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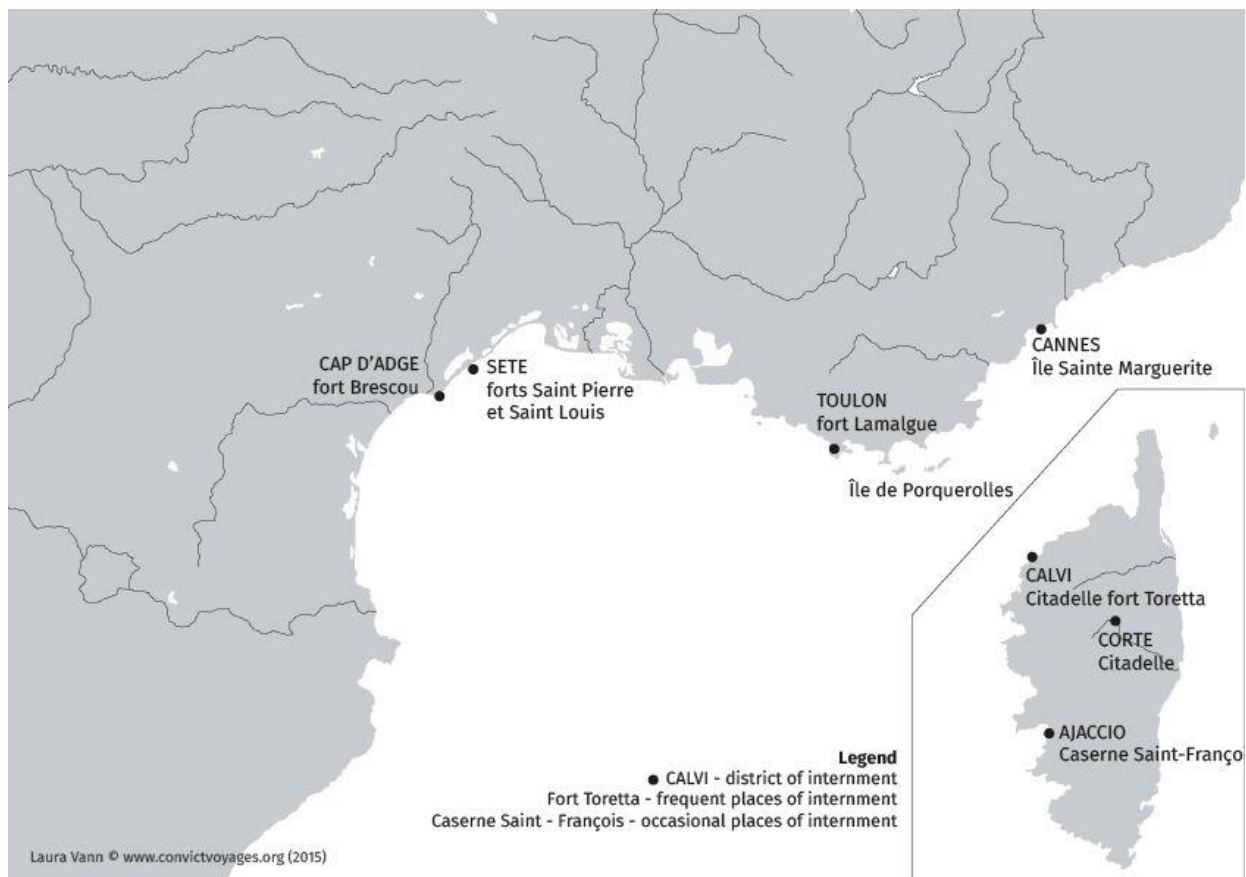
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## Algeria: On the Margins of French Punitive Space?

Sylvie Thénault, translated by Christopher Mobley

In France in the nineteenth century, being sent to the colonies was considered a form of punishment. People were sent there following various measures, covering different legal forms and applied with variable degrees of consistency.

Some of these measures were implemented on very rare occasions, whereas others were used on a massive scale over very long periods of time. Thus, there were legal punishments ordered by the courts, following an investigation or trial: deportation, a political punishment used in particular against the insurgents of the Paris Commune in 1871; or hard labour, with convicts sent to penal colonies. There were also measures implemented by the administration or political powers: “transportation,” a measure created for insurgents of June 1848; or internment, aimed at opponents to the 1851 coup d’état.



Lastly, “relegation” (or exile) was a punishment created in 1885 for repeat offenders.<sup>i</sup>

Algeria held a marginal place in this punitive system because it did not need penal colonisation to become a settlement colony. It was conquered and colonised in the period 1830-80, when Europe was a land of emigration.

Its proximity with Europe also gave it an advantage over other potential destinations for migrants, especially Spaniards and Italians. The men and women sent to the colonies for various penal reasons were sent to New Caledonia and French Guiana – it is estimated that 100,000 people were sent to penal colonies between 1852 and 1938.<sup>ii</sup>

Nevertheless, Algeria was affected by the penal system linking it to mainland France and to other colonies. These movements of people have given rise to various legends that researchers can now examine to verify what is true and what is not.

### **A Land of Exile for Republicans? A powerful, but misleading, image**

In June 1848, General Cavaignac, the former Governor General of Algeria named Minister of War, led the bloody repression of the uprising in favour of a social Republic. He created the punishment of “transportation,” with offenders being sent “to overseas possessions other than those along the Mediterranean.” Algeria was not included in order to keep it away from any contagion by revolutionary ideas.

However, as this measure was not applied consistently, around 500 individuals, out of 16,000 arrested, were eventually sent to Algeria. iii

Much more significant was the repression of opponents to the coup d'état on 2 December 1851, led by Louis-Napoléon Bonaparte, the founder of the Second Empire (1852-70). Thousands of dissidents were sent to Algeria. iv

At first, these prisoners were held in several prisons or forts, in Algiers and Bône (present-day Annaba), they were broken into groups based on their degree of resistance. While the most virulent opponents were kept in confinement, the others were sent to two “depot camps” and various “colony camps.” The two depot camps, near Algiers, were disciplinary camps where the prisoners had to work on terracing projects, road works or irrigation projects. v

The colony camps were mobile building sites. Their number varied over time, and they were set up in rural areas, notably to clear land. The fate of these prisoners was decried even at the time, thanks to documents that reached a republican in exile in London, who published them in a work entitled *Bagnes d’Afrique* (The African Penal Colonies). vi

Moreover, some of these republicans met up with convicts transported in 1848 and sent to the Roman ruins of Lambèse (Lambaesis) in south-eastern Algeria. They were to take part in the archaeological digs at this site, and to help build a penitentiary that would remain an important part of the colonial prison system until Algerian independence, and is still a prison today. The grandfather of ethnographer Michel Leiris was one of the labourers on this site. vii

However, these repressive measures led to a very limited number of colonists. In 1859, the Algiers Government-General estimated that, of the 6, 258 people sent from mainland France, 5,465 had already left Algeria. So the image of Algeria colonised by fervent republicans deported from the mainland is merely a myth. However, colonisation plans sketched out by the authorities in the same period – in 1848-49, to be precise – were very successful. At least 14,000 people went to Algeria voluntarily. The authorities, sorting through the candidates, were careful to avoid any form of contagion by refusing people who had been classified as agitators. viii

In the memories of French colonial families in Algeria, seeking a legend, these departures were probably mixed up with forced deportation for political reasons, giving birth to the myth of Algeria colonised by republicans that mainland France wanted rid of. So this is a powerful image, but is misleading when we consider the numbers of colonists.

“Biribi” or the Universe of Military Punishment Algeria is unique among other colonies because it was the main venue for the execution of military punishment. The resulting “universe” of military punishment was very loudly denounced by Georges Darien, a soldier punished there, who described the hellish conditions he lived through in Biribi (1890). ix

“Biribi,” according to Dominique Kalifa in a book on the topic, was a “sort of penal archipelago where the French Army sent offenders.” X

This is an archipelago that Albert Londres also denounced in 1924, under the evocative title Dante n'avait rien vu (Dante hadn't seen anything). xi

At the heart of this universe depicted by Dominique Kalifa were acts of violence against men subjected to the crapaudine (forced into a painful position on the stomach with feet and wrists tied together behind the back), the “tomb” (held under a stifling small tent) or the “silo” (held in holes dug out in the ground to store harvested grains and produce). In addition to these forms of violence, they were subject to hard labour at an exhausting pace in a naturally trying environment. The men worked in quarries and mines and on public building sites (for ports, roads, fortifications, etc.). They could also be hired out to individuals, entrepreneurs or municipalities, where they were generally used as farm labourers.

These soldiers had been assigned to various institutions, all created in the nineteenth century to punish undisciplined soldiers, to rein in insubordinates, or to get rid of draftees that had had a brush with the authorities before being incorporated. These were disciplinary companies, battalions of Africa (known as the “Bat d'Al”), colonial disciplinary companies, sections of “excluded” personnel, as well as prisons, penitentiaries and public workshops for those who had been tried by military courts. However, in reality, these soldiers ended up on the same building sites depending on the projects they were working on. Those from various companies and battalions could also take part in combat if needed. They notably participated in the colonial campaigns. We can only make an approximate assessment of such an archipelago. According to Dominique Kalifa, it covered 7,500 men under the Second Empire,

10,000 in 1875-85, 13,000 in the following decade, then 9,000 in 1905, 5,000 in 1925 – i.e. 1-2% of army personnel, depending on the period. xii

This system, roundly decried and gradually reformed, then began a slow decline.

### **From Algeria to Other Colonies: Lesser known penal movements**

In a context where the history of France and that of its colonies are considered separate fields, the level of knowledge is unequal. While the history of penal movements from mainland France to Algeria is very well known, we know much less about movements from Algeria to other colonies. Yet Algerian residents were also subject to forms of punishment involving exile.

All Algerian residents, regardless of their status (“Muslim” colonial subjects, foreigners of various nationalities, French colonists, or naturalised Jews), could be tried by courts that applied the same penal code as in mainland France.

Thus, they could be sentenced to deportation or hard labour. They could also be sentenced to “relegation” (exile). We know for certain that criminals from Algeria were sent to French Guiana for hard labour – escapees from Cayenne who became bandits once they returned to Algeria were mentioned in speeches about public safety in the early twentieth century.

Yet no research has been carried out on this topic. Transportation to New Caledonia has received much more attention, for two reasons. Firstly, the Algerians who stayed there left a substantial mark on New Caledonian society – they brought with them the date palm tree, whose cultivation has been studied by Mélica Ouennoughi.

Associations of descendants who get back in contact with Algeria, or local authorities seeking to find out more about this part of their past, also bring this history to light. This is the case in particular for the town hall of Bourail, the site of a penal colony where many Algerians were sent. xiii

Secondly, Algerian collective memory has focused on the heroes of the colonial resistance who rebelled during the uprising of El Mokrani in 1871 and were deported to New Caledonia. This is the topic of a book by Medhi Lallaoui, who also produced a documentary film. In New Caledonia, Algerian rebels encountered Paris Commune deportees such as Louise Michel. The vast majority were detained on the Isle of Pines, on plots of land that were difficult to farm.

They worked on public works projects and had official representatives in the 5 towns on the island. Some were allowed to travel between the Isle of Pines and Nouméa. They were granted amnesty in 1895 after receiving support from former Communards, but many of them did not return to their homeland. They had built ties in New Caledonia, notably with French women, and this encouraged them to stay.

This focus on the rebels of El Mokrani and their ties with Communards obscures a more complex history, which Mélica Ouennoughi has pieced together. Thus, these rebels were not the only ones – before them, there had been the Ouled Sidi Cheikh tribe, and after them, the rebels of El Amri and partisans of Bou Amama, as well as men from the south who took part in revolts in Tunisia and were later deported. Ouennoughi accounted for just over 300 men in all. xiv

Furthermore, accounts by descendants eager to defend their origins make a clear distinction between political deportees and those sentenced to hard labour for ordinary crimes.

But this distinction is erroneous. The Ouled Sidi Cheikh rebels were indeed considered to be criminals and sentenced to hard labour. Lastly, so me Algerians were very quickly pardoned for their role in helping put down the major Kanak uprising in 1878 – and this also contradicts the idealised memory passed down in the community. Anyone could be sentenced to hard labour, deportation or relegation.

In addition, the colonial subjects, i.e. the Algerians, could be sentenced to other punitive measures reserved for the “indigenous peoples” in the French colonies. Notably, under the Code de l'Indigénat, they were subject to administrative internment. This measure was applied upon orders from the governor general and could result in an Algerian being sent to southern France. xv

This practice originated with the very first transfers of prisoners by the French Army during the war for conquest of Algeria (1830-47), then when putting down uprisings in the period 1850-70. This interned population in France included many women and children during the war and during uprisings. These people were taken prisoner during razzias or were held hostage.

Their number varied depending on the military operations and uprisings, but could be in the range of a few hundred. Several forts along the Mediterranean were requisitioned as needed

However, they were mainly detained on Île Sainte Marguerite until this site was abandoned in 1884; today, you can find Muslim tombs there, which are a testimony to this history. xvi

Aimed initially at opponents to colonisation, these internments in France also involved “criminals” that the authorities had trouble punishing effectively. They believed that sending these criminals abroad to a Christian country was a major form of punishment for Muslims.

However, internment in France became rarer when the uprisings died down. The number of Algerians concerned gradually declined to a few dozen, all at Fort Toretta, in Calvi, Corsica, the only site for internment in France, from 1884 to 1902. Then, the colonial authorities abandoned this form of punishment. The status of these interned individuals, based on treatment of political prisoners and prisoners of war, was too liberal to be suitable for offenders under normal criminal law. For example, the individuals interned in Calvi could travel around town freely during the day and were not compelled to do any activities.

To conclude, we see a need to reassess the place held by Algeria in the French Empire’s “punitive archipelago.” Not to give it greater importance than it actually had, but to rebalance historiography that has focused chiefly on prisoners sent from mainland France to Algeria (republicans and soldiers), thanks to work done by historians specialised in nineteenth century France.

Yet our current knowledge of penal movements from Algeria to other colonies is very promising. It shows an interconnection between different territories of the French Empire, whereas historiography of colonial Algeria has always favoured that colony’s links with the mainland, to the detriment of possible ties with other regions. While the number of people involved was fairly low overall, these penal movements nevertheless had a substantial impact on the societies concerned. Those that have not been forgotten even hold a symbolic place in the memory of colonial violence.

Lastly, while historical knowledge of the punishment of Algerians, as colonial subjects, has moved forward, knowledge of other populations in Algeria is still lacking. A history of the punishment of Europeans in Algeria would increase our understanding of how colonialism ranked men into a hierarchy, through their different statuses and how they were treated.

How were these differences reflected in the penal field? This question remains unanswered.

## Notes

i <http://criminocorpus.revues.org/181>

ii <http://anom.archivesnationales.culture.gouv.fr/ark:/61561/ov287byvz>

iii <http://criminocorpus.revues.org/148>

iv <http://gallica.bnf.fr/ark:/12148/bpt6k5447105n.image.f36.tableDesMatières>

v [http://www.cairn.info/resume.php?ID\\_ARTICLE=LMS\\_1992\\_161\\_0007](http://www.cairn.info/resume.php?ID_ARTICLE=LMS_1992_161_0007)

vi <http://gallica.bnf.fr/ark:/12148/bpt6k1099073>

vii <http://www.cairn.info/revue-l-homme-2010-3-p-307.htm>

viii <http://gallica.bnf.fr/ark:/12148/bpt6k5446212t.r=katan.langFR>

ix <http://gallica.bnf.fr/ark:/12148/bpt6k91297t/f9.image>

x Dominique Kalifa, *Biribi. Les bagnes coloniaux de l'armée française* (Paris: Perrin, 2009),

xi <http://gallica.bnf.fr/ark:/12148/bpt6k204574z>

xii Kalifa, Biribi, (180-81)

xiii <http://www.mairie-bourail.nc/decouverte/histoire/larrivee-des-arabes/listes>

xiv Mélica Ouennoughi, Les Déportés maghrébins en Nouvelle-Calédonie et la culture du palmier dattier, 1864 à nos jours (Paris: L'Harmattan, 2005), 125.

xv <http://criminocorpus.revues.org/2922>

xvi <http://islamenfrance.canalblog.com/archives/2009/05/19/3699024.html>

### **Further Reading**

Dominique Kalifa, Biribi. Les bagnes coloniaux de l'armée française (Paris: Perrin, 2009).

Medhi Lallaoui, Kabyles du Pacifique (Bezons: Au Nom de la Mémoire, 1994).

Mélica Ouennoughi, Les Déportés maghrébins en Nouvelle-Calédonie et la culture du palmier dattier, 1864 à nos jours (Paris: L'Harmattan, 2005).

Jacques-Guy Petit et al., Histoire des galères, bagnes et prisons (Paris: Bibliothèque historique Privat, 1991).

Sylvie Thénault, Violence ordinaire dans l'Algérie coloniale. Camps, internements, assignations à résidence (Paris: Odile Jacob, 2012).

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