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Sarah Abrevaya Stein, *Saharan Jews and the Fate of French Algeria*. Chicago, Ill.: University of Chicago Press, 2014. 272 pp. \$85.00 U.S. (cl). ISBN-13: 978-0226123745.

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In a 2001 article entitled “Beyond Settler and Native as Political Identities: Overcoming the Political Legacy of Colonialism,” Mahmood Mamdani provocatively questioned the ways that “indigeneity” had become “a litmus test for rights in the postcolonial state.” [1] He suggested that anti-colonial nationalists (his examples were above all in east and southern Africa) had been inattentive to the ways that the category of “native” had been shaped by the institutions of colonial rule. As a result, he argued, some postcolonial African states had perpetuated a vision of cultural authenticity that was not, as they believed, based on the survival of pre-colonial traditions. Rather, he argued that their vision of “native culture” rested on a relatively narrow set of local practices that had been shaped and preserved by colonial states under the rubric of “customary law.” Accordingly, Mamdani called for work that would “historicize” the category of the “native” in both colonial and post-colonial settings, in order to better understand the ways that contemporary understandings of cultural distinctiveness in post-colonial societies might in fact be connected to a misunderstood history of how notions of “native” culture and “indigenous” ethnicity were managed and ultimately reshaped under the institutions of colonial rule.

The history of Algeria between 1830 and 1962 provides a remarkable example for exploring Mamdani’s ideas about the history of indigeneity because, as Sarah Stein documents in her fascinating new book, ideas about native status shifted in unusually complex and dramatic ways throughout the colonial period. When the French conquered and subjugated Algeria after 1830, the entire diverse population—Muslims and Jews, Berbers and Arabs—was for several decades relegated to an all-encompassing and heterogeneous population labeled as “native” (French: “*indigène*”). During this period, both Algerian Jews and Algerian Muslims had a legal status that effectively allowed them religious exemptions from the French Civil Code’s prescriptions on marriage, divorce, and inheritance. In 1870, however, the vast majority of Algeria’s Jews were granted full citizenship in the Third Republic and, after that date, these formerly native Jewish citizens of Algeria enjoyed the same civil rights as French settlers, including the right to attend public schools, the right to benefit from municipal institutions of public welfare, and the right to vote for Algeria’s parliamentary delegation. In exchange, they gave up the exemptions that they had previously enjoyed under their Mosaic status as colonial subjects. Joshua Schreier’s book, *Arabs of the Jewish Faith: The Civilizing Mission in Colonial Algeria* [2], has documented extensively the tensions created by this policy, paying special attention to the difficult choices faced by Algeria’s Jews as they negotiated the costs and benefits of crossing the border from colonial subjects to French citizens.

If one takes this history into the twentieth century, one could even say that the majority of Algerian Jews crossed this liminal boundary several times, often in ways that were deeply troubling to this community. The Crémieux decree of 1870 that granted citizenship to “native” Jews living on French civil territory in Algeria was actually abrogated twice: first by the anti-Semitic and soon-to-be collaborationist Vichy regime in 1940, when Algerian Jews lost their citizenship; and again in March 1943 by General Henri

Giraud, the French Commissioner for Algeria after the landing of Allied troops there in November 1942.^[3] Giraud announced on 14 March 1943 that all of Vichy's laws were henceforth void, but he initially refrained from restoring citizenship to Algerian Jews who had been denaturalized by Vichy's 1940 law. Instead, he gave in to pressure from Algeria's anti-Jewish settler lobby and effectively confirmed the exclusion of Algerian Jews from citizenship, even though Algeria was now in the hands of the Allies. Interestingly, Giraud's decision was dressed up in the name of egalitarianism. As he put it, it was because of his "desire to eliminate all racial discrimination" that "the Crémieux decree of 1870 instituting distinctions between Mohammedan and Jewish inhabitants" was abrogated.^[4] Full citizenship for the Jewish population in the northern departments of Algeria under the original terms of the Crémieux decree was not fully restored until October 1943, nearly a year after the Allied landings, and only after a concerted effort by representatives of the French and Algerian Jewish communities overcame the arguments of anti-Jewish administrators and settlers in Algeria. Algerian Muslims, in contrast, remained colonial subjects even after the birth of the Fourth Republic in 1944.

Stein's beautifully written book, *Saharan Jews and the Fate of French Algeria* is an indispensable exploration of the history of indigeneity in Algeria under French rule. Unusually, however, she has chosen to approach the subject through a finely grained story about one particular and exceptional Jewish community in southern Algeria, the Jews of the Mzab.^[5] This community, which never numbered more than several thousand individuals, consisted of Jews who had settled long ago in five fortified towns on the fringe of the Sahara near Ghardaia. For most of the colonial period, the Mzab was excluded from Algerian civil territory and remained under military authority according to a protectorate agreement dating to 1853. The Crémieux decree of 1870, which granted Algerian Jews citizenship, only had jurisdiction in the three departments of northern Algeria—Oran, Algiers, and Constantine. The southern Jews of the Mzab, on the other hand, never became French citizens and continued to be considered native until Algeria achieved its independence in 1962. That year, however, almost all of Algeria's southern Jews (c. 5000) joined Algeria's northern Jews (c. 140,000) in emigrating from Algeria, along with the French settler population.

Rather than simply dismiss the Jews of the Mzab as a curious anomaly, Stein seeks to understand the history that produced and maintained their marginal native status through the decades of French rule in Algeria. To justify her focus on this admittedly small population, she makes four fundamental arguments. First, she argues that the story of the Jews of the Mzab reveals the extent to which colonial rule not only distinguished between native populations, but also confounded and entangled them: the southern Jews were treated differently than Algeria's northern Jewish population because they were "more like Muslims than Jews elsewhere" (p. 6). Second, she argues that the history of the Jews of the Mzab provides a counterpoint to the assumption—often repeated at the time in the anti-Jewish press—that French colonial rule favored Jews as a group. Third, Stein points out that the history of Algeria's southern Jews helps us to challenge the organizing binaries that so often characterize accounts of French colonialism, and by these she means "east/west" as much as "subject/citizen" or "native/European." For Stein, the importance of the north/south distinction in Algerian Jewish history is not that it marks a civilizational divide (as is frequently claimed about the split between Orient and Occident) but that it points to the importance of "regionality" in colonial North Africa. Finally, Stein argues that the history of the Jews of the Mzab serves as a useful vehicle for exploring the "dizzying forms of legal pluralism so ubiquitous to the modern world" (p. 8).

In the early chapters of the book, Stein documents the process by which early twentieth-century ethnographic research on the peoples of the Mzab both confirmed and was shaped by the conclusions of an earlier generation of French military observers. Anthropologists such as Harvard's Lloyd Cabot Briggs decided that both the Jews and the Ibadite Muslims of the region were vestigial survivors of an earlier era in human history, characterized by a fundamental "primitiveness" that distinguished them from northern Algerian populations. What Briggs did not understand, suggests Stein, was the extent to which this allegedly anachronistic condition was produced through the work of colonialism itself. The rest of the book looks closely at the many layers of this work, which was produced by the institutions of government,

law, conscription, public health, education, and through the management of the southern territories' economic connections to the North African coast and the world beyond.

Stein's claims about the French military's use of customary law in governing the Muslim and Jewish populations of Algeria's southern territories might usefully be compared to Katherine Hoffman's descriptions of attempts to codify Muslim customary law in Morocco in the 1930s. Hoffman argued that what the French called "customary law" in Morocco was really a watered down set of prescriptions that simply eliminated those aspects of Muslim legal practice that French jurists did not like.^[6] Stein's argument about what happened in the Mzab is slightly different: according to her, what the military called Mosaic Law in the Mzab was in fact a "selective, strategic preservation and reformulation of Ottoman Law" (p. 46). She highlights the decision by the military to grant specific authority to Jewish leaders to manage community affairs, and points out a surprising irony: this preservation of Ottoman law in French Algeria's southern territories came after similar measures had disappeared in the Ottoman Empire, in part as a result of reforms that were inspired by the example of France. Later, Stein modifies this argument somewhat, suggesting that the office of "*chef de la nation juive*" in the Mzab was a kind of amalgamation, mixing Ottoman, French, and Jewish traditions of communal leadership, in a way that was also comparable to the Algerian office of the *muqaddam*. In the early decades of French Algeria after 1830, both Muslim and Jewish communal authorities were allowed to call themselves *muqaddam*. The survival of this term in Algeria's southern territories after 1870, long after administrators in the north had discouraged its use, points again to the ways that the French administration shaped traditional models of leadership to their own ends, reinforcing the cultural power of indigeneity as they did so.

Nothing reveals the work of defining indigeneity for Algeria's southern Jews more clearly than the twisted logics that collided in France's policies of military conscription after World War I. The anomalous status of Mzabi Jews created problems for the military that had no obvious solution. Putting them in French units was unthinkable, because it set a dangerous precedent of equality with French citizens. Placing them in "Native" units alongside Algerian Muslims, on the other hand, was held to pose problems of disorder and discipline because the two groups were perceived to be hostile to one another. Military authorities even considered putting the Mzabi Jews in the Foreign Legion, but this too was unsatisfactory, since it undermined the assumption that all natives were French subjects in law.

During World War I, the entire region of the Mzab was excluded from conscription because of the terms of the original protectorate agreement of 1853. After 1919, however, both Muslims and Jews in the region were subject to conscription. Muslims resisted the innovation, which led to unrest, but Mzabi Jews responded as if military service was an opportunity that might improve their civil status. As Stein documents, when administrators figured this out, they acted to minimize the number of Mzabi Jews who were permitted to join the army, often by arguing that they were physically unfit. The end result was to confirm and harden the existing exclusions faced by Jews in the region and the extent to which they, like their Muslim neighbors, should continue to be treated as a class apart, as "*indigènes*."

The Vichy period in Algeria (1940-1942) was not particularly disruptive to the Jews of the Mzab. During these years, as the French government's persecution of French and foreign Jews intensified, some French and northern Algerian Jews looked to the anomalous southern territories as a potential site of refuge. For Algeria's southern Jews, the moment of rupture and trauma came later, when the denaturalization of northern Algerian Jews was finally revoked in October 1943. Much to their dismay, the status of southern Jews remained unchanged because they had never possessed the citizenship that was restored to Jews in the north. Even at the moment that the Fourth Republic was born, the linkage between southern Jews and Algerian Muslims was maintained and even reinforced. By this time, Algerian Muslims in both northern and southern Algeria had begun to move with increasing speed toward an anti-colonial nationalism that had already been developing before World War II. At the same moment, many Jews in the Mzab had begun to move in the opposite direction, especially those who were younger during these years. When they were denied true citizenship in the aftermath of the war, many took advantage of the

greater mobility afforded them by postwar reforms and they left, first migrating to other Algerian cities and, eventually, increasingly, abroad.

Towards the end of the Algerian War, when independence was almost universally recognized as inevitable, a law passed in July 1961 allowed the Jews of the Mزاب to claim the full citizenship that so many of them had come to desire, and eventually the bulk of the southern Jews left Algeria, along with the Jews of the north. Here, too, the power of indigeneity created problems for the French administration and for the Jews who hoped to benefit from the law. Since the records of Jewish births, deaths, and marriages in the Sahara had been kept only by the local community in accordance with customary law, there were no official state records at hand that could determine who was a Jew in the south. The exodus of the Mزابi Jews from Algeria, if it was going to happen, required a civil register that did not, in fact, exist. Stein's research uncovered much of the process by which, very late in the day, Jean Moriaz, the assistant district commissioner in Garaia, and Hayim Partouche, a member of the local community, came up with a historical register of the Jewish population that would allow the exodus to take place. Stein hoped to uncover this register in a trip to the region, but she never found it. Her book concludes therefore on a slightly wistful note, though she also indicates her determined resolve to think through the fraught process by which the records of a Jewish presence in the Sahara have both been preserved and displaced in the archives of Ghardaïa, Algiers, Aix-en-Provence, Paris and elsewhere.

The word "microhistory" appears nowhere in the index to Sarah Stein's book on the Saharan Jews of the Mزاب, but the book's careful attention to a small group of people in a territory that was far from centers of power and authority sheds light on a number of issues that will be of interest to historians in many adjacent fields. The story of this unusual group is, on the one hand, a powerful argument in favor of seeing the history of North Africa's Jews in the nineteenth and twentieth centuries as part of a richly textured and complex cultural and social milieu that includes their Muslim neighbors, and their complicated relationship with the colonial state. Her focus on the many layers of native status as it applied to this population shows both the restrictions and the unexpected consequences of Algeria's legal pluralism. Their status as "*indigenes*" often militated against their inclusion in the polity, but it also at times worked to their advantage, as during the Vichy period, when their lives continued without much interruption. These fascinating stories can only emerge under the high-resolution magnifying glass that Stein has so impressively brought to this part of the globe and their significance will be readily apparent to all who read this finely wrought book.

NOTES

[1] Mahmood Mamdani, "Beyond Settler and Native as Political Identities: Overcoming the Political Legacy of Colonialism," *Comparative Studies in Society and History* 43/4(2001): 651-664.

[2] Joseph Schreier, *Arabs of the Jewish Faith: The Civilizing Mission in Colonial Algeria* (New Brunswick, N.J.: Rutgers University Press, 2010).

[3] See Hannah Arendt, "Why the Crémieux Decree was abrogated," *Contemporary Jewish Record* 6/2(April 1943): 115-124.

[4] Arendt, p. 115.

[5] This community is also the subject of a recent Ph.D. dissertation. See Rebecca Wall, "The Jews of the Desert: Colonialism, Zionism, and the Jews of the Algerian M'زاب, 1882-1962," Ph.D. diss., University of Michigan, 2014. Full disclosure: I was the co-director of this thesis, along with my colleague, Todd Endelman.

[6] Katherine E. Hoffman, "Berber Law by French Means: Customary Courts in the Moroccan Hinterlands, 1930-1956," *Comparative Studies in Society and History*, 52/4(2010): 851-880.

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