

## Colonial Law and Educational Transformation in Algeria: The Impact of French Legislation (1870–1940)

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### Abstract

This article examines the role of French colonial legislation in shaping and transforming the educational landscape of Algeria between 1870 and 1940. It argues that education was not merely a civilizing mission, as portrayed in colonial discourse, but rather a strategic instrument of domination, assimilation, and social restructuring. Through an analysis of key legal texts, administrative policies, and institutional practices, the study shows how French laws systematically reconfigured indigenous education, marginalized traditional systems of learning, and created a dual educational structure that reinforced social and cultural inequalities.

Adopting a historical-analytical approach, the article draws on archival sources, colonial decrees, and contemporary accounts to explore the tensions between colonial objectives and local responses. The findings reveal that French legislation simultaneously expanded access to schooling while restricting its transformative potential for Algerians, thereby giving rise to an educated minority aligned with colonial interests. The study contributes to broader debates on colonial rule, education, and cultural hegemony, offering a nuanced understanding of how legal frameworks operated as mechanisms of control in colonial contexts.

**Keywords:** French colonial legislation; colonial education; colonial Algeria; French educational policy; cultural identity.

### Introduction

Cultural invasion, as is well known, can be no less dangerous than military invasion. For that reason, the French colonial authorities made education one of the principal means of achieving their objectives, foremost among them the destruction of the civilizational foundations of Algerian society in order to facilitate full control over its land and material resources. From the outset, colonial rule therefore paid particular attention to the school and to education. People's need for knowledge does not cease, and the desire to learn is a powerful human impulse. Education also shapes new generations, and schools imprint upon them their own orientation.

Since the French occupation of Algeria in 1830, the history of education in the country has been closely tied to the colonial project, which sought comprehensive control over every sphere of life. Various French administrative bodies collaborated in this effort, from the Ministry of Public Instruction to the office of the Governor-General. The Directorate of Native Affairs likewise played an active role in imposing a limited form of French schooling and in combating independent Arabic education.

By the end of the nineteenth century, French legislation had assumed a more systematic and influential role, becoming the principal instrument for regulating and directing education. The school thus became a direct vehicle for disseminating French language and culture and for distancing Algerians from their Arab-Islamic roots. This policy extended to curricula, teachers, languages of instruction, and school financing. The consolidation of these laws and regulations had grave consequences for many aspects of life, especially the educational life of Algerians.

Against this background, the central question of the present study is as follows: To what extent did French legislation in Algeria during the period 1870–1940 affect the structure and content of education, and what impact did it have on the cultural and social identity of Algerians?

### **1. French Legislation as a Colonial Instrument for Organizing Education**

After the fall of Algiers and the formal signing of the capitulation treaty on 5 July 1830, the French colonial authorities set about implementing their political, military, and cultural projects. They relied in particular on the educational sphere as a means of advancing their cultural programme, deepening colonial penetration, and consolidating domination.

The first years of the French occupation of Algeria were marked by hostility and deep hatred toward Arab-Islamic culture and its bearers. One outcome of the colonial war was the destruction of cultural institutions and their conversion into Christian churches. Ketchaoua Mosque was turned into a cathedral, and Ali Bitchin Mosque became the Church of Notre-Dame des Victoires<sup>1</sup>.

The colonial authorities also displaced teachers, dispersed pupils, and halted the activities of zawiyas, mosques, and schools.<sup>2</sup> For that reason, indigenous education began to disappear after the colonizers seized the awqaf that had been its chief source of support. In his 1847 report, Alexis de Tocqueville described the situation in these terms: Everywhere we seized the funds belonging to charitable institutions whose purpose was to meet the needs of charity and public education. We diverted them in part from their previous uses, dissolved charitable foundations, allowed schools to collapse, and scattered study circles. The lights around us were extinguished, and the appointment of religious scholars and jurists came to a halt. This means

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<sup>1</sup> Mohamed Ben Moussa, *Examples of Repressive French Laws Applied to Algerians under the Third Republic (1881-1912)*, Master's dissertation in contemporary history, supervised by Saidi Meziane, Ecole Normale Supérieure (Bouzareah), Algiers, 2017, 23.

<sup>2</sup> Charles-Robert Ageron, *Algerian Muslims and France (1871-1919)*, trans. Masoud al-Hajj Masoud and A. Bekli, vol. 1 (Algiers: Dar al-Ra'id lil-Kitab, 2007), 582.

that we made Muslim society far poorer, more disorderly, more ignorant, and far more barbarous than it had been before it knew us<sup>3</sup>.

To achieve this purpose, the occupation administration rushed to issue numerous decisions, laws, and decrees, among the most important of which was the royal ordinance of 23 March 1843, which dealt a severe blow to educational institutions by confiscating awqaf property and annexing it to state holdings. The French authorities also fought the Arabic language and its cultural institutions. Through a series of measures, they reduced the scale, quality, and number of Arab-Islamic schools and institutions throughout the colonial period. More troubling still, colonial coercion targeted both Arabic and Islam. The language of the Qur'an and its cultural and religious institutions came under attack because religion could not be understood without Arabic, and because Arabic also served as a vehicle for calling people to resist French rule. Teachers of Arabic were expelled because they were seen as opposing Western domination and standing in the way of cultural invasion.

### **1.1. The Legal and Political Background of French Legislation in Algeria**

The roots of French legislation governing education in Algeria go back to the mid-nineteenth century, when the colonial administration began issuing a series of decrees and laws that defined the character of education in the colony. The most important of these included the following.

#### **1.1.1. French laws issued in the mid- and late nineteenth century**

- **Decision of 6 August 1850:** This decision called for the establishment of six Arabic-French schools in Algiers, Oran, Constantine, Annaba, Blida, and Mostaganem in order to support both Arabic and French<sup>4</sup>. These schools were supervised by French instructors who had to hold a certificate qualifying them to teach Arabic, with assistance from some Algerians<sup>5</sup>.
- **Decree of 30 September 1850:** This decree established three schools, one in Constantine, another in Tlemcen, and a third in Médéa. Each school had three Algerian Muslim teachers, one of whom served as director. These institutions were called Franco-Islamic schools. They taught jurisprudence, Islamic religious subjects, and Arabic. Their purpose was to train personnel for the judiciary, the imamate, and private education for Muslims. Although their administration and teachers were Arab, they remained under the authority of the Governor-General. After the 1863 decree amended some provisions and added French language and French history, these subjects came to be taught by French teachers<sup>6</sup>.

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<sup>3</sup> Al-Ghali al-Arabi et al., *The French Aggression against Algeria: Backgrounds and Dimensions* (Algiers: National Centre for Studies and Research on the National Movement and the First of November 1954 Revolution, Ministry of Mujahidin, 2007), 22.

<sup>4</sup> Maurice Poulard, *L'enseignement pour les indigènes en Algérie* (Algiers: Imprimerie administrative, 1910), 87.

<sup>5</sup> Asia Belahcene Rahoui, "The Condition of Algerian Education in the Wake of the French Occupation," *Psychological and Educational Studies* 7 (December 2011): 63.

<sup>6</sup> Abou El Kacem Saadallah, *Cultural History of Algeria, 1830-1954*, vol. 3 (Beirut: Dar al-Gharb al-Islami, 1998), 370-373.

- **Report of 1851:** This report called for the formation of a new generation of Algerians in French schools. The target was a generation that had not witnessed the conquest or the resistance, but had grown up under occupation and opened its eyes to a French Algeria. Primary and intermediate schools were then opened to receive the children of Algerians employed in the French administration, and these institutions were called native schools<sup>7</sup>. The French administration also adopted coercive measures to limit Arab-Islamic education and to spread mixed Arabic-French schooling.

- **Decree of 1859:** Issued by the General Government, this decree fixed the number of pupils enrolled in kuttab schools in each district and subdivision in order to transfer them to the Arabic-French schools they had abandoned, while at the same time reducing the activity of Arabic education.

- **Decree of 31 October 1863:** This decree created a general inspectorate for educational institutions intended for Algerians across the entire country. Statistics from this period indicate an increase in the number of schools. In 1864 there were about eighteen schools. In 1865-1866 the number rose further. Oran alone had thirty-six schools, and by 1870 Algeria as a whole had thirty-one schools in the civil zone, five in the military zone, and about 13,000 pupils<sup>8</sup>.

France wanted indigenous people to receive from this education a noble and purified image of France, together with an idea of its progress, greatness, and military power. Even so, these schools did not attract large numbers because the population faced many difficulties and there was little trust between local people and the colonizer<sup>9</sup>.

- **Law of 28 October 1870:** As part of a transformation in the pattern of educational institutions, France issued the October 1847 decree that abolished the Arabic-French institutes and transferred their students to the lycée of Algiers and the institute of Constantine, while separating Algerian pupils from Europeans<sup>10</sup>.

After 4 September 1870, several municipalities, above all Algiers and Constantine, decided that primary education in their jurisdictions should be exclusively secular. The provincial administrative authorities approved these decisions. In 1872, however, the Governor-General of Algeria, de Gueydon, cancelled the authorizations that had been issued by the prefects through several decrees. The affected municipal councils appealed to the Conseil d'État, which rejected their requests in two decisions dated 23 May and 27 June 1873. Yet this period was only a brief interruption in the development of secular education.

Public education in Algeria then developed gradually and was divided into three levels: primary, secondary, and higher education. Secondary and higher education were governed by

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<sup>7</sup> Ali Muhammad Muhammad al-Sallabi, *The Struggle of the Algerian People against French Occupation and the Life of Emir Abdelkader: A History of Algeria up to the Eve of the First World War* (Beirut: Dar al-Ma'rifa, 2015), 712.

<sup>8</sup> Abdelkader Hallouch, *France's Educational Policy in Algeria* (Algiers: Dar al-Umma, 1999), 53, 56.

<sup>9</sup> Guy Pervillé, *The Francophone Algerian Elite, 1888-1962*, trans. Masoud Hajj Masoud, A. Bekli, and A. Belaribi (Algiers: Dar al-Qasaba, 2007), 388.

<sup>10</sup> Hallouch, *France's Educational Policy in Algeria*, 132, 134.

the laws and regulations of metropolitan France, while primary education remained subject to an exceptional regime. To apply French legislation fully in Algeria, a decree issued on 15 August 1875 definitively organized the structure of public education in the colony. Its main provisions included the following:

1. The formation and powers of the Academic Council, which held its sessions in Algiers under the presidency of the director.
2. The creation of regional councils for public education and the determination of their composition.
3. The equalization of salaries for professors and educational staff with those of their counterparts in France, with the addition of a colonial settlement allowance<sup>11</sup>.

The same decree also provided for free primary education in Arabic-French schools in military districts, with instruction that included writing in French. Compulsory education applied only to European children in all Algerian departments. The system was supervised by a general inspector of education and primary inspectors. Each municipality had one public school for boys and girls between the ages of six and thirteen. Attendance for indigenous children in public schools was not compulsory<sup>12</sup>.

- **Decree of 16 February 1876:** This decree reflected the political and French character of these schools by training candidates for religious, judicial, and teaching functions. Together with the decree of 7 March 1877, it classified Islamic schools as higher schools of Islamic law. Each school consisted of six teachers, three French and three Muslim. The programme lasted three years and was open to students aged at least seventeen. Teaching was entrusted to French instructors. Under article 4 of the decree, the curriculum included French language, history, geography, arithmetic, French law, civil law, criminal law, administrative law, Arabic language and literature, theology, and Islamic law. Graduates received the Brevet d'études musulmanes<sup>13</sup>.

- **Law of 1879:** This measure established four higher schools: literature, law, science, and medicine. The medical school had in fact begun, with difficulty, in a military barracks in 1857. These institutions later formed the nucleus of the University of Algiers, which was formally founded in 1909 in the service of colonialism. Literature became a centre of Orientalism, and law became a point from which French law extended its control over Islamic law<sup>14</sup>.

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<sup>11</sup> Eugène Fourmesttraux, *L'instruction publique en Algérie (1830-1880)* (Paris: Challamel Aîné, 1880), 15.

<sup>12</sup> Hallouch, *France's Educational Policy in Algeria*, 128-130.

<sup>13</sup> Hanifi Helaili, "French Arabists at the Official School of Tlemcen between 1850 and 1962: A Study of Colonial and Orientalist Trajectories and Orientations," *Mediterranean Dialogue Journal* 13 (December 2017): 44-45.

<sup>14</sup> Al-Sallabi, *The Struggle of the Algerian People against French Occupation*, 711.

- **Law of 9 November 1881:** This law provided for the establishment of eight French schools in Kabylia<sup>15</sup> in order to consolidate the policy of dual education. The policy met strong opposition from settlers who refused to have their children study alongside Algerian children in the same school. Algerians were also wary of this education because it was supervised by Christian clergy. As a result, enrolment remained very low.
- **Law of 28 March 1882:** This law introduced amendments concerning the organization of French primary education. Some republicans who supported the education of Algerians attempted to apply certain parts of it in Algeria<sup>16</sup>.

The year 1880 marks the real beginning of a distinct educational organization for Algerians, and the decree of 13 February 1883 represents a new stage in Algeria's cultural and educational history.

- **Law of 13 February 1883:** This law made all official education in Algeria wholly French in language, curriculum, methods, and orientation. It created two types of schools. The first was intended for the children of European settlers and enjoyed high privileges and status, making it the premier educational track in Algeria. The second was intended for Algerian children, designated as natives or indigènes, and stripped of their Arab-Islamic language, culture, and civilization<sup>17</sup>. Among its provisions relating to Algerian education were the obligation on municipalities to establish one or more free schools for European and indigenous children alike, the production of special textbooks for native education, and the introduction of a principle of compulsory schooling along with a special certificate called the Certificate of Indigenous Studies<sup>18</sup>.
- **Law of 30 October 1886:** This law placed private Muslim schools, such as mosques and zawiyas, and Jewish schools, such as midrashim, under the same inspection and supervision that governed private schools in France. No private school could open without the approval of the mayor, the administrative officer, or the district commander, and a school could be closed by decision of the Governor-General. No Muslim or Jewish teacher could direct a private school without an official authorization issued through precise procedures, and that authorization could be withdrawn at any time. In any municipality subject to compulsory schooling, where there was a public boys' primary school within three kilometres or forty minutes on foot, private schools were not allowed to receive children aged six to twelve during public school hours.

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<sup>15</sup> Jamal Qanan, *Indigenous Education in Algeria under Occupation, 1830-1944* (Algiers: Dar Houma, 2007), 107.

<sup>16</sup> Rahoui, "The Condition of Algerian Education in the Wake of the French Occupation," 62.

<sup>17</sup> Ahmed Aissaoui, "The Reality of Education in Algeria in the Aftermath of the French Occupation," *Afaq al-Thaqafa wa al-Turath* 50 (July 2005): 48.

<sup>18</sup> Hanifi Helaili, "The Cultural Life of the Sidi Bel Abbes Region through Its Reformist Figures," *Mediterranean Dialogue Journal* 5 (March 2013): 145-146.

- **Decree of 8 November 1887:** Article 1 stated that all laws in force in Algeria concerning teaching certificates, free education, compulsory education, secularism, and the construction of schools would be applied under the following conditions:
  - Every full-service or mixed municipality had to have at least one public primary school.
  - The establishment of any new school or any new teaching post required the approval of the Governor-General.
  - The costs of constructing and equipping schools fell on the municipalities, with possible state assistance, as in France.
  - Primary education was compulsory for school-age children of both sexes, regardless of the nationality of their parents. This obligation did not apply to indigenous Muslims except through special decisions of the Governor-General.
  - All public primary schools were open to indigenous children, except mixed schools.
  - The costs of school assistance grants, clothing, supplies, and vocational training for the most regular and deserving indigenous pupils were charged to school funds.
  - Primary inspectors or delegates appointed by the minister were responsible for inspecting and supervising native schools under the authority of the academic director. At that time, however, only one inspector was assigned to this task<sup>19</sup>.
- **Decree of 9 December 1887:** This decree stated that primary education for the indigenous population would be provided in the following settings:
  - Public primary schools of different levels.
  - Special schools located in indigenous population centres, including ordinary schools (Écoles ordinaires), principal or central schools (Écoles principales ou du centre), preparatory or sectional schools (Écoles préparatoires ou de section), and infant schools (Écoles enfantines). Manual schools for vocational learning could also be created for indigenous pupils under the law of 11 December 1880.<sup>20</sup>

The principal schools were to be established only in major population centres far from European villages, under French directors supervising at least six classes. The status of principal school was granted by decision of the Governor-General after consultation with the departmental council and on the proposal of the academic director. Existing principal schools included Touggourt, El Oued, and Ghardaïa.

Infant schools were intended for boys aged four to seven and girls aged four to eight, and were managed by French or indigenous women teachers or supervisors.

Public native schools were placed under the supervision of the Governor-General for the preservation of public order, and any suspended teacher was to be replaced immediately by the academic director.

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<sup>19</sup> Pierre Leyssenne, *L'enseignement primaire en Algérie* (Paris: Imprimerie Nationale, 1889), 23.

<sup>20</sup> *Ibid.*, 19.

Family or maintenance grants of 400 francs were awarded to indigenous pupils who had obtained the primary school certificate and were attached to public schools for practical training and further education.<sup>21</sup>

• **Decree of 18 October 1892:** Issued by the Governor-General concerning public and private education for the indigenous population in Algeria, this decree placed Muslim private schools known as Qur'anic schools, madrasas, zawiyas, and religious schools, as well as Jewish schools known as midrashim, under the supervision laid down in the law of 30 October 1886.<sup>22</sup> It required a licence to open an Arabic school for teaching Arabic language and Islam,<sup>23</sup> imposed new restrictions and conditions on those wishing to open such schools and Qur'anic classes, and allowed enrolment in these institutions only after the end of the school day in government schools<sup>24</sup>. It also introduced reforms relating to indigenous education and insisted that the mu'addibs in Qur'anic schools meet health requirements. That requirement in itself was reasonable, but what draws attention in this law is the condition that they not use their office to teach anything other than the Qur'an, by which the authorities meant matters considered contrary to public order<sup>25</sup>. The decree also made the enrolment of school-age children in public schools compulsory and punished fathers who prevented their children from attending<sup>26</sup>. At the same time, it responded to settler demands, which the colonial administration itself supported, by giving education a practical agricultural orientation without deep instruction in French, because the system wanted peasants and workers to serve colonial interests at the cheapest possible cost<sup>27</sup>.

• **Decree-Law of 23 July 1895:** This measure aimed to reform government Islamic schools. It gave priority and full authority to French studies at the expense of Arabic subjects, though the schools remained much as they had been despite the decree<sup>28</sup>. It also provided for the creation of a higher section in the Algiers school only, and for the teaching of the Kabyle language and custom there as well<sup>29</sup>.

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<sup>21</sup> Leyssenne, L'enseignement primaire en Algérie, 20-22.

<sup>22</sup> Kamel Kateb, "Les séparations scolaires dans l'Algérie coloniale," *Insaniyat* 25-26 (July-December 2004): 79.

<sup>23</sup> Aissaoui, "The Reality of Education in Algeria in the Aftermath of the French Occupation," 49.

<sup>24</sup> Hallouch, France's Educational Policy in Algeria, 193.

<sup>25</sup> Saadallah, Cultural History of Algeria, 1830-1954, vol. 3, 53.

<sup>26</sup> Ahmed Ben Daoud, Cultural Resistance to French Colonialism in Algeria and Morocco through Education, 1920-1954, doctoral dissertation in modern and contemporary history, University of Oran, 2016-2017, 144.

<sup>27</sup> Hallouch, France's Educational Policy in Algeria, 159.

<sup>28</sup> Hallouch, France's Educational Policy in Algeria, 200.

<sup>29</sup> Saadallah, Cultural History of Algeria, 1830-1954, vol. 3, 386.

- **Law of 21 December 1897:** This law punished parents who refused to register their children in French schools<sup>30</sup>.

### 1.1.2. French laws issued in the twentieth century

- **Law of 14 May 1903:** This law prohibited supplementary classes attached to some indigenous schools<sup>31</sup>. At a meeting on 4 November 1903, the Governor-General of Algeria, Charles Jonnart, declared: We have done a great deal for native education, but not what ought to have been done. It is important that we give the natives the kind of education best suited to their needs and aptitudes, and that we direct their education toward a vocational path, in accordance with scientific data that is too often overlooked<sup>32</sup>.
- **Law of 24 December 1904:** This law prohibited any teacher from opening a school to teach Arabic without obtaining a licence from the departmental prefect, or from military officers in areas under military rule. The granting of a licence required compliance with the following conditions:
  - teaching had to be limited to memorization of the Qur'an only;
  - no explanation of Qur'anic verses was permitted, especially verses dealing with jihad;
  - the history and geography of Algeria could not be taught;
  - the teacher had to show loyalty to the colonial administration and obey its orders in all matters;
  - such schools were forbidden from receiving boys of school age during the hours of instruction in French schools, even in villages located more than three kilometres away<sup>33</sup>.
- **Law of 18 March 1905:** Issued by Governor-General Jonnart, this law regulated the functioning of Islamic schools. It divided students into scholarship holders and free students. Admission was by competitive examination for indigenous pupils holding the primary certificate and aged between fifteen and twenty. Teachers were appointed by the Governor-General on the proposal of the director of education, and each school was run by a professor of French nationality<sup>34</sup>.
- **Decision of 6 May 1905:** Issued by Governor-General Jonnart on the occasion of the fourteenth Congress of Orientalists held in Algiers, this decision organized and expanded mosque-based education and placed supervision of lessons in the hands of directors of religious schools, who were, of course, French Orientalists serving the administration before they served

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<sup>30</sup> Ben Daoud, *Cultural Resistance to French Colonialism in Algeria and Morocco through Education*, 145.

<sup>31</sup> Charles-Robert Ageron, *Algerian Muslims and France (1871-1919)*, vol. 2 (Algiers: Dar Ra'id lil-Kitab, 2007), 545.

<sup>32</sup> *Ibid.*, 682.

<sup>33</sup> Yahia Bouaziz, *The Policy of Colonial Domination and the Algerian National Movement, 1830-1954* (Algiers: Office of University Publications, 2007), 60-61.

<sup>34</sup> Hallouch, *France's Educational Policy in Algeria*, 227-228.

the educational profession or Algerian interests<sup>35</sup>. Ministerial decisions were also issued between 4 January and 22 December 1905 to facilitate access to a certificate in Arabic, to increase the coefficient assigned to mastery of spoken Arabic, and to create certificates of competence for teaching colloquial Arabic at different levels in primary schools, teacher-training schools, and secondary institutions<sup>36</sup>.

- **Law of 15 December 1906:** This law emphasized the responsibilities of municipalities toward schools, especially the maintenance of buildings and furniture and the provision of raw materials and school supplies<sup>37</sup>. At the same time that colonial authorities worked to contain Islam and weaken its institutional basis, they also encouraged the spread of Christianity and missionary activity. They took advantage of the law of 27 September 1907, which separated religion from the state in Algeria, following the model of the law of 27 September 1905 in France<sup>38</sup>.
- **Decision of the Governor-General, 3 April 1908:** This decision created a commercial section in the Algiers school.
- **Decision of the Governor-General, 28 April 1908:** This decision established a committee in Algeria to study the amendments that should be introduced to the decree of 18 October 1892 concerning native education.
- **Decision of the Minister of Public Instruction and Fine Arts, 15 May 1908:** This decision created a second inspectorate district for native education in the Constantine department and distributed inspection duties among inspectors in that region.
- **Decree of 30 May 1908:** This decree determined the allowances granted to teachers in public primary schools in southern Algeria and in civil or command schools in Algeria.
- **Decision of the Governor-General, 17 July 1908:** This decision delegated to prefects, governors, and commanding generals the authority to decide certain administrative matters on his behalf.
- **Decree of 22 December 1908:** This decree concerned the certificate in Algerian legislation and the Islamic and customary rights of indigenous people<sup>39</sup>.

It may therefore be said that the French administration made the educational system one of the principal tools for implementing its colonial project and policy. After colonizing the land and preparing the ground, the school was called upon to colonize the individual by moving him from one cultural model to an entirely different one. The objectives assigned to this school were, from the outset, inseparable from that project. Perhaps the clearest statement of these

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<sup>35</sup> Saadallah, *Cultural History of Algeria, 1830-1954*, vol. 3, 67.

<sup>36</sup> Ageron, *Algerian Muslims and France (1871-1919)*, vol. 2, 539.

<sup>37</sup> "Décret du 15 décembre 1906," *Bulletin de l'amicale des membres de l'enseignement des indigènes de l'Algérie*, 2nd year, no. 2 (1907): 14.

<sup>38</sup> Bouaziz, *The Policy of Colonial Domination and the Algerian National Movement, 1830-1954*, 67.

<sup>39</sup> Robert Estoublon and Adolphe Lefébure, *Code de l'Algérie annoté, Supplement for the year 1908* (Algiers: Adolph Jourdan, 1909), 270-348.

aims came from the official responsible for education in 1908, who declared: It is not an act of generosity or benevolence for the university to wish to spread knowledge in Kabylia. Let us say it plainly and loudly: that serves France alone, and that is what we keep constantly before our eyes. We have given our teaching a special character, helped our teachers to follow their own path and methods, and at the same time given our programmes their present character. It is of great importance that we instil in the minds of the natives an elevated and pure idea of our homeland by giving our pupils lessons on the greatness of France ... In its present form and in its dual work, the native school is not only an instrument of renewal. It is above all an instrument of authority, power, influence, and domination. It will make of our subjects a highly useful member and a loyal arm for France<sup>40</sup>.

- **Ministerial Decision of 7 March 1913:** The Minister of Public Instruction issued a decision amending the decision of 23 July 1906 concerning the certificate of competence for teaching Arabic in normal schools<sup>41</sup>.
- **Decree of 19 March 1913:** This decree established a chair of modern Arabic in the Faculty of Letters at the University of Algiers<sup>42</sup>.
- **Decision of 6 June 1917:** This decision confirmed compulsory primary education for Algerian children of school age who lived within a radius of no more than three kilometres from native schools. The measure appears to have been effective, as the number of pupils enrolled reached a high point of 49,071 in 1917-1918.<sup>43</sup>
- **Law of 16 February 1933:** This law deprived members of the Association of Algerian Muslim Ulama, together with its preachers and imams, of the right to preach inside mosques<sup>44</sup>. On this basis, many schools were closed, including Dar al-Hadith in Tlemcen on 31 December 1937, although the closure order applied only to the rooms used for teaching<sup>45</sup>.
- **Decision of 8 March 1938:** The French Minister of Education issued a decision classifying Arabic as a foreign language in Algeria and consequently prohibiting its teaching in schools. Teachers and institutions providing independent Arabic education were required to obtain licences from the French administration. These licences were granted only rarely, and only after the administration had verified the teacher's character and loyalty to the government. Anyone who violated this law was liable to fines, imprisonment, and closure of the school.

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<sup>40</sup> Bassam al-Asali, Abdelhamid Ben Badis and the Construction of the Base of the Algerian Revolution (Algiers: Dar al-Nafa'is, 1983), 34.

<sup>41</sup> Robert Estoublon and Adolphe Lefébure, Code de l'Algérie annoté, Supplement for the year 1913 (Algiers: Adolph Jourdan, 1914), 967.

<sup>42</sup> Ibid., 969.

<sup>43</sup> Ageron, Algerian Muslims and France (1871-1919), vol. 2, 568.

<sup>44</sup> Aissaoui, "The Reality of Education in Algeria in the Aftermath of the French Occupation," 50.

<sup>45</sup> Ben Daoud, Cultural Resistance to French Colonialism in Algeria and Morocco through Education, 184.

- Law of 6 August 1943: This law authorized the opening of independent Islamic schools with a religious character, pursuant to a law issued by the French Committee of National Liberation.
- **Law of 7 March 1944:** For the first time, this law clearly stated that all Algerian children of school age had the right to learn French in school<sup>46</sup>.
- Law of 27 November 1944: This law concerned the operation of independent education in Algeria and provided for the opening of more than 20,000 classrooms over a period of twenty years.
- **Decision of 22 July 1945:** This decision required teachers of Arabic in the schools that had been allowed to open to know French as a basic condition of employment. The aim was to eliminate Arabic education and destroy its institutional basis, since the authorities knew that most of these teachers did not in fact know French.
- **Law of 20 September 1947:** This law recognized Arabic and provided for its teaching alongside French, though in a limited way. The French administration did not implement the measure seriously. It confined Arabic to the teaching of elementary grammatical rules and assigned it to hours outside the normal school timetable<sup>47</sup>.
- **Appeal of 5 March 1954:** In this appeal, inspectors of primary education called for the abolition of compulsory Arabic teaching at the primary stage because, in their view, it would lead to the Arabization of the country, as if the country had originally been French. The appeal divided Arabic into three categories:
  - **colloquial Arabic**, whose importance went no further than that of a local dialect;
  - **classical Arabic**, which they described as a dead language;
  - **modern Arabic**, which they regarded as foreign to the country.

Such was the condition of Arabic under colonial rule. The doors should, in principle, have been opened to the Algerian child to learn French after being deprived of the national language. Yet colonialism also restricted Algerians in the learning of French, because its true aim was to keep minds in ignorance and to deprive them of enlightenment, even in a language that was not their own<sup>48</sup>.

## **2. The Repercussions of Educational Legislation on Algerians (1870–1940)**

### **2.1. Structural Transformations in Educational Institutions and Educational Levels**

The French colonial policy applied in Algeria was fundamentally exploitative. Its purpose was to dominate Algerian society and detach it from its Islamic identity. The destruction of the Arab-Islamic entity in Algeria therefore became one of its highest priorities.

The French colonial authorities pursued a policy of keeping the indigenous population in ignorance by demolishing and closing religious institutions such as mosques, zawiyas, and

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<sup>46</sup> Ammar Hilal, *Research and Studies in the History of Contemporary Algeria, 1830-1962* (Algiers: Office of University Publications, 1995), 64.

<sup>47</sup> Bouaziz, *The Policy of Colonial Domination and the Algerian National Movement, 1830-1954*, 61.

<sup>48</sup> *Ibid.*

schools, while at the same time channeling Algerians into French educational institutions. In this way, colonial rule undermined the various forms of education that had previously existed in Algeria and sought to weaken both religion and the Arabic language, thereby becoming a direct cause of widespread ignorance among Algerians. When the colonial administration spoke of the need to educate Algerians, it did not do so out of concern for the Algerian people, but rather in order to consolidate the French presence in Algeria.

The Supreme Council of Settlers even issued a decision stating that opening schools for the indigenous population exposed the country to a real financial danger, and it therefore asked Parliament to revise its decision concerning such schools<sup>49</sup>. France feared educated Algerians because education would open before them broad political and cultural horizons.<sup>50</sup> The French administration did not work seriously to develop the education of Muslim Algerians. As a result, illiteracy spread widely among Algerian children and remained at a very high level at the beginning of the twentieth century<sup>51</sup>.

During his visit to Algeria in 1901, the Egyptian leader Muhammad Farid described the miserable state through which Algerian society was passing in the following terms: The condition of education in Algeria is very poor. If matters continue in this way, French will replace Arabic in all dealings, and Arabic itself may disappear altogether with the passage of time. The government does not work to preserve it, nor does it allow the indigenous people to form associations to open schools ... French has become the language of communication in major centres such as Oran, Constantine, Annaba, and others<sup>52</sup>.

The colonial administration exploited legislation of all kinds in order to impose its control and establish an educational system that served its interests. It issued the decree of 18 October 1892, which made a licence compulsory for opening an Arabic school<sup>53</sup>. This was followed by the law of 24 December 1904, which prohibited any teacher from opening a school for teaching Arabic without a licence from the departmental prefect. Nor did the administration stop there. It even restricted Algerians in learning French, because its aim was to keep minds in ignorance and to deprive them of enlightenment, even through a non-national language<sup>54</sup>.

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<sup>49</sup> Abdallah Cheriet and Mohamed Mubarak al-Mili, *A Concise Political, Cultural, and Social History of Algeria* (Algiers: National Book Foundation, 1985), 196.

<sup>50</sup> Turki Rabah Amamra, *National Education and National Personality, 1931-1956* (Algiers: National Publishing and Distribution Company, 1975), 145.

<sup>51</sup> Nahed Ibrahim Dessouki, *Studies in the Modern and Contemporary History of Algeria: The Algerian National Movement in the Interwar Period, 1918-1939* (Alexandria: Munsha'at al-Ma'arif, 2001), 78.

<sup>52</sup> Ahmed al-Khatib, *The Association of Algerian Muslim Ulama and Its Reformist Impact in Algeria* (Algiers: National Publishing and Distribution Company, 1985), 64.

<sup>53</sup> Saadallah, *The Algerian National Movement*, vol. 2, 62.

<sup>54</sup> Bouaziz, *The Policy of Colonial Domination and the Algerian National Movement, 1830-1954*, 60-61.

Alongside policies directed against Arabic education in its different forms, French colonialism also pursued policies of compulsory French education for some indigenous Algerians in order to create an Algerian elite formed in French culture. This group later became known as the francized elite or the alienated class. France thus linked its educational policy in Algeria to its colonial policy and to its settler projects by training educated Algerians for religious posts such as ifta and the judiciary, and for administrative functions such as clerks, imams, and teachers. This situation had harmful consequences for the children of Algeria<sup>55</sup>.

The number of educational institutions declined, and the number of Algerian pupils also fell sharply, especially at the end of the nineteenth century and the beginning of the twentieth. This was the result of legislation and laws, the opposition of settlers to the education of Algerians, and French restrictions imposed on Algerians even in the learning of French<sup>56</sup>.

It is clear, then, that the purpose of this policy was to marginalize and humiliate the Algerian individual and Algerian society alike. The European settler in Algeria was the central figure around whom colonial educational policy revolved, and that policy was designed to meet his needs. In this context, school programmes were arranged in such a way that the Algerian individual developed within a culturally and intellectually sterile environment that did little to enhance his standing. Those whom the settlers were willing to admit alongside them in this school system did not exceed 3.8 percent by the beginning of the twentieth century, whereas Europeans reached 84 percent. This striking disparity reflects a racist policy of exclusion. Education on Algerian soil was divided into two highly unequal sectors: education for Europeans, widely available in the towns and villages where they lived and generally compulsory, and education for Muslims, attended only by limited numbers of Muslim children who happened to gain access to this form of schooling. One reason for these small numbers was the reluctance of Algerians to send their children to French schools for fear of their conversion to Christianity.

It can therefore be said that, despite Algerians' thirst for knowledge and culture, and despite their desire for the education offered by French schools in small doses, the undeniable truth is that the purpose of colonial cultural projects was not to raise the educational level of Algerians. On the contrary, their purpose was to consolidate colonial domination over Algeria. The French primary school, which in France was considered a pillar of the Republic, became in Algeria a pillar of control<sup>57</sup>.

## 2.2. Cultural and Social Consequences of Educational Legislation

Educational legislation had far-reaching repercussions for Algerian society. Among the clearest of these was the erosion of the Algerian citizen's sense of national belonging. Compulsory schooling—at least in theory—was hedged with reservations intended to ensure

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<sup>55</sup> Imad Labid, "French Attempts to Erase Algerian Identity during the Occupation (1830-1962)," *Al-Hikma Journal of Historical Studies* 5 (first half of 2015): 11.

<sup>56</sup> Abdallah Cheriet and Mohamed al-Mili, *Algeria in the Mirror of History*, 1st ed. (Constantine: Maktabat al-Ba'th, 1965), 218-219.

<sup>57</sup> Helaili, "The Cultural Life of the Sidi Bel Abbes Region through Its Reformist Figures," 146.

that serious education beyond the primary stage would be available only to those who showed signs of attachment to France and detachment from their Arab-Muslim society and homeland, with its Arab-Islamic history. One consequence of this legislation and educational policy was the emergence of a current loyal to the French occupation. This current was the product of colonial efforts to purchase loyalties, neutralize positions, and absorb local actors into colonial ideology and French culture in both form and substance. It may be divided into three wings that contributed, in varying degrees, to consolidating French rule after the occupation had manufactured, tamed, or trained them in its educational institutions. They clung to colonial power either because they had internalized its culture or because they hoped for its favor. Such hopes rarely rose above personal motives, private interests, and political or social ambition. In pursuit of status and the substantial gains attached to it under French sovereignty, this current played a destructive role, whether through overt or concealed support for the occupation or through silence in the face of the harm inflicted on the language and creed of the nation.

Colonial educational policy also created a social and psychological condition that weakened, for some Algerians, the bond that tied them to their homeland despite the bitterness of reality. Many emigrated to neighboring countries or to the Arab East in order to preserve their religion, protect their language, and escape the reality of life in Algeria under colonial domination. These migrations reduced the number of teachers. Almost no one remained in Algeria except those whose presence was of little benefit—or even harmful—either because of weak scholarly and political standing or because they had resigned themselves to what seemed inevitable. Educational activity was thus struck by stagnation and withdrawal. The *zawiya*, which had once been a center of political and religious leadership, became merely a place where the principles of religion were taught through the explanation of old books and instruction about the afterlife. Mosques, once centers of knowledge and light, became ordinary spaces in which prayer was performed without preventing indecency or wrongdoing. Prayer itself became a ritual carried out by a salaried imam who simply performed his duty and was kept under constant watch so that he would not raise political or social issues important to worshippers.

From the outset, French leaders openly declared that their aim was to “civilize” Algerians, whom they described as “savages” or semi-civilized people, and that they were carrying out a civilizing mission. That mission meant replacing existing Islamic systems with French ones and making French the language of sovereignty. Their goal was therefore to reach the point of integration, at which Algerian society would become a francized society in language, religion, and institutions. Many efforts converged to achieve this objective. Military forces crushed resistance wherever it appeared and in all its forms. Civil authorities destroyed existing institutions, including *awqaf*, education, and justice, as well as visible landmarks such as mosques, *zawiyas*, and cemeteries. Religious agents worked to restore the Catholic Church that had existed before Islam and tried to induce Algerians to abandon their religion and identity. Orientalists and advocates of Westernization cooperated in undermining Arabic through neglect, in reviving colloquial forms and local dialects, and in teaching all of this through French, while educating the Algerians connected to them in the same direction. This French integrationist plan took shape in the creation of a nucleus that could serve as a vehicle for its

realization, a nucleus that may be described as one of Westernization, integration, and francization<sup>58</sup>.

This group was especially dangerous—and indeed disastrous for Algeria—because of its discourse and political positions. Its features began to appear at the start of the twentieth century. It was composed of people formed in French education and social life, French in language, ideas, and culture. It began to express itself through the movement of the Jeunes Algériens in 1911. Its ambition was limited to equality with the French residents of Algeria. It relied on its cultural affinity with the West, its ideological loyalty to it, and also on existing and subsequent French laws, especially the law of compulsory military service. Later legislation also enabled Algerians to obtain effective French nationality in 1919, on condition that they renounce their Islamic religious personality. Among the most important figures in this current were Dr. Ben Djelloul and Ferhat Abbas, although Abbas later revised his position thanks to his relationship with Shaykh Abdelhamid Ben Badis and the intellectual campaign waged by Arab reformist nationalist thinkers against this current. That campaign had a natural effect in protecting Algerian society, which early understood what this current, with French encouragement, was trying to lead it toward: abandoning its Arab-Islamic cultural identity, which it had defended for nearly thirteen centuries, so that the integrationists might achieve their own ambitions and enter French society, invoking in support of their case the political, economic, and social gains obtained by Jews in Algeria after receiving French nationality.

The Association of Ulama stood firmly against this type of integration, and its position had wide resonance and important consequences for the national movement. When Ferhat Abbas denied the existence of an Algerian nation, Ben Badis replied in words that shook those who believed that this nation had truly disappeared and who had built upon that illusion dreams of integration into another nation: The Algerian Muslim nation is not France and cannot be France. It does not wish to become France, and it cannot become France even if it wished to do so. It is a nation far removed from France, in its language, its morals, its ethnic composition, and its religion, and it does not want to merge<sup>59</sup>.

### Conclusion

This study has examined the repercussions of French legislation on the educational life of Algerians between 1870 and 1940. Several conclusions may be drawn.

First, French legislation during this period was not merely a legal framework for regulating education; it was an integrated colonial instrument for reshaping Algerian consciousness. It contributed to the deterioration of Arab-Islamic education and imposed a French educational model aimed at cultural and political integration. The emphasis placed by these laws on supervisory bodies, especially with respect to licensing and the monitoring of public and

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<sup>58</sup> Abou El Kacem Saadallah, *Cultural History of Algeria, 1830-1954*, vol. 6, 1st ed. (Beirut: Dar al-Gharb al-Islami, 1998), 197-198.

<sup>59</sup> Saadallah, *Cultural History of Algeria, 1830-1954*, vol. 6, 372.

independent Arabic education, reveals the depth of colonial anxiety toward Arab-Islamic culture.

Second, these legislative measures profoundly altered the educational map of Algeria. The number of Qur'anic schools and zawiyas declined under legal and financial restrictions, while the number of students and teachers also fell. At the same time, French "mixed" schools were established to draw Algerian children into the colonial educational system. French was imposed as the principal language of instruction, while Arabic was reduced to a secondary or optional subject. Through this legal architecture, the colonial administration sought simultaneously to disseminate French language and culture, exclude traditional Arab-Islamic education, and form a loyal educated stratum capable of filling subordinate positions within the colonial administration.

Third, education functioned as a means of imposing cultural hegemony and producing lasting intellectual dependency, as confirmed by French official texts that linked schooling to the domestication of the indigenous population. Yet despite the force of these policies, French educational legislation failed to eradicate Algerian identity, which recovered strength with the rise of national education in the 1940s. The study of this period therefore remains essential to understanding the relationship between law and education within the colonial project of domination. The school was not merely an instrument of modernization, but also a mechanism of power, control, influence, and manufactured loyalty.

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