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French Settler Policy in Algeria After 1834: A Historical, Analytical and Critical Study of the Mechanisms of Substitution and Disruption to Cultural Heritage Structures

السياسة الاستيطانية الفرنسية في الجزائر بعد 1834: دراسة تاريخية تحليلية نقدية في آليات الإحلال وتفكيك البنية الحضارية

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- **Abstract:**

This article examines French settlement policies in Algeria after 1834. Taking a historical, analytical and critical approach, it studies colonial change. It explains the shift from military occupation to a structured settler project. The article also links this shift to the political and historical context that made it possible. It analyses the legal, economic and demographic mechanisms employed by the administration. These mechanisms aimed to entrench demographic replacement and reshape Algerian society. The study highlights the major cultural and civilisational effects of this policy. It focuses on the dismantling of traditional social systems and the expropriation of land. It also describes the targeting of cultural foundations and collective identity. Ultimately, it concludes that French settlement was a foundational pillar of the colonial project, enabling long-term domination to extend beyond the military sphere.

Keywords: Settler policy, French colonialism, Algeria, demographic replacement, cultural structure.

الملخص:

يتناول هذا المقال السياسة الاستيطانية الفرنسية في الجزائر بعد ترسيم الإلحاق سنة 1834، من خلال مقاربة تاريخية تحليلية نقدية، تسعى إلى فهم طبيعة التحول في الاستراتيجية الاستعمارية الفرنسية من الاحتلال العسكري إلى مشروع استيطاني منظم. ويعالج البحث السياق التاريخي والسياسي الذي أفرز هذا التوجه، مع تحليل الآليات القانونية، الاقتصادية، والديمغرافية التي اعتمدتها الإدارة الاستعمارية لتكريس الإحلال السكاني وإعادة تشكيل البنية المجتمعية الجزائرية. كما يركز المقال على إبراز الآثار الحضارية العميقة لهذه السياسة، خاصة ما تعلق بتفكيك النظم الاجتماعية التقليدية، ومصادرة الأراضي، واستهداف المقومات الثقافية والهوية الجماعية. ويخلص البحث إلى أن الاستيطان الفرنسي لم يكن إجراءً ظرفيًا، بل شكّل ركيزة أساسية في المشروع الاستعماري، وأداة بنيوية لتحقيق الهيمنة طويلة المدى، بما يتجاوز البعد العسكري إلى أبعاد حضارية واستراتيجية شاملة.

الكلمات المفتاحية: السياسة الاستيطانية، الاستعمار الفرنسي، الجزائر، الإحلال الديمغرافي، البنية الحضارية.

- ## Introduction

Following the formal annexation in 1834, the French colonial policy in Algeria underwent fundamental transformations. During this period of change, the focus shifted from direct military control to a structured settler project aimed at reshaping the country's demographic and civilisational landscape. This strategy relied on encouraging European migration, expropriating land and redistributing it in a way that would consolidate the permanent colonial presence.

The French settlement policy must be understood in the context of its long-term strategic objectives. It was not confined to demographic or economic considerations, but rather sought to dismantle the civilisational structure of Algerian society and replace it with a colonial model subordinate to the French system. Therefore, it is important to approach this topic through a historical, analytical and critical lens. Such an approach goes beyond a descriptive narrative of events by examining the mechanisms of colonial action and its far-reaching consequences.

Accordingly, this study addresses the following research question: How did French settlement policy in Algeria evolve after 1834, which mechanisms did it employ to implement the project of substitution, and what impact did it have on the civilisational structure of Algerian society?

To address this issue, the research employs a historical-analytical and critical approach, drawing on various historical sources. The aim is to highlight the structural nature of settlement within the French colonial project.

The study addresses the following key question: **How did French settler policy in Algeria after 1834 contribute to profound demographic and cultural transformations in Algerian society? Furthermore, what mechanisms did the colonial administration adopt to implement the project of substitution and reshape society?**

The following sub-questions derive from it:

1. What historical and political contexts produced the settler trend after the formal annexation in 1834?

2. What legal, economic and military measures did France implement to consolidate European settlement?

3. How did this policy affect the cultural foundations and collective identity of Algerian society?

4. To what extent can settlement be considered a structural tool of long-term colonial domination?

Research objectives: This research aims to analyse the historical context behind the emergence of French settler policy in Algeria after 1834.

- Dissect the mechanisms of demographic replacement and European settlement implemented by the colonial administration.

- Highlight the cultural, social and 341ivilizational repercussions resulting from this policy.

- Provide a critical historical analysis demonstrating the structural nature of the settler project within the broader framework of the French colonial system.

Importance of the research: This study is significant because:

- Contributing to the enrichment of scholarship on colonial history from analytical and critical perspectives.

- Shedding light on the civilisational dimension of colonialism and moving beyond traditional descriptive narratives.

- Providing well-documented scientific material to assist researchers of the history of modern and contemporary Algeria.

Methodology: This research employs a historical-analytical and critical approach by:

- tracing events within their chronological context;

- analysing colonial policies and decisions.

- critically examining settler discourse and practices and linking them to domination and substitution objectives.

1. The development of European settler migration to Algeria

European migration to Algeria was closely tied to the settler colonial phase. Its pace increased in line with France's policy to consolidate its colonial project and create a demographic imbalance that would serve its interests[1]. French migration differed from other European migrations in that it was directed and officially supported by the French state. The state oversaw the various stages of this migration — planning, programming, funding and propaganda — whereas in some other European countries, settlement initiatives were entrusted to private companies[2].

This trend emerged amid broader geopolitical shifts in Europe during the 19th century, notably the decline of Spanish and Portuguese influence and the rise of new colonial powers, led by France and Britain. These powers benefited from industrial development and the internal economic and social crises that it produced. This pushed them to seek out colonial territories in which to dispose of their demographic and economic surplus[3].

Within this framework, France swiftly transformed its military occupation of Algeria into a large-scale settler project, viewing it as an effective means of ensuring the continuity of colonial control. The earliest military governors played a pivotal role in establishing this approach, with Marshal

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[1]- Hasan Sayid Souleiman, 'The Phenomenon of Colonialism in Africa and the Arab World', African Studies Journal, Issue 2, Sha'ban 1406 (corresponding to April 1986), Islamic African Centre, Khartoum, p. 58.
[2]- R. Deschamps, La fin des Empires coloniaux, 5th ed., PUF, Paris, 1976, p. 13.
[3]- Azergui Chouitam, 'French Settlement Policy in Algeria 1830–1914', Journal of Mediterranean History, Vol. 2, Issue 2, December 2020, p. 191.

Bugeaud being the most notable example[4]. He believed that military occupation loses its rationale unless it is supported by a policy of settlement, an idea he famously encapsulated in the slogan, 'With iron and the plough'[5]. This vision was realised through the extensive expropriation of Algerian land and its subsequent distribution to European settlers, who established settler villages and agricultural enterprises, particularly in fertile regions[6].

These events reveal that European migration was not an impulsive movement, but rather a deliberate colonial policy directly linked to plans for domination and the reconfiguration of Algeria's demographic and economic landscape.

2. The Role of Elites in Encouraging Settlement

The issue of settler colonisation received significant attention from French political, military and intellectual elites, who theorised and justified settler migration, considering it a fundamental pillar for the success of the colonial project. Against this backdrop, the Saint-Simonian movement emerged[7], with figures such as Enfantin viewing Algeria as a strategic gateway to dominating the Arab-Islamic world. They called for its development through organised European migration, particularly from Germany, seeking to emulate the experience of 'the New World'[8].

Some intellectuals also endorsed this approach, favouring certain European groups, such as the Irish, on the basis that they could adapt to the harsh settlement conditions. This coincided with a large-scale propaganda campaign following the decision to annex Algeria to France in 1834, led by politicians, military figures and thinkers. The campaign emphasised the advantages of migration to Algeria[9]. Among them was Charles Fourier, who made the following statement on the subject of settlement:

'In time, we will reap what we have sown in this fertile African land[10]. God's will will make us the new conquerors of this land. We will help the Europeans develop it and they will enjoy hunting

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[4]- Thomas-Robert Bégueau de la Pécoulaire, also known as the Duke of d'Aynay/d'Ussé. He was born on 15 October 1784 in Limoges and died of cholera in France on 10 June 1849. He held office in Algeria from 29 December 1840 until 29 June 1847. His tenure is known for its coercive, exterminatory, and forcibly displacing policies.

[5]- Houria Taaba, 'The Policy of Marshal Bugeaud in the French Colony of Algeria (1836–1848)', Algerian Journal of Historical and Legal Studies, Vol. 6, Issue 1, 30 April 2021, pp. 7–8.

[6]- Azergui Chouitam, 'Previous reference', p. 193.

[7]- Saint-Simonism is an ideological and intellectual doctrine that emerged in Europe at the beginning of the 13th century AH/19th century CE. It was introduced by Saint-Simon, who was born in 1760. He adopted the principles of the French Revolution and called for the unification of different social classes within a single movement that served industry. Following his death in 1825, his followers spread throughout the Arab lands, including the Enfants. This doctrine is based on idealism and socialism. One of its objectives was to link the Islamic world with the Western world. Egypt and Algeria were the main areas where this doctrine was put into practice.

[8]- Marcel E., Les Saint-Simoniens en Algérie, Paris, 1941, pp. 85–107. Also see: Ibrahim Saadouni, From the History of Modern Algeria, Publications of the Prince Abd al-Qadir University for Islamic Sciences, Algeria, 2000, pp. 233–240.

[9]- Georges, 'Yes', Les Irlandais en Algérie, in R.A., year 1917, pp. 170–223.

[10]- Charles Fourier, a French economist and social philosopher who developed a theory that evolved into an economic and social doctrine known as 'Fourierism'. He was also a socialist and one of the theorists of the colonial movement in Algeria and beyond. For more, see: Hasan al-Najafī, The Economic Dictionary, 1st ed., Local Administration Press, Baghdad, Iraq, 1977, p. 133.

eagles, vultures and snakes. Prepare to settle here and dominate the land and its inhabitants — not only for France, but for the whole world.[11]"

One of the military figures who played a prominent role in this endeavour was General Clauzel, who was convinced of Algeria's potential to compensate France for losses suffered in earlier colonial ventures. During his tenure as Governor-General, he sought to implement an active settlement policy, particularly in the Mitidja plain, where he distributed land and means of production to European settlers as part of a strategy aimed at encouraging permanent settlement. He expressed his views on this matter as follows:

"He is convinced that the territory of the city of Algiers, which has now come into our hands, is an important colony that will compensate us for our loss in Saint-Domingue, and perhaps also for the heavy costs incurred in seizing other colonies"[12].

It should be noted that the latter figure quickly gained the opportunity to implement his ideas upon his appointment as Governor-General in 1835/1836. During his tenure, he demonstrated exceptional enthusiasm and an extraordinary level of activity in applying an open, official settlement policy. He was determined to transform the Mitidja plain and its urban centres into a true homeland for European migrants, most of whom had criminal records and were former prisoners. Large groups arrived from various European countries, including Spain, Italy, Malta and Switzerland. He founded the Boufarik settlement west of Algiers and began distributing land, machinery and livestock free of charge to these new settlers to incentivise them to remain and establish themselves permanently[13].

Intellectuals and writers such as Édouard Charlier also supported the settlement project through their writings. These provided practical ideas for exploiting Algerian land and outlined the role expected of the French government to maximise economic gain. These proposals clearly reveal the ideological role of elites in providing intellectual and political legitimacy to the settlement project.

3. A critical reading of the development of European migration to Algeria

A critical reading of the development of European migration to Algeria shows that it was closely linked to the country's security and political situation. Whenever the colonial administration tightened its control and resistance weakened, the rate of migration increased. Conversely, when resistance intensified, migration slowed down. The initial settlers voiced concerns about inadequate military protection, reflecting the vulnerability of the settler project in its early stages[14].

Nevertheless, these challenges did not hinder the growth in the number of European migrants. This prompted the French authorities to issue a series of laws and regulatory decrees intended to control

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[11]- Jeanson, F. (1993). L'Algérie hors la loi. Enag Edition, Algiers.
[12]- Issa Yazir, 'French Policy towards Landed Property in Algeria 1830–1914', Master's Thesis in Contemporary History, University of Algiers, Algeria, 2008/2009, p. 19.
[13]- Hadjira Akhedari, 'French Settlement in Algeria — Edouard Chérié's Perspective through his Book A Word about Algeria', in the Proceedings of the National Symposium titled: French Settlement Policy in Algeria from 1871 until 1962, held at the University of 8 May 1945 in Guelma on 5 December 2023, p. 4.
[14]- Jeanson, F. (1993). L'Algérie hors la loi. Enag edition, Algiers, pp. 42–43.

migration flows and define their conditions, particularly with respect to documentation, financial capacity and migrant type. In this context, reference can be made to the decision issued on 15 November 1830 and the second decision on 25 April 1831. Both required migrants to hold a passport and a residence permit in Algeria and to demonstrate that they had sufficient funds to support themselves until they obtained stable employment or invested in land. Nevertheless, these measures were insufficient to curb the large influx, given the widespread practices of evasion and falsification, the complicity of certain authorities in facilitating migration and the deliberate intervention of ship captains in rescuing migrants[15].

The 1840s and 1850s represent the peak phase of European migration, as security was established in the central and eastern regions following the suppression of resistance by Hajj Ahmed Bey and the revolts in the Mitidja region. Migration then declined relatively in the 1850s due to political and health factors. For example, Algeria received 50,000 migrants between 1845 and 1846, but this number halved. This decline was largely attributed to settlers' fears regarding Napoleon III's policy on official settlement, as well as the outbreak and spread of epidemics and diseases[16].

Nonetheless, this decline was not permanent. Migration soon regained momentum, especially between 1851 and 1857, and by the end of this period, the number of new settlers had reached 38,000. Consequently, the total number of settlers in Algeria had risen to 189,000 by 1859, including 170,000 in areas under civil administration and 19,000 in areas under military administration[17].

European migration also increased in the 1870s. In the following years, clearer plans and settlement schemes emerged, which were systematically organised and regulated by French legislation with the aim of protecting and supporting the settlers. For instance, the French government allocated some of the war indemnities imposed on rebelling tribes to fund the growing French settlement operations[18].

By 1911, the number of European settlers had reached 752,043, including 304,592 French nationals and 188,068 individuals from other European countries who had benefited from the 1889 law of automatic naturalisation[19].

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[15]- Junifer Sessions, 'Les colons avant la 3e République mettraient/peupleraient… pour mettre en valeur l'Algérie', in Histoire de l'Algérie à la période coloniale 1830–1962, under the direction of Abderrahmane and Jean-Pierre Peurooloui, Edition La Découverte, Paris, 2014, p. 107.

[16]- Fateh Ziani, 'The Social and Cultural Reality of European Settlers in Algeria (1871–1945) and its Impact on Muslim Natives', PhD thesis in the Sciences of Modern and Contemporary History, University of Batna 1 Al-Hajj Lakhdar, Department of History and Archaeology, 2020–21, p. 20.

[17]- Anon., L'Algérie: Immigrants et indigènes, Chahimal Publisher, Paris, 1836, pp. 59–61.

[18]- 'Abd al-Malik Khalaf al-Tamimi, Foreign Settlement in the Arab Homeland: The Maghreb, Palestine and the Arabian Gulf: A Comparative Historical Study*, Alam al-Ma'rifa (Series of Cultural Books), National Council for Culture, Arts and Letters, Kuwait, Issue 71, November 1983, p. 23.

[19]- This was a decision made by the French authorities in 1869 to restore the demographic balance in favour of the French. It stipulated naturalisation for all children of settlers who were French citizens. Consequently, the French authorities were able to ensure the racial cohesion of the colony and entrench integration. For more on this topic, see: Fateh Ziani, previous reference, p. 21.

French testimonies themselves — such as those cited by the historian Charles-Robert Ageron — reveal the violent and chaotic nature of the settlement process, characterised by plunder, speculation and the unlawful seizure of land. This reflects the structural nature of the settler project: it was not merely a demographic policy, but a means of subjugating Algerian society and stripping it of its economic and civilisational foundations[20].

Thus, Algeria became a stage for military experimentation through which the French sometimes looted Algerian resources through uncontrolled violence, and sometimes did so in accordance with different legislative measures across the various periods of their military and civilian administration. In doing so, they disregarded every aspect of everyday life in Algeria—from land and the Arabic language to Islam and Islamic courts, and even the right to life itself, which was violated in especially brutal ways during popular resistance. These resistances were always a genuine expression of refusal of French colonial policies, regardless of their source or stated objectives.

4. Repercussions of the colonists' economic and social situation on Algerian society

French settlement policy in Algeria created a new economic and social situation in which the interests of the European colonists took precedence over those of the indigenous population. This contributed to deep imbalances in Algeria's demographic, social and economic structures. These repercussions were neither accidental nor temporary, but rather the direct outcome of a systematic colonial policy based on discrimination and exclusion that favoured the settlers (colons).

4.1 Changes in Demographic and Social Structure

Since the first years of the occupation, Algeria's demographic structure has undergone profound and radical transformations. Military violence, widespread land expropriation and impoverishment policies led to a significant decrease in the Algerian population[21]. It is estimated that the population fell from around three million on the eve of the occupation to approximately 2.46 million in the first decades. This figure was reported by 'Yaconno' before the population recovered somewhat towards the end of the nineteenth century. These figures reflect the magnitude of the demographic shock produced by colonialism[22].

European settlement was concentrated mainly in the fertile Tellian regions, the traditional homeland of the Algerian people. This prompted the colonial authorities to adopt repressive policies aimed at emptying these areas of their indigenous inhabitants, whether through confiscation, forced displacement or direct violence. Such practices embodied what was, in effect, a theory of ethnic annihilation, a concept to which many French figures were sympathetic. Victor Hugo, for example, addressed the nation regarding Algeria in 1832, stating that 'it is impossible to

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[20]- Charles-Robert Ageron, A History of Contemporary Algeria, translated by 'Isā 'Aṣfūr, 1st edn, Beirut–Paris: Ouwaydat Publications, 1982, pp. 110–111.

[21]- Al Taher Ameri, 'French Settler Colonialism and its Effects on Algerian Social Structures until the End of the Nineteenth Century', Proceedings of the First Scientific Seminar, titled: Mechanisms of European Settler Colonialism in Algeria and Libya', Research Laboratory in Literary and Human Studies, University of amir Abdelkader ,Libya's Centre for Historical Studies of Jihad, University of Emir Abdelkader, Constantine, May 2008, p. 139.

[22]- Yacono, X. 'Peut-on évaluer la population de l'Algérie vers 1830?' Revue Africaine, 1954, p. 227.

integrate the indigenous population' and ruling on the legitimacy of expelling them to the Sahara or annihilating them in the event of resistance: 'They should give way before the advance of our institutions and be driven to wander in the sands of the Sahara.[23]'

Poverty and unemployment spread among Algerians as a result of being deprived of their lands and means of subsistence. Meanwhile, agriculture remained the main economic activity for most of the population, including the Beni Yahya in Constantine. In other instances, systematic burning and annihilation occurred, as happened to the Oulad Draz tribe in 1845 in the Gar al-Fraïchich area of the Zhoura region during the "Pelissier" era[24].

It is therefore important to emphasise that the process of confiscating land from Algerians, based on numerous decrees, caused deep and violent disruption to the country's economic and demographic structures simultaneously[25].

These policies also led to waves of internal and external migration. Large numbers of Algerians were forced to move inland or migrate to neighbouring countries such as Morocco, Tunisia and the Mashriq[26] in order to escape deteriorating conditions while preserving their religious and cultural foundations.

The social classes most affected by the settlement policy and colonial domination of the economy were labourers, largely due to their substantial numbers and their exploitation in both Algeria and France following the migration of many of them there[27].

Additionally, the deportation policy contributed to the dismantling of social and religious elites by removing scholars, notables and resistance leaders, such as the Mufti Ibn al-Anabi, Ahmed Boubdiba and Emir Abdelkader, which weakened the leadership structure of Algerian society[28].

Notable outcomes included the disappearance or marginalisation of traditional social institutions such as the Zawiyas and systems of tribal mutual aid, following the confiscation of endowments and the abolition of many organisational frameworks that had played an important social and economic role, particularly during periods of crisis. This further deepened social inequalities, helping to create a dominant settler society alongside a marginalised local society. This was encapsulated by "Bouguella", who described the city of Algiers as having two contradictory societies: Arab tribes living in huts 'like animals', as he described them, alongside large French

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[23]- Mohamed Adala, 'La place de la culture musulmane dans la vie sociopolitique de l'Algérie (XVI–XXe s.)', Doctoral Thesis, S.N.E.D., Algiers, 1976, p. 255. State Thesis, S.P.O., Univ. Montpellier, p. 99.
[24]- M. L'Acheref, L'Algérie: Nation et Société, S.N.E.D., Algiers, 1976, p. 255.
[25]- Rābiḥ Turkī, National Education and National Personality, National Company for Publishing and Distribution, Algeria, 1975, pp. 83–86.
[26]- Chouittam, 'Previous reference', p. 201.
[27]- Abd al-Malik Khalaf al-Tamimi, 'Previous reference', pp. 21–30.
[28]- Youcef Naoussa, 'The Contribution of the Fatwa and Muftis in Resisting the French Occupation of Algeria', Al-Mohammadiyya Journal for Studies and Research, Higher School of Teachers at Bouzareaha, Vol. 1, Issue 1, pp. 93–109.

buildings and workshops representing the modern industrial and commercial activity of the European settlers[29].

4.2 The Cultural Context under Colonial Hegemony

The cultural sphere was one of the most prominent arenas of colonial conflict. The French authorities placed great importance on education, considering it a vital tool for achieving cultural 'integration' and instilling French values. However, colonial educational policy was clearly dualistic: the majority of educational institutions were reserved for settlers' children, while education for the indigenous population was severely marginalised.

Statistical data clearly reveal the wide gap between colonial education and education for Algerians, in terms of both the number of schools and students. In 1851, 233 primary schools had been built for settlers' children, compared to 52 in 1846. By the beginning of civil rule, this figure had risen to 697. In contrast, there were only 21 schools for Algerians. The same pattern applied to student numbers: 53,666 settlers' children were enrolled, compared with just 3,112 Muslim pupils, reflecting the discriminatory nature of colonial education policy[30].

Furthermore, education for the indigenous population was strongly opposed by settlers and some Parisian government circles, who justified this opposition by citing the need to protect economic interests and the fear that an educated Algerian elite could threaten the presence of settlers. It should be noted that, at the start of the occupation, many indigenous people were already literate, as emphasised by the researcher Marcel Emerit in his summary of studies on education in Algeria[31].

Secondary and higher education was in no better condition. Admission for Algerians remained extremely limited: before 1900, only 84 Muslim students were admitted per year, rising to 150 before 1914. During the same period, the University of Algiers enrolled just 34 students, only 12 of whom had obtained a licence (Bachelor's degree)[32].

Despite the exception of Napoleon III, who attempted to improve educational opportunities for the indigenous population to prevent hostility towards French missionary schools[33], these efforts collapsed at the beginning of civil rule following Admiral Decoudon's decision[34]. As the French themselves acknowledged, indigenous education suffered from major neglect. One of their officials

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[29]- Abu el Kacem Saadallah, The Algerian National Movement 1900–1930, Vol. 1, 4th ed., Dār al-Gharb al-Islāmī, Beirut, Lebanon, 1992.
[30]- Fateh Ziani, 'Previous reference', p. 391.
[31]- Marcel Emerit, 'State of Mind of the Muslims in 1847–1870', Revue d'Histoire Moderne et Contemporaine, Tome 8, No. 2, Belin Publisher, April–June 1961, France, p. 107.
[32]- Ageron, Les Algériens Musulmans et la France, 1870–1919, Vol. 2, Éd. Bouchène, Paris, 2005, pp. 67–68.
[33]- Abdelkader Hilouch, French Educational Policy, Dar al-Umma for Publishing and Distribution, Algeria, 2013, p. 59.
[34]- Louis-Henry Coudon/Court/Coudon (known in Algeria as 'Diquedon'), born 22 November 1809. He was appointed Governor-General of Algeria on 25 March 1871. He was one of the governors of the Civil Regime. He became known for giving settlers extensive freedom in managing Algeria's affairs. See the link for more information: marefa.org (as referenced in the Arabic text).

stated: ‘We neglected the education of the indigenous people to the point that it declined to a level far below what it had been before the occupation.[35]’

This led to a decline in educational standards and the spread of illiteracy, particularly after the seizure of Islamic endowments (awqaf), which had been a key source of funding for traditional educational institutions. This confirms that colonial cultural policy was not primarily aimed at spreading knowledge, but rather at reshaping consciousness in a way that served the logic of domination[36].

4.3 The Judicial System and Colonial Hegemony

The judicial system also underwent profound changes due to colonial intervention. The French administration worked towards gradually abolishing Islamic justice and subordinating the indigenous population to French law, a system dominated by settlers. This was achieved through a series of decrees and laws that limited the powers of Muslim judges and made the enforcement of judgements dependent on the approval of the colonial authority.

While the first decades of occupation saw some fluctuations in judicial policy, largely due to ignorance of the local judicial system, the overall direction remained to consolidate the legal supremacy of the coloniser. Mixed French courts were established and then abolished before the judiciary was reorganised to ensure its complete subordination to the interests of the settlers. This was accompanied by an increasing marginalisation of Islamic justice[37].

In practice, the colonial administration’s approach to the courts was characterised by hesitation, due to its limited understanding of Algeria’s judicial system during the period from 1830 to 1841. However, it did not simply leave matters as they were. For example, on 9 September 1830, the governor-general issued a decision establishing a court composed of French judges, thereby abolishing the Supreme Council. In cases involving Muslims and Jews, Muslim judges or religious functionaries (ḥaẓar) were also appointed. This suggests that initially, the French respected the distinct religious communities present in Algeria, primarily as a means of ensuring stability.

Nevertheless, this court did not last long. It was abolished by a decision dated 22/10/1830. While this decision preserved the distinctiveness of the different religious communities, judgments issued by Muslim and Jewish judges could only be enforced with the governor-general’s approval, as stipulated in Article 12 of the earlier decision: ‘No death sentence can be carried out without the

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[35]- Mostafa al-Achraf, Algeria: Nation and Society, translated by Hanfi Ben Issa, Dar al-Qasba for Publishing, Algeria, 2007, p. 414).
[36]- Amar Guellil, The Epic of New Algeria, Dar al-Ba‘th, Constantine, 1st edition, 1991, p. 96.
[37]- Mohamed al-Hakim Awn Allah, 'The Religious Issue during the French Occupation (1830–1960)', PhD thesis in Contemporary History, University of Batna, Faculty of Humanities and Social Sciences, Department of History, Academic Year 2018–2019, p. 62.

governor-general's ratification.[38]' This constitutes direct interference in the religious affairs of Algerians

The period from 1841 to 1870 marked the beginning of France's review of its judicial organisation. On 10 August 1834, a decision was issued providing for the resumption (on appeal) of judgments handed down by the Muslim judge before the French Court of Appeal[39].

The country's courts were then divided into three categories: courts of first instance, commercial courts and appellate courts. This was followed by the enactment of the law dated 19/08/1834, which, according to Article 12, recognised that French courts would handle all cases arising between indigenous populations, regardless of their religion. The law also granted Muslim litigants the right to choose whether to bring their case before a French court or a Muslim judge. This reduced the status of Islamic justice. However, Algerians generally did not exercise this option[40].

On 28 February 1848, an order was issued to suppress uprisings and tighten restrictions on resistance figures. The order removed the jurisdiction of the Muslim judge over criminal and petty offence matters, transferring such jurisdiction to the French Court of Appeal. New penalties were introduced, including internment in camps and deportation, as well as fines, execution and confiscation — measures intended to enforce control and hegemony[41].

In 1866, a regulatory law was issued providing for the establishment of "Islamic–French–Islamic" chambers to assist advisory councils in reviewing submitted cases. It also provided for the creation of a Supreme Islamic Council, comprising five prominent scholars who were responsible for adjudicating matters related to Islamic law.

This 'modern' organisation clearly and overtly intervened in the judiciary, particularly in matters of appointment. Later, the French authorities worked to fragment the unity of Islamic justice by adopting four types of jurisdictions:

French courts in civilian areas;

- customary (tribal) justice in the Kabyle countryside;

- Ibadhi justice in the Wādī Mzab region;

- justice in the southern regions under military rule[42].

Regardless of the large number of decisions and decrees issued in this area to regulate the judiciary, what can be inferred is that repeated reorganizations were accompanied by an increase in punitive measures and repressive laws, in line with security developments. The greater the pressure exerted by settlers and the more frequently the administration was accused of failing to respond, the harsher

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[38]- Ahmed al-Khatib, 'Previous reference', p. 53.
[39]- Mohamed al-Hakim Awn Allah, previous reference, p. 65.
[40]- Ahmed al-Khatib, previous reference, p. 53.
[41]- Abu el Kacem Saadallah, 'Previous reference', p. 433.
[42]- Abu el Kacem Saadallah, A Summary of the History of Algeria: Resistance and Liberation, 1830–1960', Dar al-Gharb al-Islami, Beirut, 2007, p. 75. Beirut, 2007, p. 75.

the penalties and the greater the arbitrariness. In this way, they succeeded in turning the court into an instrument for imposing their dominance over various aspects of life. Commenting on this abnormal situation, Deputy Marius Moutier stated the following: 'In Algeria, the administration's authority regarding detention, imprisonment, and prosecution grants it excessively broad powers — this is unreasonable.[43]'

This policy also led to the fragmentation of Islamic justice by adopting multiple regional judicial systems, deepening legal instability and transforming the judiciary into a control and supervision tool rather than a means of achieving justice. This trajectory reveals the functional character of colonial justice, as it served the settler-colonial project.

4.4 The Health Situation and Discrimination in Services

The colonial logic of discrimination spared no sector, including healthcare. The health system essentially served European settlers, while the indigenous population was denied equitable healthcare. This is evident in the allocation of hospitals and medical services to colonists, in contrast to the poor treatment and accommodation experienced by Algerians. Each settler had a bed, whereas Algerians were not allowed to be hospitalised in settler beds. Instead, they had to make do with makeshift bedding on the floor in wards known as 'collective rooms' (communal wards). Furthermore, hospitals were built in areas with a high European population density. The same pattern applied to medical services, medicines, and healthcare more broadly[44].

Some doctors played a role in entrenching colonial domination by using medicine as a means of social control. Those who attempted to treat the indigenous population faced pressure and harassment. Indeed, colonial racism became so entrenched that, in October 1876, settlers filed a complaint against a health officer named Muhammad al-'Arabi al-Saghir to the governor-general, accusing him of providing treatment and medicine to the indigenous population[45].

The influx of European immigrants also introduced new epidemics and diseases such as cholera and tuberculosis, which struck Algeria in 1833, 1849, 1854, 1865, 1869, 1887 and 1896, as well as in 1912 and 1916. These outbreaks caused significant loss of life among the Algerian population, in a context of weak healthcare infrastructure[46].

This clearly shows that colonial health policy was not neutral; it was governed by the logic of racial superiority and the needs of the settlers. This reflects the comprehensiveness of the colonial project and the breadth of its different dimensions.

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[43]- Fateh Ziani, previous reference, p. 457.
[44]- Saliha Allama, 'French Medicine during the Colonial Period: A Tool of Domination and a Field for Missionary Work (Christianisation/Conversion)', Al-Ma'ārif Journal for Research and Historical Studies, University of Hamma Lakhder—El-Wadi, Issue 18, December 2017, p. 144.
[45]- Same, p. 146.
[46]- Fateh Ziani, previous reference, p. 361.

Conclusion:

This study confirms that French settlement policy in Algeria was fundamental to colonial domination. It relied on a series of decrees and laws designed to consolidate the French presence and marginalise local societies. The policy entailed the imposition of economic, cultural and social control, and contributed to the decline of Islamic educational institutions. This led to rising illiteracy rates and the contraction of traditional cultural resources.

The findings also show that economic hegemony paved the way for cultural control and that the collaboration between French politicians and military leaders was crucial in implementing the policy of settlement. The Algerian experience was subsequently adopted by France in the Maghreb, spreading this pattern of settlement to Tunisia and Morocco for the benefit of European settlers.

Despite this domination, the Algerian people remained resistant from the outset, preserving their cultural and religious identity. This reflects their rejection of any interference with their sacred values and the foundations of their identity. Finally, the study indicates that the effects of this policy are still evident today in Algeria's social, economic and cultural structures.

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