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A study of French real estate policy during the colonial period in Algeria (1863-1897) and its impact on Algerian society.

Étude de la politique foncière française pendant la période coloniale en Algérie (1863-1897) et son impact sur la société algérienne

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Abstract:

The issue of Algerian real estate ownership during the French colonial period is a significant issue in the modern and contemporary history of Algeria. Therefore, we wanted to shed light on this issue, as it touched on several political, social, economic, and even cultural aspects. For this reason, we will attempt to focus on the issue of land ownership and the policy pursued by the French colonial administration, by dismantling this type of land ownership, especially the issue of the confiscation of Algerian lands from 1863 to 1897 AD. Through this, the French occupation realized that land in Algeria is of great importance to the cohesion and solidarity existing among Algerian tribes and clans, and that it can only be controlled through division and dispersion to facilitate the process of subsequent control. Consequently, the issue of confiscating their lands and creating another force represented by European immigrants from various European countries ensured the continuity of France in Algeria.

To achieve this goal, it was necessary to enact an arsenal of laws and decrees that paved the way for its realization, namely complete control over the fertile and productive Algerian lands, in pursuit of prosperity and development for the French economy. Since this study is time-bound, it will address all laws related to this period and their impact on society. We will focus on Algerian society through the study of archival documents and sources related to the study, in order to achieve our objectives, the most prominent of which is to understand the policy pursued by the French colonial administration regarding real estate ownership in Algeria, in all its types and forms, and the extent of the success of the legal arsenal enacted by France in terms of legislation pertaining to real estate ownership. We will then arrive at the consequences of these laws, applied during the colonial period, especially during the French Second Empire and later the French Third Republic, and their impact on Algerian society.

Based on these objectives and to address this topic, we ask the following fundamental question: To what extent was the policy pursued by the French colonial authorities regarding land confiscation from 1863 to 1897 in Algeria, successful, and what were its effects and repercussions on Algerian society? in order for this research to be academic, In order for this research to be academic, we adopted a narrative, descriptive, analytical, and critical approach.

Occasionally, we used a comparative approach to compare the laws applied to the Algerian population and European settlers. This study, which deals with the issue of French land policy during the colonial period in Algeria, includes several elements, the most important of which are the types of land ownership in Algeria, prior to the French occupation, such as tribes lands, property lands, waqf lands, and other types. Then, we move on to the issue of confiscating lands in Algeria, from the indigenous population and granting them to the benefit of colonists and settlers of various nationalities. This was done through the enactment of laws issued by the French authorities from 1863 to 1897 AD, beginning with the Senatus Consulte Law of 1863 and ending with the Law of

February 16, 1897. All of these aimed to achieve the goal of destroying and dismantling Algerian society and creating an alternative society completely similar to French society.

Consequently, the French authorities confirmed that their continuation and presence in Algeria were fundamentally linked to their success in expanding the settlement process and creating a society that was a mixture of the indigenous people and the European settlers. French real estate policy in Algeria was largely in favor of the settlers and did not take into account the interests of the indigenous population. Most of the laws and decrees enacted by France during this period, from 1863 to 1897, appeared to equate the settlers with the indigenous people, but in reality, they served the interests of the settlers. After reviewing archival documents, it became clear that these laws were premeditated.

Keywords: French occupation – real estate issue - land confiscation - laws – politics

Résumé :

La question de la propriété foncière algérienne pendant la période coloniale française est un enjeu majeur de l'histoire moderne et contemporaine de l'Algérie. Nous avons donc souhaité l'éclairer, car elle touche à plusieurs aspects politiques, sociaux, économiques et même culturels. Nous nous concentrerons donc, sur la question de la propriété foncière et sur la politique menée par l'administration coloniale française, notamment la confiscation des terres algériennes de 1863 à 1897. L'occupation française a ainsi compris que la terre en Algérie, était essentielle à la cohésion et à la solidarité entre les tribus et les clans algériens, et que son contrôle ne pouvait se faire que par la division et la dispersion, afin de faciliter le processus de contrôle ultérieur. Par conséquent, la confiscation de leurs terres et la création d'une nouvelle force, représentée par les immigrants européens de divers pays, assurent la continuité de la France en Algérie.

Pour atteindre cet objectif, il a fallu promulguer un arsenal de lois et de décrets qui ont ouvert la voie à sa réalisation, à savoir le contrôle total des terres algériennes fertiles et productives qui assurent la prospérité et le développement de l'économie française. Cette étude, limitée dans le temps, abordera l'ensemble des lois relatives à cette période et leur impact sur la société. Nous nous concentrerons sur la société algérienne, à travers l'étude des documents d'archives et des ressources liées à l'étude, afin d'atteindre nos objectifs, dont le plus important est de comprendre la politique menée par l'administration coloniale française concernant la propriété foncière en Algérie, sous toutes ses formes, et l'ampleur du succès de l'arsenal juridique français en matière de propriété foncière. Nous analyserons ensuite les conséquences de ces lois, appliquées pendant la période coloniale, notamment sous le Second Empire puis la Troisième République, et leur impact sur la société algérienne.

Partant de ces objectifs et pour aborder ce sujet, nous avons posé la problématique fondamentale suivante : dans quelle mesure la politique menée par les autorités coloniales françaises en matière de confiscation des terres en Algérie de 1863 à 1897 a-t-elle été efficace, et quels ont été ses effets et répercussions sur la société algérienne ? Pour donner un aspect académique à cette recherche, nous nous sommes appuyés sur une approche narrative, descriptive, analytique et critique. Nous avons parfois eu recours à l'approche comparative pour comparer les lois appliquées à la population algérienne et aux colons européens. Cette étude, liée à la question de la politique foncière française pendant la période coloniale en Algérie, a inclus plusieurs éléments, dont les plus importants étaient les types de propriété foncière en Algérie avant l'occupation française, tels que les terres de tribus, les biens domaniaux, les terres de waqf (biens de fondation pieuse), etc.

Nous avons ensuite abordé la question de la confiscation des terres en Algérie à la population indigène et de leur attribution au profit des colons et des colonisateurs de diverses nationalités. Cela s'est fait par l'adoption de lois promulguées par les autorités françaises de 1863 à 1897, de la loi du Sénatus-Consulte de 1863 à la loi du 16 février 1897, qui visaient toutes à détruire et à démanteler la société algérienne et à créer une société alternative totalement similaire à la société française. Par conséquent, les autorités françaises ont confirmé que leur maintien et leur présence en Algérie étaient principalement liés à leur degré de succès dans l'expansion du processus de colonisation et la

création d'une société mixte entre les populations indigènes et les colons européens. La plupart des lois de la politique foncière française en Algérie, étaient favorables aux colons et ne tenaient absolument pas compte des intérêts de la population indigène. La plupart de ces lois et décrets promulgués par la France pendant cette période, de 1863 à 1897, semblaient assimiler les colons aux autochtones, mais en réalité, ils servaient les colons. Après examen des documents d'archives, il est apparu clairement que ces lois étaient antérieurement, planifiées.

Mots-clefs: occupation française - problème de propriété foncière - confiscation des terres - lois - politiques

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Introduction:

Since the French occupation of Algeria in 1830, France has established its presence, continuity, and continued existence in Algeria as fundamentally linked to the success of the settlement process, in all its various forms and methods. Its success hinged primarily on the ability of the French colonial authorities to provide the necessary land for settlers, as this issue represents the fundamental basis for implementing various exploitative colonial settlement projects. Therefore, the French administration employed various methods, including urban, military, legal, and illegal, to seize lands from Algerians and facilitate its transfer to European colonists.

On that account, the French colonial authorities adopted various methods and approaches to seize these lands. Their justification for these arbitrary practices was based on flimsy and false claims. For example, most Algerian lands before the French occupation were vacant and ownerless. Land in Islam belongs to God and then to the ruler, God's caliph on earth. Based on this, Algerian land is in the hands of the Algerian authority, i.e., the Dey. Upon the latter's demise, it becomes the right of the French colonial authority, as the legitimate heir of the Algerian government. However, the real objective behind this was to obtain the largest possible real estate holding, allowing it to settle European immigrants in order to consolidate its colonial control and hegemony, and, on the other hand, to facilitate the economic drain on the country.

For this reason, the pace of the legal arsenal accelerated, represented by the issuance of laws and decrees since the Annexation Law of 1834, which officially approved the annexation of Algeria to France. This decision was issued by the African Commission, which was established in 1833 AD. It was an investigation committee formed by France, which allowed for the actual practice of occupation, so that the process of confiscation began in a clear, rapid and terrifying manner, starting with the lands of the Beylik and the Waqf, then the lands of the tribes and other categories of Algerian society, which led to the anger of the people on many occasions and the emergence of resistance and uprisings rejecting this arbitrary colonial policy.

To better understand this French colonial policy, we turned to several previous specialized studies that addressed the subject from various perspectives, including Algerian ones. For example, we mention Ṣāliḥ Hamir's doctoral dissertation, "French Land Policy in Algeria (1830-1900)," which addressed various political and economic aspects related to property ownership during this period. However, it lacked some precision in the laws and some statistics. Another dissertation in the same vein, by Abd al-Karīm Ḥurma, was titled "The Confiscation of French Colonial Lands and Its Implications for Algerian Society" (1834-1900). This dissertation addressed most of the laws issued by the French authorities during this period, concerning the confiscation of land from the indigenous Algerian population by the French authorities for their own benefit. As for previous foreign studies, they are diverse. We mention, for example, a doctoral thesis entitled *État de la propriété rurale en Algérie* by Marcel Calveli, as well as the practical encyclopedia entitled " *La*

propriété foncière en Algérie " by Pouyanne M. and various academic articles that dealt with the subject in an analytical and critical manner.

We mention, for example, the article « *La domanialisation*: *La propriété foncière en Algérie: la spoliation couverte de l'habit de la légalité*." by Professor Ṭāhar Khalfūn as well as another article by Professor Saʿūdī Yasmina entitled " *Qabīlat Ath Kānī wa-l-siyāsa al-ʿaqārīya al-faransīya: dirāsa min khilāl al-ārshīf mā warā' al-buḥūr* In addition, we relied on some archival documents present in the Overseas Archives, from which we benefited greatly. According to the Senatus Consulte Law, the box bearing the numbers F80/1806 and F80/1810, as well as documents related to the seizure process applied to Algerians following the uprising of Sheikh al-Miqrānī and al-Ḥaddād in 1871, and the box bearing the number F80/1805, which contained two sets of documents: the first document related to the land system from 1830 to 1962, and the second document related to the census policy implemented by the colonial administration from 1859 to 1862. In addition, there are official publications of the General Government in Algeria, such as the Official Bulletin of Algeria. Also, by reviewing these studies on the subject.

This fundamental question is presented, attempting to understand the policy pursued by the French colonial administration regarding land confiscation from 1863 to 1897 in the Algiers region, and its effects and repercussions on Algerian society. This question implies further sub-questions: What was the status of the Algerian land system before the occupation ? How did the French colonial authorities deal with it? What were the objectives of French land policy in Algeria and the most prominent laws and decrees designed to achieve this goal? What were its repercussions on Algerian society? To address these aspects of the topic, we followed An academic methodology that began with defining the topic, presenting the fundamental problem, then moving on to posing subsidiary questions, and arriving at positive conclusions on the subject, using an analytical, descriptive, and comparative approach. The goal is to compare French legislative laws during this period.

This study focused on a group of sources and references of various types, including archival documents numbered from F80/1805 to F80/1810, which included the land system and the inventory policy implemented by the French colonial administration, documents related to most of the laws [1]issued from 1863 to 1897, most of which we greatly benefited from in this practical study, in addition to some basic sources and references, including the Law of June 18, 1851, entitled "Property in Algeria" by Rodolphe Darest, as well as some decrees issued in 1845 and 1846. Another very important source, entitled "Un Projet de loi sur la réorganisation de l'Algérie " by Victor Valette, is also an important source in this study, as it addresses French policy in Algeria during the colonial era in its various forms, as well as most of the laws related to land ownership policy. There are several important sources relied upon in this study.

1. Forms of Land Ownership in Algeria Prior to the French Occupation:

In order to understand the various aspects of French real estate policy, which the colonial authorities pursued to achieve their objectives in Algeria during the period extending from 1863 to 1897, it is necessary to address the status of real estate ownership prior to the French occupation of Algeria. We must clarify the nature and characteristics of the real estate system that was prevalent and applied during this period, by reviewing the forms of real estate ownership, which have been summarized into five types:

1.1. Lands Ownership:

These are lands subject to direct exploitation by their owners, who have the right to dispose of them freely, whether by selling, renting, gifting, or leaving them to heirs. Therefore, they are privately owned lands[1]. Some compare the ownership lands in Algeria to private ownership in France (Eugène 1849: 7). However, the type of private ownership in Algeria differs from private

[1].A.N.O.M/.FM, /carton/f80/522./N°91 1N-, Propriété Indigène et, Propriété de L'état dans la Province de Constantine 1841-1847.

ownership in Europe. Individuals have the right to sell whenever they wish and with complete freedom. Though, individuals in Algeria are bound by restrictions. For example, they cannot sell unless they obtain the consent of their heirs. So, if they do not agree, they are subject to restrictions. The seller finds himself the object of contempt and disdain from the tribe to which he belongs

In terms of the geographical division of ownership lands in Algeria, they can be divided into two types: properties close to urbanized areas, and internal properties close to the mountainous, plateau, and plain regions of the interior. Regarding properties close to urban areas, which are called "*faḥūṣ* " (examinations)[22], they consist of orchards planted with vegetables, fruits, vineyards, and grains. In the "fahs" of the city of Algiers, these lands were owned by state employees, prominent merchants, and consuls.

As for ownership lands located in rural areas, they were less fertile and productive, required a large workforce, and were more prevalent in mountainous regions that were not under Ottoman control. Examples include the Greater Kabylie region, the Aurès region, and other areas in the Algerian countryside, as well as in the mountainous highlands between Tlemcen and Mascara. As for the remaining plain areas, the ownership lands are concentrated in the areas where the tribes that accepted Turkish authority reside, or even those that were controlled through an agreement and thus had the right to own and protect them. (Arthur 1904: 577).

1.2 .Tribes lands:

Tribes lands are among the most important types of real estate ownership in Algeria, from the beginning of the eleventh century AD to the present day. They were exploited by most of the nomadic tribes residing in Algeria. In the regions of Algiers and Constantine, they were known as "Tribes lands." In the western region, in the areas of Oran, Mascara, and Tlemcen, they were known as "sebkha"[3] It should be noted that this type of land ownership was widespread in many Algerian regions outside Turkish control at the time. However, in French writings, this type is referred to as "collective ownership" (Calvelli, 1935: 10).

It can be concluded that the tribes lands in Algeria, in our opinion, existed. If they were not an invention of the French colonial administration, then it was the latter that established this definition or name for them, and the goal behind this was to enable investment in the lands of the tribes, which is confirmed by Larcher: The theory of tribes lands was not an invention of the French colonial administration, but rather it was intended to generalize it and make it a tool for influencing the tribes and even usurping their property (L. Emile 1911:, 23).

As for the method of benefiting from and exploiting the tribes lands, the tribe itself has the right to benefit as it wishes without disposing of it, and the members of the tribe have the freedom to exploit and benefit from this land according to needs and necessity. The general rule in the tribe was based on the general principle that every individual in the tribe has the right to freely exploit and benefit individually from the area of land according to his ability and the extent of continuity in reviving and serving it (Lefébure 1896:, 727). The communal council was established for this purpose, and in the event of the death of one of the beneficiaries of the area of land, it is transferred directly to the direct or indirect male heirs.

From here, it is understood that women are excluded from inheriting the lands of the tribe. This is to preserve the land of the group and therefore to prevent another person from coming from outside the tribe and interfering in the process of benefiting from the land. This is according to my personal opinion by excluding women and inheriting the lands of the tribe. (Haramah 2022: 31-30).

[2]. A.N.O.M/.FM./Carton/f80/1674/01.'Résumé général de la situation en Algérie en 1841.
[3] .A.N.O.M/FM/ la colonisation 1832-1942, serie, L1/65.

1.3. The lands of the Beylik or Dar al-Sultan:

In Morocco, they were known as the lands of the Makhzen, and in Tunisia and Algeria, as the lands of the Beylik. These lands belonged to the central authority represented by the Dey and the Beys. They were seized by the Turks in the early sixteenth century. They are considered among the best, most fertile, and most fruitful lands, as they contain meadows, orchards, gardens, and areas suitable for cultivation. These lands are located near cities and towns, where garrisons are stationed and transportation routes are available. These lands are therefore easy to control and dominate. These lands are abundant in the eastern region of Constantine and the plains of Annaba and Setif, and are also found in other regions of the country, such as the plains of Mitidja, Chlef, and Oran. (Tahar 2016: 56-57).

As for the method by which the state or the bāylīk. acquired these lands, it varied, either by confiscation, as happened with the properties of the Ouled Abdel Nour tribe during the reign of Ḥāj Aḥmad Bāy (Nouschi 1961, 88), or by purchase. As for those tribes that refused to pay the taxes imposed on them, or that declared their disobedience to the state officials or their rebellion against the central government or the beylik, they were removed and displaced from their lands, and thus they were directly considered the property of the beylik. Similarly, lands that were vacant and had no owner or heir and were considered vacant were considered the property of the state or the bāylīk.. The beylik also had the right to own and control dead lands, especially forests, woodlands, and grazing lands. The area of the beylik lands was estimated on the eve of the French occupation of Algeria at 1.5 million hectares[4].

2.Waqf lands:

The issue of Waqf lands in Algeria is linked and related to a religious issue, given that Algerian society is Muslim. Therefore, it was known before the arrival of the Turks, and thus it witnessed a clear spread during the period the Ottomans were present in this blessed land, but it is noteworthy that the French found it difficult to understand the characteristics of this type of property. One French writer expressed this by saying that "endowments" are a hidden word, full of storms (M. Blanqui 1840: 22).

As for the division or classification of endowment properties, they are divided into two major categories, based on their use and benefit: charitable endowments, family endowments, and charitable endowments, or general endowments, as they are called. These endowments are directed to charitable causes and benefit the public. This is in accordance with the Maliki school of thought, which stipulates that the endowment's benefits must be for the public good (Muhammad 2001: 56).

As for the family, original, or family endowment and other names, it is designated for the benefit of the children and offspring, and it is stipulated that when the offspring become extinct, it will go to a charitable cause. According to the Ḥanafī school of thought, it is permissible for the owner of the endowment to retain the benefit of his endowment for himself and his offspring afterward, and it is not permissible to spend it on another cause except after his offspring have

2.1 The French Policy of Confiscating Algerian Lands 1863-1870.

The French occupation of Algeria pursued a real estate policy based primarily on the confiscation of various types and forms of land and the dispossession of its owners. The goal was to encourage settlement and seize the most fertile and best Algerian lands, while impoverishing and starving the Algerian people and depriving them of their livelihood. This exacerbated the country's economic and social conditions. The French occupation sought to achieve this goal by enacting an arsenal of laws and decrees to rob as they pleased.

[4]. .N.O.M. FM, carton/f80/1805/ Régime foncier (domaine, terres de colonisation propriété indigène) législation, notes et rapport (1884/1861):concessions de terres domaniales à des indigènes (1853-1860) régularisation de concessions faites à des indigènes de la Province de Constantine 18

2.2 .The Senatus-Consulte Law of 1863

2.3. Background of the Senatus-Consulte Law in Algeria:

After the occupation of Constantine, the surrender of Emir Abd-el-Kader, and the expansion of the occupation, immigration activity increased significantly, especially after the outbreak of the revolution known as the Parisian Revolution in 1848 and its resulting consequences, particularly the forced migration of unwanted persons to Algeria. Demand for Algerian lands increased, forcing the French colonial authorities to obtain a new formula for owning these lands that would meet the requirements of the new settlement. They found no solution to this problem other than the tribes' lands, so they endeavored to enact laws and decrees that would allow them to expropriate real estate from their original owners. This began with the law of 1851, followed by a policy called the "confinement policy," leading up to the Senatus-Consulte Law of 1863.

2.4.Law of June 16, 1851 AD.

As a result of the large influx of European immigrants to Algeria, especially after the 1848 revolution,[5] and the surrender of Emir Abd-el-Kader, the French colonial administration realized that it was necessary to expand the scope of settlement to include all Hill regions and also to allow foreign investment companies to exploit the forest resources. In mid-1850, a committee was formed to prepare a draft law establishing property rights in Algeria. This draft law was drafted by an advisory committee and presented to the National Assembly on March 24, 1850. Among the basic and fundamental points it contained was that property rights were guaranteed to all, and that there was no difference between indigenous owners, French owners, or others. It also recognized the property and usufruct rights of the tribes (Maurice 1900: 59).

This law consists of five chapters: the first concerns the national domain; the second concerns the domains of municipalities, provinces, or districts; the third concerns private property; the fourth concerns expropriation and temporary occupation (Dareste 1863: 30). The final chapter concerns public interest. Regarding general procedures, some of the remaining procedures and operations approved by the Decree of July 21, 1846 note 5, see for more information note 6. Chapter One of this law, beginning with the text of Article 1, relates to the national domain (Domine National). It was divided into the public domain (Domaine Public) and the State domain (Domaine de L'état).

Regarding the public domain, Article 2 of Chapter 1 defines it in elements, including the following:

- All State property defined by French law as non-private property.

- In addition, all navigation, irrigation, and drainage canals constructed by the state or at its expense for the purpose of the public interest, and the lands attached to these canals, including water canals and wells used for public benefit.

- Salt lakes, watercourses of various types, and springs, with the exception of those previously known private rights over lakes, sewers and springs. Ordinary courts have the right to hear disputes arising from such private rights. Regarding state property, Article 4 of this law defines it.

According to French law

- Considering all forests and timber as state property and all properties stipulated by French law.

[5].Bulletin officiel des actes du Gouvernement, N° 388. Loi du 16 juin 1851, relative à la constitution de la propriété en Algérie p/338

- The movable and immovable properties, rights, and real estate belonging to the Beylik or others that were annexed to the domain by decrees or orders issued before this date, i.e., June 16, 1851 (louis, 1882:, 6-7).

- All properties that were seized and confiscated in the domain based on the decree issued on October 31, 1845, and also in accordance with Article 14, which stipulates that lands may not be sold to anyone outside the tribe, but rather to the state, which uses them as it deems appropriate (Perrioud: 1867:, 1002-1003).

-This law contains several different chapters, all of which relate to the issue of real estate ownership, whether movable or immovable, as well as the issue of domain rights, whether private or public, and the domain related to the state, which French law has defined in multiple chapters and articles. For example, we find that Article 17 of Chapter Three of this law, which relates to private property, is related to Article 10, which stipulates... The sanctity of property without discrimination between indigenous owners, French owners, and others. See also Article 11[6] that stipulated the recognition of property rights and usufruct rights that existed during the occupation or were subsequently settled or established by the French administration for the benefit of tribes or sub-tribes (Valette 1881: 59-60).

As for the division of domains into municipalities and provinces, it is necessary to point out the division established by the French colonial administration in Algeria following its decree of April 15, 1845, which divided Algeria into three provinces: Constantine, Algiers, and Oran. A civil administration was established in each province, based on the decree of September 1st , 1847, and finally the decree of December 9th , 1848, which stipulated that Algeria would remain in the form of three provinces, each of which would include a city and a military zone. It also stipulated the establishment of a province, with the province divided into districts and districts into municipalities. Until the issuance of the law of June 16th , 1851, these remained in existence only in name, with no real presence on the ground (Ménerville 1866: 593).

Finally, It can be said that this law did not achieve the desired results, as it maintained previous procedures and did not resolve the real estate problem in Algeria except through some partial amendments. Despite this, it received significant criticism from settlers, particularly regarding the sanctity of property for the residents, who saw it as an obstacle to the expansion of settlements.

However, the French colonial authorities retained the right to confiscate Algerian lands, and their pretext for doing so was to take into account the public interest with the possibility of relinquishing them for the benefit of settlement. As a result, there was no point in amending them as long as they served the purpose of expanding the settlement process. However, the most dangerous aspect of the law of June 16th , 1851, was the false idea of the concept of the lands of the tribes, the pretext for which was that the state had the right of ownership of all lands of the tribes, and the right of usufruct remained the right of the tribes. Based on this idea, the French colonial administration was able to wrest ownership from the hands of the Algerians in a deliberate and broad manner (Peyrimhoff 1906: 21) with the aim of establishing settlement centers without distinguishing between military and civilian areas. The privileges granted by the colonial authorities in the period 1850-1860 were estimated at about 81 privileges with an area estimated at about 50,000 hectares (Ch. R. Ageron 1979: 31).

3. The Senatus-Consulte Law of 1863 (Sénatus-Consulte).

The Senatus-Consulte Law, issued on April 22nd , 1863, represents an important turning point in the history of French legislation, given its consequences in various political, economic, social, and cultural fields, as well as its impact on Algerian society. Therefore, we will attempt to address and clarify this law and what effects resulted from its implementation, particularly for Algerian society

[6]. Napoléon, Code. Art 538. Edition originale et seule officielle.1810. Paris

3.1.Circumstances of its issuance:

With the fall of the Second Republic and the rise of the Second Empire, led by Napoleon III in 1852, Napoleon III's policy toward Algeria was characterized by fluctuations and instability. Its primary goal was to integrate Algeria into France. His policy was to confine the population and force them to cede their land, while he attempted to appease the settlers by encouraging official capitalist colonialism. During his reign, the military regained its influence in Algeria, starting with the appointment of General Randon[7] (Narcisse 1889: 507-509) as Governor-General of Algeria, who encouraged settlement and the construction of settlement villages. During his tenure, approximately 56 settlement villages were built (Yahya 2007: 15).

However, the most dangerous step taken by Napoleon III[8] was the one related to the establishment of the Ministry of Algeria and the Colonies, which played a major role in encouraging European settlement. As well as building many settlement villages, about 4,600 agricultural plots were distributed free of charge for the benefit of the settlers (Yahya op cit: 19).

After two years of the adoption of this ministry, the colonial authorities became certain that it had not achieved anything tangible, as it had increased expenses and taken arbitrary bureaucratic measures, in addition to the intense conflict that had occurred between the military and the officers of the Arab offices.

On the first visit of Napoleon III to Algeria in 1860 AD, this ministry was abolished on November 26, 1860 AD, and the military system was returned again. Marshal (Pellissier)[9] was appointed as the new Governor-General of Algeria. Since this visit to Algeria, Emperor Napoleon III in 1860 AD laid out the broad outlines and important points related to the issue of real estate ownership in Algeria and the confiscation of their lands and put in place a law that would allow this. He sent a letter to Marshal Pellissier on February 6th , 1863 AD, which is considered the preliminary draft of the Senatus Consultate law.[10] The letter focused on the following points: (Saudi 2024: 241).

- Algerian customs and traditions must be respected, along with their religion and property, a commitment the French government made at that time.

- Concern over the uncertainty surrounding real estate ownership in Algeria.

- Demonstrating sympathy toward the Arabs, based on Napoleon III's statement: "We must convince the Arabs that we did not come to oppress them and plunder their property, but rather to bring them the benefits of civilization.

- Commissioning Marshal Randon to prepare a new land law, one of whose chapters stipulated that the tribes and their branches would have absolute ownership in the lands where they had settled and benefited from generation to generation, under some pretext. The administrative

[7]. Randon, Jacques Louis César Alexandre (1795-1871), comte Randon, Maréchal de France (Grenoble 1795-Genéve1871) Collaborateur de Bugeaud en Algérie (1841),il fut ministre de la Guerre(1859-1867) https://francearchives.gouv.fr/fr/agent/287789981 28/11/2024.

[8].Napoléon III Louis Napoléon Bonaparte, neveu de Napoléon Bonaparte, né à Paris en 1808 meurt en Angleterre en 1873, le seul président de le deuxième République française (1848-1852) empereur des français 1858-1870 https://www.larousse.fr/encyclopedie/personnage/Napol%C3%A9on_III/134750

[9]. Aimable Jean-Jacques **Pélissier** (Seine maritime 1794 – Alger 1864), commandant de la première compagne coloniale contre la Kabylie en 1851, s'empare de Laghouat en 1852, nommé Maréchal de France et duc de Malakoff en 1856, gouverneur général de l'Algérie en 1860.,https://www.larousse.fr/encyclopedie/personnage/Aimable_Jean_Jacques_P%C3%A9lissier/137456

[10] [10] A.N.O.M, F.M, Carton F80/1806. « II faut faire davantage : convaincre les arabes que nous ne somme pas venus en Algérie pour les opprimer et les spolier, mais pour leur apporter les bien faits de la civilisation… ». Voir : Gouvernement Général de l'Algérie, documents officiels relatifs à la constitution de la propriété en Algérie dans les territoires occupés par les arabes, Année 1863, Typographie Duclaux, Alger, 1864

procedures required to implement this law were specified in the decree issued by the Emperor on May 23rd , 1863, which consisted of six chapters and 37 articles (Perrioud 1867, 10-19). This was followed by a ministerial directive on June 11th , 1863, and then a directive issued by the Governor-General on March 1st , 1865.

3.2.Content of the Senate Law or the Senatus-Consulte:

The Senate Law, as it is called, consists of seven chapters[11], the most important of which can be summarized in the following points: The first chapter addresses the confirmation of all division and other previous acts, both by the state and the people, with regard to land ownership. Furthermore, Algerian tribes are considered owners of the lands, which they permanently and traditionally benefit from, regardless of the basis for this.

The second chapter concerns the application of the law and the administrative procedures related to it. The third chapter stipulates the issuance of an administrative regulation specifying the forms for defining tribal areas, the forms and conditions for dividing districts, and the disposal of the private property of these districts. The fourth chapter requires tribes to pay taxes to the state in exchange for the lands they reside in. The fifth chapter states that the state reserves its rights to the property of the beylik and the property of individuals affiliated with it, as stipulated in Article 2 of the Law of June 16th , 1851. However, in Chapter Six, the second and third paragraphs of Article 14 of the Law of June 16th, 1851, were deleted regarding the establishment of the property in Algeria. Chapter Seven retained the provisions of the Law of June 16th , 1851, regarding the legal provisions pertaining to expropriation for public interest purposes.

3.4. The Law Apparent (Declared) Objectives:

Algerian people were relieved after this law put an end to the hardships of the Algerians, whose property was threatened by the implementation of the policy of confiscation, which resulted in the confiscation and plunder of their property. This point was emphasized by the Emperor in his letter to Marshal Pélici on February 6th , 1863, in which he stated: "It seems to me that for the sake of the comfort and prosperity of Algeria, property must be valued in the hands of those who possess it." It also brought civilization to the Algerians by establishing individual ownership for them.

- Recovering the true value of lands, whether through agricultural exploitation or through real estate transactions.

3.5. The Law's Hidden Objectives:

This law came with multiple and varied hidden objectives, the goal of which was to serve French colonial interests and thus expand at the expense of the Algerian people. In reality, it served security and stability within Algerian society, allowing for the consolidation of the French presence in Algeria. This was expressed by the rapporteur of the Sheikdom Committee. The person charged with preparing the law, Count de Casablanca, issued a decree dated April 8th , 1863, stating that the future of colonialism was not in jeopardy after the decision to expropriate lands that had belonged to the Arabs.[12]

This is the same point Emperor Napoleon III made in his aforementioned letter, where he said: "How can we achieve lasting peace in a region as long as fear and anxiety reign in the hearts of its people regarding the real estate they own?" (Haimer 2014: 19). Furthermore, efforts were made to fragment the tribe and replace it with individual ownership, thereby eliminating the social structure whose primary nucleus was the tribe and its cohesion. Therefore, the colonial

[11]. G.G.A.Constitution de la propriété en Algérie dans les territoires occupés par des arabes, imprimerie impériale, Paris, p, 3 7.

[12].Documents Officiels relatifs à la constitution de la propriété en Algérie dans les territoires occupés par les arabes, Année 1863, Typographie Duclaux, Alger, 1864, pp 4-5.

administration saw that the only solution to infiltrating and penetrating Algerian society was to break the power of the tribes and sever the bonds of solidarity and mutual support among individuals. This could only be achieved through dividing real estate ownership and replacing collective ownership with individual ownership. This is confirmed by General Allar, who explained the goal of issuing the Senate Law when he said: "The government will not lose sight of the fact that its policy must tighten in general, reducing the influence of the leaders and fragmenting the tribe (Berque. 1986:, 28) and this is in brief about the most important hidden objectives for which this law was issued and the study of this decree law reveals several hidden objectives set by Napoleon III in order to serve the interests of France in the land of Algeria.

4- The Consequences of the Implementation of the Senate Law (Senatus Consulte Law) and its Repercussions on Algerian Society:

The consequences of this law became clear starting with the issuance of the Imperial Decree regarding the delimitation process. This decree, issued on August 12th , 1863, stipulated that 32 tribes were included in this law, including 11 tribes distributed throughout the Oran Province, 10 tribes in the Algiers Province, and 11 tribes in the Constantine Province, out of a total of 1,200 tribes involved in this process. This was followed by subsequent imperial decrees to complete the remaining tribes. We can see from the table below how the French authorities primarily targeted the major tribes with significant influence, vast holdings, and a wide geographical area with the Senate Law. The division of these tribes into 18 douars reveals the colonial administration's keenness to divide and fragment the tribes.[13]

One of the most notable negative consequences of this law on Algerian society was the famine, diseases and epidemics that spread in the years 1867-1868 AD, which claimed the lives of thousands of Algerians, especially since this humanitarian disaster had occurred in the fertile lands and lands of the throne that were affected by the Senate Council Law, which is what one of the French expressed by saying: From the issuance of the Sheikhdom Law on April 22nd , 1863 AD, famine struck Algeria, and the Arabs began to die *en masse*.

The tents that were previously united are now scattered. Entire villages have disappeared. In fact, this law increased the misery of the Algerians, and did not improve their situation. Instead, most of the property was looted, plundered, lost, and usurped by the colonists and the large capitalist companies.

The implementation of the Senatos consult Law resulted in the fragmentation and loss of the lands of the throne. The tribes of the province of Algiers lost about 170,900 hectares, which is what happened with the rest of the provinces (Alain 1971:, 58), the province of Oran and the province of Constantine. However, this law did not achieve the goals that were hoped for, especially in the matter of individual ownership.

The colonists were not satisfied with what they saw as support for the indigenous monarchy, but in reality the settlement movement increased and developed during the decade in which this law was established, from 1860-1870. The number of settlers increased from 86,000 to 118,000 people. A French writer expressed this by saying that this law allowed colonists to own and purchase royal lands throughout Algeria, and that this process was extensive, which provided important real estate transactions.

We cannot ignore the real estate gains that capitalist companies achieved from this law. In the end, the outbreak of the revolution of Sheikh Al-Muqrani and Sheikh Al-Haddad were nothing but the results and repercussions of this law (Arthur, op.cit 383).

[13].[13].Documents Officiels relatifs à la constitution de la propriété en Algérie op.cit.p,9.
13.BOGA Bulletin officiel du gouvernement général de l'Algérie 1872pp 286.290

The revolution and its subsequent events and repercussions represent a landmark in the history of contemporary Algeria and in the local collective memory, leaving a strong imprint on the imagination of the rural population, whose lands were central to the course of events. Among these key areas, whose inhabitants still interact with and communicate with its history, are the tribes and rural areas of the Bordj Bou Arreridj region, which represented a strong support for the Emirate of Al-Moqarrin and its solid fortress, and the center of its emirate, free of charge, to the extent that it endured the hardships and difficulties of life immediately after the revolution.

There are many motives for this, including the fact that the Second French Empire was carrying out a large-scale displacement of Europeans from France and Europe to Algeria for the purpose of settlement and colonial expansion.

The displacement process was accompanied by settlement and the confiscation of Algerian property, including land, real estate, and livestock herds, to be given to immigrants, most of whom were convicted in France. (Yahya 1980: 80) The lands of the tribes and the great sheikhs were also seized after achieving their goal from them, which is what happened with Sheikh Al-Muqrani. There were many reasons behind the explosion of this uprising, and it also had positive and negative results on the region and the tribes that protected Sheikh Al-Muqrani and Al-Haddad. For example, the French authorities punished all those who supported Sheikh Al-Muqrani in the region, such as Judge Al-Burj Si Ahmed bin Mubarak and Pasha Adil Si Al-Madani bin Bassa, in Medjana, and others listed in the official newspaper of the Algerian government in 1872 AD 1876 [14]AD 15. The psychological, moral, and economic effects that resulted from this uprising because of the humanitarian policy followed by the colonial authorities.

4.1. French Real Estate Policy and the Confiscation of Algerian Lands 1870-1897 AD:

The year 1870 AD is considered a decisive year in the history of France, due to the events that changed the situation in it and reflected on the situation in the colonized Algeria. France's defeat by Prussia in 1870 AD had a significant impact and a clear influence on the internal situation, on the one hand, and on its policy towards Algeria, on the other hand. This defeat resulted in a change in the system that existed in France, with the fall of the Second French Empire and the rise of the French Republic. The Second Empire also collapsed, forcing France to cede the provinces of Alsace and Lorraine.

This increased France's troubles with the exodus of a large number of immigrants and the worsening of the economic and social crisis resulting from this war and the widespread destruction and devastation it left behind. One of the most significant consequences for the colony of Algeria was the replacement of the military regime that had prevailed in Algeria by a civilian regime, and the liberation of most settlers, who had believed that the military authority was an obstacle to the achievement of their ambitions and goals. Furthermore, the civilian zone expanded at the expense of the military zone. Consequently, the number of immigrants arriving from Alsace and Lorraine increased, and the settlement process in Algeria expanded even further.

Amid these conditions, the French Third Republic began to pursue a new policy in Algeria with two primary objectives: suppressing the Algerian resistance and strengthening French settlement in Algeria. The Warnier Law was issued on July 26, 1873 (A. Bleu 1894: 13).

4.2. Warnier Law of July 26, 1873:

Circumstances of its Issuance

With the fall of the Second Empire and the establishment of the Third Republic, the colonists were able to significantly regain their influence and powers in Algeria. They were elected to the French National Assembly in February 1871, and they gained a significant say in the French

[14].BOGA. Bulletin officiel du gouvernement général de l'Algérie 1872pp 286.290

government, which, according to some French, had become unable to withstand the destructive influence of pro-Arab elements.

Consequently, there was a violent reaction against the policy of the Second French Empire in general and against the 1863 law, which the representatives of the colonists said that it constituted an obstacle to the settlement process (Agron 2007: 151). Within the framework of the increasing pressures exerted by Europeans in Algeria, in political circles in France to issue a new law related to real estate in line with the aspirations and desires of the colonists in Algeria, on January 29, 1872, the government presented to the National Assembly a draft law consisting of 6 articles related to the establishment and maintenance of property in Algeria. On March 27th , 1872, the draft was presented, consisting of 31 articles called the Procedural Law, which included determining the rules according to which the law that was about to emerge would be applied. The two drafts were combined to issue the law of July 26th , 1873 (Laynaud M. 1900, 74), which was known as the Law of Warnier or the Law of the Colonists because it came to fulfill their wishes and ambitions to seize the lands of the Algerians.

The Law's Objectives

It will become clear to anyone who studies this law that it further complements the previous laws discussed in this study. Its objectives can be deduced from the report submitted by Representative Warnier (Robert 1896: 395) before the French National Assembly. This report is of great importance, and therefore, we will attempt to examine some of the paragraphs of this report. The report, which was presented by Warnier, after whom the law was named, stated that this law aims to achieve two basic objectives. First, it enables Algeria to regain its productive capacity thanks to the principle of best ownership. Second, its end the injustice inherent in the process of distributing land between the current population and the population that may be brought by French or European immigration. Therefore, the National Assembly must enact a law that preserves individual and private property. From Warnier's statement, we can conclude the following points: (Robe, 1875: 62-63)

- The objective of the Law of July 26, 1873, was to Frenchify Algerian lands, thereby placing all real estate transactions in Algeria under the authority of the French administration and under the authority of French law. This is considered the most important point made by this law because all previous laws, even the law of June 16th , 1851, which was studied, stipulated that transactions between locals and Europeans, or between Europeans only, were subject to the provisions of French law. Transactions between locals remained governed by Islamic laws. The new law, however, subjected all of them without exception (Viviani 1885: 24-27).

- This law aimed to eliminate collective ownership of douars and tribes, and it maintained collective ownership until then. Thus, it preserved the local element in land ownership and prevented foreign infiltration. This law was designed to make these collective properties accessible to Europeans, a point confirmed by Governor-General Cambon, who stated in a statement before the Senate on May 30th, 1893, that this law aimed to open up private ownership, which by its indivisible nature, remained closed to our activity and to European capital.

The law of July 26th, 1873 came to complement the procedures introduced by the Senatus Consulte Law, especially with regard to establishing individual ownership, while this latter law failed to achieve that. This law addressed many points, and all of its articles did not serve the interests of the Algerians. (A. Bleu 1894).

- Its results:

The Warnier Law, issued on July 26th, 1873, aimed to establish ownership of the lands of the tribes, with the aim of transferring them to European control. To achieve this, real estate transactions in Algeria had to be subject to a single authority: French law. This meant that all real

estate transactions conducted according to Islamic law were Frenchified. Therefore, it can be said that the 1873 Law achieved the most significant achievement in the *Frenchification* of Algerian lands according to French law.

The French colonial authorities paid significant attention to the establishment of individual ownership in Algeria, and significant sums of money were provided, estimated at 16 million French francs between 1873 and 1891 (Vignon 1893: 137). The conclusions resulting from this law can also be drawn from the statistics that show the transfer of land from Algerians to Europeans and *vice versa*. The insuance of land ownership contracts between the locals and the Europeans allowed us to compare these transactions before and after the issuance of the Warnier Law of 1873. The Warnier Report states that during the nine years from 1863 to 1871, Algerians sold only 52,005 hectares of their land, while purchasing approximately 11,320 hectares from Europeans. Thus, they lost only 40,685 hectares during this period. However, after the law was issued, Algerians lost an estimated 294,115 hectares of their land (1877-1885), while they purchased only 25,313 hectares from Europeans (Abad 1999: 116).

This shows that Algerians lost an estimated 270,000 hectares, six times what they lost in the period before the Warnier Law was issued. As stated in a report by Poivre, president of the General Council of the Constantine Province, the Hashem tribe in the province of Algiers sold most of its lands to European settlers after the delivery of individual ownership contracts. As for the province of Oran, real estate transactions were now taking place in a remarkable manner, as the lands of the Hassasna, Amarna, Muhayyad, and Ouled Ibrahim tribes all went to Europeans after the delivery of individual ownership contracts (Poivre 1878: 8).

However, the most dangerous consequence of this law was the opportunity it gave speculators, including settlers and French colonial administration employees of all professions, who took advantage of the misery of the Algerian population to seize the most fertile lands through illegal and dishonorable means (Djilali 1975, 45). Another consequence of this law was the revolt of Sheikh Al-Muqrani and Al-Haddad.

4.3. Law of February 16th, 1897:

After the French government confirmed the failure of the previous laws mentioned above to solve the real estate problem in Algeria at that time, it decided to form a committee tasked with researching reforms to be introduced to the real estate system in Algeria. However, this committee did not present any new proposals, but it did introduce some amendments to existing real estate legislation. It was followed by another committee formed in 1892 for the same purpose, headed by John Ferry. The most important proposal submitted referred the land registry system to Algeria. This system was successful in Germany, Australia, and Tunisia (L. Emile, op.cit107). Franck Chauveau prepared a draft on March 29th, 1893. However, the French government viewed the draft as a serious reform project regarding the issue of real estate ownership, but it required a long time. The situation required urgent solutions. Therefore, on June 8th, 1893, Franck presented a simpler draft than the first draft, which was approved by the Senate on February 21st, 1894, and was actually issued on February 16th, 1897 For more, see.[15]

5. Law of February 16th, 1897: Content

This law did not create a legislative revolution in France, particularly with regard to Algeria. Rather, it merely introduced some shortcomings and amendments to previous laws. Law 1873 and Law 1887, and the attempt to address them. This law consists of 18 articles, and some points of this law can be briefly addressed 18. Article 1 of this law included the abolition of all general and partial measures established by Chapters II and III of the Law of July 26, 1873, and the Law of April 28, 1887, relating to private property and the establishment of individual ownership.[16] The

[15] . Bulletin Officiel de l'Algérie, Année 1898.p, 40.41.
[16] . Journal Officiel de la République Française, Vingt-neuvième année. Jeudi18 Février, 1897.P.1063.1064.1065.

goal behind this was to preserve the interests of settlement, as it stipulated the preservation of some exceptions addressed by the Law of 1873 and the Law of 1887 until the issuance of property contracts. The French Parliament also authorized the Algerian authorities to conduct general investigations in exceptional cases, in the public interest (Démontés 1926: 337).

- **Its Results:**

Some French authors believe that the law of February 16th, 1897, was intended to achieve two basic goals, or, to put it another way, to reconcile two conflicting interests: the interests of the local population and those of the colonists. The colonists' interests, which the 1863 Consulte Law did not take into account, and also the interests of the local population, which the 1873 Law did not consider. In other words, the law was intended to incorporate the positive aspects of previous laws. The 1897 law did not bring anything newness to the benefit of the farmers. Rather, it exacerbated the process of dispossessing and stealing their lands. This is evident in the letter sent by the Sahari Tribe group to the domain director in Oran, in which they complained of arbitrary measures resulting from the implementation of this law. The 1897 law was the final blow to the tribes system. While this system was based on the inevitability of distinguishing between land ownership and possession, the 1897 law allowed farmers to lease tribes lands, use them as mortgages, or sell them (Ageron,2007: 249).

Anyonewho read the 1897 law and carefully examines the results of its implementation will easily notice that this declared dual objective was not achieved, at least for one of the parties: the local people, who benefited nothing from this law. Rather, it exacerbated their impoverishment and worsened their conditions in every respect. This can be demonstrated in a number of points.[17]

This law only increased the misery of Algerian farmers and dispossessed them of their lands. Evidence of this, is the letter sent by the Sahari Tribe group to the domain administrator in Oran, complaining of the arbitrary measures of this law and the resulting damages.[18]

Furthermore, from the time the law came into effect in 1898 until 1903, 929 partial investigations were studied, and subsequently contracts were ratified: 810 in the Oran province and 118 in Algiers and Constantine. None of these contracts were in the interest of the Algerian population

5.1.The Impact of Colonial Real Estate Policy on Algerians: 1863-1897.

Real estate legislation played a crucial and significant role in destroying the economic balance that existed within Algeria prior to the occupation. Some points can be highlighted to demonstrate this impact on the Algerian economy:

5.2. The complete collapse of the local economy:

This collapse was embodied in the French administration's desire to Frenchify Algerian lands. It found that the existing system was based on Islamic law and local customs and traditions, which constituted an obstacle to the transfer of land from Algerian hands to the hands of settlers. This took various forms, as we mentioned at the beginning of the article, most of which fell outside the scope of real estate transactions.

Therefore, it sought to subject these lands to French law to facilitate their expropriation without religious or moral restrictions. The goal of issuing the Senatus Consulte Law in 1863 and all subsequent laws was to establish individual real estate ownership. Since the issuance of the 1897 law, the Frenchization of Algerian lands entered a critical phase. The settlers exploited the difficult

[17]A.N.O.M.G.G.A.Carton /7N/1/°91/Enquêtes partielles, application du décret du 31 octobre 1887 puis de la loi du 16 février 1897.
[18]Ibid.

circumstances experienced by Algerians during the early twentieth century. These settlers acquired an estimated 277,448 hectares during this period, 1897-1899. The process of Frenchifying Algerian lands continued. According to the procedures of the 1897 law, at a rate of 30,000 hectares per year (Launay s.d., 131), this is a brief summary of the economic aspect.

From a social and cultural perspective, French land policy led to a profound crisis within the components of Algerian society. These radical changes introduced to the structure of land ownership contributed to the destruction of the social structure of the Algerian countryside by shattering the bonds of unity, solidarity, and mutual support among members of Algerian society within its natural framework, represented by the tribe, without this leading to the emergence of new bonds that were more refined and stronger than before. In short, the French administration did not take into account the social specificities of Algerian society which led to an imbalance of power between the two parties. Perhaps the most dangerous legacy of French legislation was the dismantling of the rural structure of Algerian rural society, represented by the tribe, which was sought by the 1863 law. Evidence of this is General Allar's statement at the beginning of a discussion about the motives for issuing the Senatus Consulte Law in 1863, in which he said, "The government will not lose sight of the fact that its policy and must generally seek to reduce the influence of the leaders and fragment the tribe" There are tribes that, as a result of the Senatus Consulte Law, were divided into districts. For example, the Ouled Abdel Nour tribe, located in the province of Constantine, was divided into ten districts by decree of August 12th, 1863 There are many examples.[19] Ultimately, the goal of the French colonial administration was to destroy and tear apart Algerian society.

Conclusion

Some conclusions can be drawn from this research study on the issue of French real estate policy in Algeria during the colonial period. For instance, the real estate system in Algeria, on the eve of its occupation, relied on Islamic Sharia law and local customs. The real estate ownership system was directly linked to the specificity of Algerian society, i.e., it was built on the foundation of its customs and traditions. The tribe played a fundamental role in this system, as it constituted the basic unit of social organization. However, the policy pursued by the French colonial authorities regarding real estate ownership in Algeria was characterized by duality and, in most cases, racism, supporting the interests of the colonists at the expense of the misery of the Algerian people.

The French authorities also found in suppressing the peasant revolts of their lands a means to achieve their expansionist colonial goals. Therefore, they exploited the uprising of Sheikh Al-Muqrani and Al-Haddad as a pretext to impose the harshest penalties on those who participated in the uprising, seize their lands, and thus weaken them financially and morally. They were aware of the extent of Algerian society's attachment to its land. Ultimately, all the laws issued by France regarding real estate ownership, from the eve of its entry into Algeria in 1830 until 1897 and beyond, were all aimed at serving the economic and social interests of the colonists and France.

Among the consequences of French land policy in Algeria are the conflicts that persist among Algerian families over land ownership, which persist to this day.

This conflict stems from the social structure of the tribes and clans, as well as the presence of a large number of Algerian families seeking to change their surnames, which were given to them by the French administration as part of the requirements of the land policy prevailing at the time. These surnames may carry professional connotations or be the subject of ridicule.

Among the consequences of French real estate policy in Algeria, are the conflicts that persist among Algerian families over land ownership, a conflict that continues to this day. This conflict

[19]G.G.A, Expose de la situation générale de l'Algérie, Victor Reintz, Imprimeur du gouvernement général, Alger, 1904, pp 92-93.

stems from the social structure of tribes and clans, as well as the presence of a large number of Algerian families seeking to change their surnames, which were given to them by the French administration as part of the real estate policy prevailing at the time. These surnames may have professional connotations or be the subject of ridicule. However, this policy was unsuccessful; on the contrary, it strengthened cohesion and increased resistance against it.

Through this real estate policy, the French colonial authorities sought to create an alternative Algerian society characterized by French characteristics. This was to ensure the sustainability of French settlers and maintain France's presence in Algeria for a longer period. The French colonial administration attempted, through its policies of confiscating the lands of the indigenous population, to starve and impoverish them, and impose unjust laws on them, but ultimately failed to achieve its goal.

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