rentrant d'Algérie," 5-6, in MAE 39.

⁷ Maurice Faivre, *Les combattants musulmans de la guerre d'Algérie: Des soldats sacrifiés*

⁴ Radiodiffusion Française, "Texte de l'émission diffusée au Bulletin de France II (13h) le 4 avril 1962: A qui s'appliquent les Accords d'Evian?" (4 April 1962), 2-3, in AN F/7a/5055.

⁵ Colonel de l'Espina, "Fiche: Problèmes posés par les harkis au moment du 'cessez-le-feu', RB/R/C" (14 December 1961), 1 and 3, in SHAT 1H/1397/8.

⁶ J.-J. de Bresson, "Extrait du relevé des décisions du Conseil des Affaires algériennes du 23

metropole—"Europeans"—soon would return to Algeria. With the government now recognizing the exodus as a regrettable but durable fact, officials applied the term "refugees," with all its implications, almost exclusively to "Muslims."¹¹ At the beginning of 1963, the professor of medicine Robert de Vernejoul published *Study of the Problems Posed by the Repatriation of Refugees from Algeria*. The Economic and Social Council, one of the new representative institutions the 1958 Constitution had established, submitted it to the parliament and the government. Apart from "French repatriates who return to their fatherland," the official report stated, "there are Muslim 'refugees.'" The report clearly affirmed a distinction: "These non-French Muslims . . . are not repatriates in the true sense of the term." Instead, "they are refugees." De Vernejoul ignored their citizenship and pointed to their "choice in the last several years to side with France" to explain why they "have the right to the same benefits, to the same integrative measures," as repatriates. De Vernejoul followed de Gaulle, effacing law and history as well as the rights of harkis.¹²

Shifting Algerian "Muslims" out of the category of repatriates and into the category of refugees had serious effects. The most dramatic concerned the thousands of actual or suspected harkis who, abandoned by the French, were killed in Algeria during these months. Whether killed by armed units associated with the ALN or the FLN or as the result of local settlements of scores, Algerians claiming to punish traitors to the nation assassinated, using often inhumane measures, other Algerians accused of collaborating with the French. When, in September 1962, Prime Minister Pompidou gave instructions to the minister of the armies to "guarantee the transfer to France of former auxiliaries currently in Algeria who have sought protection from French forces," he made it clear that they were not French. They were "under threat of reprisal from their compatriots."¹³ Pompidou's directive was grounded in humanitarian concern for human beings, not in fraternity or national solidarity for French nationals. A "personal note" in late October from the high commander of French armed forces in Algeria to all French generals in Algeria reinforced this point and made clear the limits this placed on humanitarian concern. Despite previous reminders, he observed, "the number of Muslims housed in our camps in Algeria grows steadily." It was thus necessary "as of now to suspend all new admission to our centers." In November 1962, official documents and the newspaper *Le Monde* estimated that over ten thousand Algerians had been killed for being harkis since the cease-fire. Although it remains difficult to ascertain verifiable numbers for

these killings, estimates range from that figure to close to 100,000. Many who died, and others who did not, were subjected to various forms of torture.¹⁴

Those who made it to the metropole experienced other effects of being refugees in their own country. By early 1963, the head of the SAM could insist that "Muslim Algerian refugees in the metropole who have chosen French nationality cannot, ipso facto, be considered refugees." According to Circular 63-03 AGA.AS of 2 January 1963, they could benefit from refugee status only if they could "prove that they left their country of origin because in danger or for political reasons." While those whose "departure [répatri] was arranged by the army automatically have this status," all others were required to establish a dossier, which would be examined by Technical Assistance Section counselors.¹⁵ General Maurice Faivre (ret.), historian of the Algerian War and of the harkis, highlights how government leaders and officials stymied the efforts of numerous French officers to help harkis escape possible reprisals in Algeria. The most scandalous, and most well known, was Minister of State Louis Joxe's.¹⁶ May telegram to military authorities, marked "Top Secret Highest Priority," which laid out a new principle under which "all auxiliaries landing in the metropole outside of the official repatriation program will be sent back." Although the contents were quickly revealed by a number of press sources (*Combat*, *La Nation Française*, and *L'Esprit Public*) that were aghast at Joxe's proposal, the government persisted in its efforts to prevent "Muslim" Algerians from fleeing Algeria. Faivre pays little attention, however, to extensive documentary evidence of high-level military responsibility for these decisions. Military intelligence reports, for example, consistently downplayed the threats harkis confronted in Algeria and the military leadership shared basic assumptions about the dubious assimilability of "Muslims" with the government whose instructions they followed.¹⁶

It was officers and officials in the field who continued to take seriously French promises of equality to the "autochtones." This was particularly true of officers involved in "integrationist" programs or commanders of units made up of harkis in Algeria. Military officers repeatedly invoked the question of guarantees for their FSNA subordinates. In January, one report even argued that harkis "were more interested in how the new status recognizes that they are French than in the material improvements it promises them."¹⁷

¹⁴ For estimates of the numbers of Algerians accused of being pro-French who were killed in the months following the cease-fire, see Guy Pervillé, *Pour une histoire de la guerre d'Algérie* (Paris, 2002), 243-44.

¹⁵ G. Lamassoure, chef du Service des Affaires musulmanes, "à M. le Préfet de l'Isère. Objet: Anciens suppléants et réfugiés musulmans" (26 February 1963), 1, in AN/F/1a/5125.

¹⁶ Louis Joxe, "à Haut Commissaire de la République en Algérie" (12 May 1962), in SHAT 1H/1260/2.

¹⁷ Lt.-Colonel Barthelemy, "Bulletin hebdomadaire de renseignement psychologique. Se-

¹¹ J. J. de Bresson, "Extrait du relevé des décisions . . ." (28 May 1962), 1, in MAE 39.

¹² Robert de Vernejoul, *Etude des problèmes posés par le rapatriement des réfugiés d'Algérie: Rapport présenté au nom du Conseil économique et social* (Paris, 1963). The report repeated what legislators had noted about "repatriate status" excluding people from Algeria (see chapter 5). Here, though, the problem only concerned "Muslims."

¹³ Prime Minister Georges Pompidou, "Note pour M. le Ministre des Armées. Objet—Trans-

These on-the-ground operatives struggled against the assumptions of higher-ups in Paris who ignored earlier French claims that all Algerians would remain French. Previously, in Algeria as elsewhere in the French overseas empire, it had usually been Paris-based officials that had held on to republican ideals despite local difficulties, whereas officers in the colonies had shown, at best, lip service to republican and universalist claims (often in the name of defending "indigenous" cultures and practices).¹⁸

When confronted with the exodus of "Muslims" to the metropole the government did not in fact treat them as French citizens with rights; the harkis were classed as outsiders whom the French Republic welcomed and assisted only out of charity and only in unavoidable circumstances. Defining them as a group rather than as individuals legitimated this shift. Summarizing the difference between their activities in 1958 and in 1963, SAM officials identified "320,000 legally French citizens" before Algerian independence; afterward, they were dealing with "a group of 480,000 foreigners."¹⁹ The definition of the harkis as a group placed them outside the nation. Their fellow French citizens from Algeria, "repatriates of European origin [*souche*]," were able to avoid this fate. With "Muslims" moved into their own category, references to "Europeans" disappeared from official documents, replaced by references to a geographic origin (from North Africa) or, more usually, simply to the legally defined status "repatriates." The nation offered "repatriates from North Africa" its solidarity, as the discussions preparing the Boulin Law had announced. "Europeans," although part of a group (repatriates) that the government recognized in order to facilitate national solidarity, were above all French individuals. This was the type of solidarity that all French citizens could expect from the nation, rather than any form of special privileges given to a specified group. The model that "exceptional promotion" had offered was nowhere present. The post-1956 policy of integration had challenged that fundamental precept of republican thought, the rejection of "corporations," "subnational groupings," "particularism," or of any intermediate organization between the citizen and the nation. In the exodus, virtually all policies and practices linked to integration disappeared, swept away by executive fiat in the summer of 1962. Indeed, the government revised policies of exceptional promotion to include all French citizens from Algeria who were in the metropole. The new goal of reserving quotas for government hiring was to help French people in distress, rather than to redress the effects of discrimination. Later, government efforts to assist the *pièds noirs* were presented as having national implications, not as directed at any "subnational group." As Minister of Repatriates François Missoffe stated in May 1963, addressing himself to "*pièds noirs*": "The future of

other French people is in your hands. If you make good use of the grants, contracts, the exceptional institutions put in place especially for you, perhaps they will become permanent. Perhaps other people in need will be able to use them." His "wish" appeared in a newsletter that would be distributed to the "repatriates," in which each page was imprinted with images of black feet.²⁰

In the midst of the exodus, contrary to the Evian Accords, the law, and government directives, only a few people insisted that France offer the harkis the same treatment as other repatriates. Harkis themselves did so with all the very limited means at their disposal. Numerous harkis signed individual copies of one form letter, with blanks for addresses and names of the signer, all addressed to M. le Colonel Commandant of the Bougie District, to "request my pullback and that of my family to the metropole." The appeal "to benefit from the advantages of repatriate assistance, in conformity with the applicable texts," was motivated "by the fact that I categorically refuse to stay in an Algerian Algeria. . . . I am French and want to remain French with my family."²¹ Some state officials vigorously asserted that "Muslims" should be welcomed in the metropole. All affirmed that the potential repatriates in question were fully French. Military officers sent numerous messages seeking the reinstatement of individuals or groups of FSNA in the Hexagon. These letters exhaustively detailed the personal qualities of these "French Muslims" and the services they had rendered to the nation. The officers' letters stressed their assimilability to metropolitan life, most putting special emphasis on the applicant's fitness for work.²² A battalion leader who sought the reinstatement in France of "a number of civilian families who are irremediably compromised with the armed forces in Algeria" asserted that the women and children "speak French and are physically and morally apt to settle in the metropole." Further, "their employment will cause no serious problems, as they will be immediately usable as maids. All [of the women], he reiterated, "are highly moral."²³ Some officers tried to prove the true Frenchness of the individuals concerned. Battalion leader Roger wrote, in reference to "Mlle. Hamzaoui, Raïba, social worker," that "through constant contact with Security Forces, she has acquired a life-style similar to a Frenchwoman *de souche* [of origin]."²⁴ Neither personal testimony nor "explicit" certification guaranteed that either the harka in Ouadali or Raïba

²⁰ Ministre des rapatriés François Missoffe, "Editorial. Votre exemple," *Bulletin special édité par la Ministre des rapatriés pour la campagne printemps 1963* "Priorité d'emploi aux rapatriés" 4 (7 May 1963), 1, in SHAT 1H/130/3.

²¹ (Ouadali, 14 May 1962), in SHAT 1H/1260/3.

²² See documents in SHAT 1H/1260/D3 folder "Recasement en France des FSNA menacés."

²³ Battalion Chief Troyes, "Objet: Recasement en France de militaires, de supplétifs, de civils FSNA et de leurs familles" (SP 86:292, 11 May 1962), in SHAT 1H/1260/3.

²⁴ Battalion Chief Roger, "Rapport sur les services rendus par Mlle. Hamzaoui, Raïba, as-

¹⁸ On this phenomenon, see, e.g., Alice Conklin, *A "Mission to Civilize": The Republican Idea of Empire in France and West Africa, 1895-1930* (Stanford, 1997).

¹⁹ Service des Affaires musulmanes, "Bilan des réalisations . . ." (28 November 1963), 1, in

Hamzaoui, despite their French citizenship, would be given passage or authorized to go to the metropole. In both instances, as was generally the case, no investigation was made. No evidence in their folders remains that would indicate that they were being manipulated by an army officer. Yet the official presumption was that they were not French.

Charles de Gaulle left no doubt as to his own conception of what should be done, signing on 21 June 1962 a document concerning "the nationality problem." The note deployed terms without juridical value to assert that the people concerned were "Algerians of European origins" and "Muslim" Algerians. The document is striking because it employed terms so rarely used by French officials, terms that explicitly embraced group identities with no reference to territory or legal definitions in assigning national membership. It is noteworthy how he stripped both the military term "FSE" and the legally meaningful term "FMA" of their "French" anchor. While de Gaulle affirmed that the former should have their French nationality as before, for the latter, each individual should be required to file an application.²⁵ It was left to Christian Fouchet, high commissioner in Algeria, to remind the government that "the nationality question is strictly the domain of the law." Thus, he explained, "it does not seem possible, however desirable, to have a very general text that would give total liberty of interpretation to the administration."²⁶

With the Ordinance of 21 July 1962, de Gaulle's government unilaterally altered one of the primary elements of the Evian Accord: the right of all people from Algeria to keep French citizenship. This "right" had been central to governmental explanations of the accords in the 8 April referendum campaign, which had wholly rejected opponents' criticisms of the "double nationality" measures. An 8 June 1962 draft of what would become the Ordinance of 21 July 1962 affirmed that

French citizens with common law civil status living in Algeria on the date of the official announcement of the vote for self-determination will keep French nationality even if, at the close of the three-year period posited by the General Declaration of 19 March 1962 (Ch. II, art. III/2), they acquire Algerian nationality.

The opposite was done for French with local civil status, whose access to French citizenship was heavily restricted and dependent on the government's discretion. They could keep their French nationality only if they submitted "a declaration accepted by the judge responsible for the area where they live

²⁵ Signed: Charles de Gaulle, "Séance du jeudi 21 juin 1962. Réserve des décisions" (21 June 1962), 6, in MAE 40.

²⁶ Service des Affaires politiques, "Note pour le Ministre a/s Comité des Affaires algériennes du 21 juin" (21 June 1962), 2-3, in MAE 40. This note summarizes Christian Fouchet, haut commissaire de la République en Algérie, "Traduction du message chiffré n. 7859/51. Objet: Prochain Comité des Affaires algériennes—Questions de nationalité" (19 June 1962), 1-2, in MAE 40. Embarras added.

in the territory of the French Republic." Not only did French citizens with local civil status have to claim a nationality they already possessed and do so while living outside of Algeria (and on French territory): (1) They would lose their nationality if this declaration was not accepted by a judge and then registered with the Ministry of Public Health and the Population by 1 January 1963; (2) the ministry had the right to refuse to register the declaration or, for a period of three years, to reject the declaration for "reasons of unworthiness." What these reasons might be remained vague, but they ranged from suspected or known nationalist activity to "moral" or personal character flaws.²⁷

The government acted as if it was now clarifying uncertainties about "double nationality" that concerned all people from Algeria. In fact, the government moved to exclude Algerian "Muslims," not from the complicated situation of "double nationality" but quite simply from their right to hold on to their French nationality. On 19 June, High Commissioner for the Republic in Algeria Christian Fouchet expressed strong reservations about elements of this project, while at the same time confirming that "double nationality" for non-Europeans should be facultative and not a right. He urged that the ordinance be "brief and simple enough to respond to a situation in which numerous elements have not yet become clear."²⁸ According to the juridical counsel for the newly named French ambassador to Algeria, Article 2 of Ordinance 62-825 of 21 July 1962 meant that all "Algerians with local civil status . . . lost at the very least the use of this nationality as of the day Algeria became independent."²⁹

Of course, the government wanted many "Muslims" who were in the metropole to stay, in order to provide needed labor, but only as Algerian citizens, not as French citizens. If not all could be sent back, the head of SAM urged that of "Algerian Muslims residing in France wishing to be recognized as French nationals," the government should exclude "the undeserving and all morally or physically retarded people who, later, will need to be gotten rid of." Immediate attention should be given, as "the prefects request, to sending back to Algeria any undesirables."³⁰ The late 1962 report empha-

²⁷ "Le Président de la République sur le rapport . . . Ordonne" (Paris, 8 June 1962), 1-2, in MAE 137.

²⁸ Christian Fouchet (19 June 1962), 1-2, in MAE 117. The government excluded one group of Algerians with local civil status from the restrictions and the *regime* to which it subjected all the others: civil servants. Like all functionaries from Algeria, the state dealt with "Muslim" civil servants not as repatriates (or refugees) but under a system specific to state employees. Despite this exception, functional status was not perceived as transforming or fundamentally changing the racially charged identity of "Muslim Algerian." The government emphasized this by excluding retired functionaries from the exceptional system. See AN F/11/517, esp. Henri Le Corro, "Réponse à la lettre du Préfet de Seine-et-Marne" (2 April 1963), 1, in AN F/11/517.

²⁹ A. Bacquet, "A/S Acquisition de la nationalité française par un citoyen Algérien de statut civil local" (Rocher Noir, 29 September 1962), in SHAT 1H/1260/D3.

³⁰ *Mir-hal 1 omaccenne chef du Service des Affaires musulmanes et de l'Action sociale*. "Oh-

sized that the French "man in the street would welcome with relief the return of Algerians to their country, and he does not hide his surprise that new immigrants are arriving." Government moves to withhold from all "Muslims" their rights as French citizens—moves that left thousands to die often horrifying deaths in Algeria—were made not for legal or bureaucratic reasons, but in the name of common sense.³¹

Shifts in government terminology, which excluded all "Algerian Muslims" from French citizenship, aligned bureaucratic rules with the assumptions about people from Algeria that now dominated popular metropolitan discussions. This happened when the Hexagon finally began to confront the exodus: it saw not one flight from Algeria, but two. The media, to take one crucial vector of nongovernmental opinion, offered "Muslims" a welcome very different from other—that is, European—"families from North Africa." In *Paris-Match*, and this was true throughout the mainstream press, "Muslims" appeared, above all, as exotic additions to the exodus. One report describes "five families of harkis" arriving just as the boat is about to leave, "with haggard eyes, some twenty men, women and children" whom an "ex-officer had gone to find in their village in Kabylie, to get them away from reprisals."³² Among many on the French left, there was concern that the harkis were the Trojan horse by which the OAS now threatened the metropole. An editorial, "Return of the Harkis," in *France-Observateur* primarily emphasized the role the "Muslim" arrivals might play in "reconstituting the OAS in certain regions." The article detailed what the government could do to restrict and monitor the arrivals of harkis and "reported" on numerous clandestine landings of harkis. While another editorial in the same issue, "Exodus to Marseilles," described "those who are leaving Algeria as acting 'despite the OAS' and 'in fear of the OAS,'" *France-Observateur's* discussion of the harkis cautioned that "as normal as it is that France should shelter and protect the lives of the French Army's Muslim soldiers who consider themselves menaced by the FLN, it would be dangerous to allow the return to the metropole of veritable Muslim commandos of the OAS."³³ In late June, the Communist Party, the new left political party the Unified Socialist Party, and the Communist-aligned labor union, the Confédération Générale du Travail (CGT), protested against the favorable reception given to the harkis, comparing the conditions they encountered with what FLN

ier: Réunion des conseillers techniques pour les Affaires musulmanes" (20 November 1962), 4 in CAC/AN 770346/10.

³¹ Service des Affaires musulmanes, "Synthèse des rapports trimestriels . . . — 1^{er} trimestre (1/1-31/3/62)," 34-35, in AN F/145014. According to SAM statistics, the months after the announcement of the Evian Accords witnessed a new tendency for more "French Muslims" to leave the metropole for Algeria than vice versa. By September, this had ended: once again more "Algerians" or Algerian "Muslims" were coming to the metropole than were leaving.

³² Dominique Lapierre and Maurice Jarnoux, "Avec les passagers d'un nouvel exode," *Paris-Match* 686 (2 June 1962), 109.

prisoners were forced to endure. The PCF called as well for public vigilance against all the repatriates from Algeria, who risked becoming "a reservoir of fascism."³⁴ The government, unlike the press or left-wing politicians, was far more worried about activist infiltration among "French of European origin repatriates" than among harkis. But, despite significant concern about how to detect OAS operatives, at no point during the exodus did any official suggest that the government intervene to prevent non-"Muslims" from fleeing to the metropole. Agencies instead agreed on various intelligence-sharing and surveillance measures to stop such potential infiltrators. This concern eventually led to the reestablishment of the legal obligation of all French citizens to possess and carry a national identity card. Without debate, via the exceptional powers the Law of 13 April authorized, de Gaulle's government again made obligatory a responsibility that had been abandoned after the return of republican rule in 1944.³⁵

If the government was most concerned about the infiltration of the OAS and its potential "European" supporters into the metropole, it chose to act aggressively to exclude "Muslim" Algerians, in particular the harkis. Rather than security concerns, or any kind of explicit embrace of the ideological terms of left-wing rejection of harkis as "collaborators" and OAS "storm troopers," de Gaulle's government affirmed a racialized exclusion. While government officials and the mass media struggled to convince the metropolitan public that the pieds noirs were really French and not Algerian, and that they were not all "fascists," they concurrently denied any right to French identity for Muslim French citizens from Algeria. The image of the isolated, unrooted, and violent harki man displaced descriptions of harki families seeking refuge. Policymakers, for example, began to focus on the former. Amelia Lyons shows that throughout the 1950s civil servants and academics in France grappled with the growing number of Algerian "Muslim" families that were settling in the metropole. She argues that 1962 saw a development that had lasting effects: "Algerian families became so invisible that [subsequently] social welfare administrators and the general public commonly denied their existence in France." This decision to focus on the harkis primarily as men was in stark contrast to the way the government addressed the "European" exodus. Such gendered definitions directly affected the process in which popular presumptions about the foreignness of all "Muslim" Algerians began to take legal form, in the shift in which harkis were no longer "repatriating citizens" but a group of refugees.³⁶

If, in this context, most French people were willing to ignore the citizen-

³⁴ Direction centrale des RG, "Sommaire générale" (Paris, 27 June 1962), 1, in CAC/AN 800280, article 218.

³⁵ Direction de la Réglementation, Ministère de l'Intérieur, "Note pour M. le Ministre. Objet: Identification des Français de souche européenne rapatriés d'Algérie" (4 May 1962), 2, in CAC/AN 920172/09.

ship of the harkis and downplay French responsibility to them, significant numbers of French officials—at the local level and in Paris, elected and not—did express concern about the implications of the Decree of 22 July for what one termed “Algerians having chosen to remain French.” These concerns reinforced the reality of the French identity in question, reminding us of the importance of juridical definitions of citizenship; they also help graph the contours of the denial of that identity that the end of French Algeria produced. The government spurned the rare bureaucratic efforts that proposed to deal with arriving harkis as rights-bearing individuals. The Ministry for Repatriates, for example, proposed establishing a workers hostel in Paris reserved for “Muslim repatriates.” The letter spoke of “isolated Muslims arriving in Paris . . . civilians who have the right to the status of ‘repatriate.’” When an Interior Ministry official rejected the idea, he referred to “Muslims who remained loyal to France” and compared them, not to other French people from Algeria, but to other (foreign) “migrants.”³⁷ As the deadline for filing “declarations of nationality” approached and officials prepared to exclude a group of some eight million people from French citizenship, the secretary of state for Algerian affairs wrote to the minister of the interior. He expressed his concern that “we risk taking the right to vote away from citizens who, according to the ordinance, were guaranteed that they could keep the French nationality that they already possessed.” Like the numerous prefects and mayors who wrote to Paris, he invoked not just French obligations but the sensibilities of the harkis.³⁸ The secretary of state was more explicit than most in pinpointing the racially charged character of the exclusion. He warned the Ministry of the Interior that “no criteria exist that would allow the authorities in charge of revising electoral lists to distinguish with certainty those Muslims with local status who were able to obtain French status from the others.” The complication was purely juridical: “*A contrario*, the only valid proof effectively results from the individual in question’s incapacity to prove that he is governed by common law.” The secretary of state’s approach was less subtle: he urged Interior “to not begin an automatic exclusion [from the electoral lists] that would concern all electors who have a name that sounds Algerian.” Instead, he proposed an approach that at once blatantly revealed the racial nature of the procedure and tried to bend it to republican legality: “It would be better, it seems to me, to instruct those in charge of voting stations to deny, when the case arises, access to the booth to electors of Algerian origin [*sonché*] who cannot prove that they have

French nationality.” In his system, that is, those who looked Algerian would only be dubiously—and not necessarily “un”—French.³⁹

Concern about hurting the patriotic feelings or amour propre of harkis was not one of the primary elements shaping government policy. By 1964, government legal experts affirmed that it was the combination of submitting a declaration and official acceptance of that declaration that determined the French nationality and citizenship of harkis. It was a result of the government’s generosity, not the fact that they previously held French nationality and citizenship. This decision broke with earlier interpretations, which presented the accepted declaration as confirmation of the “maintenance of French nationality.”⁴⁰ After the exodus began no one accepted that having citizenship was sufficient grounds for “Muslims” from Algeria to keep it. De Vernejoul’s report of January 1963 emphasized that it was “unthinkable to make things difficult for those who had fought under our colors,” but the report presented this goal in tandem with excluding “people who took up arms against us or participated in terrorist activities.” With Algerian “Muslims,” excluding the “bad” was, at best, as important as admitting the “good,” and often more so.⁴¹ This bureaucratic gesture—the affirmation that the harkis or FMAs had French nationality, and thus citizenship, only as a result of official acceptance of their declaration—swept away not only integration but the entire history of French Algeria and the “failed” assimilation of “Muslims.”⁴² Government policy emerged as a series of experts and jurists interpreted texts and then interpreted their implications. Without any public debate, or even a single sweeping decision, the French citizenship of Algerian “Muslims” came to seem nonsensical. Distinct from the French, “not prepared for European life,” they now appeared virtually inassimilable. Just months before, their membership in the nation still had seemed reasonable, at least to some.⁴³

Government officials, in particular those in the SAM, had at first conceived the “regrouping” of harkis as a temporary measure, destined, as one note in the summer of 1962 described, “above all to offer them physical and moral comfort while their repatriate dossier is put together and their reclassification studied.” Still working from the assumptions of “integration,” SAM assessments of the harkis foregrounded the need to make the latter

³⁹ Ibid. On later interpretations that insisted that the declaration of nationality itself made the “Muslim” Algerians French, see, for example, CAC/AN 950236/09.

⁴⁰ See the September 28, 1962 letter from Marceau Long, secretary of state attached to the prime minister in charge of the Civil Service, “PP/1 n. 4330, à M. Messaoud Djeghloul, attaché de préfecture, Poitiers (Vienne),” in CAC/AN 19770007, article 210.

⁴¹ de Vernejoul, *Étude des problèmes posés par le rapatriement des réfugiés*, 119.

⁴² Henri Le Corro, “Application de l’ordonnance n. 62-825 du 21 juillet 1962 . . .” (4 February 1963), 2; and, in response, Bernard Lory, Ministère de la Santé publique, “Réponse à . . .” (18 February 1962), 1; both letters in AN F/1c/II/517.

⁴³ Commission de coordination pour la réinstallation des Français d’Outre-Mer, Commissariat général du Plan, “Rapport général du 5 décembre 1962” (5 December 1962), 14, in CAC/AN 950236/09.

³⁷ M. Peronn, “Lettre à M. le Ministre de l’Intérieur” (18 October 1962), 2, in AN F/1a/5013; C. Ernst, “Lettre à M. le Ministre délégué . . . chargé des rapatriés . . .” (29 November 1962), in AN F/1a/5013. For the effects of Ordinance 62-825 on the Civil Service, see Marceau Long, “PP/1 n. 003768. Objet: Application de l’ordonnance n. 62-611 du 30 mai 1962” (Paris, 23 August 1962), in CAC/AN 19770007, articles 210 and 212.

³⁸ Secrétaire d’Etat auprès du premier ministre, chargé des Affaires algériennes, “Inscription et radiation” (12 January 1963), 1, in AN F/1c/II/517.

"feel like free men." This reflected a significant body of official opinion that maintained assimilationist or integrationist assumptions. A December 1962 report for the General Commission for the Plan posited, referring to "repatriated French Muslims," that for the "young" a "near total assimilation is possible."⁴⁴ Such reports presented possibilities for assimilation, first and foremost, as based on material conditions—housing and employment—and not "moral" conditions. Describing the harkis as "much more primitive than [Algerians] who normally settle in France," the SAM reports still made clear that their "integration into metropolitan life" could be achieved. The SAM and the Economic and Social Council persisted until early 1963 in asserting that, as the latter's official report stated, "the harkis and their sons, when they reestablish a normal life here, can integrate perfectly into the French national community."⁴⁵ On the copy stored at the Bibliothèque nationale in Paris, two vertical lines and a question mark score this passage. The frequency of such written interrogations next to similar assertions suggests more than one unfriendly reader: they indicate that "integration" no longer made sense for the harkis. Historians, harkis themselves, and their sons and daughters have only begun to recount the isolation, poverty, and misery to which their fellow citizens subjected them. The status of harkis as a group—and what would become their long-term exile in the supposedly temporary camps in abandoned corners of the provincial "French desert" where they were placed—came to seem normal, natural, as they were considered no longer citizens but refugees. By insisting during the exodus that all French citizens with Koranic civil status prove their suitability to have French citizenship, the Republic institutionalized what had been an uncodified, if widely held suspicion: "Muslims" were so different from the French that only exceptional individuals (and their families) could be assimilated into the nation.⁴⁶

The Mozabite Jews

To grasp how being "Muslim" seemingly became incompatible with French nationality, it is useful to look at the ways that government officials claimed

⁴⁴ Commission de coordination pour la réinstallation des Français d'Ouïra-Met, Commissariat général du Plan, "Projet d'avis sur le rapport général du 5 décembre 1962" (14 December 1962), 7, in CAC/AN 80 A/254.

⁴⁵ SAM, "Synthèse des rapports trimestriels établis par les conseillers techniques pour les Affaires musulmanes—4ème trimestre 1/10–31/12/62," 41, in AN F/1a/5014.

⁴⁶ SAM, "Synthèse des rapports trimestriels établis . . . —3ème trimestre 1/7–30/9/62," 25, in AN F/1a/5014. On the metropolitan welcome of the harkis, see Abdelrahman Mounem, *Les Français musulmans en Vaucluse: Installation et difficultés d'intégration d'une communauté de rapatriés d'Algérie, 1962–1991* (Paris, 2003); Mohand Hammoumou, *Eti sont devenus harkis* (Paris, 1994); and Mohand Hammoumou, with the collaboration of Abdelrahman Mounem, "Histoire des harkis et Français musulmans: La fin d'un tabou?" in *La guerre d'Algérie, 1954–2004: 17 fin de l'immigration et Mohammed El-Bachir*, ed. . . .

another group from Algeria as French in these months. In 1961, by extending "French civil status" to the several thousand French Algerians "with Mosaisic civil status" the government completed the assimilation of Algerian Jews last engaged by the Crémieux Decree (and its reestablishment, along with "republican legality," in 1943). This mass "naturalization" clearly revealed a key role played by the newly undeniable Frenchness of Algerian Jews: naturalizing the emerging boundary between French national identity and Algerian "Muslims."⁴⁷ At the war's close, while almost all Algerian "Muslims" were denied the right to make claims on France, the French Republic welcomed this long isolated group of Algerian Jews as fellow French people, even though their "way of life and morality"—which included polygamy—showed no sign of being easily assimilable. To be Jewish, to quote a pre-Evian secret document, was a "religion," compatible with French citizenship, while to be "Muslim" was "a nationality," thus necessarily foreign. It is worth recalling that this new alignment was in no way foreordained. From the late nineteenth century until World War II, anti-Semites regularly asserted that Algerian "Muslims" were more "truly French" than Jews.⁴⁸

The indigenous (non-Sephardic) Jews of the M'zab, a territory the French conquered in 1852 but did not put under French law until 1882, had been the only French subjects to enjoy "Mosaisic civil status" since 1870. In the process of replacing their "local civil status" with "French civil status," the Fifth Republic applied none of the restrictions—beyond the abandonment of their "privileges" in the metropole or governance by "Mosaisic civil status" in Algeria—that post-revolutionary French authorities had placed on the assimilation of other Jews. Further, when these Algerians—who were ruled by *caïds* (traditional leaders), and dressed in "traditional costumes"—arrived in the metropole during the exodus with no proof that they benefited from "French civil status," extraordinary efforts were made to affirm that they were French.⁴⁹

Several thousand inhabitants of the M'zab, most of them grouped in the communes of Charadaïa, Laghouat, Ouargla, and Touggourt, had maintained what French officials called interchangeably either "Mosaisic" or "Israelite" civil status. This resulted from the late date when French laws were extended to the area. When, in 1882, all Mozabites were placed under French law for

⁴⁷ See Patrick Weil, *Qu'est-ce qu'un Français? Histoire de la nationalité française depuis la Révolution* (Paris, 2002), 227–29.

⁴⁸ See Richard C. Vinen, "The End of an Ideology? Right-wing Antisemitism in France, 1944–70," *Historical Journal* 37, no. 2 (1994): 365–88, 380; and Daniel Leconte, *Les pieds noirs: Histoire et portrait d'une communauté* (Paris, 1978), 208. Judith R. Walkowitz has noted parallel claims that certain of Britain's South Asian colonial subjects were "more British" than European Jewish immigrants to the United Kingdom. See "The Indian Woman, the Flower Girl, and the Jew: Photjournalism in Edwardian London," *Victorian Studies* 42, no. 1 (Winter 1998–1999): 3–46, 6–7.

⁴⁹ Sarah Sussman, "Changing Lands, Changing Identities: The Migration of Algerian Jewry

criminal and public matters, Mosaic law for civil status questions reemerged in the administrative space that the Territories of the South made up alongside the Algerian departments. The 1870 Crémieux Decree had ended its role elsewhere in this area. French recognition of the jurisdiction of existing legal regimes over "civil status" allowed this development. No move to replicate the mass assimilation of the Crémieux Decree seems to have been considered, because of growing anti-Semitism in the metropole and, particularly, in Algeria.

After 1947, French authorities repeatedly considered whether to make the Mozabite Jews into French citizens with "common" civil status. In 1953, the first proposal was introduced in the Assembly of the French Union. The French National Assembly in April 1956 discussed a bill similar to the one eventually approved in 1961.⁵⁰ The Jewish communities of the M'zab were reluctant to abandon Mosaic civil status, French bureaucrats agreed, because of the "complete liberty," the absence of "any oversight or administrative or judicial sanctions" that local status offered. This was most important in matters concerning women. Not only did Mosaic civil law allow polygamy, it also authorized "repudiation," a man's right to end his marriage by putting his bride out of the home and returning her dowry. Mosaic civil law also excluded women and girls from any inheritance.⁵¹

In 1961, the "evolution of the situation in Algeria since 1960" was given as the reason that the Mozabite Jews themselves had requested their assimilation, overcoming the resistance of "traditionalist Jews." Law 61-805 of 28 July 1961 transformed these "French citizens of Algerian departments and the Departments of Oasis and of the Sahara [the former Southern Territories, which had become departments in 1958] who have kept their Israelite personal status" into French citizens with "common law civil status." The government's action was extraordinary in that it was the first group assimilation in North Africa since 1870 and the Crémieux Decree. The post-1958 "policy of integration" already had extended full French citizenship to these "Berber Jews." With integrationism's promise to reconcile all Algerians with France no longer tenable, this "naturalization" reproduced assimilationist precedents.

Like 1870, the 1961 entry of Mozabite Jews into common civil status af-

⁵⁰ Proposition n. 259 of Assemblée de l'Union française séance du 24 juin 1952; 6 April 1956, *Legislation* 713 6 A3. On the Jews of M'zab, see Régine Goutalier, "La nation juive de Chardaïa," in *Communautés juives des marges sahariennes du Maghreb*, ed. Michel Abitbol (Jerusalem, 1980), 115-36.

⁵¹ Charles Kleinknecht, administrateur des Services civils, ancien sous-préfet de Chardaïa, "Lettre à M. Corré" (Barr, 17 May 1965), 1-2, in CAC 950236/9 [C/3614]. On polygamy, see Jean Moriaz (former Commissaire de l'état civil des Juifs du M'zab), "Situation des Israélites de M'Zab" (Lyon 29 March 1963); see also M. Meylan, "Précis de la législation coloniale: Les mariages mixtes en Afrique du Nord"; Sénateur Abel-Durand, "Rapport . . . relatif à la constitution de l'état civil des Français des départements algériens . . . qui ont conservé leur statut personnel israélite, et à leur accession au statut civil de droit commun: Annexe au procès-verbal de

firmed republican confidence in the powers of the French state to transform whole groups of people trapped by their particular differences into individual citizens of "universal" France. A Communist deputy in the National Assembly criticized this presumption when, referring to the "Algerian Israelites," he identified both the law under debate and Crémieux as "assimilationist," a policy that now, he argued, was "completely out of date." (This did not mean he supported integration.) Insisting that all Mozabites were Algerians, the deputy opposed the law both as a colonial holdover and as a tactic to bolster French pretensions that the Departments of the Oasis and Sahara were not part of Algeria.⁵²

The Fifth Republic returned to assimilationism but ignored some of the key presumptions that underwrote it. The Mozabite population had had less contact with the French administration than their "Muslim" neighbors, the reason that, unlike most of their neighbors, they had not been required to take a family name. Like their neighbors, they were ruled by elders and practiced polygamy.⁵³ For these reasons alone their assimilation was contrary to the entire rhetoric and history of French assimilation. Like Muslim French citizens from Algeria, the Jews of the M'zab had benefited from the affirmative action-style "exceptional promotion" measures applied in Algeria after 1956. Above all, the Mozabite Jews were assimilated in 1961 because it clarified who was whom in Algeria: it consolidated the emerging divide between Algerians who were "Europeans" (a category that now encompassed Jewish Algerians) and those who were not (and who were thus wholly Algerian).⁵⁴ In 1961, the law made these Mozabites French people without qualification. The hand-corrected drafts of the proposal make this crystal clear, rejecting standardized legal formulations in order to minimize the "Jewish" and "Algerian" aspects of their juridical status and emphasize their Frenchness. The first draft referred to "French Israelites of the departments of Sahara and Algeria who have conserved their personal status." It relied on a ready-made formula that paralleled legislative references to "French Muslims of the departments of Sahara and Algeria who have conserved their personal status." On the page, someone crossed out "Israelite" and moved the qualifier to the end of the phrase: *statut personnel israélite*. The second draft incorporated the suggestion by redoubling the invocation of Jewish identity,

⁵² Maurice Niles, "Discussion d'un projet de loi: Etat civil des Français israélites . . .," in *J.O.* (1961), 1564.

⁵³ Jean Moriaz, "Situation des Israélites de M'Zab" (Lyon 29 March 1963), 1, in CAC 950236/9 [C/3614]. Between 1925 and 1960, the administration extended into the Sahara the regularization of "legal identity" (*état civil*) that the Law of 23 March 1882 had applied to all Algerian "Muslims." These efforts required all "Muslims" in Algeria and the Territories of the South to take a surname, an act that made them eligible for identity cards. As people not governed by Koranic civil law, the Jewish inhabitants of M'zab remained unaffected, more by legislative ignorance and bureaucratic rigor, it seems, than for any particular reason having to do with the law.

reading "French *Israélites* of the departments of Sahara and Algeria who have conserved their *Mosaic* personal status." After another version, which read "French people . . . who have conserved their *Israélite Mosaic* personal status," the final terminology reaffirmed the importance of the first correction in removing any qualifier to the subject: Français. It placed "Israélite" at the tail end ("Français des départements du Saoura et de l'Algérie qui ont conservé leur statut personnel israélite"), distant from the subject, where conveniently the law could make the distinction between these French citizens and most others disappear.⁵⁵

In May and June 1962, the Mozabite Jews of the southern communes left Algeria for France. In the course of their exodus and that of local French officials all the documents that registered their accession to French civil status were lost. These new arrivals in the metropole had no proof of their "French civil status"; most, to make matters worse, had forgotten their names! Exceptionally, the former French citizens with Mosaic civil status had been allowed to choose not only family names but new first names as well, this despite the protests of the local official charged with applying the law. In early 1963, as part of an administrative effort to assess what should be done, he recounted that many of those affected by the accession to common civil status had sought his assistance, not only to choose family names that sounded French but to rid themselves of first names that "sounded Arab"—Youssef, Aïcha, Brahim, Guemra." A list of their new names appeared in the *Journal officiel* 1961. But after the exodus, there was great uncertainty about which names could be supposed to belong to whom. There was no documentary proof of the link between the names of French citizens with French civil status published in the *J.O.* and the individuals and families claiming repariate status. After failing in their attempts to recover the lost records from local Algerian officials, the French government agreed to rely on the testimony of the former officials who had overseen the initial operation.⁵⁶

In the 1930s, an explicitly anti-Semitic law had demanded that Algerian Jews provide documentary proof that their ancestors were living in the Ottoman territories that became the Algerian departments (an almost impossible task) or risk losing their citizenship. In 1962, France did all it could to recognize the status and rights of its Jewish citizens from the M'zab who came over in the exodus. Not only that: Mozabite Jews who had left Algeria, who sought refuge in Israel, and who now wanted to relocate to France (who like their fellows had no proof of their "French civil status") also benefited from this bureaucratic generosity.⁵⁷ The Law of 20 December 1966,

which set forth new regulations on the access of people from Algeria to French citizenship, again reaffirmed official insistence that Jewish Algerians were French, whether they had documentary evidence of their citizenship or not. Several mayors and deputies had expressed concern about how this law would affect a number of Jews, most from the M'zab, who had emigrated to Israel and now sought to have their French nationality recognized. Among its measures, the law excluded from French nationality people from Algeria who had obtained any other nationality but French. The 1 March 1967 circular, which detailed how the law was to be applied and directly responded to the elected officials' concerns, pointed to the law's preamble: the reference to "other nationality refers only to Algerian nationality." What was implicit was that Israeli nationality did not count.⁵⁸ This recalled other French efforts, in 1961 and 1962, to counter Zionist claims on Jewish French citizens from Algeria at the very moment that they were abandoning efforts to counter Algerian nationalist claims on Muslim French citizens from Algeria.

The Algerian War's reaffirmation that Jews from Algeria were fully French provided crucial support to the pretension that the French Republic shorn of Algeria was the same as that which had included Algeria. French actions guaranteed that all Algerian Jews were French citizens and, in doing so, insisted that assimilation—and, far more important, republican universalism—did not need to be rethought in light of Algeria, its French history, or its revolution. Assimilation still functioned, a belief that plans to assimilate all pieds noirs into the Hexagon reinforced. It no longer made sense for Algerian "Muslims," however. Republican ideology, too, emerged unscathed from France's failure to transform Algerians into French people. What immediately did change, as the next chapter assesses, was the Republic itself, and its relationship to people who remained French. In a series of elections in fall 1962, de Gaulle's allies mobilized understandings of who was French that had crystallized in the exodus: the thorough restructuring of state institutions achieved in the fall depended on popular anxieties about French identity that the events and debates of the spring and summer had pushed to the fore.

and profoundly tied to the European community." Accentuating the reliance on assimilationist rhetoric, de Rothschild described his organization's attention to "geographic decentralization" in settling them. Within days, this request was granted. See "Lettre à M. le Ministre de l'Intérieur" (Paris, 15 July 1964), 1-2, in CAC 880502/44; and M. Cantan, "Réponse à Guy de Rothschild, Président du Fonds social juif unifié" (15 July 1964 and 24 July 1964), in CAC 880502/44.

⁵⁸ See MJ/FA 554 113 for letters of inquiry and circular.

⁵⁵ Emphasis added. See CAC 950236/9 [C/3614].

⁵⁶ See Moriaz, "Situation des Israélites de M'zab."

⁵⁷ Two years later, a similar generosity was extended to several Jewish North Africans who were not French citizens and who did not have French nationality. Writing on behalf of a group of Tunisian and Moroccan Jews, Guy de Rothschild, president of the Fonds social juif unifié, noted that *Evreim ovedim v'otomahim ha'no'arim ha'done'arim ha'as'ivim* (The Jewish immigrants