



# The Civilizing Sea: The Ideological Origins of the French Mediterranean Empire, 1789-1870

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The Civilizing Sea: The Ideological Origins of the French Mediterranean Empire,  
1789-1870

A dissertation presented

by

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to

The Department of History

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Abstract

This dissertation examines the religious, diplomatic, legal, and intellectual history of French imperialism in Italy, Egypt, and Algeria between the 1789 French Revolution and the beginning of the French Third Republic in 1870. In examining the wider logic of French imperial expansion around the Mediterranean, this dissertation bridges the Revolutionary, Napoleonic, Restoration (1815-30), July Monarchy (1830-48), Second Republic (1848-52), and Second Empire (1852-70) periods. Moreover, this study represents the first comprehensive study of interactions between imperial officers and local actors around the Mediterranean. I argue that local responses to invasions and threats of invasion—rooted in new interpretations of Islam, Catholicism, and regional political traditions—framed the emergence and durability of the French Mediterranean Empire.

This dissertation also bridges the often-bifurcated northern and southern shores of the Mediterranean and it shows that a struggle over new ideas of legitimacy accompanied the building of the French Mediterranean Empire. More specifically, I trace the ways in which French officers and diplomats used the Roman imperial legacy in the Mediterranean in order to claim that they had embarked on a “civilizing mission” in the basin. Moreover, I examine the religious ideas used by local populations who reacted to French empire building. This dissertation demonstrates that local religious opposition to



French imperialism played a large role in undermining the spread of French rule in Italy, Egypt, and Algeria before 1830. However, this study also shows that the rise of a large group of Algerian notables who justified French rule through Islamic texts in the decades that followed the French invasion of Algiers in 1830 facilitated the nesting of French empire building along the southern shores of the Mediterranean. The partial overcoming of the religious obstacle to French rule in turn facilitated a number of archeological missions and the exploration of oases deep in the Algerian Sahara between the 1850s and 1870s. I argue that these exploratory missions transformed the French imperial ideology, first by making the Roman imperial legacy its main hallmark after the 1840s, and then by changing it into a more universal ideology of cultural and commercial transformation once French explorers crossed the frontier marked by Roman ruins in the Algerian desert. Overall, therefore, this dissertation demonstrates that a Mediterranean strategy emerged between 1789 and 1870 and that it both centered French empire building around the basin and reframed France's global ambitions.

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## Notes on Style

In this dissertation, I have kept the original dates used by French military officers, diplomats, administrators, and writers who relied on the French republican calendar, as well as Algerians and Egyptians who used the Islamic calendar. In both instances, I have indicated the corresponding dates in the standard calendar. I have also followed the spelling used in the original documents. I have also transliterated Arabic texts as they appear in the original documents, but I have used French transliterations when the original Arabic texts were not available. All translations in this dissertation are mine, unless otherwise indicated.

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## Introduction

In a speech delivered in Toulon in May 2007, the then French President Nicolas Sarkozy declared that Portugal and seven Mediterranean EU-member states needed to “seize the destiny that geography and history had prepared for them” by assisting in the French-led effort to create a Mediterranean Union. This organization would facilitate regular meetings between the participating heads of state, establish a Mediterranean Council that paralleled the Council of Europe, and promote cooperation in various fields, such as security, economy, education, and culture.<sup>1</sup> Sarkozy then embarked on an aggressive diplomatic tour of the Maghreb, where he promoted his Mediterranean vision. In Algeria, President Abdelaziz Bouteflika applauded the plan as a good beginning, while Sarkozy praised both Bouteflika and the Tunisian President Ben Ali as ambassadors of this new idea.<sup>2</sup>

Moreover, in a speech he delivered at the royal palace of Marshan in Tangier, Sarkozy described the proposed Union as “the most beautiful and grand human ideal”—and, stressing that its goals were peace and justice and not imperial conquest, he proclaimed it “a great civilizational dream (*un grand rêve de civilisation*).”<sup>3</sup> The Moroccan King Mohammed VI praised Sarkozy’s initiative as the potential beginning of a new pact between Europe and Africa. While defending his vision of the Union as a

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<sup>1</sup> H. de B. and Ar. Le., “Offensive diplomatique de la France pour une Union méditerranéenne,” *Le Monde*, 1 June 2007, p. 10.

<sup>2</sup> Florence Beaugé and Philippe Ridet, “En visite à Alger, Nicolas Sarkozy enterre le traité d’amitié entre la France et l’Algérie,” *Le Monde*, 12 July 2007, p. 6.

<sup>3</sup> Florence Beaugé and Philippe Ridet, “A Tanger, le président français a présenté son projet euroméditerranéen,” *Le Monde*, 25 October 2007, p. 4. On the civilizational aspect of Sarkozy’s Mediterranean vision, see Edmund Ratka, “La politique méditerranéenne de Nicolas Sarkozy: une vision française de la civilisation et du leadership,” *L’Europe en Formation* 2, no. 356 (2010): 35-51.



post-imperial pact, Sarkozy admitted, in an attempt to turn a painful historical page, that “mistakes and at times even crimes” had been committed during the period of the French protectorate in Morocco.<sup>4</sup> Sarkozy therefore attempted to reframe France’s new role in the basin as akin to that of the United States in Europe after 1945—and not the renewal of French imperial ambitions in the Mediterranean.<sup>5</sup>

Yet his stress on civilization represented a distinct echo of the French colonial past, which he felt compelled to acknowledge and sideline. In fact, French attempts to transform the basin by “civilizing” it and integrating it into the European economic, social, and legal space emerged in the aftermath of the 1789 Revolution and continued until the wave of decolonization during the 1950s and 1960s. Sarkozy’s attempt to point away from this imperial legacy shows just how much it haunted all French efforts to assume a new leadership role in the basin and to address the multiple challenges (from the waves of migrants and refugees who move toward Europe to the brittle security situation in North Africa) that continue to strain relations between the northern and southern Mediterranean shores.

This work examines the ideological developments that underpinned the first concerted French effort to remold the Mediterranean into a French *mare nostrum* between

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<sup>4</sup> Beaugé and Ridet, “A Tanger,” p. 4. On the Mediterranean Union, see Susanna Cafaro, *Le relazioni euro-mediterranee: dai primi accordi all’Unione per il Mediterraneo* (Naples: Edizioni scientifiche italiane, 2013); Giovanni Dotoli, *L’Unione pour la Méditerranée: origines et perspectives d’un processus* (Paris: Editions du Cygne, 2010).

<sup>5</sup> Sarkozy’s successor, François Hollande, has moved away from this civilizational vision and the entire project has receded into the background since Sarkozy’s electoral defeat in 2012. For a German reaction to Sarkozy’s Mediterranean project, see Hans-Jürgen Schlamp, Stefan Simons, and Alexander Szandar, “Pariser Provokationen,” *Der Spiegel*, 3 March 2008, p. 48.

the 1789 French Revolution and the establishment of the Third Republic in 1870.<sup>6</sup> It offers the first comprehensive study of interactions between French empire-builders and local actors around the Mediterranean. I argue that local responses to invasions and threats of invasion—rooted in new interpretations of Catholicism, Islam, and regional political traditions—framed the emergence and durability of the French Mediterranean Empire in Egypt, Italy, and Algeria. Moreover, I show that French empire-builders sought to legitimize French imperial expansion by portraying France as the modern inheritor of Rome’s ancient imperial and civilizational missions in the Mediterranean. This work thus uncovers the religious and Roman genealogies of the imperial ideology that framed the construction of the French Mediterranean Empire.

In examining the impact of religious thought on the emergence of this imperial entity, I show that the slow decline—albeit never complete—of a theology of resistance and the rise of a theology of collaboration deeply inflected the ideological struggle over what constituted legitimate rule in the French imperial periphery. Due to the strong association between religion and political legitimacy in the Mediterranean, French officers had much to gain from the co-option of Italian, Egyptian, and Algerian clerical elites who justified French rule on religious grounds, while religious opposition to French rule frequently gave rise to greater military expenditures, instability, and at times the loss of territory. This study analyzes the ways in which the expansion of France’s empire around the basin led to a gradual move away from the traditional, pre-revolutionary

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<sup>6</sup> This dissertation takes inspiration from and extends Anthony Pagden’s study of the Roman legacy in French (as well as Spanish) imperialism between 1500 and 1800: see his *Lords of All the World: Ideologies of Empire in Spain, Britain and France C. 1500-c. 1800* (New Haven: Yale University Press, 1995). For older works on French imperial ideology, see Agnes Murphy, *The Ideology of French Imperialism, 1871-1881* (Washington: Catholic University of America Press, 1948); Martin Aldao, *Les idées coloniales de Jules Ferry* (Paris: Domat-Montchrestien, 1933).

religious thought in the Mediterranean and the rise of clerics whose religious ideas aligned with the interests of the French imperial state.

The erosion of the traditional Mediterranean did not unfold only on *terra firma*. The rulers of North African polities maintained a corsair system in large parts of the Mediterranean and they defended its legitimacy by stressing that it was rooted in Islamic maritime law.<sup>7</sup> The existence of this system represented an obstacle to the building of the French Mediterranean Empire. Between the early 1800s and the late 1820s, French diplomats in Algeria adopted an aggressive strategy of consular imperialism. They emerged as the imperial vanguard that sought to destroy the corsair economy by forcing the Algerian deys, who were the regional hegemons in North Africa, to accept a new international legal system in the basin, one that moved away from pre-revolutionary Islamic norms. The building of the French Mediterranean Empire thus required a restructuring of religious thought and the traditional political systems that pre-revolutionary religious ideas undergirded in the basin.

Conciliatory religious leaders participated in this intellectual restructuring by defending a limited justification of French rule, while more stringent conservative clerics opposed the emergence of new ideas of legitimacy. As a result, the strength and composition of local clerical establishments inflected the ability of French empire-builders to encourage the spread of pro-imperial religious views. During the 1790s, many Italian clerics embraced hardline conservative positions and they rejected the legitimacy of French rule, while a minority of soft conservatives offered a more conciliatory view of French rule. After Napoleon concluded an agreement with Pope Pius VII in 1801,

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<sup>7</sup> On Islamic maritime law, see Hassan Salih Khalilieh, *Islamic Maritime Law: An Introduction* (Leiden: Brill, 1998).

hardline conservatives tempered their criticism of French rule and some of them even embraced Napoleon as the protector of the Church. In contrast, the Egyptian *diwān*, a governing entity created by Napoleon and composed of prominent religious figures, adopted a soft conservative stance that legitimized French rule without fully embracing it. Unlike the Italian clerical establishment, however, the *diwān* had limited authority and it could not impose its views on most Egyptian religious leaders.

French officers thus relied on an uneasy alliance with hardline Italian clerics and a *diwān* composed of soft conservative clerics who exerted a limited influence over religious leaders in Egypt. This fragile status quo remained fraught with dangers because even conciliatory Italian and Egyptian clerics continued to embrace conservative religious views anchored in a broader theology of resistance. Papal intransigence ultimately led to the arrest of Pius VII and the annexation of the Papal States, while the members of the *diwān* refused to abandon their conservative stance, remove the requirement of conversion to Islam for Napoleon and his troops, and embrace reformist religious ideas that could have bolstered French rule in Egypt.

Algerian deys adopted a similar posture of resistance. However, they defended what they perceived as the Islamic roots of the corsair system by claiming to protect an established local political tradition, and not by deploying complicated theological arguments. In the context of Napoleonic invasions in Egypt, Naples, and Spain, Algerian deys accepted French consuls' imposition of legal norms that eroded the corsair system and limited the ability of Algerian naval crews to capture European ships and to enslave their crews and passengers. The amplification of consular imperialism in Algeria between 1801 and 1826 ultimately led the Algerian dey to violently reimpose the old corsair

system, a strategy to which the French government first responded by a blockade of the port of Algiers in 1827 and then the invasion of the Regency in 1830. In contrast to Italy and Egypt, where traditional religious ideas could be co-opted but not completely vanquished, French consuls and officers destroyed the Islamic maritime order that underpinned the corsair system and thus obtained a base where the French Empire could be rebuilt after 1830.

The conquest of Algeria therefore represented a pivotal event: it ushered in a new imperial era and a realignment of the ideological forces that underpinned the French Mediterranean Empire. To some extent, the invasion bridged the Napoleonic and post-Napoleonic imperial models. Consular imperialism, as an extension of Napoleonic imperialism that survived Bonaparte's downfall in 1815, redirected French empire-building toward an area where the Ottoman Porte wielded nominal power, where British interference remained minimal due to the removal of piracy from the basin after 1830, and where fragmentation characterized the local clerical establishment. In contrast to Italy and Egypt, Algerian religious leaders embraced a theology of collaboration more wholeheartedly and they became strong allies who facilitated the French army's conquest of large parts of the Algerian coast and the interior during the 1830s and 1840s.<sup>8</sup> The subsequent spread of the theology of collaboration, which was accelerated due to the absence of a centralized, conservative clerical establishment, further entrenched French

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<sup>8</sup> When considered from a broader perspective, various versions of this early theological position could be found among a long list of indigenous groups who worked for the colonial state until their last representatives, the *harkis* who fought for France during the Algerian War, escaped to France during the 1960s and became the *français-musulmans* rapatriés: see Laura Sims, "Rethinking France's 'Memory Wars': Harki and Pied-Noir Collective Memories in Fifth Republic France" (Ph.D. Diss., The University of North Carolina at Chapel Hill, 2015); Abderahmen Moumen, *Les Français musulmans en Vaucluse, 1962-1991: installation et difficultés d'intégration d'une communauté de rapatriés d'Algérie* (Paris: L'Harmattan, 2003); Mohand Hamoumou, *Et ils sont devenus harkis* (Paris: Fayard, 1993).

rule in Algeria and removed the religious obstacle that had frustrated French expansion in Italy and Egypt. This was a momentous achievement: French officers now enjoyed the support of a large and loyal group of Algerians who played a direct role in expanding French rule in Algeria and who fought local notables who continued to adhere to the theology of resistance.

Indigenous religious thought therefore provided French officers with a critical ideological tool, but many of them felt compelled to seek an additional language of legitimization, one less reliant on indigenous responses and broader in appeal. As had been the case in Italy and Egypt, they pointed to the Roman imperial and civilizational legacy as the guiding ideology of the French Mediterranean Empire. In fact, the Roman idea had emerged forcefully with the spread of French armies across the Italian Peninsula during the 1790s, and the crossing of the Mediterranean during the Egyptian expedition magnified the enthusiasm of French officers who believed that they were following a Roman roadmap in the basin. Few concrete policies and initiatives resulted from this first attempt to emulate the Roman precedent in Italy and Egypt, however, and the Roman idea receded into the background after Napoleon's departure for Saint Helena in 1815. But the revival of French imperialism in Algeria led to the reemergence of the Roman ambition, which French imperial strategists grafted onto the strategy of consular imperialism between 1827 and 1830. Furthermore, the spread of the theology of collaboration during the following decades allowed French scientists to study the Roman ruins in Algeria, an endeavor that French officers supported because they sought to uncover and utilize the Roman military roadmap in Algeria.

This Roman roadmap in turn led to plans for further expansion around the Mediterranean from the Algerian base: south into the desert in an attempt to connect France's possessions in West and North Africa, east into Tunisia, and west into Morocco. The French Mediterranean Empire, as an imperial entity and vision organized around the expanding theology of collaboration and the modern replication of Rome's imperial mission, in turn redefined France's global imperial ambitions and mission by the late 1860s. French officers and strategists worked to internationalize the Roman *latinité* (or a shared "Latin" imperial, cultural, and linguistic heritage rooted in the Roman past) by grafting it onto France's global civilizing mission. They also increasingly portrayed the Mediterranean as the base and heart of France's resurgent global empire. In other words, the reemergence and intertwining of the theology of collaboration and the Roman legacy in Algeria after 1830 offered French imperial strategists a firmer ideological footing, which they used to redefine France's global imperial position by the 1860s and 1870s.

### I. The Mediterranean Strategy

Although an extensive literature examines the rise and fall of the French Atlantic during the long eighteenth century, the Napoleonic Empire in Europe, as well as the imperial shift toward North Africa after the French conquest of Algiers in 1830, very little is known about the French imperial strategy in the Mediterranean during this period, as well as the role of the Mediterranean project within France's global empire.<sup>9</sup> The

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<sup>9</sup> For example, in Irad Malkin, ed., *La France et la Méditerranée: vingt-sept siècles d'interdépendance* (Leiden: E.J. Brill, 1990), most contributions focus on the twentieth century and the period prior to the 1789 Revolution. However, a number of scholars have begun examining the role of the Mediterranean as a contested space during the revolutionary and Napoleonic periods. For instance, Placido Currò has analyzed the revolutionary reimagining of the Mediterranean as an ideological space in *Il Mediterraneo di Napoleone: I. Lo spazio e le idee (1789-1794)* (Messina: Edizioni Il Grano, 2014), while Luigi Donolo has proposed a more expansive view of the revolutionary Mediterranean in *Il Mediterraneo nell'età delle rivoluzioni, 1789-1849* (Pisa: PLUS-Pisa University Press, 2012). Also, see Francesca Canale Cama et al.,

Atlantic, Napoleonic, and Algerian historiographies remain self-contained and isolated from one another, which has rendered a view of the whole—or the shift from the Atlantic to the Mediterranean and later the rise of a revived global empire by the late-nineteenth century—very opaque. In this work, I remap French imperial ambitions in the Mediterranean after 1789, but I do not aim to contrast the Atlantic and Mediterranean imperial projects.

Nonetheless, a brief consideration of the French Atlantic provides a useful background for my approach in the study of post-1789 French imperialism. Often described as the first world war, the Seven Years' War ushered in one of the first moments of global crisis within the French Empire, whose extensive possessions in North America and the Caribbean Britain threatened.<sup>10</sup> As a result, during the second half of the eighteenth century, French administrators debated the future of France's global empire and various camps emerged: many defended the Atlantic empire, some sought a retreat to continental Europe, while a minority proposed a fortification of France's Indian possessions and even a radical shift toward Africa.<sup>11</sup> After the 1789 French Revolution,

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eds., *Storia del Mediterraneo moderno e contemporaneo* (Napoli: Guida, 2009); Francesco Barra, *Il Mediterraneo tra ancien régime ed età napoleonica: studi e ricerche* (Milan: E. Sellino, 2005); *Il Mediterraneo napoleonico: spazi, merci, idee; atti del convegno internazionale, Portoferraio 21-23 maggio 1998* (Naples: Ed. Scientifiche Italiane, 2000).

<sup>10</sup> On the global dimension of the war, see Mark H. Danley and Patrick J. Speelman, eds., *The Seven Years' War: Global Views* (Boston: Brill, 2012); Daniel Baugh, *The Global Seven Years War, 1754-1763: Britain and France in a Great Power Contest* (Harlow: Longman, 2011); on the continental perspective, see Paul W. Mapp, *The Elusive West and the Contest for Empire, 1713-1763* (Chapel Hill: The University of North Carolina Press, 2011); and on the Atlantic perspective, see Matt Schumann and Karl Schweizer, *The Seven Years War: A Transatlantic History* (New York: Routledge, 2008).

<sup>11</sup> John Shovlin has examined the works of those who defended the French Empire in North America in "Selling American Empire on the Eve of the Seven Years War: The French Propaganda Campaign of 1755–1756," *Past and Present* 206, no. 1 (2010): 121-149; Kenneth Margerison has studied the defenders of France's imperial possessions in India in "French Visions of Empire: Contesting British Power in India after the Seven Years War," *English Historical Review* 130, no. 544 (2015): 583-612; and Pernille Røge



the Atlantic crisis worsened and a revolution erupted in Saint-Domingue, France's then most lucrative Caribbean colony, which declared its independence from France in 1804. Moreover, following 1789, Napoleon rose to power and attempted to construct a new French Empire in Europe and to maintain control over French islands in the Caribbean.

The existing scholarship does not provide a clear description of the transformation of French imperial thought that accompanied the move away from the Atlantic after 1763 and toward the Mediterranean after 1789. Kenneth Banks has pointed to the poor system of communications between New France, Louisiana, and the French Caribbean as a key factor of fragmentation that ultimately led to the decline of the French Atlantic by 1763.<sup>12</sup> In an older study on the post-1763 period, Carl Ludwig Lokke argued that the emergence of abolitionism in France led to a move away from the Caribbean and made Egypt more popular as a colonial option because it held the promise of providing tropical commodities without the burden of slavery.<sup>13</sup> And more recently, a flurry of studies on the Haitian Revolution has highlighted its destabilizing effect on the French Atlantic, although the ways in which the global French imperial system absorbed this shock over

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has analyzed the rise of an African imperial alternative in “‘La clef de commerce’: The Changing Role of Africa in France’s Atlantic Empire ca. 1760–1797,” *History of European Ideas* 34, no. 4 (2008): 431–443.

<sup>12</sup> Kenneth J. Banks, *Chasing Empire across the Sea: Communications and the State in the French Atlantic, 1713–1763* (Montreal and Kingston: McGill-Queen’s University Press, 2002).

<sup>13</sup> Lokke focused on major European thinkers in his study, and he pointed to the imperial connectinos between Egypt and North and West Africa in the following terms: “Bearing in mind the fate of Egypt [after 1801], Bonaparte made haste to sell Louisiana to the United States. It remained for those who came after him to apply to North and West Africa his and Menou’s policy in regard to the treatment of native peoples. They gave this policy a name—*la mission civilisatrice*. To all appearances it has worked as well in these parts of Africa as it did in Egypt from 1798 to 1801. The Algerians and the Senegalese have not always perhaps appreciated the blessings of French rule, even though they can now claim French citizenship” (Carl Ludwig Lokke, *France and the Colonial Question: A Study of Contemporary French Opinion, 1763–1801* [New York: Columbia University Press, 1932], 235).

the following decades remains to be examined.<sup>14</sup> What emerges, then, is a poorly integrated and increasingly unpopular French Atlantic that the revolutionary wave swept away almost completely during the second half of the eighteenth century.

The trans-Atlantic scope in works on France's pre-revolutionary Atlantic empire does not have a Mediterranean equivalent for the Napoleonic Empire. Instead, a form of geographic narrowing frames the historiography on the post-1789 empire as the trans-oceanic vision is reduced to a continental perspective. In fact, in older studies on the Napoleonic system, or the "First French Empire," even the word empire had undergone a type of contraction. In Europe, it was not coterminous with a *colonial* empire with an attendant "civilizing mission," but rather a French-led political project of centralization that was examined through the prisms of diplomacy, law, and war.<sup>15</sup> After the 1980s, scholars began challenging the distinction between imperialism and colonialism within Napoleonic Europe. Among them, Michael Broers has argued convincingly that cultural

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<sup>14</sup> On the Haitian Revolution, see Julia Gaffield, *The Haitian Declaration of Independence: Creation, Context, and Legacy* (Charlottesville: University of Virginia Press, 2016); Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge: Harvard University Press, 2004). A number of studies have dealt with the wider impact of the Haitian Revolution across the Atlantic and beyond the 1790s and 1800s, but very little work has been done on the ways in which it reframed French empire-building during the nineteenth century: see Jeremy Matthew Glick, *The Black Radical Tragic: Performance, Aesthetics, and the Unfinished Haitian Revolution* (New York: New York University Press, 2016); Ada Ferrer, *Freedom's Mirror: Cuba and Haiti in the Age of Revolution* (New York: Cambridge University Press, 2014); Alejandro E. Gómez, *Le spectre de la révolution noire: l'impact de la révolution haïtienne dans le monde atlantique, 1790-1886* (Rennes: Presses universitaires de Rennes, 2013); Sara E. Johnson, *The Fear of French Negroes: Transcolonial Collaboration in the Revolutionary Americas* (Berkeley: University of California Press, 2012); Robin Blackburn, "Haiti, Slavery and the Age of the Democratic Revolution," *William and Mary Quarterly* 63, no. 4 (2006): 633-44. On the ways in which the Haitian Revolution has been narrated, see Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995); David Scott, *Conscripts of Modernity: The Tragedy of Colonial Enlightenment* (Durham: Duke University Press, 2004). On the wider revolutionary context, see David Armitage and Sanjay Subrahmanyam, ed., *The Age of Revolutions in Global Context, c. 1760-1840* (Basingstoke, Hampshire: Palgrave Macmillan, 2010).

<sup>15</sup> Steven Englund discusses this historiographical shift more extensively in his "Monstre Sacré: The Question of Cultural Imperialism and the Napoleonic Empire," *The Historical Journal* 51, no. 1 (2008): 216-7.

imperialism framed French rule in Napoleonic Italy just as it did in more distant parts of the colonial empire.<sup>16</sup> Although this new approach led to a fruitful focus on culture, ideology, administration, and local reactions to French rule, it has not been extended beyond continental Europe.<sup>17</sup> To be sure, two isolated historiographies do cover the Napoleonic expeditions in Egypt and Saint-Domingue, but they appear as minor appendages to works largely centered on Europe.<sup>18</sup> Due to the prevalent continental perspective, therefore, the formal and informal French imperial presence in the Mediterranean periphery, where Bonaparte faced Barbary piracy, the enslavement of Europeans, and competition with Britain, remains largely unexamined.

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<sup>16</sup> Michael Broers, *The Napoleonic Empire in Italy, 1796-1814: Cultural Imperialism in a European context?* (Basingstoke, Hampshire: Palgrave Macmillan, 2005), 1-2, 6. In assessing the degree of cultural assimilation within the Napoleonic Empire, Broers offered a new (and still very influential) map of Europe, in which he divided the assimilated inner empire from the less acculturated periphery of the outer empire: Michael Broers, "Napoleon, Charlemagne, and Lotharingia: Acculturation and the Boundaries of Napoleonic Europe," *Historical Journal* 44, no. 1 (2001): 135-154. For works that framed the historiographical debate since the 1990s, see, *inter alia*, Stuart Joseph Woolf, *Napoleon's Integration of Europe* (London: Routledge, 1991); Michael Broers, *Europe under Napoleon 1799-1815* (New York: Edward Arnold Publishers, 1996); Silvia Marzagalli, *Les boulevards de la fraude: le négoce maritime et le Blocus continental, 1806-1813, Bordeaux, Hambourg, Livourne* (Villeneuve d'Ascq: Presses universitaires du Septentrion, 1999); Philip G. Dwyer, ed., *Napoleon and Europe* (New York: Longman, 2001); Richard Hocquellet, *Résistance et révolution durant l'occupation napoléonienne en Espagne 1808-1812* (Paris: Boutique de l'histoire, 2001); Alexander I. Grab, *Napoleon and the Transformation of Europe* (New York: Palgrave Macmillan, 2003); Thierry Lentz, ed., *Napoléon et l'Europe: regards sur une politique* (Paris: Fayard, 2005).

<sup>17</sup> For a recent work that presents the current state of scholarship, see Michael Broers, Peter Hicks, and Agustín Guimerá, eds., *The Napoleonic Empire and the New European Political Culture* (Basingstoke, Hampshire: Palgrave Macmillan, 2012).

<sup>18</sup> On the Napoleonic expedition to Saint-Domingue, see Jean-Pierre Barlier, *L'échec de l'expédition à Saint-Domingue, 1802-1803, et la naissance d'Haïti: un moment de l'horreur colonial* (Paris: Éditions de l'Amandier, 2012); Philippe R. Girard, "Napoleon Bonaparte and the Emancipation Issue in Saint-Domingue, 1799-1803," *French Historical Studies* 32, no. 4 (2009): 587-618; Antoine Métral, *Histoire de l'expédition des Français à Saint-Domingue: sous le consulat de Napoléon Bonaparte, 1802-1803* (Paris: Editions Karthala, 1985). On Napoleonic Egypt, see Robert Solé, *Bonaparte à la conquête de l'Égypte* (Paris: Seuil, 2006); Olivier Nolin, *Bonaparte et les savants français en Égypte: 1798-1801* (Paris: Editions Mille et une nuits, 1998); Henry Laurens, *L'expédition d'Égypte: 1798-1801* (Paris: Seuil, 1997).

The wider influence of Napoleon's Mediterranean project on France's global ambitions after 1815 is similarly understudied. David Todd has argued that the "period stretching from the restoration of Louis XVIII in 1814 until the fall of Napoleon III in 1870 remains the *terra incognita* of the history of French global ambitions."<sup>19</sup> An analysis of the reformulation of French imperial thought during the Restoration (1815-1830), when many Napoleonic officers went into exile and others gradually reintegrated into the French army, does remain a desideratum. But, to be sure, scholars have studied the emergence of a new civilizing mission in Algeria after 1830, as well as the prominent role played by Saint-Simonians in the framing of this new colonial ideology.<sup>20</sup> Yet most existing works on France's civilizing mission focus on the period after 1870, and emphasize the centrality of economic development (*mise en valeur*), missionary activities, and new medical practices in this new ideology.<sup>21</sup> As a result, the continuities

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<sup>19</sup> David Todd, "A French Imperial Meridian, 1814-1870," *Past and Present* 210 (2010): 155.

<sup>20</sup> Jean-Louis Marçot, *Comment est née l'Algérie française, 1830-1850: la belle utopie* (Paris: Éditions de la Différence, 2012); Osama Abi-Mershed, *Apostles of Modernity: Saint-Simonians and the Civilizing Mission in Algeria* (Stanford: Stanford University Press, 2010); Adamson Kay, *Political and Economic Thought and Practice in Nineteenth-Century France and the Colonization of Algeria* (Lewiston: Edwin Mellen Press, 2002); Rouchdi Fakkar, *Reflets de la sociologie prémarxiste dans le monde arabe: idées progressistes et pratiques industrielles des saint-simoniens en Algérie et en Égypte au XIXe siècle* (Paris: P. Geuthner, 1974). On the religious dimension of the civilizing mission during this early period, see Joshua Schreier, *Arabs of the Jewish Faith: The Civilizing Mission in Colonial Algeria* (New Brunswick: Rutgers University Press, 2010).

<sup>21</sup> In her seminal work on the French civilizing mission in West Africa, Alice L. Conklin defined this idea as an attempt to gain mastery over nature (or, more precisely, "geography, climate, and disease"): *A Mission to Civilize: The Republican Idea of Empire in France and West Africa, 1895-1930* (Stanford: Stanford University Press, 1997), 6. Adding to this definition, Pernille Røge has traced the roots of the mission to the emergence of political economy during the second half of the eighteenth century: "L'économie politique en France et les origines intellectuelles de 'La Mission Civilisatrice' en Afrique," *Dix-huitième siècle* 1, no. 44 (2012): 117-130. Existing works on France's civilizing mission tend to focus on the period after the late-nineteenth century. See, for instance, Amelia H. Lyons, *The Civilizing Mission in the Metropole: Algerian Families and the French Welfare State during Decolonization* (Stanford: Stanford University Press, 2013); Dino Costantini, *Mission civilisatrice: le rôle de l'histoire coloniale dans la construction de l'identité politique française* (Paris: Éditions La Découverte, 2008); Kathleen Keller, "On the Fringes of the 'Civilizing Mission': 'Suspicious' Frenchmen and Unofficial Discourses of French Colonialism in AOF (1918-1939)," *French Colonial History* 9 (2008): 103-129; J.P. Daughton, *An Empire*

and discontinuities between the forms of the civilizing mission that existed before and after 1870 are not fully clear.

Because of these divisions, the 1830 invasion of Algiers often appears as an almost *ex nihilo* event in the existing literature and surveys.<sup>22</sup> The dominant explanation relies heavily on the 1827 Fan Affair, when the Algerian ruler Ḥusayn Dey struck the French Consul Pierre Deval with a fly-whisk and thereby created the diplomatic scandal that led to the arrival of French troops in Algeria. To some extent, this explanatory trope—which, as we shall see, is often at odds with the archival record—represents an adoption of justifications offered by French officers and administrators in 1830, who portrayed their actions as a warranted reaction to an insult and a defense of France’s honor.<sup>23</sup> Beyond this simplified explanation, little is known about the diplomatic

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*Divided: Religion, Republicanism, and the Making of French Colonialism, 1880-1914* (Oxford: Oxford University Press, 2006); Raymond F. Betts, *Assimilation and Association in French Colonial Theory, 1890-1914* (1960; Lincoln: University of Nebraska Press, 2005). For an older study, see Reuel Anson Lochore, *History of the Idea of Civilization in France (1830-1870)* (Bonn: Ludwig Röhrscheid, 1935). For a critical assessment of the French policy of assimilation, see Martin Deming Lewis, “One Hundred Million Frenchmen: The ‘Assimilation’ Theory in French Colonial Policy,” *Comparative Studies in Society and History* 4, no. 2 (1962): 129-153. Also, see Saliha Belmessous, *Assimilation and Empire: Uniformity in French and British colonies, 1541-1954* (Oxford: Oxford University Press, 2013); Alice Bullard, *Exile to Paradise: Savagery and Civilization in Paris and the South Pacific, 1790-1900* (Stanford: Stanford University Press, 2000).

<sup>22</sup> For instance, Robert Aldrich devoted a very short prologue to what he called France’s “First Overseas Empire,” which included two pages on the Napoleonic Empire, while he examined extensively the development of French imperialism after the second half of the nineteenth century: Robert Aldrich, *Greater France: A History of French Overseas Expansion* (Basingstoke: Macmillan, 1996). Similarly, in Pascal Blanchard, Sandrine Lemaire, and Nicolas Bancel, eds., *Culture coloniale en France: de la Révolution française à nos jours* (Paris: CNRS, 2008), one contributor focused on the period between the late-eighteenth century and 1841 and another on the period from 1851-1870—out of a total of forty-seven chapters. Also, a recent survey of the history of France and the French Empire simply begins with 1870: Alice L. Conklin, Sarah Fishman, and Robert Zaretsky, *France and Its Empire since 1870* (New York: Oxford University Press, 2011). For a more chronologically balanced survey, see Philippe Bonnichon, Pierre Gény, and Jean Nemo, eds., *Présences françaises outre-mer, XVIe-XXIe siècles*, 2 vols. (Paris: Académie des sciences d’outre-mer, 2012).

<sup>23</sup> See, for example, the explanation of the French minister of the navy, Charles Lemerancier de Longpré, which was reproduced in Alexandre Laborde, *Au Roi et aux Chambres, sur les véritables causes de la rupture avec Alger et sur l’expédition qui se prépare* (Paris: Truchy, 1830), xlix-lx. The pervasive focus on

strategies embraced by post-revolutionary French consuls in Algeria, and more generally across North Africa, prior to 1830. Did they pursue private agendas? What level of influence did they have over French imperial policies in the basin? And did their relative isolation exacerbate Franco-Algerian relations between 1789 and 1830?

The lack of a wider perspective that bridges the revolutionary, Napoleonic, and Restoration imperial models has also created a puzzling overall picture of the development of French colonialism—a string of failures from the Seven Years’ War to the Restoration suddenly led to the success in Algeria after 1830, and later France’s

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the Fan Affair in most accounts of the French intervention has mirrored the official justification used by the French government. In fact, the original explanatory model has changed little since 1830: see *Aperçu historique, statistique, et topographique sur l'état d'Alger, à l'usage de l'armée expéditionnaire d'Afrique* (Paris: C. Picquet, 1830), 220; Antoine de Juchereau de Saint-Denys, *Conquête d'Alger ou pièces sur la conquête d'Alger et sur l'Algérie* (Paris: Delaunay, 1831), 137; Aristide Guilbert, *De la colonisation du Nord de l'Afrique: nécessité d'une Association Nationale* (Paris: Pagnerre, 1841), 463; Stephen d'Estry, *Histoire d'Alger, de son territoire et de ses habitants* (Tours: Ad Mame et Cie, 1843), 156; Alfred Nettetement, *Histoire de la conquête d'Alger: écrite sur des documents inédits et authentiques* (Paris and Lyon: Jacques Lecoffre, 1867), 224; Henri Delmas de Grammont, *Histoire d'Alger sous la domination turque* (Paris: Ernest Leroux, 1887), 389; René Bittard des Portes, *Les campagnes de la restauration (Espagne. - Morée. - Madagascar. - Alger)* (Tours: Alfred Cattier, 1899), 560; Edgard Le Marchand, *L'Europe et la conquête d'Alger: d'après des documents originaux tirés des Archives de l'Etat* (Paris: Perrin et Cie, 1913), 73; Edouard Driault and Gabriel Monod, *Évolution du monde moderne: histoire politique et sociale, 1815-1913* (Paris: F. Alcan, 1914), 152; Charles Hanin, *Algérie: terre de lumière* (Paris: Editions Alsatia, 1950), 80, 112; Charles André Julien, *Histoire de l'Algérie contemporaine* (Paris: Presses Universitaires de France, 1964), 1:27; Magali Morsy, *North Africa, 1800-1900: A Survey from the Nile Valley to the Atlantic* (Longman: New York, 1984), 96-7; Aboul-Kassem Saadallah, *La montée du nationalisme algérien: (1900-1930)* (Algiers: Entreprise nationale du livre, 1985), 9; Annie Rey-Goldzeiguer, “La France coloniale de 1830 à 1870,” in *Histoire de la France coloniale: des origines à 1914*, ed. Jean Meyer et al. (Paris: Armand Colin, 1990), 1:327-34; John Douglas Ruedy, *Modern Algeria: The Origins and Development of a Nation* (Bloomington: Indiana University Press, 1992), 46-9; Jean-François Guilhaume, *Les mythes fondateurs de l'Algérie française* (Paris: L'Harmattan, 1992), 43-5; Aldrich, *Greater France*, 25-6; Martin Stone, *The Agony of Algeria* (New York: Columbia University Press, 1997), 30-1; Anne Mézin, *Les consuls de France au siècle des lumières (1715-1792)* (Paris: Ministère des affaires étrangères, 1998), 237; Frederick Quinn, *The French Overseas Empire* (Westport: Praeger, 2000), 121-22; Benjamin Stora, *Algeria, 1830-2000: A Short History*, trans. Jane Marie Todd (Ithaca: Cornell University Press, 2001), 3-4; Christian Windler, *La diplomatie comme expérience de l'autre: consuls français au Maghreb (1700-1840)* (Geneva: Droz, 2002), 99; André-Paul Weber, *1830-1930, La France en Algérie: une malheureuse aventure* (Paris: Publibook, 2010), 21; Jean-Jacques Tur, *Ombres et lumières de l'Algérie française* (Paris: L'Harmattan, 2012), 14.

recovery of its position as the second global power by the end of the century.<sup>24</sup> In other words, French officers failed to win the Atlantic during the Seven Years' War, failed to expand the French influence in India after the Battle of Plassey in 1757, failed to retain Saint-Domingue, failed to keep Egypt as a colony, and failed to prevent the downfall of Napoleonic Europe, yet after 1830, France succeeded in rebuilding its empire and competing for dominance with Britain across the globe.<sup>25</sup> A key question thus remains unanswered: How did so much “failure” lead to so much “success”? To be clear, in addressing this question, I do not seek to recover a teleological narrative that retells the story of French imperialism as a rise to greatness. The pitfalls of such an approach are quite clear: contemporary France has retained territories around the Atlantic (the site of its imperial “failures”), while it has lost all of its possessions in North Africa (the site of its imperial “successes”). My argument in fact emphasizes that the process of imperial expansion remained extremely disorderly, lumpy, and above all tenuous between 1789 and 1870.

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<sup>24</sup> The general paucity of studies on Algeria between the French Revolution and the 1830 conquest has made difficult the emergence at a better explanatory model. Lucette Valensi has written one of the few works on this period in an attempt to demystify the pre-colonial Maghreb, which she nonetheless characterized as an “archaic society”: see her *Le Maghreb avant la prise d'Alger (1790-1830)* (Paris: Flammarion, 1969).

<sup>25</sup> Existing explanation of these developments remain fragmentary. For instance, Jean Tarrade has suggested that the French Empire underwent a collapse between 1789 and 1830, largely because the French Revolution undermined the institution of slavery and, by extension, the economic bases of the French Atlantic: “De l’apogée économique à l’effondrement du domain colonial (1763-1830),” in *Histoire de la France coloniale: des origines à 1914*, ed. Jean Meyer et al. (Paris: Armand Colin, 1990), 1:313-14. Annie Rey-Goldzeiguer followed Tarrade’s contribution by stressing that nostalgia gripped the French government in 1830 because its colonial realm had been “mutilated” by the 1814 and 1815 treaties of Paris, which had demoted the country to the rank of the fifth imperial power in Europe, after Britain, Spain, Portugal, and Netherlands: “La France coloniale de 1830 à 1870,” 319-21. French imperial thought thus appears as deeply marked by the 1789 Revolution and the subsequent collapse of the French Atlantic, while a general sense of nostalgia leads to the Fan Affair and the conquest of Algeria. For similar conclusions about the impact of the 1789 Revolution on France’s empire, see Yves Bénéot, *La révolution française et la fin des colonies* (Paris: La Découverte, 1987).

Nonetheless, the Mediterranean strategy, which permeated French imperial ambitions after 1789 and framed the careers of numerous French officers, contributed to the resurgence of France's global empire. The lack of studies on this broader Mediterranean approach in the existing literature is rendered even more mystifying when individual biographies of empire-builders are considered during this transitive period. For instance, Jean-Mary Savary (1774-1833) fought with Napoleon in Italy, completed a mission to Spain, participated in the invasion of Egypt, and later served as the commander-in-chief in Algeria during the early 1830s. Similarly, Pierre Boyer (1772-1851) participated in the Italian campaign, accompanied Napoleon in Egypt and Syria, then served in Spain, and later worked as a commander in Oran. And Thomas Bugeaud (1784-1849) fought with Napoleon across Europe and later served as the governor general in Algeria during the 1840s. In fact, all commanders-in-chief and governors general in Algeria between 1830 and 1847 were previously Napoleonic officers.<sup>26</sup> It is very likely, therefore, that these officers relied on their experience in southern Europe and Egypt, as well as elements of the Napoleonic imperial vision, when they arrived in Algeria and attempted to rebuild a new French Empire along the southern shores of the basin.

These historiographical gaps and biographical sketches therefore converge on the Mediterranean. The post-1789 creation of a French Mediterranean Empire coincided with the gradual (but never fully complete) loss of the Atlantic after 1763 and preceded the

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<sup>26</sup> This does not include those appointed for short periods of time on an interim basis. On Savary and Bugeaud, see Thierry Lentz, *Savary: le séide de Napoléon* (Paris: Fayard, 2001); Jean-Pierre Bois, *Bugeaud* (Paris: Fayard, 1997). For a prosopographical approach to French colonial studies, see Barnett Singer and John Langdon, *Cultured Force: Makers and Defenders of the French Colonial Empire* (Madison: University of Wisconsin Press, 2004).



late-nineteenth resurgence of France's global empire. The reframing of Franco-Algerian diplomatic relations by French consuls after 1789 took place in the context of an attempt to impose a post-revolutionary legal order in the Mediterranean. And an entire generation of French officers embarked on trans-Mediterranean careers that bridged the Napoleonic imperial model with that of the July Monarchy. In other words, after 1789, French officers, administrators, and diplomats began rebuilding a French imperial realm around the liquid continent of the Mediterranean.<sup>27</sup> This burgeoning and expanding colonial entity, which included the French protectorates of Tunisia after 1881 and Morocco after 1912, as well as the mandate for Syria and Lebanon after 1920, in turn became the heart of a resurgent global French Empire until the period of decolonization. Via Algeria, the French Mediterranean Empire was directly linked to the colonial federations of French West Africa (*Afrique occidentale française*) and French Equatorial Africa (*Afrique équatoriale française*), while French Madagascar represented a slightly more distant extension of this imperial bloc in the Indian Ocean. Moreover, the French Mandate of Syria and Lebanon acted as a stepping stone to French Indochina and possessions in the Pacific Ocean.

In examining the rise of the French Mediterranean Empire, I take inspiration from scholars of France and the French Empire who have recently started using the Mediterranean as a way to bridge disconnected historiographies, to question the dichotomy between the colony and the metropole, and to reevaluate France's role in the

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<sup>27</sup> On diplomacy in the basin during this period, see Thierry Couzin, "L'Europe sans rivages. La Méditerranée (1798-1878)," *Cahiers de la Méditerranée* 78 (2009): 281-290.

creation of the modern Mediterranean.<sup>28</sup> For instance, Mary Lewis and Julia Clancy-Smith have respectively examined trans-Mediterranean imperial rivalries and Mediterranean migrations by focusing on nineteenth- and twentieth-century Tunisia.<sup>29</sup> They have offered a broader methodological approach—by emphasizing local, indigenous, and previously understudied voices—in the scholarship on the modern French Mediterranean, which was previously limited to French scientific missions in Egypt, Greece, and Algeria.<sup>30</sup> I join these efforts to reframe the story of French imperialism. This work expands geographically the focus on local responses to French empire-building through an integrated analysis of developments in Italy, Egypt, and Algeria. Also, it evaluates the impact of these reactions on multiple post-revolutionary imperial models, from the Napoleonic era to the Restoration, the July Monarchy (1830-48), the Second Republic (1848-52), and the Second Empire (1852-70).

This study therefore seeks to broaden Mediterranean intellectual history in order to overcome the geographic, chronological, and linguistic divisions that have hampered the emergence of a better understanding of intellectual developments which framed the rise of the French Empire in the basin.<sup>31</sup> Similarly to other works in this vein, my project

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<sup>28</sup> Patricia M. E. Lorcin, ed., *French Mediterraneans: Transnational and Imperial Histories* (Lincoln: University of Nebraska Press, 2016).

<sup>29</sup> Julia A. Clancy-Smith, *Mediterraneans: North Africa and Europe in an Age of Migration, c. 1800-1900* (Berkeley: University of California Press, 2011); Mary Dewhurst Lewis, *Divided Rule: Sovereignty and Empire in French Tunisia, 1881-1938* (Berkeley: University of California Press, 2014).

<sup>30</sup> See Marie-Noëlle Bourguet, *L'invention scientifique de la Méditerranée: Egypte, Morée, Algérie* (Paris: École des hautes études en sciences sociales, 1998); Monique Dondin-Payre, *La Commission d'exploration scientifique d'Algérie: une héritière méconnue de la Commission d'Égypte* (Paris: Diffusion de Boccard, 1994).

<sup>31</sup> For recent works that extend the Mediterranean framework to the nineteenth century and focus on intellectual history, see Maurizio Isabella and Konstantina Zanou, eds., *Mediterranean Diasporas: Politics and Ideas in the Long 19th Century* (London: Bloomsbury, 2016); Maurizio Isabella, *Risorgimento in*

takes inspiration from Fernand Braudel's seminal, *longue durée* study of the sixteenth-century Mediterranean, but it does not aim to examine the Mediterranean as a whole, or adopt Braudel's tripartite division of history into *structure*, *conjuncture*, and *évènement*.<sup>32</sup> Nonetheless, my focus on the Mediterraneanism that permeated French imperial thought between 1789 and 1870 represents an attempt to uncover an ideological *conjuncture*, not as a neat coming-together of ideas but rather as a lumpy process with multiple intellectual strands and lines of influence. The basin represented a concrete geographic target and a space of colonial regeneration where successive French governments sought to expand their territorial possessions. Its past as a Roman *mare nostrum* provided French empire-builders with a language of legitimization, which they used in order to argue that the building of a modern French lake in the basin represented a return to an imperial legacy and civilizing mission that France had inherited from Rome. And the stabilization of the French imperial presence in the Mediterranean after the conquest of Algeria led to a gradual reconceptualization of the French Mediterranean as the cornerstone and center of France's global empire.

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*Exile: Italian Émigrés and the Liberal International in the Post-Napoleonic Era* (Oxford: Oxford University Press, 2009).

<sup>32</sup> Fernand Braudel, "Histoire et Sciences sociales: La longue durée," *Annales. Économies, Sociétés, Civilisations* 13, no. 4 (1958): 725-753. There is still no equivalent of his work for the nineteenth- and twentieth-century Mediterranean. For Braudel's classic work, see *La Méditerranée et le monde méditerranéen à l'époque de Philippe II* (Paris: Colin, 1949). Matthew Connelly took inspiration from Braudel's *La Méditerranée* in *A Diplomatic Revolution: Algeria's Fight for Independence and the Origins of the Post-Cold War Era* (Oxford: Oxford University Press, 2002). For recent works on the Mediterranean, see Cyriac Broodbank, *The Making of the Middle Sea: A History of the Mediterranean from the Beginning to the Emergence of the Classical World* (Oxford: Oxford University Press, 2013); David Abulafia, *The Great Sea: A Human History of the Mediterranean* (New York: Oxford University Press, 2011); Molly Greene, *Catholic Pirates and Greek Merchants: A Maritime History of the Mediterranean* (Princeton: Princeton University Press, 2010). The chronological division between the ancient and medieval Mediterraneans has been challenged in Peregrine Horden and Nicholas Purcell, *The Corrupting Sea: A Study of Mediterranean History* (Malden: Blackwell, 2000). However, the extensive and well-developed literature on the pre-modern Mediterranean remains poorly connected to studies on post-1789 developments in the basin. For a reaction to *The Corrupting Sea*, see W.V. Harris, ed., *Rethinking the Mediterranean* (Oxford: Oxford University Press, 2004).

## II. Religion and the Mediterranean Strategy

I analyze this development by focusing on the ideological clash between two Mediterranean worlds—the aggressive, post-revolutionary Mediterranean that French administrators, officers, and diplomats sought to build and the increasingly besieged, traditional Mediterranean that local ruling classes, clerical establishments, and large parts of the occupied populace defended around the basin. More specifically, I examine the role of religion and law in the creation of new and the destruction of older forms of political legitimacy around the basin. I highlight, in other words, how and why Egyptian, Italian, and Algerian actors attempted to reject, to neutralize, to contest, to assimilate, or to legitimize religious and political ideas that they perceived as the hallmarks of the French system of rule.

Challenging prevalent ideas about political legitimacy involved a very arduous process of overturning prevalent religious ideas along the often bifurcated northern and southern, or predominantly Catholic and Islamic, Mediterranean shores. Local leaders reacted to French rule by drawing on religious texts and interpretations of political legitimacy rooted in a sacred and traditional (and not secular and post-revolutionary) context. As a result, French officers felt compelled to complement their military endeavors with religious justifications of French rule. Studies that examine the role of religion in French imperialism around the Mediterranean overwhelmingly stress the rise of reactionary views within clerical circles that often violently opposed the presence of French troops in their midst. For example, Spanish guerrilla warfare, Catholic uprisings in Italy during the 1800s and 1810s, the rebellions in Cairo during the late 1790s and early 1800s, and ‘Abd al-Qādir’s protracted struggle against the French in Algeria during

the 1830s and 1840s, as well as the role of Sufi brotherhoods in opposing French rule after the 1850s have been thoroughly examined.<sup>33</sup> But the views of local actors who offered a religious defense of French rule, or adopted a neutral stance toward it, have been largely overlooked in the existing literature. An examination of this group and their religious ideas has the potential to throw new light on the ways in which French officers overcame religious challenges to their rule in some parts of the Mediterranean, in addition to pointing to possible ideological convergences and divergences that marked the Catholic and Muslim clerical establishments.

In an attempt to uncover this wider range of religious responses to French rule, I examine a series of debates that occurred within clerical circles in Egypt, Italy, and Algeria. The differences between Catholic and Islamic religious traditions certainly led to disparate reactions to French rule around the basin, but Muslim and Catholic clerics nonetheless responded to a common post-revolutionary imperial project between the 1790s and 1810s. In examining a series of religious responses to a common ideological challenge, therefore, I point to the existence of a trans-Mediterranean spectrum of reactions to French rule, which shared some structural similarities across the Islamic-

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<sup>33</sup> Pedro Rújula López and Jordi Canal, ed., *Guerra de ideas: política y cultura en la España de la guerra de la independencia* (Madrid: Marcial Pons Historia, 2012); Ronald Fraser, *Napoleon's Cursed War: Spanish Popular Resistance in the Peninsular War, 1808-1814* (London: Verso, 2008); Charles J. Esdaile, *Fighting Napoleon: Guerrillas, Bandits and Adventurers in Spain, 1808-1814* (New Haven: Yale University Press, 2004); John A. Davis, *Naples and Napoleon: Southern Italy and the European Revolutions, 1780-1860* (Oxford: Oxford University Press, 2006); Massimo Viglione, "*Libera chiesa in libero stato*"?: *il Risorgimento e i cattolici: uno scontro epocale* (Rome: Città Nuova, 2005); Massimo Viglione, *Rivolte dimenticate: le insorgenze degli italiani dalle origini al 1815* (Rome: Città Nuova, 1999); Maike Neufend, *Das Moderne in der islamischen Tradition: eine Studie zu Amīr 'Abd al-Qādir al-Ġazā'irīs Verteidigung der islamischen Vernunft im 19. Jahrhundert* (Würzburg: Ergon Verlag, 2012); Raphael Danziger, *Abd Al-Qadir and the Algerians: Resistance to the French and Internal Consolidation* (New York: Homes & Meier Publishers, 1977); Nile Green, "From Colonization to Globalization," chap. 4 in *Sufism: A Global History* (Malden: Wiley-Blackwell, 2012).

Catholic divide because they were framed by a common willingness or unwillingness to inscribe French rule into canonical religious texts.<sup>34</sup>

This approach presents larger methodological implications for the study of indigenous collaboration and resistance in other imperial contexts. Scholars have examined the rise of self-interested indigenous groups who collaborated with imperial authorities and worked to maintain their privileges in the colonial and post-colonial eras.<sup>35</sup> As a result, in the existing works, these indigenous groups often appear as power-hungry, pro-imperial vassals who ruled smaller fiefdoms or as useful administrative intermediaries who adopted an attitude of obsequiousness toward their colonial masters. By focusing on the wider spectrum of religious responses to French rule, I move away from the dichotomy between religious resistance and self-interested collaboration. I show that indigenous religiosity did not represent an *a priori* obstacle to French rule; rather, the ability of French officers to convince large swaths of the indigenous population to shift their religious interpretations and accept new ideas of legitimacy framed the viability of French rule around the basin.

In other words, my argument questions the prevalent tendency in the existing scholarship to present indigenous leaders who accepted or legitimized French rule as

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<sup>34</sup> The north-south divide is usually deemphasized only in general surveys. Also, some works, such as Luis P. Martín, Jean-Paul Pellegrinetti, and Jérémy Guedj, eds., *La République en Méditerranée: diffusions, espaces et cultures républicaines, XVIIIe-XXe siècle* (Paris: L'Harmattan, 2012), analyze the construction of a republican political culture more broadly along the southern Mediterranean coast.

<sup>35</sup> François-Xavier Hautreux, *La guerre d'Algérie des Harkis (1954-1962)* (Paris: Perrin, 2013); Vincent Crapanzano, *The Harkis: The Wound That Never Heals* (Chicago: University of Chicago Press, 2011); Nile Green, *Islam and the Army in Colonial India: Sepoy Religion in the Service of Empire* (Cambridge: Cambridge University Press, 2009); Gregory Mann, *Native Sons: West African Veterans and France in the Twentieth Century* (Durham: Duke University Press, 2006); Eugène-Jean Duval, *L'épopée des tirailleurs sénégalais* (Paris: L'Harmattan, 2005); Seema Alavi, *The Sepoys and the Company: Tradition and Transition in Northern India, 1770-1830* (New York: Oxford University Press, 1995).

insincere, obsequious actors who acted almost uniquely out of self-interest, and those who opposed French rule as the more authentic and sincere position of the indigenous majority who resented foreign rule.<sup>36</sup> In Egypt and Italy, for instance, clerics who justified elements of French rule remained committed to their views in spite of the pressure and dangers they faced in the context of frequent and violent uprisings against French rule. In Algeria, moreover, many notables who resisted French rule did so due to pressure and violence exerted by ‘Abd al-Qādir, while others who joined the French camp did so begrudgingly and only after they embraced a theological interpretation that portrayed the arrival of French rule as a divine intervention that all believing Muslims had the religious obligation to accept.<sup>37</sup> Many Algerian leaders who accepted this position then defended it with arms, and thousands died fighting on the French side during the 1830s and 1840s. The two camps—those who championed the theology of collaboration and those who opted for the theology of resistance—thus remained committed to a set of religious interpretations that they rarely abandoned, even when faced with grave threats. To be sure, I do not make the claim that self-interest did not play an important role in the emergence of the theology of collaboration. Instead, I argue

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<sup>36</sup> To be sure, a few notable exceptions exist. Colette Establet has examined the correspondence produced by indigenous leaders between 1851 and 1912 in *Etre caïd dans l’Algérie coloniale* (Paris: CNRS, 1991), while Kenneth J. Perkins has studied the role of indigenous notables in the colonial administrations in Morocco, Algeria, and Tunisia in *Qaids, Captains, and Colons: French Military Administration in the Colonial Maghrib, 1844-1934* (New York: Africana Pub. Co., 1981). Also, see Charles-Robert Ageron, “Les supplétifs algériens dans l’armée française pendant la guerre d’Algérie,” *Vingtième Siècle. Revue d’histoire* 48 (1995): 3-20; Belkacem Recham, *Les musulmans algériens dans l’armée française, 1919-1945* (Paris: L’Harmattan, 1996); Peter Von Sivers, “Insurrection and Accommodation: Indigenous Leadership in Eastern Algeria, 1840–1900,” *International Journal of Middle East Studies* 6, no. 3 (1975): 259-275; X. Yacono, “La colonisation militaire par les smalas de spahis en Algérie,” *Revue Historique* 242, no. 2 (1969): 347-394. On Islam within the French Empire, see Pierre Vermeren, *La France en terre d’islam. Empire colonial et religions, XIXe-XXe siècles* (Paris: Belin, 2016).

<sup>37</sup> I have examined some aspects of this development in “Between Fanaticism and Loyalty: Algerian Prisoners within the French Mediterranean Empire,” *Journal of North African Studies* 20, no. 2 (2015): 204-22.

that self-interest undergirded the full spectrum of religious reactions to French rule in Egypt, Italy, and Algeria—and that self-interest at times aligned with, produced, and deepened religious convictions that facilitated the spread of French rule.

By seeking to dispel the cloud of suspicion that often covers indigenous groups which legitimized French rule with religious arguments, I question categories invented by—and to some extent, insofar as the existing literature is concerned, inherited from—colonial officers in their attempts to classify and to control indigenous resistance and collaboration. Prior to 1830, a small minority of clerics defended positions that leaned toward the theology of collaboration in Egypt and Italy, where religious conservatism permeated their timid attempts to partially legitimize and assimilate French rule. This position both stabilized and frustrated French rule: it contributed to social peace in times of war, but it only offered a limited, minimalist legitimization of French rule. In this context, French officers generally adopted a stance of suspicion toward Egyptian and Italian clerics, seeing them as useful, temporary tools rather than steadfast allies.

With the more widespread acceptance of a theology of collaboration by Algerian notables during the 1830s and 1840s, however, French officers jettisoned their chronic suspicion of religious authority to some extent and increasingly portrayed large tribal areas as “pacified” regions, where the religious threat had greatly diminished or altogether disappeared. But even though some French officers recognized the sincerity with which local leaders adopted the theology of collaboration, most colonial reports portrayed the “pacified” zones as areas where peace had been achieved by bestowing gifts, positions of power, and other material incentives upon indigenous notables. Put differently, colonial reports consistently depicted Algerian notables as self-interested



actors who could only temporarily tamper but never fully reverse their *a priori* reflex of resistance to foreign rule because of their Islamic faith. As a result, French officers often gave little credence to the elaborate attempts of their Algerian allies to justify the French presence through Islamic texts. I take these religious reactions seriously both because Algerians who adopted the theology of collaboration defended it with their lives and because the insincerity of their religious arguments would have to be proven rather than assumed.

In tracing the reinterpretation of Islamic texts that accompanied this intellectual development in Algeria, this project shows that the emergence of the theology of collaboration marked a pivotal moment for the French Mediterranean strategy. Previous attempts to rebuild the French Empire in southern Europe and Egypt had failed in large measure because of the religious opposition to French rule and the presence of strong clerical centers that acted as nodes from which this conservative opposition radiated. The absence of such a strong clerical center in Algeria, the fragmented nature of indigenous alliances, and the violent clashes between Algerian rivals facilitated the rise of a religious interpretation which stipulated that God had favored French rule, and that the French system of justice reflected Islamic ideals better than the competing Ottoman and Algerian models. The spread of this idea among Algerian notables severely undermined the appeal of ‘Abd al-Qādir’s theology of resistance and gradually led to his surrender in 1847, the entrenchment of French rule in Algeria, and, by extension, the reemergence of France’s Mediterranean ambitions.

### III. France's *mare nostrum* and the Civilizing Mission

This resurrection also marked a turning point in the development of French imperial thought. After the 1789 revolution, a new imperial ideology, centered on the export of the French republican model, framed French military expansion around the Mediterranean.<sup>38</sup> It underwent a number of changes as French officers confronted absolute monarchies, nominal Ottoman rule, and aristocratic republics.<sup>39</sup> Napoleon's move away from the republican model, his crowning as the French emperor, and his subsequent downfall, as well as the advent of the Restoration and the 1830 and 1848 French Revolutions, further transformed this revolutionary imperial vision over the following decades. Despite these discontinuities, however, a general continuity, which was buttressed and amplified at a critical moment by the 1830 invasion of Algiers, bridged these imperial models as well. More specifically, when considered broadly from 1789 to 1870, the imperial plans and visions embraced by two generations of French officers, consuls, administrators, and politicians represented an attempt to remold France into a "civilizing" force in the Mediterranean. This study examines two elements of this ideological thrust: the attempts of French consuls to impose a post-revolutionary legal system in the basin between the late 1790s and the late 1820s, as well as the sustained effort to transform France into the New Rome and the Mediterranean into a French *mare*

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<sup>38</sup> On the 1789 Revolution and the Mediterranean, see Ian Coller, "The Revolutionary Mediterranean," chap. 25 in *A Companion to the French Revolution*, ed. Peter McPhee (Malden: Wiley Blackwell, 2015).

<sup>39</sup> On the Ottoman reaction to the 1789 Revolution, see Fatih Yeşil, "Looking at the French Revolution through Ottoman Eyes: Ebubekir Ratib Efendi's Observations," *Bulletin of the School of Oriental and African Studies* 70, no. 2 (2007): 283-304. Also, see Onnik Jamgocyan, "La Révolution française vue et vécue de Constantinople (1789-1795)," *Annales historiques de la Révolution française* 282 (1990): 462-469.

*nostrum*, a strategy that faltered before 1830 and reemerged forcefully after consular imperial objectives were achieved in Algeria during the 1830s.

This project argues that what I call consular imperialism defined the strategies of two French consuls who operated in Algeria between the 1790s and 1820s, the republican Charles Dubois-Thainville and the monarchist Pierre Deval. Their strategies fit uneasily into the existing explanations of the French conquest of North Africa. In fact, very little has been written about Thainville, while only the 1827 Fan Affair in which Deval was involved has been highlighted as the *casus belli* that led to the extension of French imperialism to Algeria.<sup>40</sup> I argue that the Fan Affair represented the culmination of a consular imperial strategy first adopted by Thainville and then recuperated by Deval—and not the first and primary cause of the French invasion. Thainville used threats of invasion in order to force the Algerian ruler, or dey, to accept an unequal peace treaty with France in 1801, and he then imposed his own legal interpretations of this treaty in the context of Napoleonic expansion in Egypt, Italy, and Spain. After 1815, Deval both preserved the general outlines of Thainville’s strategy and added an expanded legal claim of French territorial sovereignty in the coastal maritime concessions that Franco-Algerian treaties covered. Thainville and Deval also shared a desire to impose a form of international law in the Mediterranean that would remove the threat of slavery, protect consular officers, eliminate the tributary payments made by European states in exchange for maritime security, and eradicate piracy. These changes both integrated Algeria into the European legal space and pulled it into the French imperial orbit, first informally between the 1790s and 1820s, and then formally in 1830. A “civilizing” element

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<sup>40</sup> Henri Dehérain, “La mission du commissaire général Dubois Thainville auprès du dey d’Alger. (An VIII et an X: 1800 et 1801),” *Revue de l’histoire des colonies françaises* 14 (1926): 74-100.

therefore permeated the consular construction of Napoleonic and Bourbon Mediterraneans.

In offering a new interpretation of the 1830 invasion of Algiers, this work shows that an examination of French consular imperial strategies and indigenous responses to those strategies has the potential to contribute to a better understanding of the development of international law during the first half of the nineteenth century, as well as the legal dimension of the French civilizing mission. In this respect, I have taken inspiration from Lauren Benton's stress on the local, indigenous perspectives in her study of global legal regimes. She has argued that indigenous actors often simultaneously "collaborated" and "resisted" the imposition of new legal orders, depending on which strategy better aligned with the interests of their family, polity, or class.<sup>41</sup> Moreover, Benton has shown that a global shift from a pre-modern, soft, multi-centric form of legal pluralism gave way to a hard, state-controlled form of legal pluralism in the context of high imperialism during the nineteenth century.<sup>42</sup> Although it is not fully clear why this shift occurred during the mid- or late-nineteenth century, Benton's focus on the fragmented nature of the international legal system and the historical processes that further loosened or centralized this fragmentation facilitates the inclusion of the myriad of local contingencies and struggles into the study of international law.

A study of French consular imperialism in Algeria offers a new perspective on the move from soft to hard legal pluralism during the first three decades of the nineteenth

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<sup>41</sup> Lauren A. Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge: Cambridge University Press, 2002), 17.

<sup>42</sup> Benton, *Law and Colonial Cultures*, 11. On imperial sovereignty, see Lauren A. Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2010); Lauren A. Benton, "History, Law, and the Problem of Imperial Sovereignty," *Quaderni di Relazioni Internazionali* 6 (2007): 54-67.

century in the Mediterranean. Although Thainville and Deval operated from a position of weakness due to their relative isolation and the turbulent political climate in Algeria, they succeeded in imposing a rigid legal system on the Regency and they convinced their superiors in Paris that Algeria ought to be invaded. It is very unlikely, in other words, that the 1830 invasion would have occurred if they had not adopted an imperial posture. Yet the existing literature on the French Empire does not provide a framework that could help explain the emergence of consular imperialism. In fact, the debate on informal and formal imperialism in British imperial studies offers the most useful analytical tools for a better understanding of this process. Through this debate, scholars have highlighted the constellation of geopolitical and economic factors that either brought peripheral polities closer to the British imperial orbit or, at times, firmly and formally inserted polities into the same orbit.<sup>43</sup> This model does not provide a panacea, however. While studies on the

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<sup>43</sup> John Gallagher and Ronald Robinson's 1953 formulation of the idea of informal empire stressed the importance of treaties of free trade and friendship, as well as the need to demonstrate the continuity between informal and formal empire: John Gallagher and Ronald Robinson, "The Imperialism of Free Trade," *The Economic History Review* VI, no. 1 (1953): 5, 11. Their framework has been critically examined and tested in a set of debates on British imperial ambitions in Latin America during the nineteenth century, out of which a general consensus has emerged that informal imperialism remains a useful analytical tool when it succeeds in tracing the manner in which imperial officers undermine and degrade the sovereignty of autonomous polities: see Andrew Thompson, "Informal Empire? An Exploration in the History of Anglo-Argentine Relations, 1810-1914," *Journal of Latin American Studies* 24, no. 2 (1992): 419-36; A. G. Hopkins, "Informal Empire in Argentina: An Alternative View," *Journal of Latin American Studies* 26, no. 2 (1994): 469-84. John Darwin has argued, for instance, that informal empire is a "commercial-diplomatic regime" that does not follow a set formula, but rather adapts to local circumstances and pragmatically works around the limits imposed by local resistance. He has underlined the intricate web of financial, commercial, and diplomatic interests, often combined with unequal treaties and military threats, that pull peripheral regions into the "world-system of an imperial power": John Darwin, "Imperialism and the Victorians: The Dynamics of Territorial Expansion," *The English Historical Review* CXII (1997): 614, 617-9. For a survey of these debates, see Rory Miller, "Informal Empire in Latin America," in *The Oxford History of the British Empire*, ed. Robin W. Winks and Elaine Low (Oxford: Oxford University Press, 1999), 5: 437-48. Ann Stoler had dismissed the concept of informal empire in "On Degrees of Imperial Sovereignty," *Public Culture* 18, no. 1 (2006): 126, but Matthew Brown defends its analytical value in an edited volume that combines commerce, capital, and culture in studying informal empire: see Matthew Brown, introduction to *Informal Empire in Latin America: Culture, Commerce and Capital*, ed. Matthew Brown (Oxford, UK: Blackwell Pub., 2008). On informal empire in British imperial studies, see Anthony Webster, "Metropole, Periphery and Informal Empire: the Gallagher and Robinson Controversy of the 1950s and After," in *The Debate on the Rise of the British Empire* (Manchester:

interplay between informal and formal empire have pointed to the creation of a global British economic system, French consular imperialism in the Mediterranean led primarily to the creation of a new form of international law in the basin.<sup>44</sup> The shift in the legal system and French imperial expansion went hand-in-hand, and both revolved around an idea of “civilizing” the Mediterranean space, where the Islamic maritime order retreated in tandem with the rise of consular imperialism.<sup>45</sup>

The triumph of consular imperialism in Algeria in 1830 and the rise of the theology of collaboration during the following two decades in turn led to a revival of the Roman imperial roadmap and the view of the Mediterranean as a French *mare nostrum*, where France now embarked on a modern version of the ancient civilizing mission. The Roman civilizational logic had enveloped the French imperial endeavor since the 1789 Revolution, for French republicans saw themselves as the inheritors of Rome who aimed to rebuilt the ancient empire in the same Mediterranean space, but with modern means. During the 1790s and the early 1800s, republican empire-builders sought to overthrow the old order around the basin by combining the Roman past with an Enlightenment-

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Manchester University Press, 2006), 68-92. More recently, Gregory A. Barton has argued that a broadened conceptualization of informal imperialism could illuminate the rise of globalization in his *Informal Empire and the Rise of One World Culture* (Basingstoke: Palgrave Macmillan, 2014).

<sup>44</sup> On the intersection between diplomacy and international law, see Benjamin Allen Coates, *Legalist Empire: International Law and American Foreign Relations in the Early Twentieth Century* (Oxford: Oxford University Press, 2016); Muhammad-Basheer Adisa Ismail, *Islamic and Transnational Diplomatic Law: A Quest for Complementarity in Divergent Legal Theories* (New York: Palgrave Macmillan, 2016); Randall Lesaffer, ed., *Peace Treaties and International Law in European History: From the Late Middle Ages to World War One* (Cambridge: Cambridge University Press, 2004).

<sup>45</sup> Although this study does not examine the development of consular imperialism beyond Algeria, it points to the presence of a wider diplomatic imperial strategy whose impact in the Mediterranean (especially in Tunisia and Morocco after 1830) and more globally within other imperial systems remains to be examined. On French diplomacy in Tunisia, see Christian Windler, “Diplomatie et interculturalité: les consuls français à Tunis, 1700-1840,” *Revue d’histoire moderne et contemporaine* 4, no. 50-4 (2003): 63-91; Christian Windler, *La diplomatie comme expérience de l’autre: consuls français au Maghreb (1700-1840)* (Geneva: Droz, 2002).

inspired future. Napoleon later moved away from this republican vision and opted for an imperial order that leaned toward the political forms of the Old Regime, only to see this hybrid project collapse in 1815.<sup>46</sup> The Roman vision that permeated both the republican and Napoleonic projects remained unrealized to a large extent because of the religious resistance that French armies encountered around the basin, as well as the competing military alliances that opposed France's expansionism until Napoleon's final defeat at Waterloo.

Yet the nesting of French colonialism in Algeria through the policy of consular imperialism led to a resuscitation of the Roman imperial roadmap. Distant from the center of Ottoman power, dependent on a system of piracy that irked Britain, Spain, and the Italian states, and lacking a centralized clerical establishment, Algeria represented an almost ideal site for the rebuilding of the French Empire. The Regency's peripheral legal status allowed Thainville and Deval to pursue the aggressive strategy of consular imperialism, while the 1830 invasion did not invite a British response due to the convenient removal of piracy from the basin and the prevalent doubts about France's ability to keep the new colony.<sup>47</sup> The Ottoman sultan remained similarly uninterested in

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<sup>46</sup> Philip Dwyer has argued that the shift from republic to empire occurred due to the presence of "neo-monarchists" in Napoleon's circle of advisers, as well as the prevalent support for the move away from the republican legacy among the political elite and the French population more generally: "Napoleon and the Foundation of the Empire," *The Historical Journal* 53, no. 2 (2010): 339-358. In examining the shift toward empire, Dwyer added to two previous studies that addressed the choice of empire more specifically: see Annie Jourdan, "Le Premier Empire: un nouveau pacte social," *Cités: philosophie, politique, histoire* 20 (2004): 51-64; Jean-Luc Chappey, "La notion d'empire et la question de légitimité politique," *Siècles: cahiers du Centre d'histoire "Espaces et culture"* 17 (2003): 111-27.

<sup>47</sup> In a meeting held at the beylical palace in Algiers in April 1830, the British consul, Robert St. John, described the dey's situation as "most critical" and he informed his superiors that this warning had no real effect because the dey simply continued "talking more nonsense." St. John also judged that a French punitive action would likely lead to an impact on British economic interests in Algeria, albeit "not perhaps directly": British Consul to Secretary of State for Foreign Affairs, Algiers, 4 April 1830, p. 2, 5: The National Archives, Kew, United Kingdom (hereafter TNA): Foreign Office (hereafter FO) 3/32. In

investing military resources in order to preserve what had for long been a nominal dependency.<sup>48</sup> Concurrently with the rise and fall of the republican and Napoleonic Mediterranean visions between 1789 and 1815, therefore, a consular Mediterranean project—which also had its roots in the French Revolution—remained alive beyond 1815 and reemerged forcefully in North Africa during the 1820s.

The removal of the religious obstacle to French rule in parts of the Algerian interior during the 1830s and 1840s in turn paved the way for a scientific expedition that firmly repositioned the Roman legacy at the heart of French imperial thought. Religious opposition and the British-Ottoman coalition had impeded a fuller assimilation of the much more famous Egyptian scientific expedition into the imperial ideology that dominated in France during the nineteenth century.<sup>49</sup> After the departure of French troops from Egypt in 1801, the Napoleonic scientific corpus, the *Description de l’Égypte*, became an imperial artefact whose significance scholars measured in terms of its

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September 1830, St. John informed his superiors that the French had begun expanding along the coast, but he did not present an alarmist picture of the events in Algeria; instead, he simply requested that he be informed of any break in relations between France and Britain in order to avoid being taken as a prisoner of war: British Consul to Secretary of State for Foreign Affairs, Algiers, 2 September 1830, p. 2, 5: TNA, FO 3/32.

<sup>48</sup> On Ottoman documents during a previous bombardment of Algiers, in 1816, see Abdeljelil Temimi, “Documents turcs inédits sur le bombardement d’Alger en 1816,” *Revue de l’Occident musulman et de la Méditerranée* 5, no. 1 (1968): 111-133.

<sup>49</sup> On the scientific expedition in Egypt, see Philippe Mainterot and Hélène Jagot, ed., *Du haut de ces pyramides: l’expédition d’Égypte et la naissance de l’égyptologie, 1798-1850* (Lyon: Fage, 2013); Patrice Bret, “L’Égypte de Jomard: la construction d’un mythe orientaliste, de Bonaparte à Méhémet-Ali,” *Romantisme* 33, no. 120 (2003): 5-14; Patrice Bret, “Le ‘guerrier philosophe’ Desaix, l’institut d’Égypte et la commission des sciences et arts,” *Annales historiques de la Révolution française* 324 (2001): 69-82; Anne Godlewska, *Geography Unbound: French Geographic Science from Cassini to Humboldt* (Chicago: Chicago University Press, 1999), 133, 137, 211, 278, 282-5; Anne Godlewska, “Napoleon’s Geographers (1797-1815): Imperialists and Soldiers of Modernity,” in *Geography and Empire*, ed. Anne Godlewska and Neil Smith (Cambridge: Blackwell, 1994), 31-53; Anne Godlewska, “The Napoleonic Survey of Egypt: A Masterpiece of Cartographic Compilation and Early Nineteenth-Century Fieldwork,” *Cartographica* 25, no. 1-2 (1988): monograph no. 38-39.



contribution to knowledge about the Egyptian past; at best, therefore, it amounted to an echo of France's cultural imperialism.<sup>50</sup> Studies that portray this expedition as the beginning of France's modern civilizing mission have recently been complemented by works that examine the intersection and continuities between France's scientific projects in Egypt, Greece, and Algeria.<sup>51</sup> However, these studies concentrate on the development of scientific disciplines during these expeditions, while their impact on French imperial ideology remains opaque.<sup>52</sup> As a result, scholars who have examined the emergence of the civilizing mission during the period of French high imperialism between the late-nineteenth and mid-twentieth centuries often seek the roots of this imperial vision in Napoleonic Egypt.<sup>53</sup>

I reposition the Algerian scientific expedition at the center of French imperial ideology and I show how the expedition reinfused this ideology with the Roman legacy. I trace three elements of this development, which together point to the centrality of the Roman *mare nostrum*. First, during the late 1830s and early 1840s, French military

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<sup>50</sup> On the imperial perspective that permeated the *Description*, see Edward W. Said, *Culture and Imperialism* (New York: Vintage, 1993).

<sup>51</sup> Marie-Noëlle Bourguet et al., eds., *L'invention scientifique de la Méditerranée: Égypte, Morée, Algérie* (Paris: École des hautes études en sciences sociales, 1998); Marie-Noëlle Bourguet et al., eds., *Enquêtes en Méditerranée: les expéditions françaises d'Égypte, de Morée et d'Algérie* (Athens: Institut de Recherches Néohelléniques/F.N.R.S, 1999); Numa Broc, "Les grandes missions scientifiques françaises au XIXe siècle (Morée, Algérie, Mexique) et leurs travaux géographiques," *Revue d'histoire des sciences* 34, no. 3-4 (1981): 319-358.

<sup>52</sup> For Edme Jomard's idea of geo-ethnography, see Nélia Dias, "Une science nouvelle: la géo-ethnographie de Jomard," in *L'invention scientifique de la Méditerranée*, ed. Marie-Noëlle Bourguet et al., 159-83.

<sup>53</sup> For instance, in her study of the French civilizing mission in West Africa between 1895 and 1930, Alice Conklin claimed that it was "[o]n the banks of the Nile, then, [that] the idea, if not the term, of a special French mission to civilize had been born with the Republic": *A Mission to Civilize*, 18. Similarly, in one of the few studies that aim to bridge the Napoleonic and post-Napoleonic imperial models, Osama Abi-Mershed pointed out that the "notion of the universal civilizing mission was arguably the sole Napoleonic legacy to be adopted with less than usual trepidation by a resurrected Bourbon monarchy" after 1830 in Algeria: *Apostles of Modernity*, 24.

leaders supported the scientific expedition because they sought to use the study of Roman archeology in Algeria as a modern roadmap that would allow them to dominate militarily the colonial terrain. They believed that they could restore the Roman ruins and forts that dotted the Algerian landscape; reestablish the Roman roads; overcome local resistance by matching modern and ancient geography and then using Latin texts as military manuals; and that they could legitimize the whole endeavor as the “return” of an army which had inherited Rome’s cultural mission.<sup>54</sup> Second, following the spread of the theology of collaboration among indigenous tribes after the 1840s, scientists who had participated in the Algerian scientific expedition refashioned themselves as explorers and they enlarged this localized Roman vision to the Algerian desert, while others called for a more concerted effort to remold the Mediterranean into a French *mare nostrum*. And, third, the reaching of the limits of the Roman roadmap in Algeria, which could only be extended east and west by further invasions and whose signposts disappeared in the sands of the Algerian desert, led to a reimagining of France’s global mission by the 1860s. French officers increasingly saw the Roman legacy as too parochial and they sought to connect France’s North and West African possessions across the Sahara in order to further buttress France’s ascendant positions in the Mediterranean. They aimed, in other words, to surpass the Roman roadmap by transforming the expanding French Mediterranean into the central pillar of a resurgent global French Empire.

#### IV. Outline of Chapters

This work explores the ideological origins of the French Mediterranean Empire in three parts. The first part explores the impact of religious reactions on French rule and the

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<sup>54</sup> On the Roman legacy in French Algeria, see Patricia M. E. Lorcin, “Rome and France in Africa: Recovering Colonial Algeria’s Latin Past,” *French Historical Studies* 25, no. 2 (2002): 295-329.

rise of the Mediterranean strategy in Italy between 1789 and 1806 and in Egypt between 1798 and 1801. Chapter one shows that the soft conservative stance represented the view of a minority in Italy, where more stringent conservatives and a stronger and more centralized clerical establishment undermined the stability of French rule. However, this chapter also shows that the presence of a strong clerical center facilitated the emergence of an agreement that reconciled Napoleon with the papacy, an option that did not exist in Egypt because the rebellious masses rejected the *diwān*'s soft conservatism.

Chapter two shows that the emerging view of the French republican empire as the inheritor of Rome in Egypt failed to lead to the construction of a new French Mediterranean largely because the Egyptian clerical establishment embraced a conservative stance that both stabilized and limited French rule. Clerics associated with the Egyptian *diwān* opted for a soft conservative stance that made conversion to Islam a prerequisite for the extension of full legitimacy to French rule. At the same time, this chapter shows that a prominent cleric, 'Abd al-Raḥmān al-Jabartī, later argued that French rule reflected the Islamic ideals of justice and order better than the competing Ottoman model, which demonstrates that Islam did not represent an insurmountable obstacle and that it could be reconciled with French rule. These two chapters demonstrate that religion did not represent an *a priori* obstacle to French rule—rather, the composition, strength, and ideology of the clerical establishments determined the impact of religious reactions on French rule.

Part two of the dissertation traces the emergence of consular imperialism in Algeria between 1789 and 1830. This strategy represented an element of the republican and Napoleonic Mediterranean projects, but it extended beyond 1815 and it bridged the

pre-1815 imperial projects with those embraced by the Restoration and July Monarchy regimes. Chapter three studies Thainville's initial implementation of consular imperialism and his attempts to force the Algerian polity to accept a legal order in the Mediterranean that moved away from the diplomatic forms of the Old Regime and that reflected the republican idea of citizenship and liberty on the seas. Thainville gradually grafted the Republic's expansionism onto this strategy and in the context of Napoleonic invasions, he argued that the conquest of Algeria represented the only solution to the problem of piracy and slavery in the Mediterranean.

Chapter four examines Deval's recuperation of Thainville's strategy. To Thainville's Napoleonic Mediterranean project, Deval responded with a Bourbon Mediterranean vision: he claimed that the French monarch's familial ties to rulers across southern Europe justified French attempts to continue insisting on the illegality of piracy and slavery in the basin. Moreover, Deval reinterpreted old Franco-Ottoman treaties and argued that France possessed a territorial sovereignty along parts of the Algerian coastline. And it is this amplification of consular imperialism and attempts to control the Mediterranean that first led to a break in relations, an aggressive expansion of Algerian piracy in the basin, and soon thereafter the French invasion of Algiers.

The last part of the dissertation examines the reconvergence of the Mediterranean strategy, the theology of collaboration, and the Roman imperial legacy in North Africa. Chapter five shows that the various forms of the theology of resistance—which frustrated the Napoleonic effort in Egypt and Italy and underpinned the Algerian system of piracy in the Mediterranean—receded with the rise of the theology of collaboration in Algeria during the 1830s and 1840s. What had been a position of the clerical minority in Egypt

and Italy became the position of the indigenous majority, first in northern Algeria and then in the interior. Using canonical Islamic texts, Algerian notables echoed the views of al-Jabartī as they argued that the French invasion represented an act of the divine will, and that the French political and legal systems reflected Islamic ideals better than the local alternatives. The absence of a centralized clerical establishment played a large role in the spread of this theological position.

The sixth chapter studies the scientific expedition that the theology of collaboration facilitated, and it shows that the French recuperation of the Roman imperial past in Algeria led to a reimagining of France's global colonial mission and role. French officers first looked to the Roman ruins with a practical eye, seeing the vast network of roads and forts as a useful roadmap that could guide the French expansion. The sixth chapter also examines the partial realization of the Roman vision in Algeria and the slow emergence of a French Mediterranean Empire, which led to a reformulation of France's global imperial mission by centering it on the Mediterranean base and internationalizing the cultural *latinité* it inherited from Rome.

Overall, this study insists on the fragile nature of this new imperial entity and vision. French imperial thought was remarkably similar during the 1790s and 1870s, and a familiar and persistent religious challenge permeated both periods. The post-revolutionary Roman imperial model had been recuperated and partially applied by the beginning of the Third Republic in Algeria, and the overwhelming religious obstacle to the application of this model had seemingly been overcome in Algeria with the rise of the theology of collaboration. But religious opposition to French rule persisted in the Algerian south during the 1870s, it later surfaced in Tunisia and Morocco as well, and it

framed the ideology of anti-French forces during the Algerian War. To a large extent, therefore, the viability of the Mediterranean project continued to depend on a sustained mastery of the religious terrain, where scriptures ultimately held more sway than guns.

**PART I: THE POST-REVOLUTIONARY MEDITERRANEAN, 1789-1815**

## Chapter 1. “*La furia filosofica scuote i suoi serpent*”: Catholicism and French Rule in Italy, 1789-1806

*Jacobin. A dynamic term, which includes the atheist, the assassin, the libertine, the traitor, the cruel, the rebel, the regicide, the oppressor, the lunatic.*<sup>1</sup>

The French invasion of parts of northern Italy after the emergence of a counter-revolutionary alliance among European monarchies during the early 1790s marked the beginning of a new imperial project centered on the Mediterranean. The conquest of the Italian peninsula represented the cornerstone of the new Mediterranean vision. Napoleon Bonaparte, who was appointed as the general-in-chief of the Army of Italy in 1796, led this effort. In a letter to Bonaparte, Lazare Carnot, a member of the *directoire exécutif*, instructed the young general to march toward Milan, conquer large parts of Italy, and “dislodge the perfidious English, who were for a long time masters of the Mediterranean.”<sup>2</sup> Another member of the *directoire exécutif*, Louis de La Révellière-Lépeaux, stressed that the goal of the Italian campaign consisted of “weakening the English in the Mediterranean” by closing the Italian ports to them, reestablishing French control over Corsica, and occupying Livorno.<sup>3</sup> After the French reconquest of Corsica,

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<sup>1</sup> Lorenzo Ignazio Thiulen, *Nuovo vocabolario filosofico-democratico indispensabile per ognuno che brama intendere la nuova lingua rivoluzionaria* (Venice: Francesco Andreola, 1799), 1:22. On Thiulen’s counterrevolutionary thought, see Alessandro Guerra, *Il vile satellite del trono: Lorenzo Ignazio Thjulen, un gesuita svedese per la controrivoluzione* (Milano: F. Angeli, 2004).

<sup>2</sup> Lazare Carnot to Napoleon Bonaparte, Paris, 7 May 1796, *Correspondance inédite officielle et confidentielle de Napoléon Bonaparte*, ed. C. T. Beauvais de Préau, 7 vols. (Paris: C. L. F. Panckoucke, 1809-20), 1:147.

<sup>3</sup> Louis de La Révellière-Lépeaux to Napoleon Bonaparte, Paris, 1 August 1796, *Correspondance inédite officielle et confidentielle de Napoléon Bonaparte*, ed. C. T. Beauvais de Préau, 7 vols. (Paris: C. L. F. Panckoucke, 1809-20), 1:406.



Bonaparte predicted that “the Mediterranean would become free” and that the ultimate expulsion of the English from the basin would further entrench French power in Italy.<sup>4</sup>

Despite the enthusiasm generated by the perceived British retreat from the Mediterranean, there was no simple military solution to the problem of buttressing France’s control over Italy—largely because local religious resistance undermined the effort to legitimize French rule on the peninsula. In order to stabilize the occupying government and reduce the military expenditures, French officers worked to co-opt members of the ecclesiastical establishment by either convincing them or coercing them to reconcile French rule with Catholicism. A scriptural and textual struggle therefore accompanied the military battles in Italy and it produced a range of religious responses to French rule, from hostile rejections of the invading army as a product of the anti-Catholic Enlightenment to more conciliatory views and attempts to offer a scriptural defense of French rule. The reactions of Italian Catholic thinkers thus played a key role in framing the nature and extent of French rule, as well as its longevity on the Italian peninsula.

After conquering Milan and establishing the Cisalpine Republic in 1796, for instance, Bonaparte traveled around the country with the archbishop of Milan, Filippo Visconti, in an attempt to reassure the population that Catholicism would be protected under the new order. The French envoy in Vienna, Henri Clarke, praised Bonaparte’s strategy by emphasizing that the general “had reassured and welcomed priests who could

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<sup>4</sup> Napoleon Bonaparte to the Executive Directory, Modena, 9 October 1796, *Collection générale et complète de lettres, proclamations, discours, messages de Napoléon le Grand*, ed. Christian August Fischer (Leipzig: H. Gräff, 1808), x:13.

have been [France's] most dangerous enemies.”<sup>5</sup> Clarke added that Bonaparte had allowed the archbishop to “bless, at his sides, a superstitious, kneeling people, who received this ridiculous grace.”<sup>6</sup> The envoy also warned that the “old, completely unreasonable cardinals” in Rome continued plotting against France in an attempt to halt the march of French armies across the peninsula.<sup>7</sup> For French republicans, therefore, religious opposition represented one of the most serious obstacles to the establishment of a republican political order in Italy.

Much of the existing literature on the French presence in Italy focuses on the role of Italian Jacobinism, as well as the counter-revolutionary forces that fought to free Italy from France's controlling embrace of its sister republics.<sup>8</sup> In contrast, the religious dimension of French rule has received little attention.<sup>9</sup> To be sure, some scholars have questioned the dichotomy that divides the Catholic Church and the Revolution in the existing literature by pointing to the presence of a wider ideological spectrum on both

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<sup>5</sup> Henri Clarke to Executive Directory, Milan, 16 Frimaire V (6 December 1796), p. 7: Archives Nationales, Paris, France (hereafter AN), AF III/72.

<sup>6</sup> Henri Clarke to Executive Directory, Milan, 16 Frimaire V (6 December 1796), p. 7-8: AN, AF III/72.

<sup>7</sup> Henri Clarke to Executive Directory, Milan, 16 Frimaire V (6 December 1796), p. 12-13: AN, AF III/72.

<sup>8</sup> The literature on Italian Jacobinism is vast: see, *inter alia*, Luigi Lotti and Rosario Villari, eds., *Universalismo e nazionalità nell'esperienza del giacobinismo italiano* (Rome: GLF editori Laterza, 2003); Eugenio Di Rienzo, “Neogiacobinismo e movimento democratico nelle rivoluzioni d'Italia (1796-1815),” *Studi Storici* 41, no. 2 (2000): 403-431; Massimo Viglione, *Le insorgenze: rivoluzione & controrivoluzione in Italia: 1792-1815* (Milan: Ares, 1999); Antonio De Francesco, “Aux origines du mouvement démocratique italien: quelques perspectives de recherche d'après l'exemple de la période révolutionnaire, 1796-1801,” *Annales historiques de la Révolution française* 308 (1997): 333-348; Renzo de Felice, *Il triennio giacobino in Italia (1796-1799): note e ricerche* (Rome: Bonacci, 1990); Eluggero Pii, *Idee e parole nel giacobinismo italiano* (Florence: Centro editoriale toscano, 1990); Carlo Zaghi, *L'Italia giacobina* (Turin: UTET, 1989).

<sup>9</sup> For instance, Daniele Menozzi observed that the scholarship on revolutionary and Napoleonic Italy “had reserved very little space for the treatment of religious aspects” of the period: Introduction to *La chiesa italiana e la Rivoluzione francese*, ed. Daniele Menozzi (Bologna: Edizioni Dehoniane, 1990), 5. Also, see Michael Broers, *Politics and Religion in Napoleonic Italy: The War Against God, 1801-1814* (London: Routledge, 2002).

sides: Jacobins who hoped to integrate and co-opt religious ideas, and clerics who borrowed from the Jacobin vocabulary and defended the idea a “democratic theology.”<sup>10</sup> The renewed interest in the role of religion has led to a reexamination of Catholic counterrevolutionary thinkers and clerics who remained loyal to the republican order in Italy.<sup>11</sup> But in this developing historiography little remains known about the scriptural readings of French rule offered by Catholic thinkers who debated the legitimacy of French ideas and rule, as well as the ways in which these responses fit within the wider, Mediterranean clerical reactions to French rule.<sup>12</sup>

In this chapter, I examine conservative Catholic reactions to the question of political legitimacy in revolutionary and Napoleonic Italy. My aim is to offer a broader perspective on the intersection between theology and politics and to uncover the

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<sup>10</sup> Daniele Menozzi, “Le chiese italiane e la rivoluzione: il caso di Bologna,” in *La chiesa italiana e la Rivoluzione francese*, 121-79. Since the publication of Menozzi’s study, important works have appeared on Italian Jansenism and the French invasion of the Papal States. However, the scholarship on Italian Jansenism remain limited: see Dale Van Kley, “From the Catholic Enlightenment to the Risorgimento: the Exchange Between Nicola Spedalieri and Pietro Tamburini, 1791–1797,” *Past & Present* 224, no. 1 (2014): 109-162; Michael P. Carroll, *Veiled Threats: The Logic of Popular Catholicism in Italy* (Baltimore: Johns Hopkins University Press, 1996), 19-24; Emanuela Verzella, “Il giansenismo piemontese tra polemica e storiografia,” *Rivista di storia e letteratura religiosa* 29, no. 3 (1993): 589-622. In contrast, works on the French presence in the Papal states are more extensive: see Alberto Stramaccioni, *La rivoluzione francese e le repubbliche d’Italia, 1789-1799: lo stato della Chiesa, Perugia e i giacobini, 1798-1799* (Terni: Crace, 2011); Marina Caffiero, *La repubblica nella città del papa: Roma 1798* (Rome: Donzelli, 2005); Luigi Fiorani and Domenico Rociolo, *Chiesa romana e rivoluzione francese, 1789-1799* (Rome: Ecole française de Rome, 2004); Gérard Pelletier, *Rome et la Révolution française: la théologie et la politique du Saint-Siège devant la révolution française, 1789-1799* (Rome: Ecole française de Rome, 2004); Marina Formica, *Sudditi ribelli: fedeltà e infedeltà politiche nella Roma di fine Settecento* (Rome: Carocci, 2004); Luigi Fiorani, ed., *La rivoluzione nello Stato della Chiesa: 1789-1799* (Pisa: Istituti editoriali e poligrafici internazionali, 1997).

<sup>11</sup> Luciano Guerri, *Uno spettacolo non mai più veduto nel mondo: la Rivoluzione francese come unicità e rovesciamento negli scrittori controrivoluzionari italiani, 1789-1799* (Turin: UTET libreria, 2008); Pierroberto Scaramella, ed., *Il cittadino ecclesiastico: il clero nella Repubblica napoletana del 1799* (Naples: Vivarium, 2000). Also, see Ivana Pederzani, *Un ministero per il culto: Giovanni Bovara e la riforma della Chiesa in età napoleonica* (Milano: F. Angeli, 2002).

<sup>12</sup> To be certain, the movement of ideas and people between Spain and Italy has been examined in Ugo Baldini and Gian Paolo Brizzi, eds., *La presenza in Italia dei gesuiti iberici espulsi: aspetti religiosi, politici, culturali* (Bologna: CLUEB, 2010).

ideological bases of both the soft form of conservatism that allowed the possibility of conciliation and cooperation with the French authorities, as well as the hard form that refused such a possibility. Italian Catholics who adopted the hard conservative perspective refused to grant French ideas and rule any type of legitimacy, and they at times called for armed resistance against the French forces. Moreover, they refused to admit that French military and ideological victories could be ascribed to a divine intervention, portraying them rather as a result of Satanic forces. In contrast, Italian Catholics who favored a soft form of conservatism believed that the violent arrival of new ideas and forms of government in Italy amounted to a divine intervention, which in turn made cooperation with the new authorities acceptable. At the same time, cooperation and limited theological support only temporarily stabilized French rule, without providing it a firmer backing—since this softer approach remained anchored in conservatism—that could have changed the nature of French rule in Italy. Yet it is out of the intellectual milieu of soft conservatism that emerged the strongest base of support for French rule in Italy after Napoleon reconciled his rule with the Church by signing the concordat with Pope Pius VII in 1801.<sup>13</sup>

### I. Italian Reactions to the French Revolution

Italian republicans warmly welcomed the establishment of France's sister republics across Italy during the late 1790s and their victory over large swaths of the Italian population that opposed French interventions on the peninsula. Republican

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<sup>13</sup> The concordat, which remained in effect until 1905 in France, reconciled post-revolutionary France with the Catholic Church by addressing the abuses suffered by the latter after 1789 and giving Napoleon a measure of power in ecclesiastical affairs. In 1803, the concordat was extended to the newly-established Italian Republic in northern Italy. See Rodney J. Dean, *L'église constitutionnelle, Napoléon et le Concordat de 1801* (Paris: Picard Distributeur, 2004); Mariano Gabriele, *Per una storia del Concordato del 1801 tra Napoleone e Pio VII* (Milan: A. Giuffrè, 1958).

thinkers believed that the accumulation of Italian republics would gradually lead to the emergence of a new Italy, whose north and south would be integrated into one unit, giving it a strong position in the Mediterranean.<sup>14</sup> Such a reconstruction of Italy would lead to the recovery of its “ancient lustre,” according to the Italian republicans, while the threat of a French annexation of the new country amounted to a chimera in their view due to the recent history of French support for Italian liberties.<sup>15</sup> Even after the shift from the Cisalpine Republic (1796-1802) as a sister republic to the Italian Republic (1802-5) as a type of vassal state with Napoleon as its president, Italians who had embraced the French cause continued praising the French as liberators. On a bas-relief in the *palazzo di governo* in Milan, for instance, were inscribed the following lines of poetry: “If the Italic name has finally been revived / All, oh Gallic hero, all is your gift.”<sup>16</sup>

In contrast to Cisalpine republicans’ embrace of the Gallic heroes of liberty, many conservative Catholic thinkers fiercely rejected French ideas and modes of governing. After 1789, those who embraced this harder form of conservatism published an increasing number of anti-revolutionary pamphlets and short books in Italy. Their insistence on the French origin of what they saw as the corrupting ideas that undermined the social role of the Church and its ecclesiastical structure pointed to the recurrent obstacles that French officers would face in their attempts to impose the republican system in Italy. The sweeping military victories that accompanied the spread of the French army across Italy during and after the 1790s would mark the beginning of new

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<sup>14</sup> *Opuscolo agli amici della libertà italiana* (Torino: Mairesse, n.d.), 6-7: AN, AF III/72.

<sup>15</sup> *Opuscolo agli amici della libertà italiana* (Torino: Mairesse, n.d.), 9, 11-12: AN, AF III/72.

<sup>16</sup> “Se l’Italico nome alfin rivive / Tutto, o Gallico EROE, tutto è tuo dono”: Descrizione di due bassi rilievi ornato la gran sala del palazzo di governo, p. 2: Archivio di Stato di Milano, Milan, Italy (hereafter ASM), Fondo Marescalchi/17.

struggle over the religious terrain, where legitimacy could not be obtained through the force of arms. The stakes involved in this battle of ideas were high: the military occupation of Italy provided France with a new position in the Mediterranean, but only a gradual retreat of conservative religious ideas in Italy could pave the way for a continued expansion of the French Mediterranean Empire.

The resistance to this vision remained strong within the conservative camp. In a short book written in 1789, Rocco Bonola, an ex-Jesuit from Novara, pointed to Enlightenment philosophers and Jansenists as the agents of corruption who came from France, who had undermined the purity of the Catholic faith with the goal of replacing revealed religion with a natural religion, and who wished to destroy the ecclesiastical structure of the church.<sup>17</sup> Jansenists, as Catholics who had adopted the language of philosophers in an attempt to reform the Church, represented a particular danger in his view. They subverted the language of the Church, making the believers feel that they remained Catholics while moving them away from the true religion and closer to Calvinism, Bonola argued.<sup>18</sup> According to him, modern theologians had accepted “to make the sacred scriptures and even the Gospels speak in favor [of philosophers].”<sup>19</sup> Bonola noted that the horrible disorder wrought by the revolutionary events had finally halted the momentum that the philosophers had gained over the previous decades.<sup>20</sup> Satisfied that he had proven the existence of a secret pact between Jansenists and

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<sup>17</sup> Rocco Bonola, *La lega della teologia moderna colla filosofia à danni della chiesa di Gesù Cristo* (N.p., 1789), 5, 25.

<sup>18</sup> Bonola, *La lega della teologia moderna colla filosofia*, 13.

<sup>19</sup> Bonola, *La lega della teologia moderna colla filosofia*, 15.

<sup>20</sup> Bonola, *La lega della teologia moderna colla filosofia*, 44-5.

Philosophers, Bonola later published an attack on what he perceived as the seat of Italian Jansenism at the University of Pavia.<sup>21</sup>

To be sure, a minority of Italian theologians rejected the anti-French sentiment and they opted for a softer form of conservatism and an accommodating attitude toward French rule. Pietro Tamburini, an influential Catholic theologian who figured among the criticized professors in Pavia, was one of the most prominent representatives of this camp. He refused to accept Bonola's view that the disorder caused by the French Revolution was due to the inherent corruption of all reformist ideas that originated in France.<sup>22</sup> According to Tamburini, the prevalent stress on a secret French pact to destroy Catholicism represented a facile diversion tactic used by a corrupted clerical establishment, which he hoped to reform with the help of Catholic rulers who recognized the need for change.<sup>23</sup> And, for him, revolutions were not necessarily ominous. In fact, he hoped that in the years that followed the publication of his book, the arrival of "the happiest revolution (*la più felice rivoluzione*) in the minds of men" would finally facilitate the implementation of his reformist agenda and lead to the regeneration of the Catholic church.<sup>24</sup> Stressing that Christ had promised to assist the Church without preventing all abuses within it, Tamburini claimed that the only way to exorcise the

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<sup>21</sup> Rocco Bonola, *Dubbi proposti alli signori professori della facoltà teologica di Pavia* (N. p., 1790).

<sup>22</sup> On Tamburini, see Emanuela Verzella, *Nella rivoluzione delle cose politiche e degli umani cervelli: il dibattito sulle Lettere teologico-politiche di Pietro Tamburini* (Florence: Le lettere, 1998); P. Corsini and D. Montanari, eds., *Pietro Tamburini e il Giansenismo lombardo: atti del Convegno internazionale in occasione del 250 della nascita (Brescia, 25-26 maggio 1989)* (Brescia: Morcelliana, 1993); Mariano Comini, *Pietro Tamburini, 1737-1827: un giansenista lombardo tra riforma e rivoluzione* (Brescia: Grafo, 1992).

<sup>23</sup> Pietro Tamburini, *Lettere teologico-politiche sulla presente situazione delle cose ecclesiastiche* (Pavia: Baldassare Comini, 1794), 1:4.

<sup>24</sup> Tamburini, *Lettere teologico-politiche*, 1:2.

corruption that had been introduced through human weakness consisted of ushering in an “intellectual revolution” and implementing this revolutionary agenda through diocesan synods.<sup>25</sup> In this manner, he hoped, all national Catholic churches could benefit from the pan-European *felice rivoluzione*.<sup>26</sup> In contrast to Bonola, therefore, Tamburini described Catholic reformism as a revolutionary movement that did not seek to implement the agenda of an anti-Catholic cabal, but rather to address the multiple “maladies of the Church.”<sup>27</sup>

Tamburini’s defense of revolutionary change did not amount to a defense of the French Revolution, however. Instead, he simply argued against the prevalent clerical view that all revolutionary ideals were illegitimate. For instance, he quoted Galatians 5:14 (“Love your neighbor as yourself”) in order to show that the revolutionary ideal of equality could be found in the scriptures.<sup>28</sup> “Who would ever say that one who has in his head this idea of evangelical equality,” Tamburini asked rhetorically, “provides the bases for the French Revolution, which was produced by the extolled principle of equality? Should it then be said that the Gospels fomented the Revolution in France?”<sup>29</sup> Moreover, stressing that “the democratic government does not equal anarchy,” he disagreed with those who claimed that Jansenists called for the spread of anarchy because they

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<sup>25</sup> Tamburini, *Lettere teologico-politiche*, 1:12, 42, 46.

<sup>26</sup> Tamburini, *Lettere teologico-politiche*, 1:47.

<sup>27</sup> Tamburini insisted that ecclesiastical centralization represented one of the most important maladies: Tamburini, *Lettere teologico-politiche*, 1:31.

<sup>28</sup> Tamburini, *Lettere teologico-politiche*, 1:66.

<sup>29</sup> Tamburini, *Lettere teologico-politiche*, 1:67 (original emphasis). He also defended French Jansenists, claiming that they were not in league with the revolutionaries because they believed in this evangelical ideal of equality, and not its Jacobin equivalent (Tamburini, *Lettere teologico-politiche*, 1:100-2).



worshipped democracy as an idol.<sup>30</sup> Tamburini's attempt to separate the revolutionary aspect of reformist thought from the revolutionary events in France points to the existence of a more neutral attitude toward the French form of government among some Italian theologians. Yet, despite this difference, Tamburini's disavowal of revolutionary violence shows that even ardent reformers adopted a soft conservative view because his general disapproval of the Revolution to a large extent converged with Bonola's views.

The question of what constituted legitimate rule, however, represented a much thornier issue. Tamburini claimed that sovereigns were appointed by divine intervention, and that no earthly power could legitimately overrule the divine decision. He began by arguing that sovereigns answered only to God and not the people, which made all revolts against them illegitimate.<sup>31</sup> Moreover, he rejected the idea that a public authority could exist separate from the authority of the sovereign.<sup>32</sup> According to Tamburini, these principles remained valid regardless of the type of rule chosen by God—righteous Christians and pagan tyrants were to be obeyed equally by true believers. “When a Christian groans under the malevolent government of a ruler,” Tamburini explained, “he turns his eyes toward the sky and recognizes and adores the hand of God, who manages the hearts of kings.”<sup>33</sup> This view implied that Italian Catholics would have the religious duty to accept the republican system if it prevailed across the peninsula during the mid-1790s.

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<sup>30</sup> Tamburini, *Lettere teologico-politiche*, 1:69.

<sup>31</sup> Tamburini, *Lettere teologico-politiche*, 1:147.

<sup>32</sup> Tamburini, *Lettere teologico-politiche*, 1:163.

<sup>33</sup> Tamburini, *Lettere teologico-politiche*, 1:191.

Tamburini defended this position by exploring the idea of human subjecthood through a rereading of the scriptures. Civil society, he explained, emerged out of the family unit that God had created, and familial life prepared one for civil life.<sup>34</sup> Explicitly rejecting Jean-Jacques Rousseau's attempts to trace the emergence of civil society to a social contract between isolated human beings who were abandoned by God, Tamburini stressed that humans had always lived in family units and that God had willed the gradual establishment of civil society as an extension of the family.<sup>35</sup> For instance, children initially learn to obey their parents, which prepares them for subordination to the civil authorities.<sup>36</sup> "Enlarged and extended, the domestic society in which man is born," Tamburini continued, "was the civil society, and therefore the head of the family under whom they lived became the sovereign after the union of multiple families."<sup>37</sup> The leader of the family thus acquired legitimate power as the leader of civil society, whom God had given the right to choose a type of government that corresponded to their specific circumstances and temperament. Tamburini recognized that both aristocratic and democratic republics remained legitimate options, which could not be opposed on religious grounds.<sup>38</sup>

He believed, moreover, that the divinely-ordained, patriarchal form of sovereignty had a scriptural basis. Pointing to Paul's Epistle to the Romans, Tamburini emphasized that rulers appear harsh only to those who do wrong and he then quoted a segment that

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<sup>34</sup> Tamburini, *Lettere teologico-politiche*, 2:8.

<sup>35</sup> Tamburini, *Lettere teologico-politiche*, 2:17.

<sup>36</sup> Tamburini, *Lettere teologico-politiche*, 2:20-1.

<sup>37</sup> Tamburini, *Lettere teologico-politiche*, 2:23.

<sup>38</sup> Tamburini, *Lettere teologico-politiche*, 2:28, 31.

warned the wrongdoers: “For the one in authority is God’s servant for your good. But if you do wrong, be afraid, for rulers do not bear the sword for no reason.”<sup>39</sup> All travails imposed by God thus amounted to edification, and not destruction.<sup>40</sup> As further proof for his position, Tamburini quoted Acts 5:29, where Peter and other apostles replied to the prohibition on preaching that they received from the Sanhedrin with the following: “We must obey God rather than men.”<sup>41</sup> Obeying divinely-appointed rulers, in other words, equaled obeying God. To be sure, Tamburini limited the legitimate abuse of law by rulers to actions that did not contradict “natural rights and the laws expressed by God.”<sup>42</sup> As long as social peace, traditional religious practices, and canon law were protected, rulers could impose any type of rule that they wished, according to Tamburini.

Tamburini thus provided a scriptural justification of temporal rule that could passively accommodate French republicanism—but without actively embracing it. In fact, he fiercely rejected most ideological bases of the republican ideology, especially its stress on popular sovereignty.<sup>43</sup> Tamburini sought neither the absorption of republicanism into Catholicism nor the latter’s absorption by it, but rather the simple tolerance of republicanism as a legitimate system of rule. Overall, therefore, Tamburini remained attached to a soft conservative position, which later facilitated his integration into the

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<sup>39</sup> Tamburini, *Lettere teologico-politiche*, 2:86. These verses are from Romans 13:3-4.

<sup>40</sup> Tamburini, *Lettere teologico-politiche*, 2:89.

<sup>41</sup> Tamburini, *Lettere teologico-politiche*, 2:90.

<sup>42</sup> Tamburini, *Lettere teologico-politiche*, 2:90.

<sup>43</sup> On popular sovereignty, see Tamburini, *Lettere teologico-politiche*, 1:132-91, and on equality, see Tamburini, *Lettere teologico-politiche*, 2:112-17.

French administration and even led Napoleon to honor him as a knight of the *Ordre de la Couronne de fer*.

More conservative Italian theologians viewed Tamburini as a Jansenist with a pronounced and dangerous Machiavellian inclination and corrupting pro-French attitude. In response to Tamburini's books, for instance, Giuseppe Piatti, an abbot, expanded the prevalent accusation that Jansenists and Jacobins had entered into a league with the goal of destroying the Catholic order in Europe by adding that Machiavellians such as Tamburini participated in this cabal. His ideas, Piatti argued, would lead to the rise of abusive sovereigns, who would in turn oppress the population, create anarchy, and destroy the throne and religion.<sup>44</sup> Rejecting Tamburini's theory of legitimate rule, Piatti claimed that his opponent had failed to provide a convincing scriptural argument in favor of the view that civil rule had a divine foundation just like ecclesiastical rule.<sup>45</sup> Tamburini's main error, he continued, consisted of attempting to apply the ecclesiastical form of government to civil rule.<sup>46</sup> He also criticized Tamburini's insistence on the Pauline order to obey God and not men by observing that Jansenists used this idea in order to disobey the pope, and thus disobey God—a theological approach, he complained, that had led to the events of 1789 in France.<sup>47</sup> Piatti's unwillingness to accept the legitimacy of Tamburini's scriptural reading of French republicanism thus pointed to the presence of a harder conservative line among Italian clerics.

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<sup>44</sup> Giuseppe Piatti, *La cattiva logica del Giansenista D. Pietro Tamburini* (Francesco Prato: Turin, 1795), 57, 188.

<sup>45</sup> Piatti, *La cattiva logica*, 102.

<sup>46</sup> Piatti, *La cattiva logica*, 104.

<sup>47</sup> Piatti, *La cattiva logica*, 165, 187.

Francesco Gustà, a Spanish Jesuit exiled in Italy, became an early representative of this more stringent—and more prevalent—conservative outlook on ideas that emanated from France. He called the revolutionary system of government an incoherent monstrosity and bewailed the burning of Pope Pius VI in effigy in Paris.<sup>48</sup> Sharing the views of Piatti and other conservative theologians, Gustà accused priests and bishops who accepted the Civil Constitution of the Clergy, which subordinated the Catholic Church to the French state, of being Jansenists, who looked more devout and pious than the faithless philosophers, but who in fact shared the objective of destroying the Church.<sup>49</sup> He then directly attacked Tamburini for his attempts to undermine the authority of the pope, declaring him “the oracle of the [Jansenist] sect in Italy.”<sup>50</sup> “The philosophical fury stirs its serpents and blows the fire of discord in the hearts of all,” Gustà warned.<sup>51</sup>

Amplifying the combative posture of the conservative stance he shared with Bonola and Piatti, Gustà then argued that the effects of the French Revolution could only

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<sup>48</sup> Francesco Gustà, *Memorie della rivoluzione francese tanto politica che ecclesiastica e della gran parte, che vi hanno avuto i giansenisti* (Assisi: Ottavio Sgariglia, 1793), 2, 22. Although Gustà is often mentioned in surveys that cover Italian religious history during the 1790s, no major revision of his thought has emerged since Miguel Batllori’s 1942 study. Batllori summed up his categorization of Gustà as follows: “Although forced to live in Italy, Gustà is, due to his combative orthodoxy, authentically Spanish. And with his austere indefatigability, which was always driven by passionate sentiments, he is entirely Catalan. Also, his nineteenth-century mindset (*dieciochismo*) is a specifically Spanish trait” (Miguel Batllori, *Francisco Gustà, apologista y crítico (Barcelona 1744-Palermo 1816)* [Barcelona: Editorial Balmes, 1942], ix). It is unclear what elements of Gustà’s thought would warrant the ascription of a reformist *dieciochismo* to his ideas, which Batllori believed “summarized all pages written by Gustà” (Batllori, *Francisco Gustà, apologista y crítico*, x). In fact, it is very likely that Batllori’s attempt to portray Gustà in a positive light owed much to the similarities between them: both were Catalan Jesuits who left Spain after the suppression of the Jesuit order (in 1767 and 1804) and lived in exile in Italy.

<sup>49</sup> Gustà, *Memorie della rivoluzione francese*, 30, 35.

<sup>50</sup> Gustà, *Memorie della rivoluzione francese*, 48-50, 108.

<sup>51</sup> Gustà, *Memorie della rivoluzione francese*, 240. Gustà quoted this phrase from the author of a book titled *Catechismo dei Re*, without providing the author’s name, or additional details about this book.

be reversed through a revival of the crusades. After examining the historical precedent from the twelfth century, he concluded that the threat of Muslim tyranny and the need to liberate Jerusalem from it had a clear modern parallel: the threat of French republican tyranny and the need to liberate Paris from it.<sup>52</sup> The scale of the new threat appeared even bigger to him. Muslims had invaded Spain, Corsica, Calabria, and even threatened Rome from the east, while the French armies represented “an enemy so much more terrible and furious, and located at the heart of Europe itself.”<sup>53</sup> The religious threat that these invasions represented especially frightened him. “New rites and new holidays, all with an idolatrous bent, have arisen,” he bewailed, “and, in a single stroke, France changed into a land of desolation and abomination, where the true God is no longer adored, and the French people are no longer a chosen people, a people of God, but rather enemies, reprobates, and blasphemers of the true religion.”<sup>54</sup>

As a result of this unprecedented threat, Gustà demanded that the ecclesiastical authorities begin acting as nodes of resistance by calling all anti-French European forces to enter into an alliance and attack the republican armies. Such a modern crusade remained necessary, he argued, because only mass conscription and a pan-European

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<sup>52</sup> Francesco Gustà, *Saggio critico sulle crociate se sia giusta la idea invalsa comunemente* (Ferrara, 1794), 5-7, 22. Two years later, Carlo Fea, a priest and archeologist, published a pamphlet in which he ridiculed the attempt to conclude an armistice with the French. He called for an armed rebellion against the French by quoting 1 Maccabees 3:43: “They said one to another, ‘Let us restore the decayed fortune of our people, and let us fight for our people and the sanctuary’” (Carlo Fea, *Parenesi agli italiani e specialmente ai popoli dello Stato ecclesiastico, e al popolo romano nelle presenti circostanze* [Petropoli, 1796], 19-23). Fea’s name did not appear on this pamphlet, but his authorship has been established in Girolamo Amati, *Bibliografia romana: notizie della vita e delle opere degli scrittori romani dal secolo XI fino ai nostri giorni* (Rome: Eredi Botta), 1:117. The *Giornale ecclesiastico di Roma* did not publish a longer review of Fea’s pamphlet, but the editor nonetheless classified it as being among the “excellent pamphlets on current affairs”: G. H., *Giornale ecclesiastico di Roma*, no. 3, 28 January 1797, p. 11.

<sup>53</sup> Gustà, *Saggio critico sulle crociate*, 25, 32.

<sup>54</sup> Gustà, *Saggio critico sulle crociate*, 46.

alliance of anti-republican forces could overpower the numerically superior French army.<sup>55</sup> Gustà proposed that all males aged between fifteen and sixty be conscripted into the new army, as had been done during the crusades, and its offensive against France begin as soon as Pius VI officially declared the beginning of the first modern crusade.<sup>56</sup> “Religion,” he reassured his readers, “gives people the strongest stimulus to fight happily and courageously.”<sup>57</sup>

The ecclesiastical establishment in Rome viewed this proposal favorably. For instance, in the official review of his book in the *Giornale ecclesiastico di Roma*, an anonymous author praised Gustà for offering a timely warning and an incisive historical comparison between the medieval and modern crusades. “People need to be informed about their real interests,” the author explained, “and also disabused of the seditious plots of secret Jacobins, not only among the laity, but even the ecclesiastics attached to a damned party.”<sup>58</sup> Prior to the rise of Napoleon in Italy, therefore, strict conservatives dominated the clerical establishment and fiercely criticized Catholic reformers such as Tamburini, who offered a qualified defense of new forms of government. But even Tamburini rejected the Revolution and republicanism as anti-Catholic. Once French

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<sup>55</sup> Gustà, *Saggio critico sulle crociate*, 52-3.

<sup>56</sup> Gustà, *Saggio critico sulle crociate*, 47, 59.

<sup>57</sup> Gustà, *Saggio critico sulle crociate*, 60.

<sup>58</sup> G. H., *Giornale ecclesiastico di Roma*, no. 36, 13 September 1794, p. 143. The “damned party” most likely refers to Jansenists. After Alessandro Stagni, who later became a canon at the cathedral of Udine in 1801, published a refutation of Tamburini’s ideas in *Opera teologico-politica dell’abate A. Stagni in risposta alle Lettere Lettere teologico-politiche sulle presente situazione delle cose ecclesiastiche del signor abate D. Pietro Tamburini* (Vercelli: Giuseppe Panialis, 1795), the editors of *Gironale* published a glowing review of Stagni’s work: see *Giornale ecclesiastico di Roma*, no. 11, 19 March 1796, p. 42-4. On the *Gironale*’s anti-Jansenism, see Giuseppe Pignatelli, “Le origini settecentesche del cattolicesimo reazionario: la polemica antigiansenista del ‘Giornale ecclesiastico di Roma,’” *Studi Storici* 2, no. 4 (1970): 755-782.

officers imposed their rule across the peninsula during the late 1790s, conservatives within the Italian clergy who felt attracted to Gustà's uncompromising attitude toward French republicanism gradually adopted a more moderate position, which nonetheless showed that the deficit in religious legitimacy that plagued French rule could not be overcome with military prowess. Despite Napoleon's reassurance that French rule in Italy and France's position in the Mediterranean had been stabilized by 1796, therefore, religious opposition remained a major obstacle to French rule. Since a large segment of the Italian clerical establishment refused to grant religious legitimacy to French rule—and thereby undermined the viability of France's growing Mediterranean Empire—Bonaparte opted for a truce with the clerical establishment by concluding a direct agreement with Pope VII in 1801.

## II. Catholic Liberty and the Civic Oath

Members of the Catholic clergy who witnessed the French takeover of large parts of northern Italy during the late 1790s faced a number of uncomfortable choices: they could remain silent and secluded, attempt to work within the new system, or follow Gustà's example and reject French rule. In Venice, for instance, A. B. Scipione Bonifacio, a member of the secular clergy, opted for a strategy that aimed to both assimilate and to subvert the new republican order. He argued that the adoption of a type of Catholic Republicanism could preserve the religious bases of Venetian society. Bonifacio claimed that each individual ought to be considered from three inseparable perspectives, as a human being, as a citizen, and as a Christian. A man who is not a good citizen, he continued, amounted to a misanthrope, a citizen who is not a good man would



become an anarchist, while a Christian who is not a good man could not be a citizen.<sup>59</sup> “Only the Christian religion balances the rights of man and circumscribes them within just limits,” he claimed.<sup>60</sup> As a result, he demanded that religion be listed among the rights of man.<sup>61</sup> Bonifacio admitted that he did not have the right to force someone to become a Catholic, but he pointed out that a difference existed between private and public religion. He then argued that just as an individual had the right to choose his or her religion, a whole society could do the same, and in Venice, he proclaimed, civil power and Catholicism had formed a “religious social pact (*patto sociale religioso*).”<sup>62</sup> Bonifacio’s reaction to French rule thus held the promise of helping stabilize French rule, but it also undermined the republican ideal of liberty. Unlike Tamburini, Piatti, and Gustà, Bonifacio accepted democracy, but he observed that if the majority wished to preserve religious law and the Catholic religion, then those who refused to accept such a system would violate the new republican order in Venice.<sup>63</sup>

Cognizant of criticism that would emerge among clerical circles that categorically rejected the legitimacy of republicanism and among republicans who might see his ideas as an attempt to undermine the religious freedom of non-Catholics, Bonifacio proposed a Catholic interpretation of republican sovereignty. The establishment of the republican order by the French represented a resurrection of Venice’s ancient liberty and the

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<sup>59</sup> A. B. Scipione Bonifacio, *Li diritti dell’uomo li doveri del cittadino e li diritti, e li doveri del cristiano* (Venice: Battista Negri, 1797), 3.

<sup>60</sup> Bonifacio, *Li diritti dell’uomo*, 4.

<sup>61</sup> Bonifacio, *Li diritti dell’uomo*, 6.

<sup>62</sup> Bonifacio, *Li diritti dell’uomo*, 7.

<sup>63</sup> He used the terms *democrazia* and *cittadino democratico*: Bonifacio, *Li diritti dell’uomo*, 9, 22.

people's recovery of sovereignty, he observed.<sup>64</sup> Disagreeing with those who claimed that liberty destroys religion, he asserted that Venetians would use their sovereignty in order to impose laws that acted as safeguards against anarchy, while the rights of all citizens would be respected as long as they avoided impinging on the rights of others.<sup>65</sup> However, he claimed that the equality which accompanied liberty only meant that citizens enjoyed "the equality of conditions at birth, and nothing more."<sup>66</sup> In other words, each individual had the same right to participate in society as a citizen. Moreover, he accepted the principle that sovereignty resided in the popular collectivity, but he refused to admit that any individual or segment of the collectivity could claim ownership of complete sovereignty because it ultimately belonged to God.<sup>67</sup> As scriptural proof, Bonifacio quoted Isaiah 10:13, where God acts as the final arbiter who punishes rulers and rebuilds kingdoms, as well as Romans 13:1, where Paul urged his followers to submit to the governing authorities chosen by God.<sup>68</sup> To some extent, therefore, this represented an echo of Tamburini's use of the Epistle to Romans and insistence on the divine hand in all changes of government.

But in contrast to Tamburini's focus on a passive acceptance of republican rule, Bonifacio believed that active political participation by Catholics had the potential to strengthen the role of religion in society. The Venetian priest observed that only four

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<sup>64</sup> A. B. Scipione Bonifacio, *Libertà eguaglianza religione, e creanza. Disinganno al popolo sovrano che mal conosce la sua sovranità* (Venice: Gio. Antonio Curti, 1797), 3.

<sup>65</sup> Bonifacio, *Libertà eguaglianza religione, e creanza*, 6-7.

<sup>66</sup> Bonifacio, *Libertà eguaglianza religione, e creanza*, 8.

<sup>67</sup> Bonifacio, *Libertà eguaglianza religione, e creanza*, 10; Bonifacio, *Li diritti dell'uomo*, 14.

<sup>68</sup> Bonifacio, *Libertà eguaglianza religione, e creanza*, 10.

days had passed since the downfall of the old republic when he wrote the pamphlet, and he attempted to reassure those who feared the new order by pointing out that the French authorities did not destroy the religious social pact.<sup>69</sup> In fact, he urged Venetians to abandon fear because they would determine the governmental form of the new republic after the provisional municipality handed over power to a permanent government elected by popular vote.<sup>70</sup> Bonifacio advised his readers to vote for those who wished to preserve the existing religious order by quoting Matthew 21:43, in which Christ warned that the kingdom of God would be taken away from rulers who are not righteous.<sup>71</sup> “Remember,” Bonifacio cautioned, “that if religion is missing, the government will fall.”<sup>72</sup> The Catholic Republic that he imagined thus synthesized the republican order with religion, but reserved the status of preeminence for the latter. This soft conservative position extended Tamburini’s more limited willingness to participate in the republican order, and it aimed both to assimilate and to absorb French rule.

Other Italian clerics rejected the soft conservative stance during the late 1790s, and some of them partially recuperated Gustà’s idea of violent opposition to French rule. For example, Giovanni Marchetti, one of the most prolific clerics during the Napoleonic period in Italy, felt that Gustà’s solution represented one of the only ways to counter the French threat to the Church, but he shied away from fully and openly endorsing the idea of a pan-European crusade at a moment when French troops steadily marched toward the

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<sup>69</sup> Bonifacio, *Libertà eguaglianza religione, e creanza*, 17-8.

<sup>70</sup> Bonifacio, *Libertà eguaglianza religione, e creanza*, 20.

<sup>71</sup> Bonifacio, *Libertà eguaglianza religione, e creanza*, 21.

<sup>72</sup> Bonifacio, *Libertà eguaglianza religione, e creanza*, 22.

Papal States. Marchetti saw Gustà's call for mass mobilization as extreme and unnecessary because it failed to conform to the basic "law of prudence."<sup>73</sup> Yet the argument in turn proposed by Marchetti followed the general outlines of Gustà's vision. According to Marchetti, an uneasy accommodation would be acceptable only if the existing religious system could be preserved under the republican order. In that case, the struggle would remain confined to the political realm and it would be managed by "common law and the law of nations (*diritto commune, e delle genti*)," which fell outside of his purview as a cleric.<sup>74</sup> Since Marchetti harshly denounced the French as revolutionaries who sought to create an atheist republic and Tamburini as a Jansenist who aided republicans bent on spreading destruction, the caveat could be interpreted as half-hearted.<sup>75</sup> The anti-French invectives that filled his book pointed to a deep-seated opposition to republican rule and a belief that it could not be reconciled with Catholicism.

In light of this, Marchetti's claim that a French attack on religion would warrant a violent response by Catholics who wanted to defend their faith represented his view of what would occur—and not *whether* it would occur. Marchetti believed that the Bible validated his position. "Why is it clarified in the scriptures that the Maccabean wars were about religion," he asked rhetorically, "if not because they fought in order to defend their *patrie* from the invasions of ancient profaners."<sup>76</sup> By using the Maccabean comparison,

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<sup>73</sup> Giovanni Marchetti, *Che importa ai preti ovvero l'interesse della religione cristiana nei grandi avvenimenti di questi tempi: riflessioni politico-morali* (Cristianopoli, 1797), 173. For a survey of Marchetti's counterrevolutionary activities, see Alessandro Guerra, *Contro lo spirito del secolo: Giovanni Marchetti e la biblioteca della controrivoluzione* (Rome: Edizioni Nuova Cultura, 2012).

<sup>74</sup> Marchetti, *Che importa ai preti*, 174.

<sup>75</sup> Marchetti, *Che importa ai preti*, 6, 50, 68, 77.

<sup>76</sup> Marchetti, *Che importa ai preti*, 175.

Marchetti implied that French republicans sought to undermine Catholicism and impose new religious practices just like Seleucid rulers sought to replace Judaism with the worship of Greek gods. Despite his insistence on reading the conflict with France through the Book of Maccabees, Marchetti refrained from “pronouncing a definitive judgment on the matter” because that right only belonged to Pius VI. Yet he refused to abandon his belligerent position and he praised forces that decided to fight the threat he identified, stressing that such opposition represented a defensive movement. “Blessed be (if such a blessing is allowed to a Christian heart), blessed a thousand times, the lot of those who, instructed in the nature of present disasters and able to direct the suffering toward the one who has suffered all for us, spread their honored sweat under the weight of arms,” Marchetti exclaimed.<sup>77</sup> He later applied these ideas by taking an active part in encouraging revolts against the French forces, which led to his imprisonment at the Castle of the Holy Angel in 1798.<sup>78</sup> Whereas Gustà championed an offensive war with the aim of retaking Paris and reestablishing the Old Regime, therefore, Marchetti argued that a local, defensive war against the French forces in Italy would be required for the defense of Catholicism, and he took an active part in that struggle.

However, for both pamphleteers, the final objectives converged: Gustà sought a military defeat of the revolutionary program after the crusade and Marchetti proposed a more veiled vision of the same result through the creation of a utopian Catholic El Dorado. More specifically, Marchetti offered a reinterpretation of Louis-Sébastien

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<sup>77</sup> Marchetti, *Che importa ai preti*, 176.

<sup>78</sup> Marchetti published a book of miracles witnessed during the turbulent events in Rome: see his *De' prodigj avvenuti in molte sagre immagini, specialmente di Maria Santissima* (Rome: Zempel, 1797).

Mercier's *L'An 2440, rêve s'il en fut jamais*, a work that described French society in 2440 as an Enlightenment utopia.<sup>79</sup> In Marchetti's Catholic utopia, which he presented in the form of a newspaper report from August 2440, a popular vote leads to the reestablishment of traditional religion, the reopening of churches, the burning of the philosophers' books, the restitution of Church properties, and the reversal of all laws regarding the ecclesiastical establishment passed since 1789.<sup>80</sup> Moreover, the restored Inquisitorial authorities recuperate their power to judge those who propagated the ideas of Enlightenment philosophers.<sup>81</sup>

Imaging a traveler who visited this *paese dell'eldorado*, Marchetti observed that he would marvel at the "decency of public customs, the reverence for our churches, the cheerfulness of the people, the devotion of the clergy, the blessings that all seek from the excellent sovereign, as well as the justice and calmness that reign in all matters."<sup>82</sup> Then, extending the intertextual reinterpretation of utopia to Voltaire's *Candide*, Marchetti's visitor proclaimed that great mountains encircle the Catholic El Dorado. Unlike Voltaire's atheist, perfect, and inaccessible El Dorado, however, the traveler stressed that the prayers of the population had the power to move mountains.<sup>83</sup> Marchetti used a

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<sup>79</sup> Louis-Sébastien Mercier, *L'an deux mille quatre cent quarante: rêve s'il en fut jamais* (London, 1771).

<sup>80</sup> Marchetti, *Che importa ai preti*, 188-91.

<sup>81</sup> Marchetti, *Che importa ai preti*, 192.

<sup>82</sup> Marchetti, *Che importa ai preti*, 193.

<sup>83</sup> On Voltaire's El Dorado, see Catherine Alès and Michel Pouyllau, "La Conquête de l'inutile. Les géographies imaginaires de l'Eldorado," *L'Homme* 32, no. 122/124 (1992): 271-308; Manfred Kusch, "The River and the Garden: Basic Spatial Models in *Candide* and *La Nouvelle Héloïse*," *Eighteenth-Century Studies* 12, no. 1 (1978): 1-15; Donna Isaacs Dalnekoff, "The Meaning of Eldorado: Utopia and Satire in *Candide*," *Studies on Voltaire and the Eighteenth Century* 127, (1974): 41-59; William F. Bottiglia, "The Eldorado Episode in *Candide*," *Publications of the Modern Language Association* 73, no. 4 (1958): 339-347.

portion of Mark 11:23 to argue that prayers could remove the mountainous barriers that separated the Catholic El Dorado from the rest of the world.<sup>84</sup> The “spilling out” of the Catholic utopia could thus heal a world plagued by revolutionary violence. “Let us at least pray and hope,” Marchetti urged his readers at the end.<sup>85</sup>

Instead of creating a Catholic El Dorado, however, French forces consolidated their power in northern Italy and then invaded the south as well, leaving new republics in their wake. French officers assured Italian republicans that France sought to remove despotism from the peninsula, and that French troops would protect the new republics against all threats.<sup>86</sup> On 21 February 1798, representatives from the Cisalpine Republic even signed a treaty of alliance with France in Paris.<sup>87</sup> An image used in the official correspondence illustrates the nature of this alliance (see figure 1). It depicts Marianne, as a representation of France, wearing a Roman toga and galea, and holding a spear on which hangs a Phrygian cap, the republican cap of liberty. She holds the hand of a woman dressed in the Roman toga, who represents the Cisalpine Republic and whose arm is raised in admiration of Marianne. They stand in front of a stone pillar that announces the union, and not simply the alliance, between the French and Cisalpine Republics. References to the Catholic faith and the clergy remain conspicuously absent from this image—instead, political legitimacy appears in an ancient, Roman, and republican guise.

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<sup>84</sup> “For assuredly, I say to you, whoever says to this mountain, ‘Be removed and be cast into the sea,’ and does not doubt in his heart, but believes that those things he says will be done, he will have whatever he says”: Mark 11:23.

<sup>85</sup> Marchetti, *Che importa ai preti*, 194.

<sup>86</sup> Mémoire, 19 Prairial IV, Milan, p. 2-4: ASM, Fondo Marescalchi-Rosso/1.

<sup>87</sup> The full text of the treaty is located in Supplemento al N.º 57 del Censore, p. 1-2: ASM, Fondo Marescalchi-Rosso/1.



Figure 1: Frontispiece from the Correspondence of the Executive Directory of the Cisalpine Republic, 15 Messidor VI (3 July 1798) (ASM, Marescalchi-Rosso/1)

Yet after the adoption of the republican constitution in Milan, Cisalpine authorities demanded an oath of allegiance from the clergy, an issue that further divided the soft and hard conservatives during the late 1790s.<sup>88</sup> The Cisalpine oath, which included a declaration of hatred (*odio*) toward the monarchy, directly addressed the legitimacy of the republican order, and, by extension, the French imperial presence on the

<sup>88</sup> Article 374 of the 1798 Cisalpine constitution indicated that civil servants would not be allowed to exercise their functions until they “take an oath of hatred (*odio*) toward the monarchy, oligarchy, and anarchy, as well as fidelity and attachment to the republic and the constitution” (*Costituzione della Repubblica Cisalpina dell’anno 6. repubblicano* [N.p.: Tipografia Nazionale, 1798], 67-8; Biblioteca di storia moderna e contemporanea, Rome, Rari. Misc. a.6/2). Also, see *Costituzione per la Repubblica Cisalpina*, 15 Vendémiaire X (7 October 1801), p. 1-17; *Osservazioni sulla costituzione cisalpina*, p. 1-21: ASM, Marescalchi-Rosso/3. For a timid ecclesiastical response, see *Memorie di alcuni vescovi ed ecclesiastici*, p. 1-8: ASM, Marescalchi-Rosso/3. On the Cisalpine constitution, see Mario La Cava, *La Repubblica Cisalpina: appunti sulla Costituzione e sull’attività legislative* (Reggio Calabria: Città del sole, 2008). For the text of the 1797 Cisalpine constitution, see *Acte d’indépendance des États-Unis d’Amérique et constitution des Républiques Française, Cisalpine et Ligurienne* (Paris, 1798), 149-281. For an overview of the debate over the Cisalpine oath, see Annamaria Valenti, “Il dibattito sul giuramento civico nella repubblica cisalpina,” in *La chiesa italiana e la Rivoluzione francese*, 181-232.



Italian peninsula. If the clerics accepted the oath, in other words, then they promised to adhere to the political order imposed by France and they recognized its compatibility with Catholicism.

Alessandro Mattei, a cardinal and the archbishop of Ferrara, fiercely opposed the Cisalpine oath. Since the Cisalpine constitution failed to mention Catholicism, and it treated “the Hebrew, the gentile, and the heretic” equally, Mattei concluded that the “republic of miscreants” who wrote the constitution aimed to destroy religion.<sup>89</sup> He claimed that the morals taught by the Gospels prevented Catholics from taking a sincere oath, and he attributed the arrival of republican rule to God’s attempt to “separate the wheat from the chaff (*divida il grano della zizzania*).”<sup>90</sup> In another pastoral letter, he compared his own forced exile to the Mosaic exodus and the French imprisonment of Pius VI to that of Paul.<sup>91</sup> Angry at those who defended the oath, Mattei argued that Pius VI had previously condemned the model used by the Cisalpine authorities, the French Civil Constitution for the Clergy, which made the oath illegitimate in his view.<sup>92</sup> Mattei defended papal authority in this matter by quoting 1 Corinthians 11:19, where Paul

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<sup>89</sup> Alessandro Mattei, “Osservazioni in genere sulla Costituzione Cisalpina,” in *Dettaglio storico di quanto precedè, accompagnò, seguì la prigionia in Brescia del Signor Cardinale Alessandro Mattei*, ed. D. Sebastiano Lazzarini (Venice: Francesco Andreola, 1799), 68-9.

<sup>90</sup> Alessandro Mattei, “Lettera Pastorale,” Monastero della Vangadizza, 25 April 1798, in *Dettaglio storico*, ed. D. Sebastiano Lazzarini, 228, 237.

<sup>91</sup> Alessandro Mattei, “Lettera Pastorale,” 3 June 1799, in *Dettaglio storico*, ed. D. Sebastiano Lazzarini, 275, 280.

<sup>92</sup> Alessandro Mattei, *Istruzione pastorale dell’eminentissimo e reverendissimo sig. cardinale Alessandro Mattei arcivescovo di Ferrara sulla decisione fatta dalla Santa Sede Apostolica del giuramento civico prescritto dal governo della Repubblica Cisalpina alli suoi pubblici funzionari* (Lodi: Stamperia Pallavicini, 1799), 13. In his official repudiation of the French oath, Pius VI denounced the republican idea of liberty as destructive and akin to the idea of Protestant liberty in dogmatic matters: see “Tratto del Breve dommatico del Sommo Pontifice Pio VI. contro la Costituzione Civile del Clero Francia,” in Mattei, *Istruzione pastorale*, 17.

stressed that “there must be factions among [Christians] so that those who are genuine may become visible among [them].”<sup>93</sup>

Although the stringent conservatism embraced by Mattei dominated within the ecclesiastical establishment and continued undermining the stability of French rule, some reformist Catholics attempted to recover and extend the conciliatory, albeit still conservative, positions of Tamburini and Bonifacio. However, such efforts often led to unorthodox theological positions that most Italian clerics would likely reject. And this pointed to the seeming intractability of the religious problem: the guardians of orthodoxy refused to offer a religious legitimization of French rule, while theologians who gradually opened the doors of legitimacy remained in the minority and were often accused of holding unorthodox beliefs. Consider the example of Angelo Anziani, who was described as a French priest in the book he published on the Cisalpine oath in Milan in 1798. He dismissed Mattei’s claims that the oath represented an attack on religion because it obliged clerics to declare their hatred toward the monarchy, and that the non-mention of the Church in the constitution implied that it no longer held a dominant position in society.<sup>94</sup> “The Christian religion,” Anziani claimed, “should dominate hearts and not bodies.”<sup>95</sup>

According to Anziani, the removal of ecclesiastical authorities from temporal affairs did not represent an anti-religious measure because the republic intended to protect the clergy and the state’s appropriation of Church properties would finally remove

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<sup>93</sup> Mattei, *Istruzione pastorale*, 5.

<sup>94</sup> Angelo Anziani, *Il giuramento cisalpino* (Milan: R. Netti, 1798), 5, 8.

<sup>95</sup> Anziani, *Il giuramento cisalpino*, 11.

excesses that heretics had for long used as weapons against the clergy.<sup>96</sup> Moreover, he added that the scriptures did not provide proof of papal infallibility, a doctrine that had been rejected by the universal church in his view.<sup>97</sup> In defense of this position, he contrasted the phrase “God granted you [St. Peter] all the kingdoms of the world (*tibi tradidit deus omnia regna mundi*)” from the Roman breviary with Christ’s claim that his “kingdom is not of this world (*regnum meum non est de hoc mundo*).”<sup>98</sup> Anziani added that Christ is portrayed as “the king of kings and lord of lords” in Revelation 19:16, which, if popes were the vicars of Christ, meant that Pius VI was the “king of all the world (*Re di tutto il Mondo*).”<sup>99</sup>

Anziani disagreed with Mattei’s claim that the new freedom of press represented an anti-Catholic law and an attack on the Church. In his view, laws ought not to be judged according to the possibility of abuse—if that were extended more broadly, Anziani claimed, even religion would be prohibited because it could be abused.<sup>100</sup> In addition, he argued that Mattei opposed the oath of hatred toward the monarchy because he despised democracy and wanted to use the monarchical system to extend papal power into temporal affairs.<sup>101</sup> “The democratic government suffers from vice just like other

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<sup>96</sup> Anziani, *Il giuramento cisalpino*, 45.

<sup>97</sup> Anziani, *Il giuramento cisalpino*, 73. For a conservative view on papal infallibility, see Alfonso Muzzarelli, *Dominio temporale del papa* (N.p., 1789), and for a revolutionary clerical perspective, see Giovanni Antonio Ranza, *Discorso in cui si prova la sovranità civile e religiosa del popolo* (Pavia: Baldassare Comino, 1796). Vittorio Criscuolo has examined Ranza’s reformist thought in “Riforma religiosa e riforma politica in Giovanni Antonio Ranza,” *Studi Storici* 30, no. 4 (1989): 825-872.

<sup>98</sup> Anziani, *Il giuramento cisalpino*, 75. The latter is a quote from John 18:36.

<sup>99</sup> Anziani, *Il giuramento cisalpino*, 76.

<sup>100</sup> Anziani, *Il giuramento cisalpino*, 20.

<sup>101</sup> Anziani, *Il giuramento cisalpino*, 65-6.

human endeavors do,” Anziani explained, “but this vice and the defects, which are generated by the corruption of human nature, can be easily remedied in a democracy,” a mechanism that did not exist in other political systems.<sup>102</sup> Pledging allegiance to such a system thus ensured social peace, good government, and contributed to a fair and just reform of the clerical establishment.

Anziani’s aggressive reformism, which could have buttressed French rule by undermining the hard conservative stance on religious legitimacy, failed to generate a large following during the late 1790s and early 1800s. An anonymous parish priest, for instance, pointed out that Napoleon, and not the Cisalpine people, had given the constitution its final form.<sup>103</sup> He then listed the abuses perpetrated by the Cisalpine authorities, such as their interference in the appointment of bishops, the prohibition of open public worship, the interdiction on preaching to those from other parishes, as well as the harsh treatment suffered by members of the clergy.<sup>104</sup> The Cisalpine Republic’s anti-Catholic strategy, he observed, followed the French model.<sup>105</sup> The priest insisted that republicans could “never justify as Christian their hatred” of monarchical and aristocratic systems of government because of the scriptural emphasis, found in Romans 13:1, that all power comes from God.<sup>106</sup> In contrast to Tamburini and Bonifacio’s use of Paul’s Epistle, therefore, the anonymous priest interpreted the verses from a stricter conservative

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<sup>102</sup> Anziani, *Il giuramento cisalpino*, 101, 105-6.

<sup>103</sup> A. A., *Risposta d’un parroco cattolico alle riflessioni popolari del dottor Gio. Tumiate sul giuramento richiesto dalla Repubblica Cisalpina* (N.p., 1798), 6.

<sup>104</sup> A. A., *Risposta d’un parroco cattolico*, 8-10.

<sup>105</sup> A. A., *Risposta d’un parroco cattolico*, 17.

<sup>106</sup> A. A., *Risposta d’un parroco cattolico*, 19.

stance, arguing that the inclusion of *odio* in the oath remained irreconcilable with Catholic doctrine. And since one part of the constitution could lead to a mortal sin, he concluded, the whole document ought to be abandoned.<sup>107</sup> The debate over the oath became even more contentious when it reached the Roman Republic, where the struggle between soft and hard conservatives intensified after the French invasion in 1798. The softer form of conservatism embraced by a minority of clerics still represented the best ideological ally for the French forces, but the increasingly marginal status of those who embraced such positions highlighted the inability of French officers to find a viable, pro-French ecclesiastical arbiter who could legitimize French rule with authority.

### III. The Roman Constitutional Oath

In contrast to the conservative clerics, Italian republicans rejoiced at the news that French forces advanced toward Rome. In January 1798, Carlo Tèsti, the Cisalpine minister of foreign affairs, informed Francesco Melzi d'Eril, the Cisalpine plenipotentiary at the Congress of Rastadt, that the Cisalpine Republic would not participate in the invasion of the Papal States.<sup>108</sup> Nonetheless, he enthusiastically observed that the Republic would benefit from the likely division of Papal States into smaller republics.<sup>109</sup> “God had willed,” Tèsti observed in another letter to d'Eril, “that the destiny of Italy could be as bright as you had imagined it and as we should see it after the revival of Roman liberty, the most strange and majestic event brought about by the revolutionary

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<sup>107</sup> A. A., *Risposta d'un parroco cattolico*, 23.

<sup>108</sup> Carlo Tèsti to Francesco Melzi d'Eril, 30 Nivôse VI (19 January 1798), Milan p. 2: ASM, Fondo Marescalchi-Rosso/2.

<sup>109</sup> Carlo Tèsti to Francesco Melzi d'Eril, 30 Nivôse VI, Milan p. 3: ASM, Fondo Marescalchi-Rosso/2.

torrent.”<sup>110</sup> Tèsti strongly praised the Roman constitution and proclaimed that a “glorious and splendid future” awaited the new republics.<sup>111</sup>

The adoption of a Roman constitution reignited the debate over the civic oath, which the French authorities imposed on civil servants. Giovanni Vincenzo Bolgeni, a Jesuit who had condemned Jansenism and Jacobinism in a number of influential works, offered one of the earliest reactions to the constitutional oath.<sup>112</sup> Having played a central role in facilitating the taking of the oath by a number of professors at the *Collegio Romano* in 1798, Bolgeni attempted to defend his positions. As had been the case in the Cisalpine Republic, the proclamation of hatred toward monarchical and aristocratic systems of government represented the most controversial aspects of the oath.

Due to the theological disagreements that emerged after the imposition of the oath in the Cisalpine Republic, Bolgeni predicted that many clerics in Rome would object to his arguments.<sup>113</sup> He began by pointing out that the Roman constitution dealt with

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<sup>110</sup> Carlo Tèsti to Francesco Melzi d’Eril, 17 Germinal VI (6 April 1798), Milan p. 1: ASM, Fondo Marescalchi-Rosso/2.

<sup>111</sup> Carlo Tèsti to Francesco Melzi d’Eril, 17 Germinal VI, Milan p. 1-2: ASM, Fondo Marescalchi-Rosso/2. The attempts of French officers to claim ownership over the properties owned by the Papal States (excluding Pius VI’s personal properties) in the Cisalpine Republic during the following months tempered this enthusiasm to some extent, but it did not significantly strain Franco-Cisalpine relations. Guillaume Marie-Anne Brune, the French general-in-chief in Milan, made the ownership claim in Arrêté, 15 Prairial VI (2 June 1798), p. 1-2, Milan: ASM, Marescalchi/41. The Cisalpine minister of foreign affairs rejected this claim: Ambrogio Birago to Francesco Visconti, Cisalpine Ambassador in Paris, 11 Messidor VI (29 June 1798), p. 1-4: ASM, Marescalchi/41.

<sup>112</sup> In *Esame della vera idea della Santa Sede* (Macerata, 1785), Bolgeni refuted what he saw as the Jansenist ideas in Tamburini’s *Vera idea della Santa Sede* (Pavia, 1784). On Bolgeni’s position on Jacobinism, see his *Problema se i Giansenisti siano Giacobini* (Rome, 1794).

<sup>113</sup> Giovanni Vincenzo Bolgeni, *Sentimenti de’ professori della Università del Collegio Romano sopra il giuramento prescritto dalla repubblica romana* (Rome: Salomoni, 1798), lv. Article 367 of the Roman constitution indicated that civil servants would not be allowed to exercise their functions until they “take an oath of hatred (*odio*) toward the monarchy and anarchy, as well as fidelity and attachment to the republic and the constitution”: *Costituzione della Repubblica Romana* (Rome: Lazzarini Stampatori Nazionali, 1798), 63.

political and civic affairs, without interfering in ecclesiastical and sacred matters.<sup>114</sup> Moreover, for him, language always remained opaque and permeated by multiple meanings, so even seemingly simple words like hatred needed to be explained.<sup>115</sup> Although religion disallowed the hatred of monarchy, he claimed, all interpretations of the constitutional oath needed to take into account differences between the temporal and the sacred, or the internal and the external on the scale of an individual Catholic. Civil authorities had the right to impose an oath that included the external hatred of monarchy, but the individual who gave such an oath also had the right to internally love the monarchy. He resolved the contradiction between the simultaneous embrace of hatred and love by observing that the external hatred of the oath taker retained its religious legitimacy only insofar as it implied a hatred of the disorder that would result from a violent attempt to impose a monarchical system of government in Rome. In other words, legitimate hatred could not be universal and inclusive of all monarchies, but rather specific and restricted to the preservation of order within the Roman Republic.<sup>116</sup>

Bolgeni then offered a scriptural defense of his argument and position on French rule. He quoted Luke 14:26, where Christ said: “If anyone comes to me and does not hate his father and mother and wife and children and brothers and sisters, yes, and even his own life, he cannot be my disciple.” According to Bolgeni, this verse would be incomprehensible without the distinction he had established between internal and external hate—Christ, he claimed, only imposed external hatred on his followers in this

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<sup>114</sup> Bolgeni, *Sentimenti de' professori*, vi.

<sup>115</sup> Bolgeni, *Sentimenti de' professori*, v.

<sup>116</sup> Bolgeni, *Sentimenti de' professori*, vi-vii, xlvi-xlix.

instance.<sup>117</sup> Since the French only imposed the embrace of external hatred in order to preserve order and peace, Bolgeni argued, religious opposition to the oath remained unwarranted and illegitimate.<sup>118</sup> In order to further bolster his interpretation, Bolgeni pointed to Romans 14 and 1 Corinthians 8 and 10, where Paul criticized those who refused to eat food sacrificed to the idols and who despised the consumers of such food due to its religious impurity. Using Paul's characterization of those who refused the impure foods as "weak, with little knowledge of religion, and lacking in faith," Bolgeni claimed that the opponents of the constitutional oath adopted the arguments of those who had rejected idolatrous food.<sup>119</sup> This scriptural reading of the oath thus relegated the stringent conservatives to the status of religious fanatics. Despite Bolgeni's opposition to Tamburini's Jansenism and likely objection to Bonifacio's attempts to arrive at a type of Catholic Republicanism, Bolgeni's soft conservative position on French rule paralleled their attempts to make the French presence palatable.

As further proof of his orthodoxy in this regard, Bolgeni cited Augustine of Hippo's description of oaths as contracts whose meanings were determined not simply by their wording, but rather by the sense given to their wording by the oath taker and the one who requested the oath.<sup>120</sup> Returning to his distinction between internal and external matters, Bolgeni insisted that the Roman constitution lacked the oppressive measures that

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<sup>117</sup> Bolgeni, *Sentimenti de' professori*, li.

<sup>118</sup> Bolgeni, *Sentimenti de' professori*, lii.

<sup>119</sup> Bolgeni, *Sentimenti de' professori*, xcix.

<sup>120</sup> "Good faith requires an oath to be kept, not according to the mere words of him who gives it, but according to that which the person giving the oath knows to be the expectation of the person to whom he swears (*Illud sane rectissime dici non ambigo, non secundum verba jurantis, sed secundum expectationem illius, cui juratur, quam novit ille qui jurat, fidem jurationis impleri*)": Bolgeni, *Sentimenti de' professori*, ix, l. Bolgeni took this definition from Augustine's letter to Alypius of Thagaste, which was written in 411.



had made the French and Cisalpine constitutions—and, by extensions, oaths—unacceptable because they explicitly encouraged the spread of wrongdoing by interfering in religious affairs.<sup>121</sup> The Roman constitution simply allowed wrongdoing to occur by rearranging the secular order, he insisted.

Then, citing 1 Corinthians 10:4 (“The weapons we fight with are not the weapons of the world”), Bolgeni argued that the constitution’s secular laws respected the freedom of religion, albeit with a few minor exceptions among its 372 articles because their dangerous ambiguity had the potential to encourage governmental interference in ecclesiastical matters.<sup>122</sup> And since French authorities had imposed the constitution, it remained a passive document because both the Roman people and the oath takers took no active part in its enforcement. Therefore, external adherence to the constitution remained legitimate because the republicans’ attempts to prevent the spread of disorder overlapped with Christ’s rejection of usurpation and social chaos. Catholics, in other words, had the religious duty to accept the legitimacy of French rule, although they might internally loathe republicanism and even French rule itself.<sup>123</sup> As a final step in his argument, Bolgeni emphasized that the pope’s description of the Roman oath as illegitimate (*non è lecito*) amounted to a personal opinion expressed in a private letter, and not a definitive and authoritative *ex cathedra* statement.<sup>124</sup>

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<sup>121</sup> He listed the interdiction of private and public instruction, the interference in the ordination of bishops and priests, and the hampering of religious ministry among the key elements that would warrant the rejection of any given constitution: Bolgeni, *Sentimenti de’ professori*, xviii.

<sup>122</sup> He did not specify which articles represented this threat: Bolgeni, *Sentimenti de’ professori*, xxiii, xxvii.

<sup>123</sup> Bolgeni, *Sentimenti de’ professori*, xxix.

<sup>124</sup> Bolgeni, *Sentimenti de’ professori*, lxxv.

Bolgeni's views on the oath outraged Giovanni Marchetti. In his view, the destruction of the Church's power and social role had rendered the oath illegitimate. "All these constitutions and oaths," Marchetti explained, "were nothing but the expansion of the ancient and well-known attempt of Philosophy to destroy the Catholic Church and the throne."<sup>125</sup> Urging his readers to consider the spread of French ideas as an ideological tree, he pointed to the destruction of the Church in France and explained that the same "fruits" would arrive with the transplantation of the republican tree in Italy.<sup>126</sup> As a result, Marchetti judged that those clerics who took the oath had in fact declared their apostasy.<sup>127</sup>

Marchetti also took issue with Bolgeni's attempt to differentiate between passive obedience and active participation in the republican system. Using Romans 13:1, where Paul stated that "there is no authority except that which God has established," Marchetti observed that passive obedience—as long as it remained general—to the public authorities represented a pillar of the Catholic faith, but that this religious precept could not be applied to the constitutional oath.<sup>128</sup> He used the example of a Catholic living in the Ottoman Empire, where he or she could legitimately take a general oath of submission without taking part in the legislative process or accepting to apply specific Qur'ānic laws.<sup>129</sup> He then insisted that, in contrast, the Roman oath imposed the

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<sup>125</sup> Giovanni Marchetti, *Del giuramento detto civico che si esigea nelle moderne democrazie* (Prato: Vincenzo Vestri, 1799), 34.

<sup>126</sup> Marchetti, *Del giuramento detto civico*, 47.

<sup>127</sup> Marchetti, *Del giuramento detto civico*, 48.

<sup>128</sup> Marchetti, *Del giuramento detto civico*, 65.

<sup>129</sup> Marchetti, *Del giuramento detto civico*, 67, 70.

requirement of active hatred toward the monarchy, which contradicted Paul's command in Romans 1:32: "Although they know God's righteous decree that those who practice such things [unrighteousness, sexual immorality, wickedness, etc.] deserve to die, they not only do them but give approval to those who practice them." Only the separation of specific and active actions from general and passive obedience, Marchetti explained, could make "the rights of society and the requirements of conscience no longer collide."<sup>130</sup>

In contrast to Bolgeni, moreover, Marchetti proposed that Augustine determined the meaning of an oath by seeking to understand the way in which it was understood primarily by the one who imposed the oath.<sup>131</sup> And since the French authorities saw the "sworn hatred (*odio giurato*)" toward the monarchy as an active duty that might require concrete actions from the oath taker, Marchetti declared the oath opposed to reason, religion, and Christian conscience.<sup>132</sup> To be sure, Marchetti admitted that the pope had refrained from promulgating an *ex cathedra* decree in this matter, but he nonetheless rejected the claim that the papal declaration on the oath's illegitimacy represented his private view as an individual and not the bishop of Rome.<sup>133</sup> On the contrary, Marchetti insisted, the pope circulated the ruling of illegitimacy as the head of the Church and this view represented his full sentiment in the same capacity.<sup>134</sup>

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<sup>130</sup> Marchetti, *Del giuramento detto civico*, 68.

<sup>131</sup> Marchetti, *Del giuramento detto civico*, 113.

<sup>132</sup> Marchetti, *Del giuramento detto civico*, 109, 118.

<sup>133</sup> Marchetti, *Del giuramento detto civico*, 163-65, 182, 209.

<sup>134</sup> Marchetti, *Del giuramento detto civico*, 215.

Although Bolgeni published a short retraction of his views on the oath in 1799, he refused to fully accept Marchetti's critique.<sup>135</sup> Bolgeni emphasized that he had offered a qualified support for the oath in order to save Catholicism.<sup>136</sup> He had attempted to use the oath formula approved by the pope, but the French authorities categorically refused to change a single word of the oath and Bolgeni had no other choice but to accept the original version. Still, even in such strenuous circumstances, Bolgeni explained, he did his utmost to impose an interpretation of the oath that harmonized it with the papal wording in his *Sentimenti de' professori*. And this valiant struggle occurred before the pope finally and publically rejected the oath on 30 January 1799.<sup>137</sup> Again, Bolgeni repeated that the meaning of the oath accepted by him and the professors at the *Collegio Romano* was restricted to the idea of hatred not toward monarchies more generally, but toward the disorder that would be caused by a violent attempt to impose monarchical rule in Rome and overthrow the republic.<sup>138</sup>

As further proof, Bolgeni observed that the French authorities had accepted his insistence on understanding the oath as it was described in *Sentimenti de' professori*. This indicated, according to the Augustinian definition of oaths, that the interpretative consensus as presented by Bolgeni needed to be accepted as valid, and all attempts to examine the oath in isolation from his writings declared misguided.<sup>139</sup> Underscoring the

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<sup>135</sup> See Giovanni Vincenzo Bolgeni, *Ritrattazione* (Rome: Salomoni, 1799).

<sup>136</sup> Giovanni Vincenzo Bolgeni, *Metamorfosi del dott. Giovanni Marchetti, da penitenziere mutato in penitente* (N.p., 1800), 8.

<sup>137</sup> Bolgeni, *Metamorfosi*, 9-16.

<sup>138</sup> Bolgeni, *Metamorfosi*, 19.

<sup>139</sup> Bolgeni, *Metamorfosi*, 39, 62, 64.

duress under which he negotiated this compromise, Bolgeni pointed out that Marchetti destroyed his own argument in *Del giuramento detto civico* by writing that he would have accepted the oath and even sworn to ninety-nine heresies if it meant that the Catholic faith would be saved. Since only a handful of articles in the constitution represented a threat to religion and a successful entente emerged between the ecclesiastical establishment and the French forces, Bolgeni countered, Marchetti's opposition amounted to an incomprehensible and unreasonable stance.

To Marchetti's stress on the papal judgment of the oath as illegitimate, Bolgeni replied by repeating that papal decisions that did not have the formal *ex cathedra* form constituted views "of lower authority (*di minore autorità*)."<sup>140</sup> As further defense for his conduct, he pointed out that the previous papal condemnation of the French and Cisalpine oaths could not be applied to the Roman oath because the latter was much milder and certainly above the threshold of legitimacy. This claim seemed to point to a double volte face: Bolgeni now sought to retract his retraction. He found a way out of this impasse by reminding Marchetti that the papal missive from January 1799 interdicted the acceptance of the oath "purely and simply (*puremente e semplicemente*)."<sup>141</sup> Since the pope did not address Bolgeni's interpretation of the oath—which, according to him, clearly showed that the oath takers did not accept the wording *puremente e semplicemente*—he concluded that the papal missive could not be applied to his argument.<sup>142</sup> Addressing his earlier retraction, Bolgeni explained that he neither erred in terms of Catholic doctrines nor the

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<sup>140</sup> Bolgeni, *Metamorfosi*, 68.

<sup>141</sup> Bolgeni, *Metamorfosi*, 80-1.

<sup>142</sup> Bolgeni, *Metamorfosi*, 85, 94.

papal missive—instead, his main error consisted of having hoped that his book would be received by an understanding audience.<sup>143</sup> He confessed, in other words, that he had misjudged the popular appeal of the more uncompromising conservative camp, whose members saw any defense of the oath as a defense of Jacobinism.<sup>144</sup>

Unimpressed with Bolgeni's explanations, Marchetti wrote another rebuttal of the more conciliatory conservative position. He cited Pius VI's letter, in which the pope accused those who defended the oath of having attempted to transform Rome from the seat of truth to the "mistress of error (*maestra dell'errore*)."<sup>145</sup> Emphasizing small differences between the various constitutional oaths and the taking of the oath *puremente e semplicemente* from the oath as it was interpreted by Bolgeni amounted to an intentional obfuscation according to Marchetti. "Although the wordings differ, it is apparent that the base was always the same" in all the constitutions, Marchetti argued, and "the Holy Father was thus persuaded that, as we have seen in the decisive pronouncements in all his missives and as he had defined the matter in similar cases on numerous occasions, the [same] could and *must*, be applied to the Roman oath by cause of reason."<sup>146</sup>

More conciliatory conservatives such as Tamburini, Bonifacio, and Bolgeni thus faced a relentless attempt by more hardline conservatives to discredit religious positions that accommodated French rule and in Bonifacio's case even leaned toward a fusion of Catholicism with republicanism. Anziani's views on the Cisalpine oath also illustrate the

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<sup>143</sup> Bolgeni, *Metamorfosi*, 151-57.

<sup>144</sup> Bolgeni, *Metamorfosi*, 50.

<sup>145</sup> Pius VI, Secondo breve, 30 January 1799, in Giovanni Marchetti, *Il sì, et il no o sia parallelo delle dottrine, e regole ecclesiastiche, e dell'Ab. Bolgeni* (Gerapoli, 1801), 10.

<sup>146</sup> Marchetti, *Il sì, et il no*, 42. (original emphasis)

presence of a more radical reformism that broke with the conservative stance. However, the marginal position of Catholic theologians who embraced conciliatory views pointed to the urgent need to co-opt more aggressively the hardline conservative camp.

In order to achieve this goal, Napoleon conceded a partial defeat in religious affairs and concluded a concordat with Pius VII in 1801. Bonaparte granted French Catholics the right to worship publically and he recognized Catholicism as the religion of the majority in France, but he did not reestablish the old relationship between the state and the church and he obtained a large measure of control over church affairs, including a new catechism that legitimized his rule. The concordat therefore reversed some elements of the revolutionary degradation of the Church's position in society, while giving Napoleon significant control over ecclesiastical affairs. Giovanni Battista Caprara, a cardinal and the archbishop of Milan, acted as the papal representative during negotiations that resulted in the extension of the concordat to Italy.<sup>147</sup> In his circular to the archdiocese, Caprara urged the faithful to obey the republican authorities. He justified his position by pointing out that the theocratic form of government used by the Israelites had its roots in Mosaic law, which had been abrogated after the coming of Christ. Christians could thus accept republican rule. Even service in the republican army represented a legitimate option for Catholics, the archbishop claimed, because a large number of Christians had served in the armies of idolatrous Roman emperors.<sup>148</sup>

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<sup>147</sup> On Caprara, see Georg May, *Das Versöhnungswerk des päpstlichen Legaten Giovanni B. Caprara: die Rekonziliation der Geistlichen und Ordensangehörigen 1801-1808* (Berlin: Duncker & Humblot, 2012); Michael F. Feldkamp, "Giovanni Battista Caprara (1733-1810). Päpstlicher Nuntius in Köln, Kardinallegat in Paris und Exekutor des französischen Konkordats," *Geschichte im Bistum Aachen* 6 (2001/2): 139-64; Jeannine Charon-Bordas, *La Légation en France du cardinal Caprara: 1801-1808, répertoire des demandes de réconciliation avec l'Église* (Paris: Archives nationales, la documentation française, 1979).

<sup>148</sup> Giovanni Battista Caprara, *Circolare à parrochi*, Milan, 7 March 1803, p. 2: ASM, Melzi/18-20.

The convergence between Caprara's views and those expressed by the soft conservatives indicated that Napoleon's gambit had succeeded: high-ranking clerics now embraced the political system imposed by France across Europe. This rapprochement later led to a warmer embrace of Bonaparte. In 1806, for example, Teodoro Balbi, the bishop of Cittanova in Istria, published an enthusiastic homily after the signing of the Treaty of Pressburg, when large parts of the eastern Adriatic coast were added to the Kingdom of Italy. Balbi proclaimed the peace a divine intervention that had descended on Istria from the heavens. "The grand and august monarch Napoleon, with a triumphant crown on his head" Balbi exclaimed, "is showing us the scepter of his new empire, which holds the source of our felicity."<sup>149</sup> The happiness was due to Napoleon's respect for religion and guarantee that those who preached the Gospels no longer had to fear persecution.<sup>150</sup> Quoting Isaiah 2:4, Balbi explained that the *felicissima* Italia would finally see the armies "beat their swords into plowshares, and their spears into pruning hooks," bringing peace and prosperity after years of tumult.<sup>151</sup> Then, further extending the scriptural context of the Book of Isaiah, Balbi compared Napoleon's Paris to the Jerusalem of Ahaz, the king of Judea. Just like the coalitions that fought against Napoleon, an enemy coalition had attacked Ahaz, but God assured the king, through

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<sup>149</sup> Teodoro Balbi, *Omelia del vescovo di Cittanuova nell'Istria* (Capodistria: Stamperia del Magistrato, 1806), p. 1: AN, AF IV/1713.

<sup>150</sup> Teodoro Balbi, *Omelia del vescovo di Cittanuova nell'Istria* (Capodistria: Stamperia del Magistrato, 1806), p. 2: AN, AF IV/1713.

<sup>151</sup> Balbi, *Omelia del vescovo*, 3.



Isaiah, that the attack would fail. Folding the two examples into one, Balbi proclaimed: “The path blazed by Napoleon was the path blazed by God.”<sup>152</sup>

The religious legitimization of French rule in turn led to a resurgence of enthusiasm for the creation of a French Mediterranean Empire and the replication of the Roman precedent in the basin. After Napoleon strengthened his position in central and eastern Europe with the signing of Franco-Russian and Franco-Prussian treaties in 1807, Regnaud de Saint-Jean d’Angély, a councilor of state, described the role of Italy within the French Empire during a session of the senate as follows:

The whole Mediterranean coast must become part of the French territory, or the territory of the great empire. Regions with Adriatic coasts have been united with the Kingdom of Italy; all regions located along the Mediterranean coast that are contiguous to our territory must be attached to the French Empire. The distance is smaller from Livorno to Toulon, to Genoa, and to the department of Corsica, than from Livorno to Milan. The commerce of the Mediterranean, regardless of the opposition of the tyrant of the seas, will necessarily be influenced by France.<sup>153</sup>

An attempt to connect Napoleon’s rule to the Roman past accompanied this Mediterranean vision in French governmental circles. Jean-Gabriel Rocques de Montgaillard, a member of Napoleon’s secret cabinet, offered a justification of Napoleonic rule in Italy by beginning with the downfall of the Roman Empire. He argued that Bonaparte’s legitimacy as the sovereign of Italy could be traced to Charlemagne, and that the French emperor followed the long tradition of supporting and protecting the Catholic Church in Italy.<sup>154</sup> “People of Italy,” he exclaimed, “your ancestors have woken

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<sup>152</sup> Balbi, *Omelia del vescovo*, 4.

<sup>153</sup> Regnaud de Saint-Jean d’Angély, Paris, 24 May 1808, in Lewis Goldsmith, ed., *Cours politique et diplomatique de Napoléon* (London: J. Booth, 1816), 4:343.

<sup>154</sup> Jean-Gabriel Rocques de Montgaillard, *Du rétablissement du royaume d’Italie sous l’empereur Napoléon* (Paris: Léopold Colin, 1809), 52, 68, 78, 95, 269. On Napoleon as a Roman emperor, see Valérie

up by the acclamation of cities and empires; today, the departed souls of your ancestors contemplate with pride the new destiny finally granted to Hesperia [Italy].”<sup>155</sup>

In a eulogy published in 1814, moreover, Adrien-Jean Beuchot, a bibliographer and a member of a literary society, quoted Pius VII’s description of Napoleon as an instrument that God used to restore the Catholic faith in Gaul.<sup>156</sup> Adding to the papal praise, Beuchot declared Napoleon equal in stature to Charlemagne and he claimed that the French emperor, as a “religious monarch,” had encouraged the spread of “a religious joy that engulfed all of France.”<sup>157</sup> Beuchot then proclaimed that “the century of Caesars had begun in France,” partially because Napoleon was the first sovereign who had succeeded in uniting Italy since the fall of the Roman Empire.<sup>158</sup> Napoleon’s rebuilding of the Roman Empire implied that he aimed to reconstruct the broad contours of the Roman *mare nostrum* in the Mediterranean as well. He offered a succinct description of this strategy: “We do not have any interests in the Baltic or Poland, but we have a Mediterranean ambition,” he wrote to his minister of foreign affairs, Jean-Baptiste de Champagny.<sup>159</sup>

The removal of religious opposition to French rule and the subsequent reemergence of the Mediterranean vision point to the resilience of traditional, pre-

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Huet, “Napoleon I: A New Augustus?” chap. 3 in *Roman Presences: Receptions of Rome in European Culture, 1789–1945*, ed. Catherine Edwards (Cambridge: Cambridge University Press, 1999).

<sup>155</sup> Montgaillard, *Du rétablissement du royaume d’Italie*, 270. Hesperia is the ancient Greek name for Italy.

<sup>156</sup> Adrien-Jean Beuchot, *Oraison funèbre de Buonaparte, par une Société de gens de lettres, prononcée au Luxembourg, au Palais-Bourbon, au Palais-Royal et aux Tuileries*, 5<sup>th</sup> ed. (Paris, 1814), 5.

<sup>157</sup> Beuchot, *Oraison funèbre de Buonaparte*, 8-10, 13.

<sup>158</sup> Beuchot, *Oraison funèbre de Buonaparte*, 26, 34.

<sup>159</sup> Napoleon Bonaparte to Jean-Baptiste de Champagny, Shoenbrunn, 13 September 1809, in J. B. P. Vaillant, ed., *Correspondence de Napoléon I<sup>er</sup>* (Paris: Henri Plon, 1866), 19:461.

revolutionary ideas of legitimacy in Italy. The republican vision of empire and the attempt to impose it across the peninsula elicited a strong religious response against French rule, while only a small minority of soft conservatives were willing to legitimize the French presence in a minimal manner. But after the concordat with the pope and the gradual move from a republican to an imperial system of government, Napoleon widened his support among hardline conservative clerics who previously opposed French rule. On the one hand, this strategy facilitated further French expansion around the Mediterranean, but, on the other hand, it limited Bonaparte's power because his legitimacy now partially depended on the maintenance of the papal pact.

#### IV. Conclusion

The hardline form of Catholic conservatism thus inflected the imperial vision that framed the effort to build a French Mediterranean Empire and to expand it beyond its base on the Italian Peninsula. Clerics who embraced stringent conservative views first opposed the spread of what they perceived as distinctly French ideas that underpinned Enlightenment thought and Jansenism and undermined the Church's authority, and they amplified their invectives against France after the 1789 Revolution and the arrival of French troops in Italy. Moreover, they disputed the orthodoxy of softer conservatives who wished to accommodate French rule to various degrees. As the dominant religious force on the peninsula, hardline conservatives thus contributed to the creation of a political climate that led Napoleon to appropriate and to co-opt their pre-revolutionary, religious ideas of legitimacy. He did not seek, in other words, to bolster his legitimacy by relying on ideas developed within soft conservative circles, or reformist thinkers who called for a secular order in Italy.

The conciliatory form of conservatism, despite the smaller number of its adherents, remained an important ideological force in Italy, which is in part evidenced by the fervent critiques published against them by hardline clerics. After 1789, soft conservatives such as Tamburini attempted to refute the prevalent view among Italian clerics that all attempts to change the ecclesiastical structure of the Church represented a corruption that could be traced to the revolutionary events in France and the growing collusion between Jacobins and Jansenists. Tamburini rejected Jacobinism as a destructive ideology, but he nonetheless promoted a scriptural argument in favor of submission to republican forms of government. To be sure, he only advocated passive submission to republican rule, and other forms of government that he saw as divine punishments, and he criticized those who worked to justify and to defend republican ideals. Despite his enthusiasm for reform, willingness to tolerate republican rule, and confrontation with hardline conservative thinkers, Tamburini represented a conciliatory minority that remained committed to a conservative stance which justified French rule in a minimalist manner, without fully embracing it. As French armies conquered large parts of the Italian peninsula, conciliatory conservatives such as Bonifacio extended Tamburini's approach by proposing a type of participation in republican politics that did not seek to assimilate and to defend the legitimacy of republican ideas, but rather to absorb the republican system and maintain the Church's social and political preeminence. The fruitlessness of this endeavor led Bolgeni to propose an uneasy truce and a passive acceptance of French rule in Rome, which amounted to a return to Tamburini's strategy.

While soft conservatives continued opposing those who called for extensive reforms, a more combative camp emerged among hardline conservatives before the 1801

concordat. Marchetti and Gustà attacked French rule and Italian clerics who refused to categorically reject it, and Marchetti even tacitly supported Gustà's call for a modern crusade against France. The differences between the conciliatory and hardline conservatives crystallized during the debates over the constitutional oath in the Cisalpine and Roman Republics. Papal silence on this issue and reluctance to promulgate an *ex cathedra* decision prolonged the debate until the Franco-Papal concordat. Archbishop Caprara's views on French rule after 1801 show that this reconciliation led to a shift toward the positions previously embraced by conciliatory conservatives, and, in this new context, more hardline conservatives circumscribed their invectives against French rule. Moreover, bishops such as Balbi proclaimed the beginning of a new era of divine favor and protection from republican excesses under Napoleon's leadership. By the middle of the first decade of the nineteenth century, therefore, the tide had begun to turn in favor of a continued building of the French Mediterranean Empire.

Both those who categorically rejected French rule and those who proposed a qualified assimilation of French rule proposed coherent scriptural arguments in defense of their positions. The difficult circumstances in which Italian clerics voiced their positions and the attacks that they endured in the public arena point to the presence of deeply-held beliefs and genuine attempts to either discredit French rule or to offer a scriptural defense for it. There was therefore no *a priori* conservative reading of French republicanism that inexorably led to a rejection and the undermining of French rule. Rather, the ways in which pro- and anti-French religious interpretations were disseminated and spread deeply inflected the impact of religion on French rule. On the one hand, the highly centralized and disciplined ecclesiastical establishment first

presented an almost insurmountable obstacle, but that same centralization helped Napoleon strengthen his rule in Italy after the 1801 concordat by forcing the spread of a conciliatory position. To be sure, an important challenge tampered this relative success: clerical centralization represented a double-edged sword because papal willingness to maintain the new status quo could be reversed due to perceived slights against the Church, the arrival of a new pontiff, or a change of regime in France. An alternative to this arrangement—constructing French rule in a religious context where clerical authority remained minimal, or nonexistent—did not exist in Italy, although it presented itself in parts of North Africa, where Bonaparte's tentative plan for an invasion of Algeria failed to materialize. Instead of Algeria, Bonaparte invaded Egypt.

## Chapter 2. “Like a Swarm of Locusts”: Islam and French Imperialism in Egypt, 1798-1801

*C'est un malheur pour la Nature humaine lorsque  
la Religion est donnée par un Conquérant.  
La Religion Mahométane qui ne parle que de glaive,  
agit encore sur les hommes avec  
cet esprit destructeur qui l'a fondée.<sup>1</sup>*

*C'est l'intérêt de ce peuple, sans doute, plus que  
celui des monumens, qui doit dicter le souhait de  
voir passer en d'autres mains l'Égypte;  
mais, ne fût-ce que sous cet aspect,  
cette révolution serait toujours très-desirable.<sup>2</sup>*

The problem of religious opposition to French rule continued to frustrate French attempts to build a Mediterranean Empire after the conquest of Egypt. As Bonaparte left the southern French coast and faced the dangerous waters of the Mediterranean in May 1798, he travelled with at least one certainty: his attempt to build an Oriental Empire in Egypt would collapse at its very inception if he failed to establish a new type of political legitimacy, one that synthesized the French republican order with local Egyptian traditions. In fact, the thorny issues of legitimacy and religious opposition to foreign rule had been addressed in a number of older plans for the conquest of Egypt, which usually focused on the territorial gains that France could obtain from the instability of the Ottoman Empire.<sup>3</sup> In addition to these plans, eighteenth-century travel accounts, such as

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<sup>1</sup> Charles de Montesquieu, *De l'esprit des loix*, 2 vols. (Geneva: Barrillot & fils, 1748), 2:178.

<sup>2</sup> Constantin de Chassebœuf, comte de Volney, *Voyage en Syrie et en Égypte, pendant les années 1783, 1784 et 1785*, 2 vols. (Paris: Desenne, 1787), 1:256.

<sup>3</sup> In a 1672 proposal for the conquest of Egypt, Gottfried von Leibniz wrote: “One goes from Marseille to Egypt in six weeks, sometimes in one month. Crossing the Mediterranean is a simple game for the French navy now”: Gottfried von Leibniz, “Projet d'expédition d'Égypte présenté à Louis XIV,” in *Oeuvres de Leibniz*, ed. A. Foucher de Careil, 7 vols. (1672; Paris: Firmin Didot, 1859-75), 5:8. On Leibniz's plans for

those written by Constantin de Chassebœuf, comte de Volney, and Claude-Étienne Savary, represented another rich mine of information that Bonaparte and his collaborators used in their attempts to find, among more logistical material, policies that might help the army overcome the rise of religious resistance and encourage Egyptians to accept French rule through persuasion rather than force.<sup>4</sup>

A common trope permeated these plans and travelogues: they described Islam as the organizing principle that structured local society, and out of which flowed an oppressive despotism, a plethora of cultural and political ills, as well as the fomentation of chronic resistance to any non-Muslim power that might be tempted to invade Egypt. For instance, in an influential pamphlet from 1788, Volney argued that in order to be successful, a French invading force would have to win three simultaneous wars in Egypt—against the Ottomans, the British, and the Egyptians. “If the Franks, if the enemies of God and the Prophet dared to disembark,” Volney warned, “Turks, Arabs, and

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the French invasion of Egypt, see Travers Twiss, *Consilium Ægyptiacum: Leibnitz's Memoir upon Egypt* (London: Pewtress, 1883). Moreover, during the late 1730s, René d'Argenson, who later became Louis XV's secretary of state for foreign affairs, had argued that France ought to take advantage of what he perceived as the impending dissolution of the Ottoman Empire. He worried that the balance of power in Europe might be disrupted if Russia took over most of the Ottoman realm. In an attempt to prevent such an outcome, d'Argenson urged western European states to conquer the eastern Mediterranean, from Greece to Egypt. Moreover, he claimed that the French government should learn from the Spanish imperial misadventure in Oran and focus its imperial gaze on Egypt: René d'Argenson, *Journal et memoires du marquis d'Argenson*, ed. E. J. B. Rathery, 9 vols. (1738; Paris: Jules Renouard, 1859-67), 1:361-7. François de Saint-Priest and Gabriel Choiseul-Gouffier, the French ambassadors in Istanbul, respectively, between 1768-84 and 1784-92, had also argued strongly in favor of France's annexation of Egypt: Paul Gaffarel, *La conquête de l'Afrique* (Paris: Hachette, 1892), 206; Léonce Pingaud, *Choiseul-Gouffier: la France en Orient sous Louis XVI* (Paris: A. Picard, 1887), 2:60, 62, 114-5, 113-179; Virginia H. Aksan, “Choiseul-Gouffier at the Porte, 1784-1792,” *Studies on Ottoman Diplomatic History* 4 (1990): 27-34. For more on pre-Napoleonic plans for the invasion of Egypt, see François Charles-Roux, *Le projet français de conquête de l'Égypte sous le règne de Louis XVI* (Cairo: Imprimerie de l'Institut français d'archéologie orientale, 1929); Marie-Noëlle Bourguet, “Science and Memory: The Stakes of the Expedition to Egypt (1798-1801),” in *Taking Liberties: Problems of a New Order from the French Revolution to Napoleon*, ed. Howard G. Brown and Judith A. Miller (Manchester: Manchester University Press, 2002), 95-8.

<sup>4</sup> Claude-Étienne Savary, *Lettres sur l'Égypte: où l'on offre le parallèle des mœurs anciennes et modernes de ses habitants, où l'on décrit l'état, le commerce, l'agriculture, le gouvernement du pays, & la descente de S. Louis à Damiette*, 3 vols. (Paris: Onfroi, 1785-86).



peasants would all fight them; fanaticism would be a source of craft and courage—and fanaticism, which still reigns in all its fervor in Egypt, is always a dangerous enemy.”<sup>5</sup> The expansion of French imperial ambitions to Egypt therefore represented a challenge to the existing constellation of geopolitical interests at a critical Mediterranean crossroads, where Ottoman sovereignty, British commercial routes, and a key transit point for pilgrims from Africa overlapped. In the context of an anticipated armed response from the Ottomans, the sharif of Mecca, and the British, only the Egyptian clerical class, or the *‘ulamā’*, remained as a potential ally with enough power and influence to help Napoleon preserve Egypt as a French colony. In an attempt to co-opt this group, Bonaparte adopted the unprecedented approach of identifying Enlightenment deism with Islam, and thus remolding himself into a “Muslim” ruler without converting to Islam.

Members of the French diplomatic corps in Egypt had noted the presence of religious opposition to French commercial ambitions in Egypt even prior to the 1790s. In March 1787, for example, the arrival of the French frigate *Venus* at the Port of Suez quickly led to a confrontation between French representatives and the Ottoman authorities. Charles Magallon, a French diplomatic officer based in Egypt, attempted to facilitate the provision of supplies to the vessel but the local Ottoman ruler quickly informed him that the Porte had expressly forbidden all European ships from calling at the Port of Suez.<sup>6</sup> Despite Magallon’s insistence that he had an official permission from

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<sup>5</sup> Constantin de Chassebœuf, comte de Volney, *Considérations sur la guerre actuelle des Turcs* (London, 1788), 125.

<sup>6</sup> Henry Mure, French Consul in Cairo, to Armand Marc, Secretary of State for Foreign Affairs, Cairo, 4 May 1787: Archives du Ministère des Affaires Étrangères, La Courneuve, France (hereafter AMAE), Cairo/25, f. 13r-v. Charles Magallon worked as an informal French diplomatic attaché in Egypt during this period, where he had helped negotiate a commercial treaty between France and Egypt in 1785. He obtained the position of French consul in Cairo in 1793. His nephew Joseph Magallon became the French consul in

higher authorities, the local pasha categorically refused to accept the provided paperwork. Magallon and members of the French naval crew then visited a group of Egyptian merchants, whom they encouraged to view the spread of French commerce between Suez and India in a positive light.

The French consul Henry Mure participated in this meeting and he reported that “a fanatic stood up and said to the admiral that the French had sent vessels to Suez only in order to seize the commerce of the Red Sea for themselves; [...] and that the French would start with the Indian commerce, then take over that of coffee from Mocha [in Yemen], and finally deprive the sharif of Mecca and the Holy Cities of the resources that this commerce procures.”<sup>7</sup> Mure believed that religious fanaticism represented the main hurdle to the spread of French influence in Egypt, and he stressed that the pasha had referenced this “fanatical” outburst as the main reason for his rejection of Magallon’s demands.<sup>8</sup> In response to such resistance—and in what would prove a more general trend across the Mediterranean after 1789—French diplomats formed a vanguard whose members were among the first to formulate plans for overcoming local resistance through an aggressive expansion of France’s empire across the basin.

This chapter continues the examination of the Mediterranean shift in French imperial thought by examining the central and intertwined roles that religion and political legitimacy played in this shift during the Napoleonic campaign in Egypt. Many French

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Rosetta in 1794, while his second nephew Lazare Magallon acted as the vice-consul in Rhodes between 1802-14: Amaury Faivre d’Arcier, *Les oubliés de la liberté: négociants, consuls et missionnaires français au Levant pendant la Révolution, 1784-1798* (Paris: Ministère des affaires étrangères, 2007), 228-30.

<sup>7</sup> Henry Mure, French Consul in Cairo, to Armand Marc, Secretary of State for Foreign Affairs, Cairo, 4 May 1787: AMAE, Cairo/25, f. 14r.

<sup>8</sup> Henry Mure, French Consul in Cairo, to Armand Marc, Secretary of State for Foreign Affairs, Cairo, 4 May 1787: AMAE, Cairo/25, f. 14r.

officers saw the reassertion of France's power in the Mediterranean as a resurrection of the Roman Empire. For them, the multiplication of Napoleonic victories around the basin appeared to lead to France's reconstitution of the Roman *mare nostrum*. In addition to the effort to master the military terrain, moreover, French officers took great pains to dominate another field where a very real conflict ensued: the textual, scriptural realm of Qur'anic verses and prophetic sayings, which they believed held the keys of political legitimacy. As had been the case in Italy, winning the scriptural battle represented an essential—even paramount—objective for Napoleon and his officers, one in which they invested significant resources with the hope of co-opting the local *'ulamā'* and, with their help, obtaining a stable base for the further expansion of the French Mediterranean Empire.

The existing works on the religious dimension of Napoleonic Egypt underline that the Egyptian *'ulamā'*—and, above all, the towering figure of *'Abd al-Raḥmān al-Jabartī*—had rejected Napoleon's flirtation with Islam as insincere and had offered praise and granted a type of legitimacy to his rule only when coerced to do so.<sup>9</sup> Moreover, a large segment of this literature contrasts the French-appointed *diwān's* sycophantic subservience to Napoleon with the complex changes in attitude present in al-Jabartī's three accounts of the invasion, which he wrote between 1798 and 1805. Comparative

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<sup>9</sup> For instance, André Raymond has argued that the *diwān* represented an echo chamber for French policies, while the members of the *diwān* largely espoused an attitude of indifference toward French rule. Also, Raymond claimed that al-Jabartī opposed Muḥammad 'Alī's modernization project due to his conservative religious outlook and nostalgic attachment to the pre-1798 system: André Raymond, "Les Égyptiens et les Lumières pendant l'expédition française," in *L'expédition d'Égypte, une entreprise des Lumières, 1798-1801: actes du colloque international*, ed. Patrice Bret (Paris: Technique & Documentation, 1999), 103-17. A similar assessment of the clerical reaction to French rule is found elsewhere: see, for example, Ian Coller, *Arab France: Islam and the Making of Modern Europe, 1798-1831* (Berkeley: University of California Press, 2011), 31-33; Juan Cole, *Napoleon's Egypt: Invading the Middle East* (New York: Palgrave Macmillan, 2007), 32-35, 150-1.

studies of al-Jabartī's texts have led scholars to the conclusion that in his last account, which was written after the French had departed Egypt, he abandoned his earlier anti-French stance and adopted a positive vision of French rule largely because of his intensifying disillusionment with Ottoman rule.<sup>10</sup> The evolution of al-Jabartī's views remains important and merits further analysis because it brings into sharper relief the intellectual developments that had the potential to buttress the legitimacy of French rule in Egypt.

By focusing on the religious prism through which the Egyptian *'ulamā'* perceived the legitimacy of the French system of government, I argue that the *diwān* and al-Jabartī arrived at parallel, albeit not identical, scriptural readings of French rule. Their reactions to the invasion led to the emergence of a soft form of conservatism—one that rejected the full assimilation of French rule into the Islamic context without the army's conversion to Islam, but which nonetheless granted Napoleon a minimal legitimacy due to his ability to

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<sup>10</sup> Abdulrazzak Patel, *The Arab Nahdah: The Making of the Intellectual and Humanist Movement* (Edinburgh: Edinburgh University Press, 2013), 89-98; Eugene Rogan, *The Arabs: A History* (New York: Basic Books, 2011), 62-9; Robert L. Tignor, *Egypt: A Short History* (Princeton: Princeton University Press, 2010), 198-202; Andrea Cellai, "Che effetto faceva la modernità? Il primo incontro fra il mondo arabo e l'Europa moderna nella Storia dell'Egitto ('Ajā'ib al-Āthār fī'l-Tarājim wa'l-Akhhbār) di 'Abd al-Rahmān al-Jabartī (1753-1825/6)," in *Giudizi e pregiudizi: percezione dell'altro e stereotipi tra Europa e Mediterraneo*, ed. Maria Grazia Profeti, 2 vols. (Florence: Alinea, 2009), 1:407-32; Molefi K. Asante, *Culture and Customs of Egypt* (Westport: Greenwood Press, 2002), 131-33. Furthering the predominant view that al-Jabartī's third narrative represented a complete volte-face, Mohammad Salama concluded that "there are moments in the narrative when it almost seems that no invasion has taken place and that Islam and secular Europe have successfully come together in Egypt": Mohammad Salama, *Islam, Orientalism and Intellectual History: Modernity and the Politics of Exclusion since Ibn Khaldun* (London: I.B. Tauris, 2011), 159. Edward Said had argued that al-Jabartī's "experience produced a deep-seated anti-Westernism that is a persistent theme of Egyptian, Arab, Islamic, and Third World history," while acknowledging that the same experience led al-Jabartī to plant the "seeds of Islamic reformism": Edward Said, *Culture and Imperialism* (New York: Vintage, 1993), 34. Revising Said's interpretation, Rasheed El-Enany has argued that al-Jabartī's work and experience of French rule in fact gave rise to a pro-Western movement across the Middle East: Rasheed El-Enany, *Arab Representations of the Occident: East-West Encounters in Arabic Fiction* (London: Routledge, 2006), 1-17. Also, see John W. Livingston, "The Rise of Shaykh al-Balad 'Alī Bey al-Kabīr: A Study in the Accuracy of the Chronicle of al-Jabartī," *Bulletin of the School of Oriental and African Studies* 33, no. 2 (1970): 283-94; Zeinab Abul-Magd, "A Crisis of Images: The French, Jihad, and the Plague in Upper Egypt, 1798-1801," *Journal of World History* 23, no. 2 (2012): 315-43.

maintain the social order and uphold Islamic law.<sup>11</sup> Put differently, the members of the *diwān* and al-Jabartī justified selected elements of French rule in order to protect the traditional social order, but they always portrayed the French governing entity as being either outside of, or close to—but never completely within—the border that demarcated the Islamic community. According to the clerics, only the army’s conversion to Islam could lead to a revision of this position.

The stance taken by the *‘ulamā’*, therefore, was not irremediably antithetical to French interests; on the contrary, it stabilized French rule in Egypt to some extent. At the same time, the frustrating contradictions that the granting of such minimal legitimacy entailed had a deeply erosive effect on French rule—and, by extension, the spread of French imperialism along the southern coast of the basin. In the absence of a wholesale conversion of French troops to Islam, Napoleonic officers could do little to address their inability to co-opt a sufficient number of local allies who were unencumbered by the conservative stance and willing to fight for French interests. Still, the dream of a French Mediterranean Empire did not vanish with the departure of French troops from Egypt in 1801, as will be shown in the last third of this dissertation. In fact, a number of Napoleonic officers who participated in the conquest of Algeria after 1830 relied on their Egyptian experience as they attempted to revive the Roman legacy in the basin.

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<sup>11</sup> I have categorized the set of ideas embraced by the *diwān* and al-Jabartī as conservatism because the colonial contact led to a thorough reevaluation of the Islamic texts that were the basis of the clerics’ theological training. In other words, their religious views entered a state of flux after the invasion and differed markedly from those that they held before the invasion. However, the *‘ulamā’* never abandoned the primacy of classical references, or extend their interpretations in the direction of a reformism that broke with tradition and called for widespread changes. On Islamic reformism in Egypt, see Malcolm H. Kerr, *Islamic Reform: The Political and Legal Theories of Muḥammad ‘Abduh and Rashīd Riḍā* (Berkeley: University of California Press, 1966); Julian Johansen, *Sufism and Islamic Reform in Egypt: The Battle for Islamic Tradition* (Oxford: Oxford University Press, 1996); Indira Falk Gesink, *Islamic Reform and Conservatism: Al-Azhar and the Evolution of Modern Sunni Islam* (London: I. B. Tauris, 2010).

## I. France and the Roman Imperial Legacy in the Mediterranean after 1789

The existing debates on the French invasion of Egypt revolve around two core questions: who bore the primary responsibility for championing the plan of conquest and which ideological forces framed this plan? Although an extensive historiography addresses the first question, there is little consensus on who ought to be considered the progenitor of the idea of invasion: the *directoire*, Bonaparte, Charles Talleyrand, or Charles Magallon (the French consul in Cairo after 1793)?<sup>12</sup> The stress on “great men” that animated this debate has receded into the background after the publication of Henry Laurens’s seminal 1987 study, which focused almost exclusively on the role of ideologies in garnering support for the conquest. Laurens has ascribed the impulse for invasion to a general ideological climate that developed due to the publication of travelogues written by François de Tott in 1784 and Volney in 1787.<sup>13</sup> According to Laurens, Tott and

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<sup>12</sup> Alfred Boulay de la Meurthe argued that the invasion was largely Bonaparte’s initiative, an interpretation that has been reaffirmed in a number of works published in celebration of the invasion’s bicentenary in 1998. Alain Silvera agreed with the view that Bonaparte was the main champion of the invasion, but he also underlined that Talleyrand might have colluded with the British in order to distance Bonaparte from France. In contrast, Stuart Harten argued that it was the *directoire*’s expansionist policies that led to the invasion. Geoffrey Symcox has synthesized the existing positions in this debate by underlining that Talleyrand’s lobbying endorsed Magallon’s plans and inflected both the *directoire*’s position and Napoleon’s ambitions: Alfred Boulay de la Meurthe, *Le directoire et l’expédition d’Égypte* (Paris: Victor Palmé, 1880), 5, 68, 71-2; Jean-Joël Brégeon, *L’Égypte de Bonaparte* (Paris: Perrin, 1998); Patrice Bret, *L’Égypte au temps de l’expédition de Bonaparte* (Paris: Hachette, 1998); Alain Silvera, “Egypt and the French Revolution, 1798-1801,” *Revue française d’histoire d’outre-mer* 69, no. 257 (1982): 311-2; Stuart Harten, “Rediscovering Ancient Egypt: Bonaparte’s Expedition and the Colonial Ideology of the French Revolution,” in *Napoleon in Egypt*, ed. Irene A. Bierman (Reading: Ithaca Press, 2003), 38-42; Geoffrey Symcox, “The Geopolitics of the Egyptian Expedition, 1797-1798,” in *Napoleon in Egypt*, ed. Irene A. Bierman, 19.

<sup>13</sup> Henry Laurens, *Les origines intellectuelles de l’expédition d’Égypte: l’orientalisme islamisant en France (1698-1798)* (Istanbul: Isis, 1987), 64-5, 72, 78. In his emphasis on the *directoire*’s role in initiating the invasion, Stuart Harten has argued that Laurens’s focus on ideology has to some extent obscured the revolutionary origins of the conquest: Harten, “Rediscovering Ancient Egypt,” 38. However, Laurens had addressed the need to break the chronological constraints that have led scholars to consider 9 Thermidor II as the end of the republican era, which in turn often makes the invasion of Egypt appear as an isolated and personal affair: Henry Laurens, “La Révolution française et l’Islam,” *Revue du monde musulman et de la Méditerranée* 52-53 (1989): 29-34.

Volney reinforced older descriptions of “Oriental despotism” as a product of Islam with the goal of encouraging a European conquest and the forceful imposition of Western culture on the Middle East. These goals led directly to Bonaparte’s decision to invade Egypt in Laurens’s view.<sup>14</sup>

Although the political and intellectual climate in France certainly played a large role in leading to the conquest of Egypt, it is primarily within the French diplomatic milieu in Cairo that the impetus for invasion initially emerged. In March 1789, for instance, Magallon imagined the inauguration of a new political system in Egypt through France’s alliance with Ismā‘īl Bey, the Ottoman governor in Egypt. Magallon explained that Ismā‘īl recognized the authority of the Porte but if French forces succeeded in destroying the strong Ottoman naval presence along the Egyptian coast, it is very likely that his ambitions would lead him to seek the type of independence from the Porte enjoyed by rulers of the Barbary Regencies, Algeria, Tunis, and Tripoli. By helping Ismā‘īl achieve this goal, Magallon hoped to secure France’s influence in the region. “He will need a lot of help, so would it not be convenient for France,” Magallon asked his superiors, “to support him and to gain a footing in a country that has immense resources and which could become a *porte de l’Inde*?”<sup>15</sup> Although this plan represented a more

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<sup>14</sup> Laurens, *Les origines intellectuelles de l’expédition d’Egypte*, 190-2. Bonaparte had met with Volney in Corsica in 1792 and he was well-acquainted with Volney’s writings on Egypt since that period. In fact, Napoleon took his annotated copy of Volney’s 1787 travelogue with him to Saint-Helena in 1815: see A. J. O’Connor, “Volney and the Egyptian Expedition,” *French Studies* 4, no. 3 (1950): 252-255.

<sup>15</sup> Charles Magallon to Armand Marc, Secretary of State for Foreign Affairs, Cairo, 6 March 1789: AMAE, Cairo/25, f. 80r. Magallon had previously warned that the Russians have been making great efforts to enter into an alliance with the Ottoman governor and work together to detach Egypt from the Porte: Charles Magallon to Armand Marc, Secretary of State for Foreign Affairs, Cairo, 27 October 1788: AMAE, Cairo/25, f. 64r-68v. This letter was received in Paris almost seven months later, on 24 May 1789.

assertive affirmation of French influence, Magallon did not call for an invasion or the involvement of royal troops at this stage.

A more aggressive diplomatic position emerged only after the 1789 Revolution. In a declaration from 1793, French diplomatic officers and citizens living in Egypt sent a strongly-worded petition to the minister of the navy, in which they offered a republican reading of their position in Egypt and proposed a strategy that incorporated Egypt into the French Empire. They began by pointing out that they were suffering from numerous abuses and that Ottoman despotism had reduced them to a state of slavery, which they experienced on a daily basis.<sup>16</sup> This state of affairs, they stressed, was especially untenable because the Ottoman state was supposed to be allied to a Republic “that gave laws to Europe and whose name was the terror of tyrants.”<sup>17</sup> Repeating Magallon’s argument that Suez ought to become a point connecting France’s commerce in the Red Sea and the Mediterranean—in addition to assimilating the Egyptian beys, as “*tyrans pygmées*,” to their Barbary counterparts—the writers of the petition argued that France should immediately put an end to their ordeal and invade with 6,000 troops.<sup>18</sup>

As such calls received a positive reception within the French government during the 1790s, the possession of Malta emerged as one of the central elements of the French Mediterranean vision. After a number of military successes in Italy in 1797, Napoleon wrote to the minister of foreign affairs from Passariano, close to Trieste, and asked: “Why do we not take over Malta? [...] The inhabitants, who number more than 100,000,

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<sup>16</sup> French Inhabitants of Cairo to Minister of the Navy, Cairo, 17 May 1793: AMAE, Cairo/25, f. 137r, 142r.

<sup>17</sup> French Inhabitants of Cairo to Minister of the Navy, Cairo, 17 May 1793: AMAE, Cairo/25, f. 138r.

<sup>18</sup> French Inhabitants of Cairo to Minister of the Navy, Cairo, 17 May 1793: AMAE, Cairo/25, f. 139v, 148r-v.



see us favorably and are deeply disgusted by their knights, who are barely alive and are dying of hunger. I purposely confiscated their possessions in Italy. With the Island of Saint-Pierre, which was given to us by the King of Sardinia, Malta, and Corfu, we will be masters of the entire Mediterranean.”<sup>19</sup> The idea of rebuilding the French navy, which never fully recovered from the Seven Years’ War, by invading Malta was also taken up by a French agent who visited the island in 1798. Jean Poussielgue, a republican diplomat stationed in Genoa and later a high-ranking financial administrator in Egypt from 1798-1800, found around 15-20 republicans among the 400 Templars and he discussed with them various ways to attach Malta to France. In the end, Poussielgue advised the French government to use both force and negotiations in the attempt to take over what he saw as a French entity due to the strong presence of French nobles within Templar ranks. “The one who possesses Malta,” he argued, will become “the absolute master over the Mediterranean commerce because this island represents the key to the basin.”<sup>20</sup> Napoleon later took possession of Malta on his way to Egypt and he reiterated this vision: “We

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<sup>19</sup> Napoleon Bonaparte to Minister of Foreign Affairs, Passariano, 13 September 1797, *Oeuvres de Napoléon Bonaparte*, 6 vols. (Paris: C. L. F. Panckoucke, 1821-2), 3:18. In February 1798, an officer named Laporte sent to Bonaparte a report in which he warned about the possibility of an Anglo-Russian takeover in the basin. Laporte believed that the moment had come for the destruction of the small Templar government in Malta. He claimed that if one could tell him which power would accomplish this feat, in return he would identify “which power would soon take power over the Mediterranean and thereafter the entire commerce of the Levant.” In his view, Malta represented “the most beautiful and the most powerful port in the Mediterranean,” where local sailors should unite their forces with those from Toulon and Marseille and, with the help of the French army, emancipate themselves by declaring the arrival of true liberty (Laporte, “Quelques idées sur l’isle de Malthe,” Paris, 17 Pluviôse VI [5 February 1798], p. 2, 9: Service historique de la Défense, Vincennes, France [hereafter SHD], 6B/2).

<sup>20</sup> Jean Poussielgue to Napoleon Bonaparte, Milan, 20 Pluviôse VI (8 February 1798), p. 16, 26: SHD, 6B/2.

have in the center of the Mediterranean the strongest place in Europe, and it will be very costly for those who try to dislodge us.”<sup>21</sup>

Despite the many military failures that the French army suffered during the following years in Egypt and Malta, French generals and politicians refused to give up the idea of a new imperial era for France, one that continued to be centered on the basin. François Donzelot, a *général de brigade* who had been combatting Mamluk forces in Upper Egypt while waiting for the expected reinforcements from France, wrote in 1800 to Jacques Menou, the French general-in-chief, and argued that French officers must “consider the Mediterranean a lake belonging to the Republic,” where only secondary powers were allowed to have a limited presence.<sup>22</sup> Expressing his enthusiasm at the prospect of preserving Egypt as a French colony, he exclaimed: “Then, what prosperity! We would have the most direct route toward India and an abundant colony that cannot be found anywhere else in such conformity with our interests.”<sup>23</sup>

Jean Say, a representative at the *tribunat* from the Rhône, echoed this view while addressing the global repositioning of French imperial ambitions during a session of the

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<sup>21</sup> Napoleon Bonaparte to the Directoire Exécutif, Malta, 17 June 1798, *Oeuvres de Napoléon Bonaparte*, 3:246. Napoleon also wrote to General Kléber two months later from Cairo. He warned that English naval forces had been inundating the Mediterranean, which, in his estimate, would lead the French forces to aspire to even greater military feats in the region (Napoleon Bonaparte to General Kléber, Cairo, 21 August 1798, *Oeuvres de Napoléon Bonaparte*, 3:351). In order to further emphasize this sentiment, the French administration in Egypt publicized a letter seized from a British frigate that was shipwrecked close to the Tunisian coast. In a note to a member of the House of Commons, the anonymous writer warned that French sovereignty over the sea had been restored after the recapture of Toulon, while the French navy had become the master of the Mediterranean since the taking of Malta. The writer summarized the political and economic changes that had taken place since then by explaining that “the Mediterranean had become a French lake” (Quoted in *Le Courrier de l'Égypte*, 24 Fructidor VI (10 September 1798), p. 1-2: SHD, 6B/7).

<sup>22</sup> François Donzelot, Brigadier General, to Jacques Menou, General-in-Chief, Asyut, 10 Brumaire IX (1 November 1800), p. 1: SHD, 6B/56.

<sup>23</sup> Donzelot to Menou, Asyut, 1 November 1800, p. 1-2: SHD, 6B/56.

*corps législatif* in January 1801. In his view, Egypt produced everything that the colonies in the Antilles offered and its conquest would soon allow France to reorient its ambitions through new commercial links that connected the Nile, the Red Sea, and the Mediterranean.<sup>24</sup> While referencing the colonial losses that France had incurred during the Seven Years' War, moreover, Say attempted to reassure his colleagues: "If during the current and preceding wars we have lost a part of our colonies, the courage of the army of the Orient and the competence of officers who command it have given us back one colony that is worth as much as the lost ones combined." Following Say's speech, his colleague Nicolas Parent-Réal added that the conquest of Egypt did not represent a simple military expedition, but rather the reestablishment of commercial relations with a country that "had been the center of the universe" and which had to be "conquered by laws as much as by arms, using its customs, habits, and religion as a means to legislate."<sup>25</sup>

The building of a French Mediterranean Empire would therefore require a strategy of assimilating a large population around the basin. Some officers believed that the Roman model offered the best roadmap for such a colossal endeavor. For Talleyrand, for instance, following the Roman example amounted to a self-evident axiom. He began his 1798 report to the *directoire exécutif* with a simple observation: "Egypt was previously a province of the Roman Republic; it must now become one for the French

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<sup>24</sup> Corps législatif, séance du 23 nivôse IX (16 January 1801), p. 4: SHD, 6B/64.

<sup>25</sup> Corps législatif, séance du 23 nivôse IX (16 January 1801), p. 4: SHD, 6B/64.

Republic.”<sup>26</sup> In contrast to Rome, which took over Egypt during a period of decadence and decline, Talleyrand argued, France would invade during a period of prosperity and it would give republican laws to the new colony in order to rid it of the tyrannical government that had been impeding the return of its ancient glory. Recuperating Magallon’s arguments, Talleyrand claimed that such an invasion remained legitimate because of the numerous abuses suffered by French consuls and merchants at the hands of a local Ottoman duumvirate composed of Ibrāhīm Bey and Murād Bey.<sup>27</sup>

A number of influential French officers shared Talleyrand’s Roman vision because they saw the 1790s as a period when the French army followed in the footsteps of Roman legions across the basin.<sup>28</sup> While still in Toulon in May 1798, for instance,

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<sup>26</sup> Charles Maurice de Talleyrand, “Rapport au directoire exécutif sur la conquête de l’Égypte,” 25 pluviôse VI (13 February 1798), p. 1: SHD, 6B/2.

<sup>27</sup> Talleyrand, “Rapport au directoire exécutif sur la conquête de l’Égypte,” p. 6-9: SHD, 6B/2. On Franco-Ottoman relations during this period, see Hâmit Batu and Jean-Louis Bacqué-Grammont, *L’Empire ottoman, la république de Turquie et la France* (Istanbul: Isis, 1986); Édouard de Marcère, *Une ambassade à Constantinople: la politique orientale de la révolution française* (Paris: F. Alcan, 1927); Henri Dehérain, “La rupture du gouvernement ottoman avec la France en l’an VI (1798),” *Revue d’histoire diplomatique* (1925): 9-43. Charles Dubois Thainville, a diplomatic officer whom Talleyrand sent to the Ottoman Empire in order to protect French interests in the context of the Napoleonic invasion, later used a similar argument about the connection between diplomatic rights and the legitimacy of invasion in Algeria after the mid-1800s. In fact, Thainville became the most ardent champion of the call to extend the French Empire to parts of North Africa where French consuls suffered abuses at the hands of local authorities that were largely independent of the Ottoman Porte. In a letter he wrote to the French consul in Algeria, Dominique Moltedo, from Genoa in November 1798, Thainville argued that the Napoleonic invasion remained legitimate because the Mamluks had unjustly undermined Ottoman sovereignty in Egypt, and then cruelly mistreated members of the French diplomatic corps. Even more egregiously in Thainville’s view, the Mamluks broke all previous treaties that had been signed between French kings and Ottoman sultans. Adding a personal note to these observations, Thainville explained that he had suffered many abuses at the hands of Mamluk administrators, some of whom had even threatened to kill him during a previous mission in Egypt: Charles Dubois Thainville to Dominique Moltedo, Genoa, 1 Frimaire VII (21 November 1798): AMAE, Algiers/34, f. 270r-273r.

<sup>28</sup> On the uses of Roman and Greek legacies during the French Revolution, see Maxime Rosso, “Les réminiscences spartiates dans les discours et la politique de Robespierre de 1789 à thermidor,” *Annales historiques de la Révolution française* 349 (2007): 51-77; Keith Michael Baker, “Transformations of Classical Republicanism in Eighteenth-Century France,” *Journal of Modern History* 73, no. 1 (2001): 32-53; Raymond Chevallier, ed., *La Révolution française et l’antiquité* (Tours: Centre de recherches A. Piganiol, 1991); Claude Mossé, *L’antiquité dans la Révolution française* (Paris: Albin Michel, 1989);

Bonaparte spoke to the assembled troops and reminded them that the “Roman legions, whom [they] had imitated a few times but have not yet equaled, continually fought Carthage across” the Mediterranean.<sup>29</sup> Using a similar image after the decisive French victory at the Battle of the Pyramids in July 1798, Dominique Dupuy, the commandant of Cairo, gleefully observed that Egypt represented “yet another among the greatest Roman provinces that was conquered in fifteen days.”<sup>30</sup> The careers of other officers, such as Alexandre Berthier, directly connected the Roman and Egyptian histories. After occupying Rome with the French army, proclaiming the new Roman Republic, and helping capture Pope Pius VI in 1798, Berthier accompanied Napoleon to Egypt as his chief of staff.<sup>31</sup> He synthesized the Roman leitmotif invoked by his colleagues in a frontispiece included in his official correspondence in Egypt (see figure 2). In this image, Marianne wears a Roman galea and holds a spear at whose tip hangs a Phrygian cap, the

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Fernando Díaz-Plaja, *Griegos y romanos en la revolución francesa* (Madrid: Revista de Occidente, 1960); Harold Talbot Parker, *The Cult of Antiquity and the French Revolutionaries: A Study in the Development of the Revolutionary Spirit* (Chicago: University of Chicago Press, 1937).

<sup>29</sup> Napoleon Bonaparte to the Soldiers of the Army of the Mediterranean, Toulon, 21 Floréal VI (10 May 1798), p. 1: SHD, 6B/3.

<sup>30</sup> Dominique Dupuy to Deville, Merchant in Toulouse, Cairo, 19 August 1798, p. 1: SHD, 6B/6.

<sup>31</sup> On Berthier, see Frédéric Hulot, *Le maréchal Berthier* (Paris: Pygmalion, 2007); Jérôme Zieseniss, *Berthier, frère d'armes de Napoléon* (Paris: P. Belfond, 1985).



Figure 2: Marianne in Alexandre Berthier's Correspondence (SHD, 6B/6)

republican hat of liberty. She stands in front of a tree of liberty on which are hung medals representing territories liberated by the republican army. In this triumphant pose, she extends her hand toward an embattled Rome, represented by a woman mirroring Marianne's appearance, but sitting on a shield inscribed with the letters S. P. Q. R. (*senatus populusque romanus* in Latin, or the Roman Senate and People) and extending her hand toward France. Behind her, there is a stone pillar; its front shows a half-burned papal seal, while a group of devils are attempting to escape it through the side and the back. Berthier's prominent use of this image in Egypt indicates how he viewed the historical significance of his military mission—having helped resurrect the Roman Empire in its heartland, he had moved on to the provinces, starting with Egypt. He reaffirmed this vision in a memoir published shortly before the invasion of Algeria, in which he explained that “Bonaparte's political and military conduct since his entry into

Egypt showed that he aimed to return these regions, previously so flourishing, to civilization and their ancient splendor.”<sup>32</sup>

Despite showing enthusiasm for the Roman model, however, few French officers proposed concrete plans for the co-option of the local population. Addressing this issue in a memoir he sent to Danzelot, M. J. Lapanouse, a French agent working in Thebes, warned that limited options remained for the accomplishment of France’s military and commercial goals in Egypt. He called for the establishment of public schools that would offer instruction in French to the local population. In his view, this strategy would usher in a cultural revolution, while the Egyptians’ “submission and attachment to [French] laws and *patrie* could be developed and propagated further within the spirit of a people who had only recently been attached” to France.<sup>33</sup> In conjunction with the educational reforms, Lapanouse called for the transformation of French soldiers into civilizing agents. He proposed that they be dispersed across Egypt in a uniform manner so that they could contribute to the civilizing mission by “devoting themselves to the nourishing of all arts

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<sup>32</sup> Alexandre Berthier, *Mémoires du maréchal Berthier* (Paris: Baudoin frères, 1827), 27. Other officers involved in the reconstruction of French naval power in the basin relied on the Roman logic in an attempt to extend the French presence in the eastern Mediterranean. Joseph Meunier, whose career spanned appointments in Brest and the Department of the Mediterranean in Tuscany, wrote a memoir in which he urged the minister of war, Barthélemy Schérer, to support an expedition against Constantinople. In his view, the conquest of Egypt had opened the doors to a gradual French takeover of all Mediterranean islands through an invasion of Constantinople and Ottoman territories in Europe from Egypt. Pointing to the Roman practice of taking advantage of local divisions in wars against the Greeks, Meunier argued that the French army ought to follow the “route of Caesar” and attack Constantinople via the Strait of Dardanelles. Once the military victory is achieved, he continued, French rule could be sustained by exploiting national and religious divisions within the Ottoman realm (Joseph Meunier to Barthélemy Schérer, Minister of War, Paris, 27 December 1798, p. 1-5: SHD, 6B/14).

<sup>33</sup> M. J. Lapanouse, “Mémoire ou observations sur quelques points intéressant sur l’agriculture et le commerce de la haute Egypte,” Esna, Province of Thebes, 8 Floréal VII (27 April 1799), p. 9: SHD, 6B/21.

and sciences that suit them” on lands provided by the state and in buildings granted to them for the installation of small manufacturing units.<sup>34</sup>

In contrast to Lapanouse’s belief that the civilizing mission would inexorably lead the local population to accept French rule, other French writers cautioned that the spread of civilization could in fact undermine the imperial effort. For instance, Jules Gauthier, a merchant from Marseilles, offered a less idealized vision of the civilizing potential. He argued that the colonial project ought to be concentrated around the Nile delta, where military lines would be connected by a series of forts that radiated outwards from the river. Due to a fear that the Nubians might subvert the tools of civilization and alter the Nile’s course toward the Red Sea, he championed a “policy of refraining from carrying the torch of civilization, and even less that of sciences and arts, beyond the majestic ramparts of the peaks from which the waters of the Nile roaringly flow from Nubia into Egypt.”<sup>35</sup> Although the Napoleonic invasion gave rise to a lot of enthusiasm for the resurrection of the Roman Empire in the Mediterranean, therefore, the civilizing mission that such an endeavor implied remained limited, vague, and centered on the need to co-opt local actors and neutralize elements of the local culture that could lead to resistance.

## II. Islam, the *Diwān*, and Political Legitimacy in Napoleonic Egypt

Using religion as an instrument of empire-building, Napoleon attempted to overcome these challenges by presenting his troops as an “Islamic” army, which remains the most well-known aspect of his rule in Egypt. However, few attempts have been made

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<sup>34</sup> Lapanouse, “Mémoire ou observations sur quelques points intéressant sur l’agriculture et le commerce de la haute Egypte,” p. 10: SHD, 6B/21.

<sup>35</sup> Jules Gauthier, *Essai sur les avantages que la France peut retirer, d’activer et d’étendre le Commerce de l’Egypte avec l’Inde et l’Europe orientale* (Marseille: Bertrand et Comp., 1801), p. 9: SHD, 6B/66.



to examine the wider religious dimension of the French conquest and the process of creolization, or the mutual attempt to bridge two cultural contexts without necessarily creating a third, hybrid type.<sup>36</sup> A creolization that effectively supported the rising French imperial order in Egypt would have required a legitimization of French rule through new interpretations of canonical Islamic texts, as well as the acceptance of this legitimization by the *'ulamā'* and the general population. In focusing on this process of intellectual assimilation, I aim to move away from the traditional historiographical stress on the dichotomy between Muslim conservatives' "rejection" of foreign ideas due to their irremediable illegitimacy and Muslim reformists' "adoption" of foreign ideas *in spite of* the indigenous religious context.<sup>37</sup> The colonial contact had created a myriad of small,

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<sup>36</sup> In analyzing the rise of creolization in Napoleonic Egypt, Juan Cole has argued that al-Jabartī assimilated Bonaparte's religious ideas into the Islamic context by classifying them in the same category as Hinduism. Much of Cole's analysis of the French failure to fully fuse Enlightenment deism with Islam revolves around what Cole perceives as the insuperable chasm that separated Bonaparte's view of religion as an orthodoxy from al-Jabartī's more expansive stress on the need for both orthodoxy and orthopraxy: Juan Cole, "Playing Muslim: Bonaparte's Army of the Orient and Euro-Muslim Creolization," in *The Age of Revolutions in Global Context, c. 1760-1840*, ed. David Armitage and Sanjay Subrahmanyam (Basingstoke, Hampshire: Palgrave Macmillan, 2010), 125-43. However, it is important to note that al-Jabartī did not dispute that a person could be considered a Muslim if he or she fulfilled *only* the minimal requirement of orthodoxy—the proclamation of a belief in one God and in Muḥammad as his messenger, which Napoleon seemed to accept. In other words, al-Jabartī would have likely accepted Napoleon as a Muslim ruler had he been convinced that Bonaparte truly believed in this creed. In his most fervently anti-French texts, however, it was both the orthodoxy and orthopraxy of Napoleon's religious outlook that al-Jabartī disputed. Cole aimed to apply the theory of creolization to the interactions between the French army and the *'ulamā'* not in order to uncover how the combination of cultures A and B creates culture C, but in order to highlight the "creative movement deployed by individuals for the purposes of bridging authority structures": Juan Cole, "Playing Muslim," 141. Cole has provided a thorough analysis of Bonaparte's attempts to create such bridges, but the manner in which the *'ulamā'* perceived and participated in that endeavor remains unclear.

<sup>37</sup> For instance, Albert Hourani surveyed a large number of nineteenth-century Egyptian thinkers and he offered a comprehensive overview of the way in which they "adopted" Western ideas: Albert Hourani, *Arabic Thought in the Liberal Age, 1798-1939* (London: Oxford University Press, 1962). However, Hourani later confessed that his book contained a significant bias because he had no training in the Islamic sciences and was thus only able to discern the impact and impression of western ideas on the Muslim mind. "I had not been trained as an Islamic scholar," he explained, "although I had lived and worked with some who knew far more than I; [...] I could not so easily hear the echoes of Islamic thought in the authors I was studying as those of Comte and Spencer": Albert Hourani, *The Emergence of the Modern Middle East* (Berkeley: University of California Press, 1981), xiv-xv. On the impact of Hourani's work, see Donald M.

unstable scriptural openings that pointed toward the possibility of assimilating French modes of governing through classical Islamic references. To be sure, the porousness of the line that divided republican and Islamic ideals ultimately proved too limited to allow a deeper entrenchment of French rule in Egypt between 1789 and 1801. Instead of embracing a reformist agenda, Egyptian clerics adopted a soft conservatism in their attempt to preserve public peace and the integrity of what they perceived as the Islamic tradition.<sup>38</sup> But the extension of religious references to points of intellectual tensions *où ça vibre* shows that the Egyptian ‘*ulamā*’ also assimilated—and thus validated—some elements of the French political order.

For French officers, Islam represented a central pillar around which their hopes and fears revolved.<sup>39</sup> For instance, Louis Baraguey d’Hilliers, a general who had served with Napoleon in Italy and later participated in the Egyptian expedition until the taking of Malta, wrote to Bonaparte in order to reassure him that he would certainly be able to resurrect Alexander the Great’s “Empire of the Orient” because he came to Egypt in the guise of “Ali Bonaparte, Muhammad’s best friend and the most remarkable of the

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Reid, “Arabic Thought in the Liberal Age Twenty Years Later,” *International Journal of Middle East Studies* 14 (1982): 541-57. For a pioneering study of Islamic modernism in Egypt, see Charles C. Adams, *Islam and Modernism in Egypt: A Study of the Modern Reform Movement Inaugurated by Muhammad ‘Abduh* (New York: Russel & Russel, 1933).

<sup>38</sup> On the theology that underpinned both Islamic reformism and conservatism during the modern period, see Jonathan A. C. Brown, *Misquoting Muhammad: The Challenge and Choices of Interpreting the Prophet’s Legacy* (London: Oneworld, 2014).

<sup>39</sup> In December 1800, Theviotte, a French officer stationed in Suez, enthusiastically reported the news that a new religious leader had emerged somewhere around the Persian Gulf. Theviotte claimed that this leader wished to destroy Islam and impose a new religion on the Arabian Peninsula by invading it with around 30,000 of his followers. This rumor was reported by a French citizen who was married to a local woman in Jeddah, and who worked in the navy of the sharif of Mecca. Theviotte bewailed the fact that the French army in Egypt faced many challenges and would not be able to take advantage of this new religious figure: Theviotte, Adjoint du Génie, to Henri Bertrand, Suez, 7 Nivôse IX (28 December 1800): SHD, 6B/59.

servants of God.”<sup>40</sup> In his frequent proclamations to Cairo’s *diwān*, moreover, Bonaparte offered an extended religious argument for the legitimacy of his rule. In an Arabic letter written in Al-Rahmaniya shortly before the 1799 Battle of Abukir, for instance, Bonaparte began with the Islamic profession of faith (*shahāda*), affirming both his belief in God and Muḥammad as his Prophet.<sup>41</sup> Next, he explained that he was fighting the Russians (*al-musquwā al-ifranj*), who took as enemies all believers in God’s unity, who hated Islam, who did not believe in Prophet Muḥammad, and who had rendered God into three due to their belief in the Trinity. Rejecting these beliefs, Bonaparte argued that “God is one and he gives victory to those who affirm his oneness.” “He has given me this great region,” Napoleon continued, “and he has decreed and ordered my coming to Egypt so that I could rectify its corrupt state and all types of tyranny, replacing them with justice.” The reestablishment of “righteous rule [*ṣalāḥ al-ḥukm*],” he concluded, would be based on “a correct understanding of God’s oneness [*waḥdāniyya mustaqīma*].”<sup>42</sup>

This construction of Bonaparte’s legitimacy left only the thinnest of lines separating him from a full conversion. His affirmation of the *shahāda* implied that he had accepted the minimal doctrinal requirement for the assertion of a Muslim identity, but he refused to accept this label and he never referred to himself as a Muslim. Moreover, deemphasizing the prophetic tradition, Bonaparte offered a deistic vision of his rule, where his God-given legitimacy would allow him to reform Egyptian society and usher in

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<sup>40</sup> Louis Baraguey d’Hilliers to Napoleon Bonaparte, Paris, 14 Frimaire VII (4 December 1798), p. 4: SHD, 6B/13.

<sup>41</sup> Napoleon Bonaparte to the Cairo Diwān, Al-Rahmaniya, 4 Ṣafar 1214 (8 July 1799) (Arabic): SHD, 6B/15. This letter is presented as Bonaparte’s direct address to the *diwān*, without any indication of who completed the translation from French.

<sup>42</sup> Napoleon Bonaparte to the Cairo Diwān, Al-Rahmaniya, 4 Ṣafar 1214 (8 July 1799) (Arabic): SHD, 6B/15.

an age of justice through a series of personal initiatives. Although he affirmed the truth of Muḥammad's prophecy, in other words, Bonaparte left no room for the prophetic tradition—the foundation of the clerics' religious education—in the building of the new order in Egypt. At the same time, maintaining the ambiguity about a possible conversion of French troops to Islam remained an indispensable tool in bridging the wide chasm that separated the French army from the local population.

The official newspaper *Le Courier de l'Égypte* contained a report that further strengthened Bonaparte's claims. A saint in Cairo had proclaimed, the editor reported, that he had received a revelation about a meeting between Prophet Muḥammad and Destiny. Muḥammad complained that he had given Destiny temporal power and that it had betrayed him by giving to the French one of the most beautiful regions where his law reigned supreme. To this objection, Destiny offered the following reply, which appeased the worried Prophet: "O Muḥammad! The decree has been made and it must be accomplished. The French will come to Egypt and conquer it; it is not in my power to stop that. But listen and console yourself: I have decided that the conquerors will become Muslims."<sup>43</sup> The editor noted that among Cairo's eight saints with important reputations, such revelations favorable toward the French had become frequent.

But what effect did such "revelations" have on the *'ulamā'*, to whom fell the difficult task of working for the French administration without abandoning the traditional Islamic view of what constituted legitimate rule? Their attempts to read the new political reality in Egypt through Islamic texts highlight both the extent to which the Napoleonic model of government could be assimilated into an Islamic context and the limits of such

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<sup>43</sup> Editor, *Le Courier de l'Égypte*, no. 21, 25 Frimaire VII (15 December 1798), p. 4: SHD, 6B/13.

an endeavor. In the aftermath of the first Cairo rebellion in October 1798, for instance, the *'ulamā'* sent a proclamation to the inhabitants of the Province of Rosetta. They blamed the revolt on the local riffraff (*ja'īdiyya*), underlining that their only goal consisted of spreading disorder and discord.<sup>44</sup> In contrast, the *'ulamā'* argued, Bonaparte was filled with compassion and he responded positively to their demand that the city be spared from burning as a collective punishment. The clerics then urged their counterparts in Rosetta to disregard the calls of troublemakers and to live calmly under French rule. Next, offering a theological grounding for this position, they quoted the following Qur'ānic verse: "Indeed God grants power to whomever he wishes."<sup>45</sup> Since God had decided to bring the French army to Egypt and grant it victory, the religious leaders argued, the local population had the religious obligation to submit to the divine plan.

The general tenor of the Rosetta letter and the Qur'ānic quotation appeared to point to the adoption of a fatalistic, resigned attitude among the *'ulamā'*. However, the scriptural context from which they extracted this verse indicates a plausible alternative interpretation of their reaction to Napoleonic rule. The Qur'ānic phrase was pronounced by Prophet Samuel as a rebuke to the Children of Israel: they had demanded a king from Samuel and when Saul was divinely appointed as their king, they refused to accept his legitimacy. As the story unfolds in the following verses, God tested Saul's new subjects and only a small number of true believers proved their attachment to the new sovereign

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<sup>44</sup> Shaykhs of the City of Cairo to Inhabitants of the Province of Rosetta, 23 October 1798 (Arabic): SHD, 6B/10.

<sup>45</sup> This phrase comes from verse 2:247 ("*allāhu yu'tī mulkahu man yashā*") and the French translation that accompanies the Arabic version does not indicate that the translator was aware of the Qur'ānic context: Shaykhs of the City of Cairo to Inhabitants of the Province of Rosetta, 23 October 1798 (Arabic): SHD, 6B/10. The same phrase appears in *Sunan Abī Dāwūd* 4647: "Safīna reported that the messenger of God said: 'The caliphate of prophecy will last thirty years; then God will give the kingdom (or his kingdom) to whom he wishes.'" For more examples, see *Sunan Abī Dāwūd* 4635 and 4646.

and earned the divine grace. By superimposing the Qur'ānic context onto the Cairo rebellion, therefore, the clerics implied that Bonaparte might be a divinely appointed sovereign like Saul, and the local riffraff disbelievers like those who had rebelled against Saul. In this instance, therefore, the use of the scriptural context points to the possibility that at least some members of the *'ulamā'* viewed Bonaparte as a ruler who could remold himself into a modern Saul.

Despite this hope and the clerics' position as officials in the French administration after the creation of the *diwān*, however, the *'ulamā'* granted Napoleon only a minimal form of legitimacy, which remained valid insofar as he promised to uphold the social peace. The possibility of maintaining a status quo in which Islamic law remained intact emerged soon after the initial colonial contact. On 4 July 1798, a group of religious leaders and other notables wrote a declaration in which they promised to accept French rule on the condition that the existing order be respected and that the French army refrain from pillaging and from forcing people to leave their religion. Such a pact, according to the notables, would be based on sound principles (*qawānīn saḥīḥa*) and it would ensure “good order in the country and the tranquility of believers, in addition to repressing the people of immorality and corruption.”<sup>46</sup>

Reiterating their position in a letter to the sharif of Mecca, the members of the *diwān* described Napoleonic rule with a guarded enthusiasm. Bonaparte had “ordered the building of mosques, the resumption of prayers, and all other types of worship,” they reported. He had informed the *'ulamā'* “that he believed in God's oneness without any addition, that [the French] respected the Prophet and the glorious Qur'ān, and that the

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<sup>46</sup> “*Ṣalāh al-bilād wa-rāḥat al-'ibād wa-qam' ahl al-fujūr wa-l-fasād*”: Muftīs and Principal Shaykhs of the City of Alexandria to Napoleon Bonaparte, 20 Muḥarram 1213 (4 July 1798) (Arabic): SHD, 6B/4.

religion of Islam was the most correct faith in their view.”<sup>47</sup> The clerics added that Napoleon had freed Muslim captives after the takeover of Malta and that the French army had destroyed Catholic churches and captured the Pope, who had been encouraging the killing of Muslims.<sup>48</sup> This letter certainly presented a positive vision of French rule, but in many ways it remained rather limited and muted insofar as Napoleon’s legitimacy was concerned. The inclusion of a long list of praiseworthy initiatives taken by Napoleon amounted to a practical assessment that revolved around the preservation of the Islamic social order, but the *‘ulamā’* refused to engage in a broadened reinterpretation of classical Islamic references, one that had the potential to further extend the bridge toward Napoleon’s deistic Islam.

Still, the little ground that they did concede—the legitimization of Napoleon’s ability to preserve the social order—gradually led to a more intensive effort at scriptural reinterpretation. In a proclamation produced soon after the first Cairo rebellion, the clerics accused Ibrāhīm Bey and Murād Bey of distributing a false letter, in which the sultan allegedly accused the *‘ulamā’* of duplicity due to their willingness to work for the French authorities. Denying the authenticity of this letter, the clerics argued that the sultan would have communicated this position to them through his trusted agents. They then argued that France had been a historical ally of Muslims in the Mediterranean and they urged the Egyptians to submit to the new authorities and to refrain from engaging in rebellions. As a warning to those who might be tempted to join the forces of Ibrāhīm Bey and Murād Bey, the *‘ulamā’* quoted the following prophetic tradition: “Social discord

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<sup>47</sup> Cairo Diwān to Sharif of Mecca, 20 Rabī‘ al-Awwal 1213 (1 September 1798) (Arabic): SHD, 6B/7.

<sup>48</sup> Cairo Diwān to Sharif of Mecca, 20 Rabī‘ al-Awwal 1213 (1 September 1798) (Arabic): SHD, 6B/7.

[*fitna*] is dormant and may the one who awakens it be damned.”<sup>49</sup> The clerics’ use of this tradition points to a critical conclusion: the prohibition of engaging in *fitna* implied that Egyptians were living within a system where the Islamic element had been preserved to such an extent that an insurrection could not be justified on religious grounds.

The members of the *diwān* later marshaled additional scriptural evidence in support of this interpretation. Pointing to Napoleon’s deep inclination toward Islam, they stressed that the general-in-chief “loved the Muslim community [*muḥibb al-milla al-muḥamadiyya*]” and that he had thanked God and had affirmed his oneness after victoriously entering Cairo.<sup>50</sup> Calling again for a rejection of arguments advanced by anti-French forces, the *diwān* asked Egyptians to ignore the call to arms through another Qur’ānic injunction: “Do not follow in the footsteps of Satan,” they warned the Egyptian masses.<sup>51</sup> The chapter from which this verse was extracted contains a long list of prescriptions for the maintenance of an Islamic social order, with precepts regarding sexual relations, family law, and legal testimony. The segment quoted by the *diwān* is addressed to those who work to erode the pillars of an established Islamic order and thus spread “immorality and wrongdoing [*al-faḥshā’ wa-l-munkar*].” The *diwān* added further strength to its attempt to establish a parallel between those grouped around Ibrāhīm Bey and Murād Bey and the Qur’ānic evildoers by quoting the scriptural injunction that true believers ought “to disobey the orders of the transgressors who cause corruption in the

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<sup>49</sup> Cairo Diwān to People of Egypt, December 1798 (French): SHD, 6B/13. The Arabic wording of this hadith is: “*Al-fitna nā’ima la’ana allāhu man ayqazahā.*” Although the concept of *fitna* is mentioned in a number of places in the traditional canon of six collections of prophetic sayings, this specific phrase is not found in those collections.

<sup>50</sup> Cairo Diwān to People of Egypt, 15 June 1799 (Arabic): SHD, 6B/24.

<sup>51</sup> “*Lā ttabi’ū khuṭuwāt al-shayṭān*” (Qur’ān 24:21): Cairo Diwān to People of Egypt, 15 June 1799 (Arabic): SHD, 6B/24.



land.”<sup>52</sup> It was Bonaparte and his troops who had ensured the maintenance of the Islamic order, in other words, and because of that the French army deserved to retain the reins of power for the moment.

The members of the *diwān* had a clear stake in portraying Napoleon as the guardian of social order because they worked for him, and a sudden return of the Mamluks could endanger both their status and security. As a result, the *diwān* continues to be portrayed as completely pliable to Napoleon’s will and needs.<sup>53</sup> However, the *diwān*’s selective justification of French rule did not depart from the logic and limits imposed by traditional interpretations of classical Islamic texts. Furthermore, the members of the *diwān* remained firmly committed to a conservative religious stance under great pressure and constraints. In fact, they never shifted to a language of emancipation and an insistence on the full legitimization of French rule, largely because the hoped-for conversion of Napoleon and his troops to Islam had failed to materialize. The clerics insisted that Napoleon’s victory over the Mamluks represented an element of “God’s judicious judgment and ordainment.”<sup>54</sup> Following this logic, they stressed the illegitimacy of rebelling against God’s plan by stressing that even Bonaparte’s brutal

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<sup>52</sup> “*Lā tuḥī’ū amr al-musrifīn alladhīna yufsidūna fī al-ardī*” (Qur’ān 2:151-2): Cairo Diwān to People of Egypt, 15 June 1799 (Arabic): SHD, 6B/24.

<sup>53</sup> In a survey of Egyptian history, for example, Darrell Dykstra described the role of the clerics as follows: “Al-Jabarti’s reaction to the affair [the Cairo rebellion in October 1798] reveals some of the tensions and complexities: he was critical of those who resorted to the chaos of violence and praised those among the ‘ulama’ who worked to restore social peace and order. For the rest of the occupation, a number of leading ‘ulama’ pursued a comparable policy: fearful both of the anarchy of popular rebellion and of the violence that the French were clearly willing to use to suppress rebellion, they functioned as the kind of social intermediaries and controllers the French had in mind—collaborators, however reluctant” (Darrell Dykstra, “The French Occupation of Egypt, 1798-1801,” in *The Cambridge History of Egypt*, ed. M.W. Daly, 2 vols. [Cambridge: Cambridge University Press, 1998], 2:126).

<sup>54</sup> “*Bi-taqdīri allāh wa-amrihi al-‘āqil*”: Cairo Diwān to the People of Egypt, 11 February 1799 (Arabic): SHD, 6B/63. A French translation of this proclamation is located in SHD, 6B/18.

violence against his local enemies had been divinely mandated as “an action of God who says to a thing ‘be,’ and it is [*kun fa-yakūn*].”<sup>55</sup> Instead of adopting a fatalistic attitude in face of the divine judgment, however, the clerics argued that the divine granting of victory to Bonaparte represented only an intermediate measure in a longer emancipatory plan.

At this point, the example of Saul reentered their discourse. After becoming angry with the Mamluks due to their penchant for oppression, the *diwān* explained, God had “opened [Napoleon’s] heart to the acceptance of Islam and he now sees such a conversion in a positive light.”<sup>56</sup> The clerics observed that Napoleon had the habit of reading the Qur’ān every day and, more importantly, that he had promised that he “would build a great mosque in Egypt, without comparison in the region, in addition to entering into the fold of the Prophet’s religion.”<sup>57</sup> After such a public conversion, the *diwān* hoped to amplify its legitimization of Bonaparte’s rule and to translate its guarded tone into a more emancipatory vision of Bonaparte as a modern Saul, who enjoyed God’s favor, who declared himself a true believer, and who ought to be embraced as a legitimate Muslim ruler. However, the clerics’ aspirations simultaneously unveiled the self-imposed limits that they refused to violate: Bonaparte’s rejection of an open conversion would lead to a continuation of the volatile status quo in which his legitimacy remained minimal, conditional, and contained.

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<sup>55</sup> The formula recurs often in the Qur’ān: see, for instance, verses 6:73, 16:40, 36:82, 2:117, 40:68, and 3:59.

<sup>56</sup> “*Sharaḥa allāhu ṣadrahu li-l-islam wa-naẓara bi-‘ayni lutfihi ilayhi*”: Cairo Diwān to People of Egypt, 15 June 1799 (Arabic): SHD, 6B/24.

<sup>57</sup> “*‘Arafnā annahu murāduhu yabnī lanā masjidan ‘azīman bi-miṣr lā naẓīra lahu fī al-aqtār wa-annahu yadkhulu fī dīni nabīyy*”: Cairo Diwān to People of Egypt, 15 June 1799 (Arabic): SHD, 6B/24.

To a large extent, therefore, the positions of the Egyptian *diwān* resembled those of the soft conservatives in Italy: both attempted to inscribe French rule respectively into the Islamic and Catholic scriptures, but without adopting a reformist stance that departed from the bounds of orthodoxy. These differences point to the importance of religion in buttressing and undermining French rule. In Egypt, conciliatory conservatives represented an elite minority, so their co-option offered a limited opportunity to entrench French rule in the colony. On the contrary, in Italy, hardline conservatives dominated the clerical elite and offered fierce resistance to French rule—but their potential co-option held the promise of stabilizing and prolonging French rule.

Due to the *diwān*'s stabilizing social role, French officers expressed a lot of enthusiasm for its members, but this view gradually turned to ambivalence and suspicion because of the *diwān*'s great influence in religious matters and the impasse created by Napoleon's unwillingness to assume a Muslim identity. For example, Poussielgue claimed in July 1799 that the colony seemed tranquil and "if something were to happen, the '*ulamā*' would be the last to act against [the French] because they are, due to their own interests, very happy with the new order."<sup>58</sup> However, only a month later, after the French army defeated the Ottomans at the Battle of Aboukir, Poussielgue disapprovingly noted that the *diwān* had received the news in a very cold manner and had delayed publicizing the events, despite having previously applauded French victories during the campaign in Syria.<sup>59</sup> Furthermore, the accumulation of reports that the *diwān* meddled in all affairs, attempted to increase its power, and prevented French allies from effectively

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<sup>58</sup> Jean Poussielgue to Napoleon Bonaparte, Cairo, 29 Messidor VII (17 July 1799), p. 1: SHD, 6B/26.

<sup>59</sup> Jean-Baptiste Poussielgue to Napoleon Bonaparte, Cairo, 19 Thermidor VII (6 August 1799), p. 1: SHD, 6B/28.

punishing those calling for rebellion represented an alarming development in Poussielgue's view. "I do not doubt," he warned, "that all these people secretly conspire against us and through their active correspondence in Syria seek to obtain a pardon for the zeal that they say they are forced to express."<sup>60</sup> Charles Dugua, a *général de division* who previously fought in Italy and later participated in the expedition to Saint-Domingue, corroborated Poussielgue's observations, noting that the *diwān* had interfered in the colonial administration and that its members unfairly criticized Muṣṭafā Aga, a French ally and overseer of the janissaries, after he had ordered the beheading of a man who raised the flag of rebellion in Cairo.<sup>61</sup>

Similar sentiments remained prevalent after Bonaparte's departure from Egypt in August 1799. His successor as the commander-in-chief, Jean Kléber, complained to the *directoire* that despite the general calm that pervaded in Egypt, the local population still saw the French troops as "the enemies of their Prophet."<sup>62</sup> Moreover, Ottoman troops, including Ibrāhīm Bey, the Grand Vizier, and the Syrian ruler Jazzār Pasha, had assembled on the eastern border in preparation for an attack, while the British controlled the surrounding seas. As a result of these developments, Kléber judged that the French victory at Aboukir had only delayed an inescapable evacuation, which he stressed had been authorized by Bonaparte in the event of overwhelming military challenges.<sup>63</sup> For Kléber, neither the *diwān* nor further military successes, such as his own victory over Ottoman forces at the Battle of Heliopolis in March 1800, could reverse the attrition that

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<sup>60</sup> Jean Poussielgue to Napoleon Bonaparte, Cairo, 19 Thermidor VII (6 August 1799), p. 2: SHD, 6B/28.

<sup>61</sup> Charles Dugua to Napoleon Bonaparte, Cairo, 23 Thermidor VII (10 August 1799): SHD, 6B/28.

<sup>62</sup> Jean Kléber to Directoire Exécutif, Cairo, 16 Vendémiaire VIII (8 October 1799), p. 3: SHD, 6B/32.

<sup>63</sup> Jean Kléber to Directoire Exécutif, Cairo, 16 Vendémiaire VIII (8 October 1799), p. 5: SHD, 6B/32.

his army faced on a daily basis. “Never, at least during the current war,” he claimed, “will we create a colony in Egypt, unless the cotton plants and palm trees start producing soldiers and melted iron.”<sup>64</sup>

Other officers did not share Kléber’s views on the role of religion in eroding the legitimacy of French rule. After the second Cairo rebellion, which followed Kléber’s assassination by a theology student from Syria, for instance, François Damas reported that Muṣṭafā Aga had been impaled by an angry crowd due to the harshness for which the *diwān* had criticized him. During the tumultuous events in Cairo, however, Damas noted that many Egyptians “acted with generosity and devotion; and the same religion that seemed to lead the largest part of the populace to excitedly seek vengeance inspired others to risk their own lives while attempting to oppose the massacres.”<sup>65</sup> Despite the widespread fear among the French military corps that Islam represented an unshakable pillar of local opposition, therefore, the officers’ disillusionment with the *diwān* only emerged after 1799, while for others religion remained a factor that could be used to protect French interests.

The cynical tone that pervaded much of the criticism offered by Poussielgue and Kléber owed more to the need to find an expedient explanation for French military failures than an insuperable distance between the *diwān*’s religious outlook and the reality of French rule. In fact, the members of the *diwān* penned their most enthusiastic letter to Napoleon in late 1800, after he had deserted the colony and when plans for the return of Ottoman troops seemed imminent due to the increasingly apparent inability of

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<sup>64</sup> Jean Kléber to Jacques Menou, Cairo, 3 Prairial VIII (23 May 1800), p. 1: SHD, 6B/44.

<sup>65</sup> François Damas, “Rapport fait au gouvernement français,” Prairial VIII (June 1800), p. 30: SHD, 6B/45.

the new commander-in-chief, Jacques Menou, to preserve the status quo. Celebrating Bonaparte's victories in Europe, the members of the *diwān* asked him to return to Egypt and they reaffirmed their belief that he had been chosen by God.<sup>66</sup> Stressing that a partial union had been achieved between the French and Egyptian peoples due to the invasion, they then quoted a prophetic tradition which states that “a man follows the religion of his friend.”<sup>67</sup> Jacques Menou, who had converted to Islam and adopted the name ‘Abd Allāh in order to marry an Egyptian woman in 1800, epitomized this union, they emphasized. Using Menou's example in order to encourage Bonaparte to finally declare himself as a Muslim ruler, they added that they had decided to name him “the sword of God [*sayf allāh*].”<sup>68</sup> “Our religion, which you love, calls you and has its heart and eyes set on you because of your promise,” the ‘*ulamā*’ continued, referring to Napoleon's earlier promise to build a great mosque in Egypt and openly convert to Islam.<sup>69</sup> The fulfillment of this promise, they enthusiastically proclaimed, would mark the beginning of “a union between the two communities [*ittihād al-ṭā’ifatayn*],” which would reconcile the two peoples and lead to a lasting peace.<sup>70</sup> The members of the *diwān*, in other words, sought to accommodate French rule and to find a way out of the impasse.

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<sup>66</sup> “*Fa-allāhu subḥānahu huwa alladhī ikhtārahu wa-irtadāhu*”: Cairo Diwān to Napoleon Bonaparte, 21 Brumaire IX (20 November 1800), p. 1 (Arabic): SHD, 6B/56.

<sup>67</sup> “*Al-mar’ alā dīni khalīlihi*”: Cairo Diwān to Napoleon Bonaparte, 21 Brumaire IX (20 November 1800), p. 2 (Arabic): SHD, 6B/56. For hadiths with similar phrases, see *Sunan Abī Dāwūd* 4833 and *Jāmi’ al-Tirmidhi* 2378.

<sup>68</sup> Cairo Diwān to Napoleon Bonaparte, 21 Brumaire IX (20 November 1800), p. 3 (Arabic): SHD, 6B/56.

<sup>69</sup> Cairo Diwān to Napoleon Bonaparte, 21 Brumaire IX (20 November 1800), p. 3 (Arabic): SHD, 6B/56.

<sup>70</sup> Cairo Diwān to Napoleon Bonaparte, 21 Brumaire IX (20 November 1800), p. 3 (Arabic): SHD, 6B/56.

Yet skepticism toward the *diwān*'s objectives persisted among French officers, and it even inflected the official French translation of the letter to Bonaparte. The translator rendered the word *ṭā'ifa* as nation, thus clouding the *diwān*'s religious approach in dealing with the issue of assimilating French rule in Egypt. The idea of unifying the French and Egyptian nations appeared farfetched and it buttressed the view of the *diwān* as a group of politically driven notables who only asked for Napoleon's nominal conversion in order to preserve their own privileges. However, the '*ulamā*' proposed a different vision, one in which Bonaparte's sincere belief in a monotheistic deism folded into and was assimilated by the Islamic tradition. The embrace of this vision could remold Napoleon into a modern Saul, the '*ulamā*' argued, but Napoleon had to openly express his willingness to accept a full conversion to Islam. Without a sincere intention to do so, he remained a non-Muslim ruler.<sup>71</sup> In this final iteration of the *diwān*'s theological position, 'Abd al-Raḥmān al-Jabartī figured among the clerics who signed the proclamation. Although he was highly critical of the *diwān*'s actions under Bonaparte and Kléber, al-Jabartī participated in Menou's *diwān* and he gradually adopted a conservative position that closely mirrored the theological arguments of the *diwāns*.

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<sup>71</sup> The issue of intentionality has occupied a central role in the development of Islamic theology and schools of thought. One of the most discussed prophetic sayings about the role of intention in religious matters occurs at the beginning of *Ṣaḥīḥ al-Bukhārī*, under the chapter of orthodoxy: “‘Umar bin Al-Khaṭṭāb narrated that the messenger of God said, “The reward of deeds depends upon the intention [*niyya*] and every person will get the reward according to what he has intended. So whoever emigrated for God and his messenger, then his emigration was for God and his messenger. And whoever emigrated for worldly benefits or for a woman to marry, his emigration was for what he emigrated for” (*Ṣaḥīḥ al-Bukhārī* 54). On the centrality of intention in Islamic theology, see 'Abd Allāh bin Muḥammad bin Abī al-Dunyā, *Al-Ikhlāṣ wa-l-Niyya* (Damascus: Dār al-Bashā'ir, 1992); Abū Ḥāmid Al-Ghazālī, *Al-Ghazali on Intention, Sincerity and Truthfulness* [Kitāb al-Niyya wa-l-Ikhlāṣ wa-l-Ṣidq], trans. Anthony F. Shaker (Cambridge: Islamic Texts Society, 2013); Aḥmad bin Aḥmad Ḥusaynī, *Kitāb Nihāyat al-Aḥkām fī Bayān mā li-l-Niyya min Aḥkām* (Beirut: Dār al-Jīl, 1992); *Encyclopaedia of Islam*, 2<sup>nd</sup> ed., s.v. “niyya.”

### III. Al-Jabartī and the Legitimacy of Non-Islamic Rule

Due to the prevalent view in the existing literature that al-Jabartī defended a more stringent conservatism and rejected the conciliatory position of the *diwān* in his early writings on French rule, his willingness to attach his signature to the Bonapartist proclamation in 1800 appears uniquely as an act of self-preservation, empty of any religious conviction.<sup>72</sup> However, when the scriptural element of al-Jabartī’s interpretation of French rule is taken into account, his views no longer appear incongruent with the *diwān*’s positions—on the contrary, both converged on a common conservative stance.<sup>73</sup>

To be sure, in contrast to the *diwān*, al-Jabartī did not shy away from using an apocalyptic tone in his earliest work, *Tārīkh Muddat al-Faransīs bi-Miṣr* (written in

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<sup>72</sup> In assessing the historical writings produced in the Middle East during the late-eighteenth and early-nineteenth centuries, David Ayalon has described al-Jabartī as “a giant among dwarfs” and he called for a comparison between two versions of al-Jabartī’s description of the French invasion: David Ayalon, “The Historian al-Jabartī and His Background,” *Bulletin of the School of Oriental and African Studies* 23, no. 2 (1960): 218, 245. Daniel Crecelius has challenged Ayalon’s view of al-Jabartī’s preeminence as a historian in “Al-Jabartī’s *‘Ajā’ib al-Athār fī l-Tarājim wa l-Akhhbār* and the Arabic Histories of Ottoman Egypt in the Eighteenth Century,” in *The Historiography of Islamic Egypt: (c. 950 - 1800)*, ed. Hugh N. Kennedy (Leiden: Brill, 2000), 221-36. Ismail K. Poonawala, who was among the first to answer Ayalon’s call, has argued that an anti-French and pro-Ottoman sentiment pervaded in the *Mazhar* because of al-Jabartī’s strong religious convictions, while his adoption of a less emotional and less religious perspective led to the emergence of a pro-French attitude in the *‘Ajā’ib*: Ismail K. Poonawala, “The Evolution of Al-Ġabartī’s Historical Thinking as Reflected in the Muḥhir and the ‘Aḡā’ib,” *Arabica* 15 (1968): 284-5. In more recent comparisons between al-Jabartī’s accounts, scholars have added a third text, which was written in 1798, but this account has been simply relegated to the beginning of the widely accepted negative-to-positive continuum that shaped al-Jabartī’s interpretation of French rule between 1798 and 1805: Lars Bjørneboe, *In Search of the True Political Position of the ‘Ulama: An Analysis of the Aims and Perspectives of the Chronicles of Abd al-Rahman al-Jabarti (1753-1825)* (Aarhus: Aarhus University Press; Damascus: The Danish Institute, 2007), 103-117.

<sup>73</sup> There is little agreement in the existing literature on how al-Jabartī’s overall position ought to be characterized. He has been described as the first modern Egyptian historian, a nostalgic conservative, a Salafī, a Sufī, and a “harbinger of the Arab renaissance (*nahda*) which opposed popular Sufism and superstition”: Jack Crabbs, *The Writing of History in Nineteenth-Century Egypt: A Study in National Transformation* (Detroit: Wayne State University, 1984), 48-9, 52-3; Raymond, “Les Égyptiens et les Lumières pendant l’expédition française,” 114; ‘Alī Barakāt, *Ru’yat al-Jabartī li-ba’ḍ Qaḍāyā ‘Ashrihi* (Cairo: al-Hay’ah al-Miṣrīyya al-‘Āmma li-l-Kitāb, 1997), 135-40; Khālīd Ziyādah, *Al-‘Ulamā’ wa-l-Faransīs fī Tārīkh al-Jabartī* (Beirut: Riyāḍ al-Rayyis li-l-Kutub wa-l-Nashr, 2008), 37-8; Shmuel Moreh, “Napoleon and the French Impact on Egyptian Society in the Eyes of Al-Jabarti,” in *Napoleon in Egypt*, ed. Irene A. Bierman (Reading: Ithaca Press, 2003), 79, 94. On al-Jabartī’s objectivity as a historian, see ‘Umar ‘Abd al-‘Azīz ‘Umar, *‘Abd al-Raḥmān al-Jabartī wa-Niqūlā al-Turk: Dirāsa Muqārana* (Beirut: Jāmi‘at Bayrūt al-‘Arabīyya, 1978), 14-7.



1798; hereafter *Muddat*), in which he offered a vision of French rule that paralleled the views of hardline Italian conservatives such as Gustà and Marchetti. This text contains an embryonic response and the urtext that framed both the pro-Ottoman *Mazhar al-Taqdīs bi-Zawāl Dawlat al-Faransīs* (completed in late 1801; hereafter *Mazhar*) and the multilayered and at times pro-French *‘Ajā’ib al-Āthār fī-l-Tarājim wa-l-Akhhbār* (written between 1805-6; hereafter *‘Ajā’ib*). In the first few pages of the *Muddat*, al-Jabartī began by presenting the French army as an evil horde. Using the Qur’ānic term usually associated with the whispers of the devil, he claimed that the people of the port of Alexandria were seized by “anxiety and doubt [*waswasahu*]” upon hearing about the French attack.<sup>74</sup> Then, invoking apocalyptic imagery, al-Jabartī observed that the French troops advanced toward Alexandria “like a swarm of locusts [*hum ka-l-jarād al-muntashir*].”<sup>75</sup> This Qur’ānic phrase refers to the description of the Day of Judgment in the beginning of the fifty-fourth chapter, where the coming of the final hour (*sā‘a*) sees the resurrection of “disbelievers” from their graves and their emergence “like a swarm of locusts [*ka-annahum jarād muntashir*].”<sup>76</sup> In other allusions to the same events, al-Jabartī called the French troops “an army of Satan [*jund iblīs*]” and a “party of the devil [*hizb shayṭān*].”<sup>77</sup>

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<sup>74</sup> ‘Abd al-Raḥmān al-Jabartī, *Al-Jabarti’s Chronicle of the First Seven Months of the French Occupation of Egypt: Tārīkh Muddat al-Faransīs bi-Miṣr*, trans. Shmuel Moreh (Leiden: Brill, 1975), 36/2 (The first page number refers to the English translation and the second to the original Arabic text edited by Moreh in this volume.) The devil is described in the Qur’ān in verses 114:4-5, for instance, as “the retreating whisperer [*waswās*], who whispers [*yuwawwisu*] evil into the breasts of mankind.”

<sup>75</sup> Al-Jabartī, *Muddat*, 36/3.

<sup>76</sup> This is verse 54:7. For another use of the term locusts, see verse 7:133.

<sup>77</sup> Al-Jabartī, *Muddat*, 100/74, 104/77. Both phrases have a Qur’ānic echo. The first points to the presence of Satan’s armies in the hellfire and the second hints at the divine punishment reserved for those who side with the devil: “So they will be thrown into the hellfire, they and the deviators, and the army of Satan

As a justification for his view of the French as an army of devils, al-Jabartī offered a detailed and bitter critique of the proclamation in which Bonaparte claimed that he had come to emancipate the Egyptian people from the Mamluks. Al-Jabartī rejected all of Napoleon’s claims, reaffirmed his status as a non-Muslim, and ridiculed the alleged respect that Bonaparte exhibited toward the Prophet, claiming that if such respect were sincere then Bonaparte would truly believe in Islam and honor the Muslim community.<sup>78</sup> According to al-Jabartī, the enmity that Napoleon had shown toward both Muslims and Christians testified to a general lack of religion among his troops. In fact, for al-Jabartī, the French soldiers were nothing more than “materialists” who do not believe in “God’s attributes, the Hereafter and Resurrection, and who reject [the] Prophethood and Messengership.”<sup>79</sup>

The importance of the scriptural reading in al-Jabartī’s interpretation of the invasion is evidenced by his use of the Qur’ān to criticize the Mamluk and Ottoman systems as well. For instance, he observed that a number of scholars and notables had criticized Ibrāhīm Bey and Murād Bey for their failure to erect adequate defenses around the Egyptian ports. Al-Jabartī acknowledged that the two leaders had complained that

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[*junūd iblīs*], all together” (26:94-5); “Satan has vanquished them and made them forget the remembrance of God. They are the party of Satan [*ḥizb al-shayṭān*], and, indeed, the members of the party of Satan [*ḥizb al-shayṭān*] will be the losers” (58:19).

<sup>78</sup> Al-Jabartī, *Muddat*, 42-6/1-15.

<sup>79</sup> Al-Jabartī, *Muddat*, 47/16. However, al-Jabartī’s use of the term *dahriyya* (translated by Moreh as materialists) points to a loose movement whose attestation dates to the 740s, and whose members were at times (but not always) seen as non-Muslims because they sought to explain the universe through observable phenomena, and often without any reference to a divine power. Al-Jabartī considered the *dahriyya* a movement outside of the fold of orthodox Islam, but the act of labeling French ideas as *dahriyya* nonetheless reframed them as emanating from within a wider Islamic tradition. On the *dahriyya*, see Patricia Crone, “The Dahrīs According to al-Jāḥiẓ,” *Mélanges de l’Université Saint-Joseph* 63 (2010-11): 63-82; *Encyclopaedia of Islam*, 3<sup>rd</sup> ed., s.v. “dahrīs.”

such actions would have been interpreted as an attempt to rebel against the sultan, but he nonetheless dismissed this explanation and noted: “Such were their excuses, as frail as a spider’s web [*bayt ‘ankabūt*].”<sup>80</sup> The reference to the spider’s web amounted to a strong criticism precisely because it referenced a Qur’ānic verse in which rulers who take allies other than God are severely admonished: their example “is like that of the spider who takes a home, and indeed the weakest of homes is the home of the spider [*bayt ‘ankabūt*]” (29:41). Then, quoting from a Qur’ānic chapter that deals with the treachery that various peoples devised to oppose the prophets who were sent to them, al-Jabartī expressed his disdain for the weak Egyptian army and stressed that the “judgment is with God, the One, the Almighty [*wa-l-ḥukmu li-allahi al-wāḥid al-qahhār*].”<sup>81</sup> In contrast to the division and weakness among Ottoman troops, moreover, al-Jabartī noted that the French fought with courage and firmness, “as if they were following the tradition of the Community (of Muḥammad) in early Islam and saw themselves as fighters in a holy war.”<sup>82</sup> When contrasted with the Ottomans and the Mamluks, therefore, the French seemed to better reflect Islamic ideals in al-Jabartī’s eyes, despite their apparent status as non-Muslims.

Since it is very likely that al-Jabartī did not intend to publish the *Muddat*, the comparison between the French army and the early companions of Prophet Muḥammad appears as an effort to come to terms with the gulf that existed between religious precepts and their application by the Muslim authorities. Further reflection on this problem

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<sup>80</sup> Al-Jabartī, *Muddat*, 37/4.

<sup>81</sup> Al-Jabartī, *Muddat*, 52/23. Instead of al-Jabartī’s *ḥukm*, *mulk* (power, sovereignty) is used in the longer verse, of which he quoted only the last three words: “On the day when they come forth, nothing concerning them will be concealed from God. To whom belongs power on this day? To God, the one, the prevailing [*li-man al-mulku al-yawma li-allahi al-wāḥidi al-qahhār*]” (40:16).

<sup>82</sup> Al-Jabartī, *Muddat*, 50/20-1.

gradually brought al-Jabartī closer to the compromise adopted by the *diwāns*: full emancipation only arrived at the hands of Muslim sovereigns, but social order could be preserved by non-Muslim rulers, who retained a limited legitimacy insofar as they accomplished this goal. And much like the *diwān*, al-Jabartī took his belief in God’s omnipotence and infallible judgment as the point of departure. He reported, for instance, that the French had organized a system of tax collection with the help of the *diwān*, but they slightly increased the rates set by the latter. “Those lacking in foresight found it unbearable,” al-Jabartī observed, “but reasonable people said: ‘This is all right, this tax is lighter than the former imposition, and easier to bear until ‘God might accomplish the thing *destined* to be done [*yaqḍiya allāhu amran kāna maf‘ūl*],’ and so they accepted their fate and surrendered to destiny.”<sup>83</sup> Al-Jabartī harshly criticized those who supported the rebels’ calls for holy war, accusing them of stirring social discord and calling them riffraff and rabble (*ja ṭdiyya*) who were primarily motivated by “fanaticism.”<sup>84</sup> Therefore, in his private writings, al-Jabartī agreed with the *diwān*’s overall position that rebellion against the French forces remained illegitimate because it exacerbated social discord. Moreover, he shared the *diwān*’s vision of French rule as a divine intervention and he stressed that the rebels contravened the divine will by rejecting God’s attribute as the one who “raises and debases [*al-mu‘izz al-mudhill*]” rulers at will.<sup>85</sup>

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<sup>83</sup> Al-Jabartī, *Muddat*, 93/67 (original emphasis). The quoted verse about destiny appears with the same wording in 8:42 and 8:44.

<sup>84</sup> Al-Jabartī, *Muddat*, 93/67.

<sup>85</sup> Al-Jabartī, *Muddat*, 72/45. This phrase references verse 63:8: “They say, ‘If we return to Medina, the more honored and powerful [*a‘azz*] will surely expel the humbler and weaker one [*adhall*].’ And to God belongs all honor, as well as to his messenger and the believers, but the hypocrites do not know.” This verse criticizes those described as the false believers who doubted that the early Muslim community could remain united. Underlining this verse’s focus on the divine origin of earthly power, al-Jabartī rephrased the

However, al-Jabartī's legitimization of French rule remained more limited than that of the *diwān* in 1798. Instead of the *diwān*'s scriptural evocation of King Saul in its description of Bonaparte, al-Jabartī ended his first account with a distinctly Egyptian Qur'ānic story. In the final lines of the text, he quoted the words pronounced by Prophet Joseph while he was wrongfully imprisoned in Egypt: "And judgment [belongs] to God alone, he is the one, the conquering."<sup>86</sup> In the immediate context of the verse, Joseph made this proclamation in order to convert his two polytheist cellmates to monotheism, and al-Jabartī's invocation of this scriptural context points to an alternative perspective on the French invasion. Despite the polytheistic system within which Joseph had lived, he overcame many obstacles, rose to a great position of power, and liberated his family without resorting to violence. This example was consistent with al-Jabartī's own view of post-invasion Egypt: he decried the corrupt religious beliefs of the French army and its generals, but at the same time he accepted the presence of Napoleonic troops as a divine ordinance and he rejected the calls of rebels who believed that violent opposition remained warranted.

The evolution of al-Jabartī's views after the writing of the *Muddat* points to the deficit in legitimacy that would have continued to plague the French administration if Bonaparte's forces had succeeded in maintaining Egypt as a French possession after

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Qur'ānic hypocrites' claims in order to stress that only God has the power to raise and debase a community, which, again, implies that any resistance to such divine actions remained forbidden. For a classical exegesis of this verse, see Abī 'Abd Allāh Al-Qurṭubī, *Al-Jāmi' li-Aḥkām al-Qur'ān*, ed. 'Abd Allāh al-Turkī, 24 vols. (Beirut: Mu'assasa al-Risāla), 20:505-6.

<sup>86</sup> Al-Jabartī, *Muddat*, 123/100. The wording used by al-Jabartī (*al-ḥukmu li-allāhi al-wāḥidu al-qahhār*) is borrowed from verses 12:39-40: "O my two companions of prison, are separate lords better or God, the One, the Conquering [*al-wāḥidu al-qahhār*]? You worship besides Him mere names you and your fathers have attached to them, for which God has sent down no authority. The judgment belongs only to God [*al-ḥukmu illā li-allāh*]." On Joseph in the Qur'ān, see Ayaz Afsar, "Plot Motifs in Joseph/Yūsuf Story: A Comparative Study of Biblical and Qur'ānic Narrative," *Islamic Studies* 45, no. 2 (2006): 167-189.

1801. Al-Jabartī wrote two books in which he reformulated the positions he embraced in the *Muddat*, one at the beginning of the Ottoman restoration in late 1801 (the *Mazhar*) and the other during the rise of Muḥammad ‘Alī to power in 1805 (the *‘Ajā’ib*). Both texts revolve around a central question: could emancipation by non-Muslim rulers be legitimated and justified with classical Islamic texts? In the *Mazhar*, the answer to this question is a resounding no. The pro-Ottoman attitude that al-Jabartī adopted in this book led him to magnify the apocalyptic scenario present in the *Muddat* and to assimilate the Qur’ānic Joseph to his Ottoman namesake, the Grand Vizier Yūsuf Ziyaüddin Pasha.

In the *Mazhar*, al-Jabartī reiterated his view of the French troops as a “swarm of locusts” and the “army of Satan.”<sup>87</sup> Also, he retained a slightly shorter version of his critique of Bonaparte’s Arabic proclamation, including the accusation that French religious ideas amounted to a type of materialism and his view that the behavior of French troops warranted their description as devils.<sup>88</sup> However, al-Jabartī omitted the Qur’ānic reference to the spider’s web while describing the resistance offered by Ottoman troops; instead, he claimed that those efforts represented a “valiant resistance [*muqāwama ‘anīfa*].”<sup>89</sup> In his attempt to further restore the image of the Ottomans, he avoided using the verb *waswasa* (to whisper or to tempt) in the *Mazhar* because it implied that devilish doubts had affected the Ottoman army and had contributed to its

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<sup>87</sup> ‘Abd al-Raḥmān al-Jabartī, *Mazhar al-Taqdīs bi-Zawāl Dawlat al-Faransīs*, ed. Aḥmad Zakī ‘Atīya, ‘Abd al-Mun‘im ‘Āmir, and Muḥammad Fahmī ‘Abd al-Laṭīf, 2 vols. (Cairo: Al-Hay’a al-‘Āmma li-Shu’ūn al-Maṭābi‘ al-Amīriyya, 1961), 1:50, 131.

<sup>88</sup> Al-Jabartī, *Mazhar*, 1:61, 63.

<sup>89</sup> Al-Jabartī, *Mazhar*, 1:54. The quotation of the spider’s web is missing from *Mazhar*, 53-4, while the rest of the text is generally reproduced as it appeared in the *Muddat*.

defeat. Even the divine origin of the Ottoman defeat was omitted in the *Mazhar*, where al-Jabartī removed the Qur’ānic verse that connected the French victory to God’s will.<sup>90</sup>

Moreover, extending the implicit reference to Prophet Joseph in the *Muddat*, al-Jabartī linked Yūsuf Pasha to a longer line of Yūsufs who had liberated Egypt. If God had not decided to grant the Ottomans victory over the French, al-Jabartī argued, Egypt would have followed the Andalusian example and fallen into the hands of Christians.<sup>91</sup> He then claimed that, according to a divine plan, Egypt had historically been liberated “in the name of Yūsuf.”<sup>92</sup> The first Yūsuf was the biblical prophet who rectified the affairs of Egypt and remolded it into a great power. Then “Yūsuf Ṣalāḥ al-Dīn liberated Egypt from the Fatimids, destroyed their innovations, supported the Sunnis, built the Cairo citadel, and regenerated the Kurdish state.”<sup>93</sup> In the same manner, Sultan Salīm I had sent a vizier by the name of Yūsuf to Egypt, but the latter had died prematurely; and now the third liberator of Egypt who carried the same name, Grand Vizier Yūsuf Ziyaüddin Pasha, had succeeded in “eliminating the state of disbelievers” by expelling the French forces from Egypt.<sup>94</sup> Al-Jabartī ended his argument by quoting a verse in which Moses tells his followers that “the earth belongs to God and he gives it as an inheritance to whomever he wishes among his servants [ *ibād*].”<sup>95</sup> Only Muslim rulers could benefit from the divine

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<sup>90</sup> The Qur’ānic phrase was present in *Muddat*, 52/23 and it is absent in the discussion of the same events in *Mazhar*, 1:76-7.

<sup>91</sup> Al-Jabartī, *Mazhar*, 1:25-6.

<sup>92</sup> Al-Jabartī, *Mazhar*, 1:28.

<sup>93</sup> Al-Jabartī, *Mazhar*, 1:28.

<sup>94</sup> Al-Jabartī, *Mazhar*, 1:28-9.

<sup>95</sup> This is verse 7:128 and it is quoted in *Mazhar*, 1:30.

legitimization of their temporal rule, in other words, because God granted legitimacy to true believers (*ibād*) alone.

Al-Jabartī filled the portion of the *Mazhar* that extends beyond the period covered in the *Muddat* (15 June to December 1798) with numerous invectives against the French forces. For instance, while reporting on the Napoleonic invasion of Syria, he claimed that “the infidel French had taken the fort of Jaffa.”<sup>96</sup> Moreover, in response to Napoleon’s letter to the *diwān*, in which he stressed that Ottoman rule would never return to Egypt, al-Jabartī described Bonaparte as a “cursed infidel [*al-la ‘īn al-kāfir*]” who was forced to leave Egypt soon after he wrote those words. “May God hasten,” al-Jabartī exclaimed, “the throwing of their souls into the hellfire.”<sup>97</sup> Furthermore, after a theology student from Syria, Sulaymān al-Ḥalabī, murdered Kléber, al-Jabartī justified the “divine curse” that had been placed on the general and he characterized al-Ḥalabī as a martyr because of his execution by the French authorities.<sup>98</sup> And in the epilogue, al-Jabartī emphasized that Yūsuf Pasha had succeeded in protecting the true believers by rooting out the corrupted and corrupting French army from Egypt.<sup>99</sup>

The amplification, in the *Mazhar*, of the apocalyptic tone that was present in the *Muddat* therefore led al-Jabartī to rule out the possibility of legitimizing any aspect of French rule. Due to his intention to prove that liberation and emancipation could only be obtained at the hands of Muslim rulers, al-Jabartī marshaled scriptural evidence that pointed to the presence of divine legitimization only among sovereigns who remained

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<sup>96</sup> Al-Jabartī, *Mazhar*, 1:178.

<sup>97</sup> Al-Jabartī, *Mazhar*, 1:213.

<sup>98</sup> Al-Jabartī, *Mazhar*, 2:68-71.

<sup>99</sup> Al-Jabartī, *Mazhar*, 2:194.



Muslims in the Qur'ānic sense. At the same time, the interpretative framework that al-Jabartī initially used in the *Muddat* remained malleable and it allowed a closer convergence between his and the *diwān*'s theological positions. And out of this intensifying convergence emerged one of the earliest proto-reformist efforts to assimilate more thoroughly non-Muslim modes of rule in Islamic societies.

Instead of the *diwān*'s reliance on the image of Saul and the focus on Joseph in the *Muddat* and the *Mazhar*, in the *'Ajā'ib* al-Jabartī moved away from references to prophetic figures to some extent and he instead opted for a new theory of justice as the cornerstone of the reformulated historical narrative. It was now history, as it is presented in the Qur'ān, that guided his attempts to come to terms with French rule. Al-Jabartī emphasized the importance of considering new historical developments in light of the stories of ancient peoples by quoting the last verse of the Chapter of Joseph: “There is certainly in their stories a lesson [*'ibra*] for those who possess a true understanding.”<sup>100</sup> Then, turning his attention to the idea of divine justice, al-Jabartī underlined the use of the words book and balance in the otherwise vague verse 42:17—“It is God who has sent down the book [*kitāb*] in truth, as well as the balance [*mīzān*]”—by stressing that exegetes had traditionally interpreted these words to mean knowledge and justice.<sup>101</sup> As an illustration of this, al-Jabartī cited the example of Prophet David, who had been sent to earth by God as a divine representative (*khalīfa*) and ordered to rule with justice.<sup>102</sup>

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<sup>100</sup> 'Abd al-Raḥmān al-Jabartī, *'Ajā'ib al-Āthār fī al-Tarājim wa-l-Akhhār*, ed. 'Abd al-Raḥīm 'Abd al-Raḥmān 'Abd al-Raḥīm, 4 vols. (Cairo: Maṭba'at Dār al-Kutub al-Miṣrīyya, 1997-1998), 1:4. The quoted verse is from 12:111 and not 12:11, as the editor wrongly indicated in the footnote.

<sup>101</sup> Al-Jabartī, *'Ajā'ib*, 1:13.

<sup>102</sup> Al-Jabartī, *'Ajā'ib*, 1:13. In this instance, al-Jabartī quoted verse 38:26.

Al-Jabartī then divided the classes of people divinely entrusted with the task of dispensing temporal justice into five: the prophets, the ‘*ulamā*’ (as the inheritors of prophets), kings and those in positions of authority, the middle class of ordinary people, as well as those who are simply in control over themselves.<sup>103</sup> Using this new perspective, al-Jabartī then drastically departed from the vision of legitimacy outlined in the *Mazhar*. First, using the Qur’ānic injunction that “justice and good conduct”<sup>104</sup> must be the basis of the social order, he defended the absolute primacy of this principle by arguing that “justice and equity, whether in an Islamic or non-Islamic state, are the foundation of every system of governance and the basis of all happiness and noble deeds; for, indeed, God the Most High had ordered the establishment of justice.”<sup>105</sup> He then followed the logic of this vision of justice to its conclusion and revised his earlier exclusivist views on legitimacy by proclaiming that “temporal power could be sustained with disbelief and justice [*al-kufr wa-l-‘adl*], while it could not with tyranny and true belief [*al-jawr wa-l-‘īmān*].”<sup>106</sup> This position signaled his willingness to divorce the Qur’ānic ideal of justice from the qualification, found throughout the *Mazhar*, that religious legitimization could only be granted to Muslim rulers. Since God had expressed a general preference for justice and equity, al-Jabartī argued in the ‘*Ajā’ib*, any power able to inaugurate such a system was deserving of praise and legitimization.

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<sup>103</sup> Al-Jabartī, ‘*Ajā’ib*, 1:14-17. On these five categories in al-Jabartī’s work, see Shmuel Moreh, “Al-Jabartī’s Attitude towards the ‘Ulamā’ of His Time,” in *Guardians of Faith in Modern Times: ‘Ulamā’ in the Middle East*, ed. Meir Hatina (Leiden: Brill, 2009), 52-6.

<sup>104</sup> The quoted verse is 16:90.

<sup>105</sup> Al-Jabartī, ‘*Ajā’ib*, 1:15.

<sup>106</sup> Al-Jabartī, ‘*Ajā’ib*, 1:19.

A reconfiguration of the historical narrative accompanied the evolution of al-Jabartī's views. The minutiae of textual modifications in the *'Ajā'ib* have received a lot of attention in the existing literature. For instance, al-Jabartī omitted the Yūsuf-centered preamble; he removed a long paragraph in which he called Napoleon a “cursed infidel” and called for his army's descent into hell; while the trial that Sulaymān al-Ḥalabī underwent received a longer treatment, in which al-Jabartī betrayed a palpable admiration for the French system of justice.<sup>107</sup> However, the often-repeated praise of *'Ajā'ib* as a mature and objective work that marked the beginning of modern historiography in the Middle East has to some extent obscured al-Jabartī's reaffirmation of the *diwān*'s conservative position, as well as the continued presence of the apocalyptic textual layer from the *Muddat*. Moreover, it was principally through a repositioning of the scriptural prism that al-Jabartī reframed the historical account, and not through a simple desire to be more objective and impartial in his assessment of French rule.

He signaled this reorientation in the very first paragraph on the French period in the *'Ajā'ib*. After underlining the tremendous changes and destruction wrought by the arrival of French troops, he returned to the idea of historical lesson (*'ibra*) and he quoted the Qur'ānic description of punishments meted out to ancient peoples who had behaved in a corrupt manner: “And your lord would not have destroyed the cities unjustly had their inhabitants been righteous.”<sup>108</sup> After noting the widespread destruction that followed the Franco-Ottoman battle in April 1800, moreover, he interpreted the events in light of the following verse: “When we intend to destroy a city, we warn its affluent inhabitants,

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<sup>107</sup> For instance, compare *'Ajā'ib*, 3:124 with *Mazhar*, 1:212-3 and *'Ajā'ib*, 3:190-212 with *Mazhar*, 2:67-8.

<sup>108</sup> Al-Jabartī, *'Ajā'ib*, 3:1. The verse is 11:117.

but they defiantly disobey; so the word comes into effect upon the city and we completely destroy it.”<sup>109</sup> Then, turning to the Chapter of The Heights, which recounts the stories of ancient peoples, al-Jabartī compared the disintegration of Egyptian society and the chronic conflicts that arose after 1798 to the divine reprimand imposed on ancient peoples who had rejected the prophets sent to them by God: “And if only the people of the cities had believed and feared God, we would have sent upon them blessings from the heaven and the earth; but they denied the messengers, so we punished them for their deeds.”<sup>110</sup> In other words, in the *‘Ajā`ib*, French troops appear as the agents whom God had entrusted with the task of executing a “painful and severe” punishment on the large masses of rebellious Egyptians.<sup>111</sup>

Although al-Jabartī’s new scriptural reading further harmonized his position with that embraced by the *diwān*, the trauma of the initial colonial contact persisted in the *‘Ajā`ib*. Al-Jabartī kept, for instance, the apocalyptic textual layer and its description of French troops as a “swarm of locusts,” a horde of “devils,” and “Satan’s army.”<sup>112</sup> This apocalyptic fragment exists in tension with the generally pro-French tenor of the *‘Ajā`ib*, but it also points to the persistence of a firm conservative stance in the final expression of al-Jabartī’s views on the French period. Disenchanted with the Ottoman system of government, in 1805 al-Jabartī reassessed the repetitive glimmers of admiration that he had exhibited toward French rule in the *Muddat*. This led him to adopt a theory of justice

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<sup>109</sup> Al-Jabartī, *‘Ajā`ib*, 3:174. The verse is 17:16, and it is missing in *Mazhar*, 2:51-5.

<sup>110</sup> Al-Jabartī, *‘Ajā`ib*, 3:184. The verse is 7:96, and it is missing in *Mazhar*, 2:64.

<sup>111</sup> Al-Jabartī, *‘Ajā`ib*, 3:182. The description of the punishment as “painful and severe” is a fragment of the longer verse (11:102) quoted by al-Jabartī: “And such is the punishment of your lord when he punishes the cities while they are committing wrong. Indeed, his punishment is painful and severe.”

<sup>112</sup> Al-Jabartī, *‘Ajā`ib*, 3:2, 4-5.

which accommodated the possibility that non-Muslim rulers might be able to apply the Qur'ānic ideal of justice better than Muslim rulers. However, both al-Jabartī and the *diwān* held fast onto Islamic textual references as the only tools of legitimization and there was no attempt to inaugurate a reformist program outside of this framework between 1798 and 1805.

When considered from the perspective of his broad approach toward French rule, the writings of al-Jabartī after 1805 to some extent parallel Balbi's 1806 homily. Both embraced French rule as the best form of government, where religious precepts and laws could flourish. But while al-Jabartī bewailed the missed opportunities and criticized the disruptive Ottoman restoration, Balbi marveled at the new opportunities and praised what he saw as a Catholic restoration. Balbi's homily also echoed some of the theological positions taken by the *diwān*. The Egyptian clerics hoped that a conversion to Islam would transform Napoleon into King Saul, while Balbi saw Napoleon as King Ahaz after the concordat. Both Islamic and Catholic scriptural readings of French rule among conciliatory members of the clerical classes in Egypt and Italy thus pointed to their willingness to assimilate—and not, as hardline clerics urged, simply reject—the post-revolutionary political order into a religious perspective that remained deeply conservative.

But, in light of such ideological similarities across the Mediterranean, why did the process of religious co-option ultimately fail in Egypt and partially succeed in Italy? The centrality and composition of the clerical establishment represented a key factor in this development. In Egypt, a favorable scriptural reading of French rule emerged quickly within the *diwān*, but it had limited authority and the chronic rebellions in Cairo indicated

that the more hardline position, as it was presented in al-Jabartī's early writings, held sway among large parts of the population. Winning over the clerical elite thus provided a limited solution, and it is unlikely that a conversion of French troops to Islam could have placated the local anti-French forces. In contrast, the majority of Italian clerics adopted an unfavorable scriptural reading of French rule, and they engaged in a fractious debate with more conciliatory clerics. Clerics such as Gustà and, to a lesser extent, Marchetti called for an armed response to French rule. However, the centralization of clerical authority in the person of the pope allowed the emergence of an agreement that swiftly removed—or, at the very least, forced underground—the religious threat by forcing hardline clerics to limit their criticism of French rule. The absence of such a central authority in Egypt created a more pliable clerical body, but it did not have the power to impose its views on clerics opposed to French rule.

#### IV. Conclusion

The reformist possibilities and theological constraints imposed by the conservative stance indicate, more generally, that the dream of a French Mediterranean Empire had to be mediated through the Islamic scriptures insofar as France's control over the basin's southern shores was concerned. In Egypt between 1798 and 1801, this need was particularly pressing. Facing enormous military pressures from the British, the Ottomans, the sharif of Mecca, and local rebels, Napoleon devised an imperial strategy that hinged to a large extent on the support of the *'ulamā'*, whose traditional status as the interpreters of religion remolded them into a key locus of power after the Ottoman retreat from Egypt. Although Napoleon invested great efforts in obtaining the support of the *'ulamā'*, they remained committed to a conservative outlook that limited the legitimacy

of French rule. They granted Napoleon enough legitimacy to preserve the social order, to protect their own positions of power, and to remain coherent in terms of the theological position that they assumed. However, they never overstepped these limits. This careful balancing act certainly stabilized Napoleon's rule in the short term—but it also severely undermined it in the long term. Without the emergence of a more assertive reformist agenda among the *'ulamā'*, Napoleon could accomplish little more than maintain a volatile status quo. Moreover, the zeal for the Roman imperial legacy expressed by a number of French officers had failed to provide an alternative method of co-option. In other words, the attempt to replicate the Roman civilizing project and thus overcome religious opposition to French rule did not extend beyond a vague commitment to the imposition of French arts and sciences, while official proposals that contained more concrete propositions in this regard fell on deaf ears.

In light of this, the scriptural readings of French rule offered by the *diwāns* and al-Jabartī represent a key factor in the development of post-revolutionary French imperialism in the basin. Prior to the French evacuation from Egypt in 1801, the *'ulamā'* legitimized Napoleon's hold on power by using Qur'ānic verses and prophetic sayings that highlighted the need to avoid social discord and to accept all divine judgments, regardless of how cruel they might appear. However, the *diwān* refused to fully legitimize Bonaparte's rule without his open conversion to Islam. Al-Jabartī shared this soft conservative stance prior to 1801, although he temporarily adopted a harder conservative position in the *Mazhar* after the Ottoman restoration. Then, in 1805, al-Jabartī not only reaffirmed his earlier support for the *diwān's* position, but he also

abandoned—on theological grounds—the requirement of conversion by arguing that non-Muslim rulers had the capacity to realize the Qur’ānic ideal of justice.

A theological position that overcame the limits of the conservative stance and pointed in the direction of a burgeoning reformism only emerged after—but to some extent also due to—the French evacuation from Egypt. In the context of Napoleonic Wars in southern Europe and mounting calls for the conquest of Algeria after the mid-1800s, the possibility of co-opting the clerical classes and encouraging the emergence of such theological positions around the basin remained the subject of extended debates among those who wished to continue building the French Mediterranean Empire. In this context, French officers struggled to find a potential outpost of empire in the Mediterranean where Ottoman power remained nominal and distant, British commercial interests negligible, neighboring rulers divided and weak, and the local clerical class more fragmented. First identified by French consuls during the mid-1800s and later enthusiastically embraced by French officers and politicians during the 1820s, one part of the southern Mediterranean coast seemed to hold the promise of fulfilling all of these criteria: Algeria.



**PART II: THE CONSULAR MEDITERRANEAN, 1789-1830**

### Chapter 3. “*Ti non sapir que mi star patrone grande*”: Consular Imperialism and International Law in Algeria, 1789-1815

*On doit mettre au même rang presque toutes les expéditions des Corsaires de Barbarie, quoiqu’authorisées par un Souverain; elles se font sans aucun sujet apparent, & n’ont pour cause que la soif du butin. Il faut, dis-je, bien distinguer ces deux sortes de Guerres, légitimes & illégitimes; parce qu’elles ont des effets & produisent des droits bien différents.<sup>1</sup>*

The story of Franco-Algerian relations between the 1789 and 1830 French Revolutions could be characterized as a struggle for maritime supremacy in the western Mediterranean. During this period, Algerian deys defended what they considered a long-held, customary right to send corsairs into the Mediterranean, to impose various types of tributes and payments on France and other European states, and to dictate conditions to beys in Tunisia and Tripoli. After the 1789 Revolution, French officials rejected the legitimacy of this political system because it had evolved under monarchical tutelage. Moreover, in the context of an expanding Napoleonic Empire in Europe between the 1800s and 1810s, they worked to remold Algeria into a French satellite. Their demands amounted to nothing less than a complete overhaul of the beylical state and its integration into the European legal space.<sup>2</sup> The tensions that resulted from this strategy led to chronic diplomatic conflicts and repetitive calls for the conquest of Algeria after the first decade of the nineteenth century.

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<sup>1</sup> Emer de Vattel, *Le droit des gens* (Leiden: Aux depens de la compagnie, 1758), 2:24.

<sup>2</sup> The beylic (beylik) denoted the Ottoman administrative unit in Algeria, Tunisia (where it became hereditary), and Tripoli. After 1671, the Algerian bey took the title of dey. A study of the emergence of this concept in North Africa, as well as the rest of the Ottoman Empire, remains a desideratum. See *Encyclopaedia of Islam*, 2<sup>nd</sup> ed., s.v. “beylik.”

The longer view of French imperial ambitions in Algeria prior to 1830—one that considers the conquest of Algeria to be the final result of protracted consular efforts to build an imperial realm in North Africa after 1789 and not the almost *ex nihilo* beginning of the second French Empire—seldom goes beyond the famous and often-cited 1827 Fan Affair.<sup>3</sup> An emphasis on high sensitivities over the diplomatic protocol continues to frame recent accounts of the Fan Affair, but the origins and the changing nature of that protocol remain poorly understood. The sudden centrality of diplomatic etiquette in 1827 is especially puzzling since violent behavior and fierce disagreements over new, fluid, and contested diplomatic and legal conventions defined Franco-Algerian relations between the early 1790s and mid-1820s.<sup>4</sup>

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<sup>3</sup> In a recent survey of Maghrebi history, Knut Vikør summarizes the reasons for the 1830 invasion as follows: “The conquest of Algiers is [...] often presented as the starting point of European ‘colonial power’ in the Middle East. However, this was not how it seemed at the time, and it was most probably also far from the imagination of those who gave the order. Rather, the conquest should be described as a failed punitive expedition. The French ‘stumbled into’ Algeria and were not able to find a decent way to leave, so they stayed. It all began with a quarrel about a loan. France owed the *Dey* a few million francs, through some intermediaries, and the *Dey* was pressing them to start paying up. When he suspected that the French were procrastinating to get out of paying, the debate got heated, and at a meeting on the matter in 1827 the *Dey* struck the French consul with a fly-whisk (or a fan). [...] As it happened, 1830 was an election year in France, and it struck the government in Paris that it might be useful to show strength abroad before the election. So, they sent a naval force south to Algiers to punish the *Dey* for his insult”: Knut S. Vikør, *The Maghreb since 1800: A Short History* (London: Hurst & Company, 2012), 25-6. On 1830 as the end point of a longer process of legal, ideological, and social changes in the Mediterranean, see Jörg Manfred Mössner, *Die Völkerrechtspersönlichkeit und die Völkerrechtspraxis der Barbareskenstaaten (Algier, Tripolis, Tunis, 1518-1830)* (Berlin: De Gruyter, 1968); Daniel Panzac, *Les corsaires barbaresques: la fin d'une épopée, 1800-1820* (Paris: CNRS, 1999), 277; Christian Windler, “Diplomatic History as a Field for Cultural Analysis: Muslim-Christian Relations in Tunis, 1700-1840,” *The Historical Journal* 44, no. 1 (2001): 79-106; Ann Sarah Curtis, *Civilizing Habits: Women Missionaries and the Revival of French Empire* (Oxford: Oxford University Press, 2010), 3, 9-13.

<sup>4</sup> The mistreatment of the French diplomatic corps in Algeria predated the 1790s, however. Arbitrary executions and the imprisonment of French consuls had been a recurrent problem since the late-sixteenth century. The beylical government had used various forms of violence against “Bionneau in 1587, de Vias in 1596 and 1605, Chaix in 1620, Ricou in 1629, Barreau in 1646 and 1650, Le Vacher in 1683, Dubourdieu in 1684, Piolle in 1686 and 1688, de Jonville in 1741, A. Lemaire in 1755, Pérou in 1760, and Vallière in 1763” (André-Paul Weber, *Régence d’Alger et Royaume de France (1500-1800): trois siècles de luttes et d’intérêts partagés* [Paris: L’Harmattan, 2014], 205).

Consider the experience of Alexandre Raguesseau de la Chainaye, the interim consul in Algiers, whom the dey harshly mistreated and then expelled from Algeria in April 1810. The oil cargo of a British ship taken by French corsairs represented the main issue of contention between them. Faced with Chainaye's refusal to sell the cargo locally according to the dey's wishes, the beylical minister of the navy, or *vekilhardji*, threatened Chainaye: "I am neither afraid of you nor your emperor. You Frenchmen pretend that you can commandeer everywhere, so I will unload the cargo by force in order to prove to you that Algeria is out of your reach."<sup>5</sup> The *vekilhardji* then attempted to expel Chainaye by luring him aboard an American ship. As soon as Chainaye noticed the vessel being maneuvered for departure, he ran and jumped into an adjacent ship. A number of the dey's henchmen then captured him, hit him, and forced him to come to the shore. Orders were immediately issued to prepare his departure and he left for Marseille on the same day.<sup>6</sup> Despite the violence suffered by an official representative of France, two months later, the minister of the navy and the colonies announced that relations with Algeria would be kept on a friendly footing.<sup>7</sup>

Even during the high peak of Napoleonic imperialism, therefore, when France controlled large parts of southern Europe, Algerian deys adopted a belligerent attitude in

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<sup>5</sup> Quoted in Raguesseau de la Chainaye to Minister of Foreign Affairs, Harbor of Marseille, on an American ship, 7 April 1810: AMAE, Correspondance consulaire et commerciale, Algiers/40, f. 48r. Charles Dubois Thainville described the role of the *vekilhardji* as follows: "He is responsible for all matters related to construction, the armament of corsairs, prizes, slaves, and all other naval affairs" (Charles Dubois Thainville, "Sur Alger," in *Reconnaissance des villes, forts et batteries d'Alger par le chef de bataillon Boutin (1808): suivie des mémoires sur Alger par les consuls de Kersey (1791) et Dubois-Thainville (1809)*, ed. Gabriel Esquer [Paris: H. Champion, 1927], 129).

<sup>6</sup> Raguesseau de la Chainaye to Minister of Foreign Affairs, Harbor of Marseille, on an American ship, 7 April 1810: AMAE, Algiers/40, f. 48r.

<sup>7</sup> The maritime prefect informed the chancellor at the French consulate in Algiers of the minister's official decision: Maritime Prefect to Consular Chancellor Ferrier, Toulon, 5 June 1810, in Albert Devoulx, ed., *Les Archives du consulat général de France à Alger* (Algiers: Bastide, 1865), 146.

their dealings with France—without suffering any major consequences. The incongruity between French reactions in 1810 and 1827 raises a number of questions. What type of legal norms framed Franco-Algerian relations after the 1789 Revolution? How did those norms change over time? To what extent did French and Algerian ideas about sovereignty and bilateral recognition inflect those norms? How did the competition between two legal systems frame the nature of French and Algerian power over the waters of the Mediterranean? And to what extent did conflicts between consuls and deys shape French imperial ambitions in North Africa?

In this chapter, I argue that the insertion of a post-revolutionary idea of legitimacy in the realm of diplomacy and international law went hand-in-hand with the attempts of the first republican consul, Charles Dubois Thainville, to carve out an imperial realm for France in Algeria, a strategy fiercely resisted by successive deys who considered this development a violation of their authority. More specifically, this chapter shows that Thainville relied on what I call consular imperialism in his attempt to undermine the beylic's sovereignty by dictating the dey's foreign policy and imposing a post-revolutionary legal system that eroded the corsair economy, a core pillar of stability for the Algerian government. The late 1790s, years temporally equidistant from French territorial losses after the Seven Years' War (1756-63) and the invasion of Algiers in 1830, in many ways mark a turning point in the evolution of French imperialism due to Thainville's arrival in Algeria. A convinced republican who had led a group that stormed the Bastille, Thainville came to Algeria determined to stop the predations experienced by French citizens at the hands of Algerian corsairs in the basin and to significantly expand

French influence in the Regency by relying on rumors and threats of a Napoleonic invasion.

The centerpiece of his strategy consisted of a peace treaty he signed with the dey in 1801. This agreement created conditions optimally conducive to the beginning of consular imperialism in Algeria: the full freedom of navigation for French citizens in the Mediterranean, the liberation of all enslaved captives whom French authorities qualified as citizens of the expanding French Empire in Europe, the restitution of diplomatic primacy to French consuls, and France's continued control and temporary sovereignty over coral fishing concessions. However, this diplomatic agreement remained tenuous between 1801 and 1815 because the deys conceded to French demands only begrudgingly and never fully accepted the legitimacy of the post-revolutionary system, which they saw as an attempt to transform Algeria into an appendage of Napoleonic Europe. Still, the 1801 peace treaty marked the inauguration of a new legal system across the Mediterranean, one that pulled Algeria toward the European legal space and the French imperial orbit, first in an uneven manner until 1815 and then more aggressively after the 1815 Congress of Vienna and the 1818 Congress of Aix-la-Chapelle. In fact, Thainville's attempt to redefine Franco-Algerian relations by undermining the corsair economy after 1801 would become a pan-European project in the Maghreb after 1815, one that led France and other European states to seek empire on North African shores during the second half of the nineteenth century.

### I. The Post-Revolutionary Mediterranean and Algeria

Consular imperialism, as a strategy used from a position of weakness due to the absence of a viable military option, emerged concurrently with the redefinition of

international legal norms in the Mediterranean after the breakdown of monarchical order and the spread of French revolutionary armies across southern Europe. Matthew Brown and Jörg Ulbert have respectively described the nineteenth century as the age of informal empire and the apogee of the age of consuls.<sup>8</sup> However, the concept of informal imperialism offers limited answers to the question of how non-British imperial powers exerted their power beyond the contours of formal empire during the early-nineteenth century by relying more on diplomacy, treaties, and legal arguments than on capital and commerce. To be sure, a number of parallels exist between consular and informal imperialism—most notably, the overall goal of eroding the authority of local rulers and integrating peripheral polities into a global imperial system.<sup>9</sup> Contrasts remain strong too, however. Permeated by legal concerns, consular imperialism framed the evolution of international law in the Mediterranean, while the centrality of capital in various forms of informal imperialism created a new global economic order during the nineteenth century.<sup>10</sup> The Maghreb became a laboratory for international law after 1789 largely because of its anomalous status as a territory under nominal Ottoman control, its

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<sup>8</sup> Matthew Brown dates the age of informal empire to 1810-1940 and Jörg Ulbert dates the apogee of the age of consuls to 1800-1914: Brown, Introduction to *Informal Empire in Latin America*, 2; Jörg Ulbert, “La fonction consulaire au XIX<sup>e</sup> siècle,” in *Consuls et services consulaires au XIX<sup>e</sup> siècle*, ed. Jörg Ulbert and Lukian Prijac (Hamburg: DOBU Verlag, 2010), 8.

<sup>9</sup> For a study of these parallels, see David Todd, “Transnational Projects of Empire in France, c. 1815—c. 1870,” *Modern Intellectual History* 12, no. 2 (2015): 265-293.

<sup>10</sup> To be sure, consular and informal imperialism coexisted within both the French and British Empires. For instance, British consuls in North Africa often pursued the same goals as French consuls. After the 1818 Congress of Aix-la-Chapelle, they even combined their forces and urged the dey to accept the inauguration of a new legal system in the Mediterranean. Moreover, the practice of relying on capital in attempting to spread France’s influence globally became a significant factor in the development of French imperialism during the second half of the nineteenth century, and especially after 1870. On free trade in France, see David Todd, “A French Imperial Meridian, 1814–1870,” *Past & Present* 210, no. 1 (2011): 155-86; David Todd, *L’identité économique de la France: libre-échange et protectionnisme, 1814-1851* (Paris: B. Grasset, 2008). Also, see Maurice Lévy-Leboyer, *La position internationale de la France: aspects économiques et financiers, XIX<sup>e</sup>-XX<sup>e</sup> siècles* (Paris: Éditions de l’École des hautes études en sciences sociales, 1977).

importance in Mediterranean trade, and its position as a gateway to the elusive commercial routes in the African interior.<sup>11</sup>

In this context, consular imperialism represented an attempt to increase French imperial influence in territories where the reach of the French military remained weak or nonexistent, where consuls faced resistance from local rulers and competing imperial powers, and from which communication with metropolitan authorities remained difficult. In Algeria, for instance, French consuls who adopted imperial goals operated from a position of relative isolation, which forced them to rely primarily on rumors and threats of invasion in their attempts to change the policies of an unstable beylical polity, to normalize equal-to-equal relations with it, to codify a set of maritime laws, and to preserve French control over coral fishing concessions in Algerian waters. The implementation of this wider strategy amounted to an attempt to absorb Algeria into the French imperial periphery in southern Europe because it led to a significant degradation of beylical sovereignty and partial French control over Algeria's foreign policy and legal system. Although the deys temporarily submitted to this new system, especially when the threat of integration into the Napoleonic realm seemed imminent, they never fully accepted the legitimacy of post-1801 legal norms during Thainville's consulship. While

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<sup>11</sup> There is a general paucity of studies on the emergence of new legal norms in the context of post-revolutionary European imperial plans in North Africa. In a preliminary study, Rachida Tlili Sellaouti has argued that the three Regencies posed an ideological problem for the republican authorities because they refused to imagine the spread of the republican legal order in North Africa. Due to their unwillingness to see the Regencies as anything other than lands of despotism, they maintained the monarchical system of relations and introduced new legal norms only in order to harmonize French foreign policies with the internal, metropolitan republican order in a minimal manner: Rachida Tlili Sellaouti, "Du droit naturel au droit positif: La diplomatie de la France révolutionnaire avec les pays musulmans de la Méditerranée occidentale," in *Droit des gens et relations entre les peuples dans l'espace méditerranéen autour de la Révolution française*, ed. Marcel Dorigny and Rachida Tlili Sellaouti (Paris: Société des études robespierristes, 2006), 71-88.



expanding France's imperial reach around the Mediterranean, therefore, consular imperialism simultaneously mapped the limits of French power in the basin.

But why did Algeria occupy such a prominent position in France's post-revolutionary Mediterranean strategy? This focus owed much to the beylic's position as a regional hegemon in the Maghreb, where the Algerian dey dictated the terms of war and peace to his neighbors and where France held a historically important but after 1789 steadily declining presence.<sup>12</sup> Consul Jean-Bon Saint-André explained in 1796 that "as a general maxim, Algiers is to Tunis and Tripoli what Constantinople is to all the states of the Ottoman Empire."<sup>13</sup> In contrast, the reach of the French state remained very tenuous over the waters of the basin and almost non-existent in Algeria after the French Revolution. In 1793, for instance, the dey felt empowered enough to threaten the safety of French naval crews in the Mediterranean if metropolitan authorities failed to obtain the freedom of one of his corsairs, 'Alī Ra'īs, from the Genoese and send him back to Algeria, a demand that the republican government promptly accommodated.<sup>14</sup> It was only after the multiplication of French victories on European battlefields that some officials began calling for a recalibration of relations with Algeria. "Only the commerce in grains remains for us," warned an official report from 1795, "and we will soon lose that resource too if the executive council does not quickly arrive at a spectacular and vigorous

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<sup>12</sup> After making peace with the United States in 1796, the Algerian dey imposed a similar peace treaty onto Tunisia and Tripoli, where he had a permanent envoy (*wakīl*) who enforced his policies. The French treaty with Tunisia was signed on 23 February 1802 and with Tripoli on 18 June 1801 (the latter following the 1800 Franco-Algerian armistice).

<sup>13</sup> Jean-Bon Saint-André to Minister of Foreign Affairs, Algiers, 26 Vendémiaire 5 (17 October 1796): AMAE, Algiers/33, f. 18v.

<sup>14</sup> Césaire-Philippe Vallière to Minister of the Navy, Algiers, 29 March 1793: AMAE, Algiers/32, f. 27r; Césaire-Philippe Vallière to Minister of Foreign Affairs, Algiers, 8 May 1793: AMAE, Algiers/32, f. 38r.

means of proving to the Regency of Algeria that the free French nation is much stronger now than it was under the kings.”<sup>15</sup> The presents that France customarily sent to Algeria consisted of nothing more than tributary payments, the writer of the same report explained, and he demanded an immediate stop to that practice. Because money and force represented the only means of dealing with “pirates,” he concluded, the returning ships and ‘Alī Ra’īs should be sent with an accompanying frigate and letters that underline French unwillingness to purchase good relations.<sup>16</sup>

This republican project could not be realized during the turbulent 1790s, however. Instead of projecting power more aggressively across the basin, French authorities jettisoned metropolitan laws that clashed with beylical policies. An official report on the 1798 seizure of two Algerian ships close to Livorno illustrates the official position on the Algerian problem. Although a metropolitan tribunal had granted the prize to French privateers, the writer of an official report to the *directoire exécutif* argued that North African ship owners should not be subject to French laws on prizes due to the incongruity that existed between the French legal system and treaties signed with the Regencies. The latter lacked the uniformity in civic laws and treaties that made Voltaire describe Europe as one republic, the writer of the report observed, and they chiefly relied on two legal tools: the will of local despots and the Qur’ān. In foreign affairs, he continued, they have adopted a literalist interpretation of treaties that stress complete reciprocity and they do

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<sup>15</sup> The archival record does not indicate who wrote this report: Rapport sur notre situation politique avec la Régence d’Alger: AMAE, Algiers/32, f. 250v. On French grain imports after 1789, see J. Letaconnoux, “L’Etat et l’importation des grains méditerranéens en France, sous la Révolution,” *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte* 11, no. 3 (1913): 369-414.

<sup>16</sup> Rapport sur notre situation politique avec la Régence d’Alger: AMAE, Algiers/32, f. 250v; Extrait des instructions pour les agens [sic] destinés à Alger et à Tunis: AMAE, Algiers/32, f. 83r.

not allow any room for nuanced interpretation. This in turn led to the involvement of the Regencies' highest authorities in any affair that affected their subjects: dealing legally with one individual, in other words, often meant dealing directly with the dey. As a result, the writer of the report urged the authorities to rule in favor of Muḥammad and Ismā'īl, the owners of the two ships, because disregarding French laws represented the only way to preserve good relations and facilitate French consuls' attempts to reconstruct the position that France formerly held in Algeria.<sup>17</sup>

The official acceptance of an uneven application of French laws extended to consular courts as well, where beylical interference in legal matters unrelated to beylical subjects went against centuries of Ottoman legal tradition.<sup>18</sup> It was the republican law on émigrés that had incensed the dey and led him to threaten the French consul, Césaire-Philippe Vallière, with expulsion because it affected his friend Pierre-Joseph Meifrun.<sup>19</sup>

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<sup>17</sup> The archival record does not indicate who wrote this report: Rapport au Directoire exécutif, 9 Vendémiaire 7 (30 September 1798): AMAE, Algiers/34, f. 223r, 225r, 227r.

<sup>18</sup> On Ottoman capitulations, see Viorel Panaite, "French Capitulations and Consular Jurisdiction in Egypt and Aleppo in the Late Sixteenth and Early Seventeenth Centuries," in *Well-Connected Domains: Towards an Entangled Ottoman History*, ed. Pascal W. Firges et al., 71-89 (Leiden: Brill, 2014); Viorel Panaite, "Western Diplomacy, Capitulations, and Ottoman Law in the Mediterranean, 16th and 17th Centuries: The Diplomatic Section of the manuscript Turc 130 from the Bibliothèque Nationale in Paris," in *Erken klasik dönemden XVIII. yüzyıl sonuna kadar Osmanlılar ve Avrupa: seyahat, karşılama ve etkileşim* [The Ottomans and Europe: Travel, Encounter and Interaction from the Early Classical Period until the End of the 18th Century], ed. Seyfi Kenan, 357-87 (Istanbul: İslam Araştırmaları Merkezi, 2010); Maurits H. Van Den Boogert, *The Capitulations and the Ottoman Legal System: Qadis, Consuls, and Beraths in the 18th Century* (Leiden: Brill, 2005); Maurits H. Van Den Boogert, "Consular Jurisdiction in the Ottoman Legal System in the Eighteenth Century," *Oriente Moderno* 83, no. 3 (2003): 613-34; Basile Homsi, *Les capitulations & la protection des chrétiens au Proche-Orient aux XVI<sup>e</sup>, XVII<sup>e</sup> et XVIII<sup>e</sup> siècles* (Ḥarīṣā, Lebanon: Imprimerie Saint Paul, 1956). On Franco-Ottoman relations before 1792, see Michael Hochedlinger, "Die französisch-osmanische 'Freundschaft' 1525-1792: Element antihabsburgischer Politik, Gleichgewichtsinstrument, Prestigeunternehmung – Aufriß eines Problems," *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 102, no. 1 (1994): 108-164.

<sup>19</sup> On French émigrés after the French Revolution, see Philippe Bourdin, ed., *Les noblesses françaises dans l'Europe de la Révolution: actes du colloque international de Vizille (10-12 septembre 2008)* (Rennes: Presses universitaires de Rennes, 2010); Doina Pasca Harsanyi, *Lessons from America: Liberal French Nobles in Exile, 1793-1798* (University Park: Pennsylvania State University Press, 2010); Kirsty Carpenter and Philip Mansel, eds., *The French émigrés in Europe and the Struggle against Revolution, 1789-1814*

Hailing from Toulon, Meifrun had a long commercial career in Algeria and a more recent political one in France. He was elected a deputy of the Third Estate on 7 April 1789 and later took the Tennis Court Oath. After his return to Toulon, however, he had helped set up the municipal administration during the British occupation, which resulted in his flight to Cartagena in 1793. Upon hearing of this, the dey paid for his transport to Algiers and demanded from the French consul the full restitution of Meifrun's property and his political rehabilitation in France.<sup>20</sup> He then threatened to expel all French citizens within one and a half months if his wishes were not obeyed.<sup>21</sup> The French consul and the special republican envoy, Louis-Alexandre d'Herculeis, temporized over this issue and the dey then amplified his threat by forcing them to choose between fulfilling his demands or risk losing the exportation of Algerian grains to France.<sup>22</sup>

The *comité sur l'affaire de l'émigré Meifrun* and the *commission des relations extérieures* examined the conduct of Vallière because he was suspected of holding anti-republican views and attempting, together with the dey and Meifrun, to undermine the extension of republican laws in Algeria. Still, the writers of the official report argued that Vallière's removal would lead to a total loss of local influence for France, in addition to possible retaliation that could hurt the military imperative to expel the English from the

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(Basingstoke: Palgrave MacMillan, 1999); Donald Greer, *The Incidence of the Emigration during the French Revolution* (Cambridge: Harvard University Press, 1951).

<sup>20</sup> On Meifrun, see Anne Mézin, *Les consuls de France au siècle des lumières (1715-1792)* (Paris: Ministère des affaires étrangères, 1998), 431-33; A. Jacques Parès, *Un toulonnais à Alger au XVIIIe siècle: Meifrun, Pierre-Joseph, 1723-1814* (Paris: Éditions Rieder, 1931).

<sup>21</sup> Louis-Alexandre d'Herculeis to Minister of Foreign Affairs, Algiers, 1 Prairial 4 (20 May 1796): AMAE, Algiers/32, f. 346v.

<sup>22</sup> Réponse de Vallière: AMAE, Algiers/33, f. 52r.

Mediterranean.<sup>23</sup> As soon as d’Herculais obtained a slight relaxation of the dey’s stringent demands, he resolved the conflict by agreeing to pay Meifrun for the damages he suffered in France.<sup>24</sup> Insofar as Algerian affairs were concerned, therefore, beylical dictates carried more weight than the letter of French law both in metropolitan and consular courts. This legal malleability testified to the general weakness of the French position in the Mediterranean and the importance of Algeria in the context of Revolutionary Wars in Europe. French officials feared a complete loss of control in the basin and saw the breaking of metropolitan laws as preferable to the breaking of relations with Algeria.

Napoleon’s 1798 invasion of Egypt ushered in a definitive change in Franco-Algerian relations because it significantly expanded French ambitions in the Mediterranean.<sup>25</sup> At first, Napoleon opted for direct threats. While still in Malta, he wrote to the French consul in Algeria, Dominique Moltedo, and instructed him to request the freeing of Maltese slaves from the new dey, Muṣṭafā Pasha. “Let the dey understand,” Bonaparte warned, “that the power which took over Malta in the span of two or three days will be able to punish him if he failed, even momentarily, to respect the Republic’s

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<sup>23</sup> Rapport, 24 Fructidor 3 (10 September 1795): AMAE, Algiers/32, f. 247v-248r.

<sup>24</sup> Réponse de Vallière: AMAE, Algiers/33, f. 52r.

<sup>25</sup> Knowledge of the threat represented by Napoleon predated 1798, however. Saint-André observed in 1797 that Ḥasan Dey pursued a foreign policy that took into account a possible Napoleonic invasion: “As for his capture of Moroccan ships, there is a particular cause for that: the dey’s animosity toward Spain. Without us, without the fear that he has of our arms, without the fear of Napoleon Bonaparte, who he firmly believes is determined to arrive in Algeria and whom he calls General Devil, he would have declared war on that nation [Spain] a long time ago” (Jean-Bon Saint-André to Minister of Foreign Affairs, Algiers, 20 Brumaire 6 [10 November 1797]: AMAE, Algiers/33, f. 318r).

rights.”<sup>26</sup> Instead of heeding this warning, the dey declared war on France and imprisoned all French citizens, including Moltedo, in addition to instructing the beys of Tunisia and Tripoli to declare war on France.<sup>27</sup> That reaction led to the softening of Napoleon’s belligerent posture and the sending of a conciliatory letter and overtures of peace.<sup>28</sup> The new consul, Charles Dubois Thainville, was entrusted with the transmission of Bonaparte’s letter and the new diplomatic mission.<sup>29</sup> During the following years, he almost singlehandedly reshaped Franco-Algerian relations.

## II. The 1801 Peace Treaty and the Quest for Empire

A man of considerable experience in Near Eastern affairs, Thainville had already worked as a diplomat in Cairo and Smyrna and during his travels had faced the Inquisition in Venice, capture by the pasha of Travnik in Bosnia, and assaults by thieves in the Balkans and Anatolia (see figure 3).<sup>30</sup> Charles-Maurice de Talleyrand, the French minister of war, had entrusted him with a diplomatic mission to Egypt in 1798, but he failed to travel beyond Italy due to the strong presence of English and Ottoman navies in the eastern Mediterranean.<sup>31</sup> Full of zeal at the prospect of a consulship in Algiers, he wrote to Talleyrand from Ancona that “Arabs in their desert tents have already begun

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<sup>26</sup> Napoleon Bonaparte to Dominique Moltedo, Malta, 15 June 1798, in Albert Devoulx, ed., *Les Archives du consulat général de France à Alger*, 131.

<sup>27</sup> Rapport au Directoire exécutif, 18 Pluviôse 7 (6 February 1799): AMAE, Algiers/34, f. 326v.

<sup>28</sup> Napoleon Bonaparte to Muṣṭafā Pasha, Paris, 5 April 1800, in Albert Devoulx, ed., *Les Archives du consulat général de France à Alger*, 137.

<sup>29</sup> For a short summary of Thainville’s mission, see Henri Déhérain, *La Mission du commissaire général Dubois-Thainville auprès du dey d’Alger (an VIII et an IX; 1800 et 1801)* (Paris: Société de l’histoire des colonies françaises, 1926).

interpreting the words liberty and equality.”<sup>32</sup> Like many in the French government, Thainville believed that the Algerian deys represented nothing more than pirates



Figure 3: Charles Dubois Thainville’s Diplomatic Missions

<sup>30</sup> Charles Thainville to Minister of Foreign Affairs, Paris, 11 March 1810: AMAE, Algiers/40, f. 22r-23v.

<sup>31</sup> Charles Thainville to Minister of Foreign Affairs, Genoa, 22 Brumaire 7 (12 November 1798): AMAE, Algiers/34, f. 264v.

<sup>32</sup> Charles Thainville to Minister of Foreign Affairs, Ancona, 26 Frimaire 7 (16 December 1798): AMAE, Algiers/34, f. 288r.

who ought to be destroyed, but he admitted that France lacked the means to invade Algeria in 1799 and he championed the adoption of a careful strategy that would maintain French access to the only neutral ports left in the Mediterranean, ensure the maritime link with Malta and Egypt, and preserve what was left of French commerce in the basin.<sup>33</sup>

Shortly after arriving in Algiers, following a brief capture at the hands of British naval forces based in Mahon, Thainville convinced Muṣṭafā Pasha to sign an armistice on 19 July 1800 as an intermediary measure that temporarily reconciled him with Bonaparte.<sup>34</sup> In exchange for the signing of a comprehensive peace treaty, the dey requested 200,000 *piastres* as a “present,” but Thainville protested that Napoleon refused to buy peace and he warned that France might resort to seeking revenge if such injurious demands recurred.<sup>35</sup> As rumors about Napoleon’s advance in Egypt spread across Algeria, Thainville amplified his demands and gradually obtained additional concessions from the dey, first in the form of freedom for 250 slaves from French Corfu.<sup>36</sup> The

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<sup>33</sup> Charles Thainville to Minister of Foreign Affairs, Marseille, 27 Prairial 7 (15 June 1799): AMAE, Algiers/34, f. 438v.

<sup>34</sup> Thainville escaped from Mahon and arrived safely in Algiers by pretending to be a French émigré and merchant with American nationality: Charles Thainville to Minister of Foreign Affairs, Algiers, 26 Messidor 8 (15 July 1800): AMAE, Algiers/35, f. 26r-31r. On British Minorca, see Desmond Gregory, *Minorca, the Illusory Prize: A History of the British Occupations of Minorca between 1708 and 1802* (Rutherford, NJ: Fairleigh Dickinson University Press, 1990). A copy of the armistice is located in Armistice illimité, 19 July 1800: AMAE, Algiers/35, f. 32r.

<sup>35</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 13 Thermidor 8 (1 August 1800): AMAE, Algiers/35, f. 43r-v. One *piastre* was equal to 5.13 francs during the early 1800s. By 1816 it had increased in value to around 5.30 francs: J. Pinkerton, *Géographie moderne*, trans. C. A. Walckenaer (Paris: Dentu, 1804), VI, 356; Pierre Deval to Minister of Foreign Affairs, Paris, 21 June 1816: AMAE, Algiers/42, f. 305r.

<sup>36</sup> The French invasion of Egypt also destabilized the dey’s control over parts of eastern Algeria. Between 1804 and 1806, for instance, Muḥammad bin ‘Abd Allāh al-Sharīf, a Moroccan marabout and rebel who had fought against the French in Egypt during the Napoleonic occupation, led an uprising in the coastal city of Jijil (Gigeri in French sources), as well as the surrounding mountains. He assembled a group of supporters and remolded the city into a pirate outpost that threatened French ships in the basin. Thainville complained that al-Sharīf had captured 54 French subjects from the Island of Elba and taken them to the



Ottoman Porte had demanded the transfer of those slaves with three separate *firman*s, Muṣṭafā Pasha explained, but he decided to turn them over to France out of his “*amorro de Buonaparte*.”<sup>37</sup> However, in an attempt to appease Napoleon without conceding too much ground during the ensuing peace negotiations, the dey framed the granting of freedom as a personal act of munificence—and not a legal obligation that stemmed from the armistice.

These preliminary negotiations point to the emergence of new diplomatic fault lines: Thainville worked to redefine bilateral relations in light of binding legal obligations (protection from slavery for French subjects across the basin, for instance), while Muṣṭafā Pasha defended the traditional system, within which beylical prerogatives and unilateral decrees superseded all signed agreements. Maintaining the old order entailed a number of risks due to the possibility of a French invasion and the dey provisionally accepted

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mountains. Distinguishing them from the legal Algerian corsairs, Thainville underlined the complete illegality of al-Sharīf’s actions by describing his followers as *forbans* who unjustly killed 26 of the captured French subjects. They later expanded their activities to Bougie and only agreed to free French slaves in exchange for payments. By August 1806, Thainville successfully freed only two French subjects, Giuseppe Franciscone and Antonio Sereno, both of whom were around 12 years old, had forgotten Italian, and only spoke Arabic after a long captivity and the al-Sharīf’s decision to force them to convert and get circumcised: Charles Thainville to Minister of Foreign Affairs, Algiers, 5 Messidor 12 (24 June 1804): AMAE, Algiers/37, f. 53v-57r; Charles Thainville to Minister of Foreign Affairs, Algiers, 21 Messidor 12 (10 July 1804): AMAE, Algiers/37, f. 71v-72v; Charles Thainville to Minister of Foreign Affairs, Algiers, 27 Floréal 13 (17 May 1805): AMAE, Algiers/37, f. 197r; Charles Thainville to Minister of Foreign Affairs, Algiers, 1 March 1806: AMAE, Algiers/38, f. 26r; Charles Thainville to Minister of Foreign Affairs, Algiers, 11 August 1806: AMAE, Algiers/38, f. 100v. For more on al-Sharīf’s activities in Algeria, see Arzaqī Shuwaytām, *Nihāyat al-ḥukm al-‘Uthmānī fī al-Jazā‘ir wa-‘Awāmil Inhiyārihi, 1800-1830* (Algiers: Dār al-Kitāb al-‘Arabī, 2011), 90-99.

<sup>37</sup> Quoted in Charles Thainville to Minister of Foreign Affairs, Algiers, 18 Thermidor 8 (6 August 1800): AMAE, Algiers/35, f. 45r. These events had an impact on Tunisia too, where 136 slaves were freed after the dey ordered the Tunisian bey to accept a similar treaty with France: Jacques Devoize to Charles Thainville, Tunis, 11 Fructidor 8 (29 August 1800): AMAE, Algiers/35, f. 79r-83r. For more on British competition with France in this context, see Charles Thainville to Minister of Foreign Affairs, Algiers, 4 Fructidor 8 (22 August 1800): AMAE, Algiers/35, f. 68v-70r. Thainville often quoted expressions used by the dey in the Mediterranean lingua franca, or *sabir*. This pidgin language had been in use in the Mediterranean from the eleventh to the nineteenth centuries, and much of its vocabulary and grammar consisted of a mixture of Romance languages and borrowings from other languages spoken around the basin: see Jocelyne Dakhliā, *Lingua franca* (Arles: Actes sud, 2008).

Thainville's demand that the two governments refrain from acting outside of the legal framework set up by the armistice, even in times of conflict. For instance, in late 1800, French administrators tested the dey's resolve to obtain 200,000 *piastres* in exchange for a durable peace by refusing to send those funds to Thainville. The latter had previously offered Muṣṭafā Pasha a verbal reassurance that the funds would be forthcoming, largely because of overwhelming pressure exerted by French generals who wanted peace in North Africa and stable communication links with Egypt and Malta. After Talleyrand refused to send the funds, the dey declared war on France and expelled Thainville to Alicante.<sup>38</sup> Despite the resumption of hostilities, however, Thainville escaped the harsh treatment endured by consul Moltedo in 1798 because Muṣṭafā Pasha upheld a key legal obligation enshrined in the armistice and allowed Thainville and the rest of French citizens to depart within thirty days.<sup>39</sup> This small victory ushered in the beginning of fundamental changes in beylical policies.

Feeling threatened by the new French military line that connected southern France to Malta and Egypt, the dey rejected the Ottoman insistence on the need to maintain a state of war with France and he opted for closer relations with the French government. Thainville seized that moment and realigned Franco-Algerian relations through the signing of a comprehensive peace treaty on 28 December 1801, which gave rise to a war of interpretations that firmly pulled Algeria toward both the European legal space and the

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<sup>38</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 3 Nivôse 9 (24 December 1800): AMAE, Algiers/35, f. 183r.

<sup>39</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 17 Pluviôse 9 (6 February 1801): AMAE, Algiers/35, f. 205r-v.

French imperial embrace.<sup>40</sup> European states' reliance on treaties in managing relations with North African regencies had granted the Algerian polity a legal personality in international law at least since the early-seventeenth century. Despite the implicit recognition of beylical statehood in those treaties, a sharp legal divide existed between the northern and southern Mediterranean shores, which has been characterized as a bifurcated system that contained two connected—yet separate—legal systems.<sup>41</sup> The implementation of the 1801 treaty in Algeria during the reign of Muṣṭafā Pasha (1798-1805) represented a significant departure from the previous legal practice and it marked the first aggressive attempt to expand French influence in Algeria through the beylic's integration into the European legal space, a process that paralleled a similar development within the Ottoman Empire during the reign of Selim III (1789-1807).<sup>42</sup>

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<sup>40</sup> A copy of the treaty is located in *Traité de paix conclu entre l'illustre & magnifique Seigneur Mustafa Pacha, Deï d'Alger, au nom de tout le divan, & le citoyen Charles François Dubois Thainville, Chargé d'affaires, & commissaire général, revêtu des pleins pouvoirs du Premier Consul Bonaparte, au nom de la République Française, Algiers, 7 Nivôse 10 (28 December 1801): AMAE, Algiers/36, f. 9r-10v*. Fatiha Loualich has described French diplomacy in Algeria as being “à la recherche de la réciprocité” during the 1790s. She argued that French policies begun to change after 1796, when French administrators started embracing expansionist ideas: Fatiha Loualich, “Alger et la correspondance consulaire durant la Révolution française,” in *Droit des gens et relations entre les peuples dans l'espace méditerranéen*, 37, 42.

<sup>41</sup> “The multifaceted relations existing between the European and Barbary states came to constitute a distinct type of international law, [...] which should be classified as a between-legal-systems (*Zwischen-Ordnungen-Rechts*) type of international law. In this international legal order, Barbary states had international legal personalities”: Mössner, *Die Völkerrechtspersönlichkeit und die Völkerrechtspraxis der Barbareskenstaaten*, 170. On the statehood of the three Regencies, see Jörg Manfred Mössner, “The Barbary Powers in International Law (Doctrinal and Practical Aspects),” in *Grotian Society Papers: Studies in the History of the Law of Nations*, ed. C. H. Alexandrowicz (The Hague: Martinus Nijhoff, 1972) 209, 217; Peter Fischer, “Historical Aspects of International Concession Agreements,” in *Grotian Society Papers: Studies in the History of the Law of Nations*, ed. C. H. Alexandrowicz (The Hague: Martinus Nijhoff, 1972), 258; Michael Kempe, “Piraterie zwischen Kreuz und Halbmond: Korsarentum und internationale Rechtskultur im Mittelmeer,” chap. 6 in *Fluch der Weltmeere: Piraterie, Völkerrecht und internationale Beziehungen 1500-1900* (Frankfurt; New York: Campus Verlag, 2010), 261; Guillaume Calafat, “Ottoman North Africa and *ius publicum europaeum*: The Case of the Treaties of Peace and Trade (1600-1750),” in *War, Trade and Neutrality: Europe and the Mediterranean in the Seventeenth and Eighteenth Centuries*, ed. Antonella Alimento (Milan: FrancoAngeli, 2011), 172, 186.

<sup>42</sup> Géraud Poumarède, “Négociier près la Sublime Porte: Jalons pour une nouvelle histoire des capitulations franco-ottomanes,” in *L'invention de la diplomatie: Moyen Age—temps modernes*, ed. Lucien Bély and

The post-1801 *bilan* looked as follows: Thainville recovered the coveted coral fishing concessions for the *compagnie d'Afrique*, including a temporary exemption from annual payments; he freed all French citizens from the threat of slavery in the Mediterranean basin, regardless of whether they travelled on state, private, or enemy ships; he imposed the requirement that all judicial disputes involving a French citizen and Algerians be judged directly by the dey and exempt from local courts; he preserved the preeminence of French consuls over those of other nations; and he extended the window of departure in case of another conflict to three months. Moreover, the treaty contained no mention of customary presents on which the dey continued to insist, complaining that he had incurred losses amounting to 100,000 *piastres* due to the freeing of French slaves and the one-year exemption from payments for the fishing concessions.<sup>43</sup> During the following years, Thainville used a combination of threats and an ever-expanding interpretation of the treaty's terms in order to integrate Algeria into the Napoleonic realm in southern Europe.

In fact, for Thainville, the threat of invasion represented an essential diplomatic tool. In conjunction with his efforts to test the dey's resolve to apply the 1801 treaty, Thainville took advantage of rumors disseminated by agents of what he called "secondary

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Isabelle Richefort (Paris: Presses universitaires de France, 1998), 85; Windler, "Diplomatic History as a Field for Cultural Analysis," 82; Alexander H. de Groot, "The Historical Development of the Capitulatory Regime in the Ottoman Middle East from the Fifteenth to the Nineteenth Centuries," *Oriente Moderno* 83, no. 3 (2003): 599. On Ottoman diplomacy, see Carter Vaughn Findley, *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte, 1798-1922* (Princeton: Princeton University Press, 1980), 126-40. For an overview of Ottoman peace treaties, see Karl-Heinz Ziegler, "The Peace Treaties of the Ottoman Empire with European Christian Powers," in *Peace Treaties and International Law in European History: from the Late Middle Ages to World War One*, ed. Randall Lesaffer, 338-364; Viorel Panaite, "Peace Agreements in Ottoman legal and Diplomatic View (15th-17th Centuries)," in *Pax Ottomana: Studies in Memoriam, Prof. Dr. Nejat Göyünç*, ed. Kemal Çiçek, 277-308 (Ankara and Haarlem: Yeni Türkiye, 2001).

<sup>43</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 6 Pluviôse 10 (26 January 1802): AMAE, Algiers/36, f. 21v.

powers,” who claimed that the presence of Napoleonic troops in Spain indicated an impending invasion of Algeria. Taking great pleasure in witnessing the spread of fear among influential members of the Algerian *diwān*, Thainville explained to the dey that Napoleon did indeed intend to invade Algeria—but only if Algerians broke the peace treaty.<sup>44</sup> The general atmosphere of panic within the beylic allowed Thainville to enforce the peace treaty more aggressively. For instance, when Algerian corsairs captured a Neapolitan ship with fourteen people in 1802, Louis Baston and his son, two residents of Naples who possessed passports proving their French citizenship, ended up as slaves in Algiers. Upon hearing of this, Thainville quickly intervened with the dey and obtained their freedom. Beylical authorities proved very cooperative during the entire affair: they threatened the Algerian corsair with 500 lashes, returned all the looted property to the Frenchmen, and facilitated their departure home.<sup>45</sup>

This spirit of complete collaboration represented a rare exception, however. Muṣṭafā Pasha felt that Thainville’s insistence on the treaty as the final arbiter in all disputes undermined the authority that the dey traditionally held. When the consul ventured even further and attempted to dictate policies to the beylical government, tensions flared and Napoleon had to intervene personally. The dey had accepted the legal system set up through the 1801 treaty largely because it neutralized the threat of invasion, while he hoped that the customary presents of 200,000 *piastres* would both offset the financial losses due to new limits on corsair activities in the basin and, more importantly,

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<sup>44</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 18 Ventôse 10 (9 March 1802): AMAE, Algiers/36, f. 70r-v. The *diwān* was composed of a large body of administrators who elected the dey. The latter controlled the beylic, but he had limited powers because his officials only saw him as a *primus inter pares* and the local militia often rebelled and toppled successive deys: Thainville, “Sur Alger,” 127-8.

<sup>45</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 18 Ventôse 10 (9 March 1802): AMAE, Algiers/36, f. 72r.

maintain his position as a “grand master” (*patrone grande*) in the Maghreb. In a letter to Talleyrand, Thainville expressed his fears that the dey’s view of himself as an unrivaled prince might lead to a dangerous degradation of Franco-Algerian relations and he argued that sending the customary presents would solve the diplomatic impasse.<sup>46</sup> Bonaparte rejected this approach and sent a threatening letter to Muṣṭafā Pasha, in which he not only demanded the continued application of the 1801 treaty in a number of unresolved affairs, but also ordered the dey to recognize the Italian Republic as a French territory and adopt the French policy on maritime passports in the Mediterranean.<sup>47</sup>

Recognizing that Napoleon intended to finally operate what one of the dey’s chief advisors, Nephtalie Busnach, called a complete change of system in the Regency, Muṣṭafā Pasha at first violently protested the encroachment on his sovereignty. Busnach had received a letter from his brother in Paris, which confirmed his fears about a possible invasion of Algeria with 80,000 French troops. Imploring the dey to submit to Napoleon’s wishes, Busnach threw himself at the dey’s feet during a particularly dramatic audience and explained that choosing Bonaparte’s friendship over his enmity represented the only way to avoid losing the country. In response, Muṣṭafā Pasha allegedly entered a convulsive state and, adding to a previous threat of declaring war on France within forty days if customary presents failed to arrive, he proclaimed that he “would rather let Algiers burn to the ground than submit.”<sup>48</sup> As news of tense

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<sup>46</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 15 Germinal 10 (5 April 1802): AMAE, Algiers/36, f. 112r-v.

<sup>47</sup> Napoleon Bonaparte to Dey of Algeria, Muṣṭafā Pasha, n.d.: AMAE, Algiers/36, f. 250v.

<sup>48</sup> Quoted in Charles Thainville to Minister of Foreign Affairs, Algiers, 25 Thermidor 10 (13 August 1802): AMAE, Algiers/36, f. 216r.

negotiations between the dey and Thainville travelled beyond the walls of the beylical palace, panic enveloped Algiers.<sup>49</sup> Only a concerted effort by Muṣṭafā Pasha's entourage, many of whom feared material losses in the event of conflict, convinced him to retract his earlier threat and accept Napoleon's demands.<sup>50</sup>

Thainville noticed that these events exacerbated the already volatile political situation in Algiers: "Such an unexpected change of sentiments produced a highly vivacious situation on the city: people loudly accused the dey of humiliating himself in front of us and the murmurs of the militia became more violent," he observed.<sup>51</sup> In that context, Muṣṭafā Pasha attempted to renegotiate the long list of promises he made to Thainville in order to restore some semblance of beylical independence, but the French consul refused to engage in any further negotiations and he notified the dey that he would leave Algeria, together with all French citizens, on the following day if the most recent agreement was not immediately implemented. He ended the audience with another threat of invasion: "The First Consul has defeated all his enemies, all national forces remain available, and if you do not hasten to change the entire system, he will fall on you with 80,000 men and make you suffer the sort of the Mamluk government."<sup>52</sup> The seriousness with which the dey considered this threat could be observed in his consultation with the American consul, who had been the dey's slave for over ten years and who enjoyed his

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<sup>49</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 25 Thermidor 10 (13 August 1802): AMAE, Algiers/36, f. 218v.

<sup>50</sup> Dey of Algiers, Muṣṭafā Pasha to Napoleon Bonaparte, Algiers, 13 Rabī' al-'Awwal 1217 (14 July 1802): AMAE, Algiers/36, f. 251v-254r.

<sup>51</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 25 Thermidor 10 (13 August 1802): AMAE, Algiers/36, f. 218r.

<sup>52</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 25 Thermidor 10 (13 August 1802): AMAE, Algiers/36, f. 219r-v.

full trust. To the dey's inquiry about the likelihood of a Napoleonic invasion, the consul responded that nothing was surer than Bonaparte's determination and he congratulated him on having avoided much trouble by opting for cooperation. In reporting this information, which he probably collected within the small consular circle, Thainville gleefully remarked that Napoleon's word now inspired more fear in Algiers than Louis XIV's multiple burnings of the city during the 1680s.<sup>53</sup>

Among numerous legal matters settled after these events, the alignment of French and Algerian policies on maritime passports significantly reduced the threat of enslavement for French naval crews, a benefit extended to Italian ships after the dey's recognition of the Italian Republic. For instance, an Algerian corsair named Ḥasan had seized two captains and a French state ship close to Sète in June 1802 because they only had an official permission (*patente*) to operate in the basin and no passports.<sup>54</sup> Thainville insisted that crews on state ships should not be obliged to present the usual passports. Muṣṭafā Pasha released the two ships but he initially refused to lift the passport requirement for state ships.<sup>55</sup> After the arrival of Napoleon's letter, however, the dey

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<sup>53</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 10 Fructidor 10 (28 August 1802): AMAE, Algiers/36, f. 238r. In 1680, the dey had agreed to a tentative peace treaty with France in exchange for the release of Algerian captives stranded in Marseille. When the French reneged on that promise, the dey first issued an ultimatum and then declared war on France on 18 October 1681. A prolonged conflict ensued and in 1683 the French consul Jean Le Vacher was attached to a cannon ball, which was then fired toward the French naval forces led by Abraham Duquesne: H. D. de Grammont, *Histoire d'Alger sous la domination turque (1515-1830)* (Paris: Ernest Leroux, 1887), 247-53. Also, see Jean Peter, *Les barbaresques sous Louis XIV: le duel entre Alger et la marine du Roi (1681-1698)* (Paris: Economica, 1997); Charles Germain de La Roncière, *Le bombardement d'Alger en 1683: d'après une relation inédite* (Paris: Impr. nationale, 1916); Michel Vergé-Franceschi, *Abraham Duquesne: huguenot et marin du Roi-Soleil* (Paris: France-Empire, 1992).

<sup>54</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 21 Prairial 10 (10 June 1802): AMAE, Algiers/36, f. 135v.

<sup>55</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 21 Prairial 10 (10 June 1802): AMAE, Algiers/36, f. 136v-137r.



agreed to forbid Ḥasan from engaging in corsair activities, in addition to removing the passport requirement for state ships.<sup>56</sup> The deployment of a special flag and the presence of uniformed officers would suffice henceforth.<sup>57</sup> In addition, Muṣṭafā Pasha declared that the ensigns of France and the Italian Republic would enjoy the same rights, while Algerian corsairs who brought prizes from either nation risked the death penalty.<sup>58</sup>

In a few short years, therefore, a veritable revolution in the Franco-Algerian relationship had occurred. Prior to 1801, French consuls refrained from forcefully protesting against the enslavement of French citizens by Algerian corsairs; instead, they simply attempted to buy the freedom of as many slaves as possible. In 1797, for example, consul Saint-André explained that “buying back slaves is the most important political transaction in Algiers.”<sup>59</sup> In contrast, the 1801 treaty ushered in a legal order that allowed Thainville to protect French citizens and inhabitants of Napoleonic Italy from slavery—but, to be sure, the new system always remained tenuous, unevenly applied, dependent on the dey’s assessment of the threat of invasion, and lacking in legal norms that extended beyond the strict confines of interactions between Algerian and French naval crews. Despite Thainville’s triumphalist tone and claims that Napoleon successfully brought

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<sup>56</sup> Dey of Algiers, Muṣṭafā Pasha to Napoleon Bonaparte, Algiers, 13 Rabī‘ al-’Awwal 1217 (14 July 1802): AMAE, Algiers/36, f. 252r-v.

<sup>57</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 25 Thermidor 10 (13 August 1802): AMAE, Algiers/36, f. 220r.

<sup>58</sup> Muṣṭafā Pasha to Napoleon Bonaparte, Algiers, 13 Rabī‘ al-’Awwal 1217 (14 July 1802): AMAE, Algiers/36, f. 252v-253r; Charles Thainville to Minister of Foreign Affairs, Algiers, 25 Thermidor 10 (13 August 1802): AMAE, Algiers/36, f. 218r.

<sup>59</sup> Jean-Bon Saint-André to Ambassador of France in Spain, Algiers, 15 Thermidor 5 (2 August 1797): AMAE, Algiers/33, f. 240r.

Algeria into the French imperial orbit, in other words, the Mediterranean continued to be a space where Napoleon's imperial reach, albeit expanding, remained circumscribed.

Slavery, although unambiguously abolished by article four of the peace treaty insofar as it affected French citizens, remained a crucial point of contention. The enslavement of Europeans in the Mediterranean represented a major source of income for the beylic and Napoleon's expansion in southern Europe and insistence on protection for his new subjects undermined the economic system on which the stability of the beylic depended. Moreover, Muştafâ Pasha's local authority suffered due to his willingness to release slaves reclaimed by Thainville as French citizens, which ultimately led to his murder by the local militia in 1805. Although the new dey, Aḥmad Pasha, ratified the 1801 treaty after taking power, he indicated that he considered his predecessor's recognition of Napoleonic territories in Italy a grave mistake and he refused to accept Thainville's attempt to draw an equal sign between French citizens and imperial subjects.<sup>60</sup>

Algerian corsairs took advantage of the dey's position and began capturing Genoese, Roman, Tuscan, and even Corsican ships with French passports.<sup>61</sup> In the Atlantic, moreover, they captured a Portuguese ship with a monk, Father Philibert, who intended to travel to Pondicherry in order to join a Capuchin mission. Because Philibert was born in Cera, in the Montenotte department (modern Cairo in the Province of Savona), Thainville argued that he was a French subject who ought to be immediately

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<sup>60</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 25 September 1806: AMAE, Algiers/38, f. 143v, 146r.

<sup>61</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 20 November 1806: AMAE, Algiers/38, f. 162v.

released.<sup>62</sup> Aḥmad categorically refused and claimed that Philibert was a Portuguese citizen because he had travelled from Lisbon.<sup>63</sup> Despite Thainville's presentation of numerous certificates that testified to Philibert's birth in Cera, including copies of baptismal, notarial, and other municipal documents, Aḥmad Pasha refused to reconsider the case and the monk continued to languish in the *bagne* of Algiers.

The addition of the Kingdom of Naples to the Napoleonic Empire would further exacerbate tensions between Thainville and the dey. Neapolitan ships represented one of the most prominent targets for Algerian corsairs during the rule of Muṣṭafā Pasha, a segment of the corsair economy left intact by Napoleon during the tense negotiations in 1802. When French troops took over Naples in 1806, Thainville began insisting on Algeria's recognition of the new possession as a French territory, but Aḥmad Pasha refused to accept the legitimacy of Napoleon's conquest. Instead, Thainville learned that Algerian corsairs had captured, in French waters close to Fréjus, the ship of a Neapolitan captain, Vincent de Palma, who had a French passport and a Neapolitan ensign on his ship.<sup>64</sup> The Algerian corsair denied having been presented with a French passport, but de Palma accused him of having seized it and thrown it into the sea. While interrogating the corsair, Thainville asked him if he flew the British ensign during the encounter. When the corsair answered in the negative, Thainville accused him of breaking international law by seizing another ship without flying an ensign. Unimpressed by the legal argument and

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<sup>62</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 20 February 1806: AMAE, Algiers/38, f. 12r. Thainville again demanded Philibert's freedom later in the same year: Charles Thainville to Minister of Foreign Affairs, Algiers, 1 August 1806: AMAE, Algiers/38, f. 99v.

<sup>63</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 25 September 1806: AMAE, Algiers/38, f. 145v.

<sup>64</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 9 March 1806: AMAE, Algiers/38, f. 23v.

appeals to the article on slavery in the peace treaty, Aḥmad Pasha expressed his surprise at Thainville's insistence on an issue on which the maritime *diwān* had already pronounced itself. He refused to change the existing ruling in the de Palma case, but he reassured Thainville that he wished to remain a friend of the French emperor.<sup>65</sup>

Aḥmad Pasha's decision to reverse the policies of his predecessor reignited the debate about Algeria's role within the emerging French Empire in the Mediterranean and the viability of the post-1801 framework. Many in the beylical government feared a complete loss of the country due to Napoleon's attempt to dictate Algeria's foreign policy. Muṣṭafā Pasha's recognition of French territorial gains in southern Europe had severely limited Algerian corsairs' activities in the basin, which in turn undermined the beylical economy. In fact, instability had already spread to Oran and Constantine in the form of a large rebellion against the dey.<sup>66</sup> In that context, Aḥmad Pasha attempted to resurrect the corsair economy by refusing to accept Thainville's attempt to assimilate imperial subjects of Napoleonic Italy to the category of French citizens.

After 1806, Thainville registered a widespread enthusiasm among the imprisoned Neapolitans because French insistence on imperial citizenship had become well-known. The 500 Neapolitan slaves, Thainville explained, "have experienced immodest bouts of joy and from the morning until nighttime one hears them shout 'long live Napoleon the great' in the *bagnes*."<sup>67</sup> Bonaparte's shift of focus toward Spain after the 1807 Treaty of

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<sup>65</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 9 March 1806: AMAE, Algiers/38, f. 25r.

<sup>66</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 10 April 1806: AMAE, Algiers/38, f. 37v-38r.

<sup>67</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 10 April 1806: AMAE, Algiers/38, f. 37r.

Tilsit would affect the fate of those slaves and lead to another crisis in Algiers.<sup>68</sup> As the number of French troops in Spain dramatically increased in 1808, Thainville began insisting more forcefully on the freeing of all French slaves. Outraged by this request, the dey ordered that all French citizens, including Thainville, prepare their departure from Algeria—in clear contravention of the treaty article that granted the French three months to leave in the case of conflict.<sup>69</sup> On 16 February 1808, Thainville attached a public announcement to the door of the consular house, which informed all French citizens that they should leave Algeria. A few days prior to his scheduled departure, he boarded a French military ship in the port of Algiers and received a letter from Napoleon, who now gave the dey a new ultimatum: the freeing of all slaves from French-controlled territories within 48 hours or war. During the audience that followed this announcement, the dey remained defiant and warned Thainville that he would no longer brook the consul's haughty way of talking and issuing threats.<sup>70</sup>

Aḥmad Pasha's effort to reassert his independence quickly crumbled, however, and he soon adopted his predecessor's policy. The dey's advisors feared an outbreak of hostilities and one of them explained to Thainville that Aḥmad Pasha cared less about the complete application of the treaty than the damage that would be done to his honor if

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<sup>68</sup> Article five of the secret clauses in this treaty reserved conquests in North Africa to France, or Napoleonic protectorates in southern Europe: "The towns in Africa, such as Tunis, Algiers, &c to be taken possession of by the French, and at a general peace, all conquests which might have been made by the French in Africa during the war, are to be given as indemnities to the kings of Sardinia and Sicily" (Lewis Goldsmith, *The Secret History of the Cabinet of Bonaparte* [London: J. M. Richardson and J. Hatchard, 1810], 393). Also, see Frank Ives Scudamore, *France in the East: A Contribution Towards the Consideration of the Eastern Question* (London: Wm. H. Allen, 1882), 120-38.

<sup>69</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 10 March 1808: AMAE, Algiers/39, f. 72r.

<sup>70</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 10 March 1808: AMAE, Algiers/39, f. 74v.

Napoleon refused to send the customary presents. However, Thainville disregarded this entreaty and continued to prepare his departure. Moments before the impending break in relations, Aḥmad Pasha's entourage put an enormous amount of pressure on him and in the end he relented and freed the French slaves.<sup>71</sup> Celebrating this victory, Thainville wrote the following coded message:

In order to tame the obstinate behavior of a fanatical prince whose amour propre had been injured, and who was capable, without any political consideration, of using the most extreme actions against the French and the agent of His Majesty, it was necessary to win over his whole family. Among the latter, I have always maintained friendships, even with the women, in order to arrive at the results that I have now obtained.<sup>72</sup>

Thainville applauded himself for having subverted the schemes of the British consul and proclaimed that for the first time in recent history there were no more French slaves in Algeria. He stressed that his interpretation of the peace treaty had been completely recognized because the dey promised to recognize Venice and Ragusa (Dubrovnik) as French territories, and even those who lacked the proper paperwork among the French slaves had been freed.<sup>73</sup>

The triumphalism that permeated Thainville's report masked the tenuousness of his gains. In 1802 and 1808, only threats of invasion and immense pressure from the *diwān* convinced the deys to accept an emerging Mediterranean legal system that relegated Algeria to the status of a vassal. In other words, the strategy of consular imperialism was only as effective as Napoleon's ability to command fear in Algiers. The

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<sup>71</sup> The prisoners left Algeria on 13 March 1808: Charles Thainville to Minister of Foreign Affairs, Algiers, 27 March 1808: AMAE, Algiers/39, f. 110r.

<sup>72</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 10 March 1808: AMAE, Algiers/39, f. 78r.

<sup>73</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 10 March 1808: AMAE, Algiers/39, f. 79r-79v.

deys' incremental concessions certainly implied at least a partial recognition of a legal system that protected French imperial gains in the Mediterranean and reduced the maritime zone where Algerian corsairs could operate, but Thainville never succeeded in remolding Algeria into a stable imperial satellite. Muṣṭafā Pasha and Aḥmad Pasha accepted the treaty's full application only during fleeting moments and always insisted on its subjugation to a supra-legal code of honor, which affirmed their right to take independent actions even when in contravention of the treaty.

### III. The Limits of Consular Imperialism and the Conquest of North Africa

It was precisely against the arbitrariness produced by the honor-centered legal order that Thainville struggled. The peace treaty had facilitated the extension of new legal norms across the Mediterranean, but the reliance on consular imperialism only created uneven legal lines traced by French and Algerian ships. The treaty applied to encounters between French and Algerian naval crews and contained no universal principles (the wholesale abolition of slavery in the basin, for instance) extending beyond those strict limits. The injection of such principles into discussions on international law gained momentum after the Congress of Vienna and it is only by the mid-nineteenth century that the international order became bifurcated into “civilized” and “non-civilized” spheres.<sup>74</sup>

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<sup>74</sup> Mössner, “The Barbary Powers in International Law,” 217; Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002), 6-7; Kempe, “Piraterie zwischen Kreuz und Halbmond,” 284. However, the language of civilization in similar debates was not completely absent during the beginning of the nineteenth century. A report read in the French senate in 1802 contains the following description of North Africa: “From the border of Egypt to the Straits of Gibraltar, North Africa is possessed by a race of men who are strangers in the country that they oppress. They ignore treaties of peace [...] and their relations with Europe have not advanced along the path of civilization. Placed on one of the greatest routes of European commerce, they have become its plague. Enriching themselves through plunder, the enslavement of navigators, and the sale of their freedom at the price of gold: that is their unique industry. Their force resides in the weakness of their enemies, in patience, and above all in European divisions” (Rapport au Premier Consul, lû en Sénat le 21 Fructidor an 10 [8 September 1802]: AMAE, Algiers/36, f. 245v).

The partial integration of Algeria into the European legal space after 1801 brought about a perplexing dilemma for Thainville: he continuously insisted on the inviolability of the treaty, but some articles of the treaty protected beylical interests and clashed with the strategy of consular imperialism in Algeria. For instance, Thainville deemphasized articles on annuities for maritime concessions and debts for grain imports, largely because those payments amounted to extraordinarily large expenses that would detract from the ability of French armies to remain funded in Europe. The loss of the concessions during the mid-1800s, at a moment when the strategy of consular imperialism faltered, would mark the beginning of a shift in Thainville's thinking toward formal imperialism.

After 1801, the series of small victories in relation to slavery had emboldened Thainville and he attempted to keep the temporary sovereignty over Algerian waters provided by the coral fishing concessions without paying the annuities enshrined in the 1801 treaty. A 1798 report to the *directoire exécutif* stressed that the concessions represented “an advantageous commerce” that the French state wished to preserve. “It would be convenient, therefore, to seriously ponder the choice of a system that should be adopted in dealing with the Barbary powers,” the writer concluded, “but it must not replicate the system used with European powers.”<sup>75</sup> The “manner of existence” in Algeria, he continued, completely opposed the Algerians to the European legal system because they had no need for relations with Europe, they did not maintain warehouses and consulates there, and if the prevalent customs were disrespected, the deys would likely give to others “the concessions and commerce that we have exploited, almost

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<sup>75</sup> Rapport au Directoire exécutif, 9 Vendémiaire 7 (30 September 1798): AMAE, Algiers/34, f. 225r.



exclusively, for longer than a century.”<sup>76</sup> Thainville agreed that the concessions represented an important national interest because the agents of the *compagnie d’Afrique*, as he explained, “regulate the fishing and police the fishermen, while the Regency and its delegates have no right to interfere in their internal administration.”<sup>77</sup> At the same time, he did his utmost to avoid following the old practice of paying for these benefits.

As in the case of slavery, Thainville used an expanded interpretation of the treaty in dealing with the issue of concessions. When a representative from the beylical ministry of finance (*khaznedji*) summoned Thainville in 1803 and demanded the payment of annuities, he refused and argued that the Algerian government had failed to respect the fifth article of the treaty: due to the dey’s inability to fully pacify the eastern portion of his realm, the bey of Constantine had impeded the full reinstallation of French merchants in their warehouses, a treaty condition for the payment of annuities.<sup>78</sup> The *khaznedji* rejected this argument, stressed that the bey of Constantine had received orders to facilitate the French agents’ recovery of their warehouses and coral fishing, and he then threatened to give the concessions to another power in the case of continued nonpayment.<sup>79</sup> The issue remained unresolved and Thainville further temporized by

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<sup>76</sup> Rapport au Directoire exécutif, 9 Vendémiaire 7 (30 September 1798): AMAE, Algiers/34, f. 225v.

<sup>77</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 6 Pluviôse 10 (26 January 1802): AMAE, Algiers/36, f. 19v.

<sup>78</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 6 Fructidor 11 (24 August 1803): AMAE, Algiers/36, f. 404v. Thainville described the role of the *khaznedji* as follows: “He directs the treasury, civil affairs, and commerce. In addition, he controls the police in the interior of the city.” (Thainville, “Sur Alger,” 128).

<sup>79</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 6 Fructidor 11 (24 August 1803): AMAE, Algiers/36, f. 405r.

seeking direction from the minister of foreign affairs, who received the letter only three months later.<sup>80</sup>

Talleyrand penned his official response and approval of the gradual payment of annuities in December 1803, and Napoleon later personally intervened in this affair by deciding to respect the terms of the treaty and make the required funds available to Thainville. Although this produced a great effect within the Algerian government, Thainville did not abandon his strategy of temporizing: he argued that he could only start paying the annuities at the end of the year because he had no source of credit in Algeria and the promised funds remained far away in Toulon. The *kahznedji* expressed his surprise at Thainville's claim that France had no creditors in Algeria and he immediately offered to personally provide the needed credit. "I wanted to evade his offer," Thainville explained to Talleyrand, "but the dey had sent for my dragoman and explained to him that the dues paid by France were part of the beylical budget, and that it was his duty to arrange those payments according to the old usage."<sup>81</sup> "I feared that my ulterior attempts to obtain a delay," Thainville continued, "had annoyed a prince who, as you know, is prone to irritation [...] and might compromise the safety of our coral fishermen."<sup>82</sup>

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<sup>80</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 6 Fructidor 11 (24 August 1803): AMAE, Algiers/36, f. 405v. This letter was sent on 24 August 1803 and received in Paris on 6 December 1803.

<sup>81</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 22 Germinal 12 (12 April 1804): AMAE, Algiers/37, f. 25r.

<sup>82</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 22 Germinal 12 (12 April 1804): AMAE, Algiers/37, f. 25v.

The difficulty of communicating with southern France and the spread of yellow fever in Mediterranean ports created further problems.<sup>83</sup> Moreover, in the context of troubles that followed the arrival of Aḥmad Pasha to the throne, Thainville asked Talleyrand if continued payments were still warranted.<sup>84</sup> “I will temporize as long as possible,” he wrote, “but if they resort to violence, with which I am threatened, and no response is received from your Excellency, I will be obliged to pay.”<sup>85</sup> By the end of October 1806, pressure had mounted to the point where Thainville agreed to immediately pay the annuities by relying on two last lines of credit: one with the American consul and another with the merchant Bacri.<sup>86</sup> The dey forbade Thainville from leaving Algeria before the payment of all outstanding annuities and Algerian subjects in France, especially a certain notable named Muḥammad al-Barbarī, were allowed to return home. “No other consideration,” the dey stressed to Thainville, “would make him cede—even if all the stones of his palace fell on his head.”<sup>87</sup> Due to this response, Thainville urged the minister of foreign affairs to arrest all Algerians in France, including al-Barbarī, whose

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<sup>83</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 26 Vendémiaire 13 (18 October 1804): AMAE, Algiers/37, f. 114r.

<sup>84</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 25 September 1806: AMAE, Algiers/38, f. 150r.

<sup>85</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 25 September 1806: AMAE, Algiers/38, f. 153r.

<sup>86</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 30 October 1806: AMAE, Algiers/38, f. 157v. On Bacri and Busnach, see Morton Rosenstock, “The House of Bacri and Busnach: A Chapter from Algeria’s Commercial History,” *Jewish Social Studies* 14, no. 4 (1952): 343-64.

<sup>87</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 14 December 1807: AMAE, Algiers/38, f. 290v.

presence in French custody remained the only guarantee of safety for French citizens in Algeria.<sup>88</sup>

While dealing with the issue of annuities, Thainville explored the limits of consular imperialism, an approach that ultimately backfired and undermined the considerable gains in influence he made after 1801. Consular imperialism had put the beylical government in a precarious position: the corsair economy had contracted as the Napoleonic Empire expanded in southern Europe, customary presents and annuities for concessions were not forthcoming, and Thainville directed the dey's foreign policy through threats. Aḥmad Pasha opted for a slow rebellion by insisting on rights granted to him by the 1801 treaty. Frustrated with Thainville's unwillingness to pay the annuities once every two months, in December 1806 the dey accepted a lucrative offer from the British consul, who promised to pay 40,000 *piastres fortes* annually for the concessions, in addition to offering presents to many notables, all members of the government and the navy, as well as the *diwān* in Bône and the bey of Constantine. As a final sign of goodwill, Aḥmad Pasha gave Thainville the option of matching the British offer, which the latter refused categorically because in his view it contravened all treaties from the previous two hundred years.<sup>89</sup> The dey disregarded Thainville's insistence that he must seek advice from Paris and on 2 January 1807 France lost the concessions to Britain at the final annual price of 50,000 *piastres fortes*, which represented a significant increase over the 18,000 *piastres* paid by France. All employees of the *compagnie d'Afrique* were

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<sup>88</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 14 December 1807: AMAE, Algiers/38, f. 290v-291r.

<sup>89</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 7 January 1807: AMAE, Algiers/38, f. 187v-188r.

obliged to vacate the warehouses in Algeria and cede control over Algerian waters to Britain. “My powerful sovereign,” Thainville warned the dey, “had dictated the law to his enemies, destroyed in a few moments the most formidable armies in the world, so why would he tolerate—at the door of his empire—Barbary powers that tear down his ensigns, disrespect the treaties, throw his subjects into chains, insult his agents, violate their homes, and play with all that has been respected in Algiers up to this day.”<sup>90</sup>

The impending loss of coral fishing concessions shook one of the main pillars of consular imperialism in the Maghreb, as well as Thainville’s faith in this strategy. For the first time since his arrival in Algeria, he began urging his superiors to consider the potential benefits of a formal empire in Algeria. In a coded part of his letter to the minister of foreign affairs from April 1806, he wrote:

I must inform you that times have probably never been more favorable for the destruction of these brigands. Algiers is in fact calm because a great fear represses the spirits, but the country lacks everything and even the *milice*, despite the double pay it had received, is rife with discontent. The provinces of Oran and Constantine continue to be exposed to all kinds of revolt and devastation, and all classes of inhabitants are asking for a liberator. It is true that the last prince [...] has pillaged a large part of the country’s wealth, but more than enough has remained to pay the cost of an expedition, in addition to enormous sums of precious stones. I permit myself to hope that our immortal emperor, by doing what Charles V could not accomplish, will attach this new jewel to his crown.<sup>91</sup>

In response to the increased pressure, Aḥmad Pasha proclaimed: “The French Emperor might be powerful, and we respect his colors, but we will prove to him that we are not Egyptians and we will maintain the glory of our illustrious founder Barbarossa.”<sup>92</sup> As was

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<sup>90</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 7 January 1807: AMAE, Algiers/38, f. 189v.

<sup>91</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 10 April 1806: AMAE, Algiers/38, f. 38r.

<sup>92</sup> Quoted in Charles Thainville to Minister of Foreign Affairs, Algiers, 25 September 1806: AMAE, Algiers/38, f. 144v.

shown above, once Bonaparte threatened to invade Algeria with 80,000 troops, the dey conceded defeat and accepted an agreement that remolded Algeria—at least temporarily—into an extension of the Napoleonic realm in southern Europe. Napoleon focused on slavery in his many demands, however, and he did not share Thainville's concerns about the concessions. In fact, this issue fades into the background in the archival record after 1807 and only resurfaces in 1817, when France regained the concessions from Britain.

Unlike slavery (a problem largely solved by Thainville) and maritime concessions (which Thainville retained for France between 1801-7 without paying the annuities), customary presents represented an insuperable problem. The deys viewed the presents as a confirmation of their position as regional hegemony who had the power to impose tributes on vassal-like nations, and they relentlessly demanded those presents from Thainville. For his part, Thainville categorically refused to accept the legitimacy of a diplomatic gesture that would put France in the symbolic position of a vassal, and he excluded any mention of customary presents from the 1801 treaty. It is this fundamental clash between two ideas of legitimacy that led—more than any other dimension of Franco-Algerian relations—to Thainville's firmer championing of formal imperialism by 1810.

Prior to Thainville's arrival in Algeria, French consuls had few qualms about relying on presents to gain favor with the dey. In fact, a report commissioned by the republican authorities during the early 1790s explained that the distribution of presents in Algeria remained the only way to influence beylical policies and maintain peace between

the two nations.<sup>93</sup> While attempting to secure the beylical recognition of French sovereignty over Corsica in November 1796, for instance, Saint-André urged the prompt sending of presents that were stranded in Marseille because “their influence would be all the more welcome while the English make greater efforts to gain the dey’s favor in the current circumstances.”<sup>94</sup> Also, after moving to a new consular house in 1798, Moltedo discovered a number of torchlights with decorative crystals that d’Herculais had brought during his visit in Algeria and he requested the official permission to use them as customary presents for the dey.<sup>95</sup>

Thainville viewed the Napoleonic system in the basin—and Algeria’s new position within that system—as incompatible with such demands. When Busnach, who was involved in peace negotiations as a representative of the dey, asked for 200,000 *piastres* as a consular present in 1801, Thainville threatened immediately to break relations and depart for France. “If you had made an effort to learn about the specific circumstances in which I was authorized to offer the dey presents,” he explained to Busnach, “you would have certainly refrained from repeating demands that I cannot help

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<sup>93</sup> Extrait des instructions pour les agents [sic] destinés à Alger et à Tunis: AMAE, Algiers/32, f. 83v. See also Rapport au Comité du Salut Public: section des relations extérieures, sur les présents à envoyer en Barbarie en exécution de l’arrêté du Comité de Salut Public du 27 Frimaire: AMAE, Algiers/32, f. 158r-162v.

<sup>94</sup> Jean-Bon Saint-André to Minister of Foreign Affairs, Algiers, 5 Frimaire 5 (25 November 1796): AMAE, Algiers/33, f. 66r. On 19 June 1794, George III was proclaimed “King of Corsica” and the new territory was given a constitution. British control lasted until 1796, when fears of a war with Spain prompted the British government to order the evacuation of the island. See Desmond Gregory, *The Ungovernable Rock: A History of the Anglo-Corsican Kingdom and Its Role in Britain’s Mediterranean Strategy during the Revolutionary War, 1793-1797* (Rutherford: Fairleigh Dickinson University Press, 1985); Elisa A. Carrillo, “The Corsican Kingdom of George III,” *Journal of Modern History* 34, no. 3 (1962): 254-274.

<sup>95</sup> Dominique Moltedo to Minister of Foreign Affairs, Algiers, 1 Thermidor 6 (19 July 1798): AMAE, Algiers/34, f. 162r.

consider very extraordinary, and even greatly injurious.”<sup>96</sup> All Thainville offered in return for peace consisted of the “esteem and attachment” of Napoleon.<sup>97</sup> The signing of the peace treaty in 1801 did not solve this matter. During an audience in April 1802, for instance, the dey interrogated Thainville about all the comings and goings of French ships in the port of Algiers, which the latter justified with the need to maintain communications with France. “Are you playing with me?” the dey replied, “letters are useless: bring me presents and money.”<sup>98</sup> “I have made peace with you, I have freed all French slaves, I provoked the anger of the Sublime Porte, and for you I have been forced to pay great sums in Constantinople,” he continued, “you are playing with me! Do you not know that I am the great master here (*ti non sapir que mi star patrone grande*)?”<sup>99</sup> In an indignant tone, Thainville replied that his master, Bonaparte, resided in France.<sup>100</sup>

The arrival of a letter that detailed Napoleon’s decision on customary presents further destabilized the situation. As a mark of the high esteem in which Napoleon held the dey, the minister of foreign affairs explained, the First Consul planned to treat the dey in accordance with European customs and “assimilate him to a European prince” by sending him gifts of equal value, and only after being informed of the types of presents

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<sup>96</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 7 Nivôse 10 (28 December 1801): AMAE, Algiers/35, f. 387v.

<sup>97</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 7 Nivôse 10 (28 December 1801): AMAE, Algiers/35, f. 388r.

<sup>98</sup> Quoted in Charles Thainville to Minister of Foreign Affairs, Algiers, 15 Germinal 10 (5 April 1802): AMAE, Algiers/36, f. 108v.

<sup>99</sup> Quoted in Charles Thainville to Minister of Foreign Affairs, Algiers, 15 Germinal 10 (5 April 1802): AMAE, Algiers/36, f. 109r.

<sup>100</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 15 Germinal 10 (5 April 1802): AMAE, Algiers/36, f. 108v.



that the dey intended to send.<sup>101</sup> Although the minister of foreign affairs indicated that the dey ought to feel flattered by this proposition, beylical advisors to whom Thainville explained this policy expressed fears that the dey might react violently. In the context of popular discontent, they explained, the dey risked provoking a revolt if he sent any presents to Napoleon. In an audience with the *khasnedji*, Thainville argued that the proposed changes honored the position of the dey, but the prime minister replied “in a rather cold manner that the new form would violate all laws, customs, and policies constantly respected among them, and that he could not bring himself to make such a proposition to the dey because he was sure in advance that it would be very poorly received.”<sup>102</sup> “Unfortunately,” Thainville observed, “Algerians do not think of honor in the same manner as we do.”<sup>103</sup>

Muṣṭafā Pasha and his successors refused to be treated as European princes because they saw that status as one of dishonorable subordination. For Napoleon, however, anything short of the beylic’s integration into the French imperial realm amounted to a grave insult. As a result, he rejected the demand for presents, which sent the dey into a fit of anger. During an audience where he witnessed this reaction in 1803, Thainville offered the following explanation: “When the First Consul learned that you wanted to preserve the old usage and make it a condition of peace, that pretention became too injurious to his power and dignity for him to accept. [...] France governed by the

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<sup>101</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 7 Frimaire 11 (28 November 1802): AMAE, Algiers/36, f. 289v.

<sup>102</sup> Quoted in Charles Thainville to Minister of Foreign Affairs, Algiers, 7 Frimaire 11 (28 November 1802): AMAE, Algiers/36, f. 290v.

<sup>103</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 7 Frimaire 11 (28 November 1802): AMAE, Algiers/36, f. 290v.

First Consul is no longer what it had been under the kings: its principles have changed and its forces doubled.”<sup>104</sup> Such warnings had little effect, however. After 1805, Aḥmad Pasha continued requesting presents and an official letter from Napoleon. Thainville increasingly grew tired of insisting that Algeria must adapt to European customs, which dictated that an emperor of Napoleon’s stature addressed other sovereigns only indirectly through his official representatives. Moreover, as he observed the dey’s willingness to accept the framework of consular imperialism only when the threat of invasion appeared imminent (in 1808, for instance, Aḥmad Pasha bitterly remarked that Bonaparte sought to be “the master of the world”<sup>105</sup>), Thainville began devising a plan for the conquest of Algeria.

Consular imperialism had failed to bring stability to the southern shores of what Thainville called “*le beau domaine de la Méditerranée*”; in his view, only a continued march of French troops across the Iberian Peninsula and into North Africa could achieve this goal.<sup>106</sup> He sketched a rough outline of that plan during a voyage to Paris. Although not yet privy to Napoleon’s plans for Africa, Thainville argued that a final takeover of Spain would likely determine the emperor to adopt a more aggressive policy toward Algeria.<sup>107</sup> Thainville urged the minister of foreign affairs to send a special agent to Algeria once French forces conquered Valencia, Alicante, and Cartagena, whose task

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<sup>104</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 8 Ventôse 11 (27 February 1803): AMAE, Algiers/36, f. 337v.

<sup>105</sup> Quoted in Charles Thainville to Minister of Foreign Affairs, Algiers, 29 January 1808: AMAE, Algiers/39, f. 18r.

<sup>106</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 19 July 1808: AMAE, Algiers/39, f. 159v.

<sup>107</sup> Charles Thainville to Minister of Foreign Affairs, Paris, 19 June 1810: AMAE, Algiers/40, f. 91r.

would consist of gathering the scattered intelligence collected by the consuls in the three Regencies.<sup>108</sup> In a private audience that took place in September 1810, Napoleon thanked Thainville for his long diplomatic service and instructed him to arrange the execution of his plan with the minister of foreign affairs.

Thainville prefaced his more detailed plan by repeating that the vexing issue of gifts could not be resolved. In fact, the deys had been requesting the customary presents for nine years and would again demand them as a condition for his return to Algeria, he explained to the minister.<sup>109</sup> Thainville proposed to act as the special agent that he had described earlier, in addition to his consular post, and asked that a military attaché (travelling under the guise of a secretary) be sent with him back to Algeria. He planned to first travel to Tunisia in order to render the Algerian dey both jealous and worried, remove all Spanish representatives installed by Ferdinand VII, and facilitate the work of the military attaché, who “would be charged with the organization of a plan for the whole coast and, as much as he can, the interior—although those plans would have to remain largely imperfect.”<sup>110</sup> Thainville explained that this general plan represented only an interim measure that would pave the way for the moment when Napoleon decided to finally remove the threat of slavery, piracy, and continuous injury to French national honor that emanated from Algeria.<sup>111</sup> As the Spanish guerrilla blunted the force and

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<sup>108</sup> Charles Thainville to Minister of Foreign Affairs, Paris, 19 June 1810: AMAE, Algiers/40, f. 92r.

<sup>109</sup> Charles Thainville to Minister of Foreign Affairs, Paris, 17 September 1810: AMAE, Algiers/40, f. 116v.

<sup>110</sup> Charles Thainville to Minister of Foreign Affairs, Paris, 17 September 1810: AMAE, Algiers/40, f. 118r.

<sup>111</sup> Charles Thainville to Minister of Foreign Affairs, Paris, 17 September 1810: AMAE, Algiers/40, f. 117r. A similar plan for invasion was proposed in 1809 and 1814 by Jacques Devoize, the French consul in

extent of Napoleonic expansion between 1808 and 1810, however, prospects for an attack on Algiers slowly dissipated, in tandem with much of Thainville's influence in the Regency. For the first time since his arrival in Algiers, and just as he had predicted, Thainville offered a number of presents to the dey in 1811 as a condition for his reaccreditation as the French consul. Moreover, during the following year, the minister of foreign affairs informed Thainville that Napoleon had considered his plans for invasion, but in the end decided to enforce the 1801 treaty by relying on the Ottoman influence in Algeria.<sup>112</sup>

During the same period, the British consul further emboldened the dey to reclaim his independence by spreading rumors of Napoleon's defeat in Europe. Thainville attempted to convince the dey that Napoleon's armies remained victorious, while peace and calm, instead of the rumored revolution, reigned in France.<sup>113</sup> It was also the British consul who informed the dey in 1814 that his government had captured Bonaparte, confined him to the Island of Elba, and thus relegated France to a power of the secondary order, while the British ensign flew triumphantly across the Mediterranean. Moreover, the British consul distributed presents among the members of the *diwān* and encouraged

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Tunisia: "The bey's land and naval forces are composed of miserable soldiers who, since the war with Algeria, have only proven their remarkable cowardice. They are all unhappy with a sovereign who does not treat them and pay them well, and they live in disorder and confusion. Six thousand French troops who disembark in the south and the north, close to La Goulette, would easily take control and attack a bey in a palace that almost lacks any defenses. He could not take his treasures with him because the Arabs from the mountains would rob him. That would all be a very easy lesson to give to the bey, and it would restore France to the rank that it always held in Tunisia. In 1809, I had given the First Consul a memoir on an expedition that he planned to operate in Tunisia. I still have its minutes" (Jacques Devoize to Minister of Foreign Affairs, Lazaret of Toulon, 5 September 1814, AMAE, Tunisia/41, f. 343r).

<sup>112</sup> Minister of Foreign Affairs to Charles Thainville, Paris, 30 Apr. 1812: AMAE, Algiers/40, f. 305r.

<sup>113</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 30 January 1813: AMAE, Algiers/41, f. 13v.

the dey to expel Thainville.<sup>114</sup> Quickly adapting to the new political climate, Thainville replaced the tricolor flag at the consular house with the Bourbon white and he assured the dey that presents from the French king would soon be forthcoming.<sup>115</sup> With Napoleon confined to the Island of Elba, however, the dey took advantage of Thainville's isolation and expelled him as soon as a dispute over another prize (in this case, an Algerian ship captured by French naval forces close to Malaga) arose. On 17 October 1814, Thainville left Algiers and, while still at sea, wrote a long report for the new authorities, in which he blamed his misfortune on the schemes of the British consul and Algerian merchants who owned the French grain debt from the 1790s, now amounting to around 7.7 million francs.<sup>116</sup>

Despite Napoleon's brief return to France in 1815, the dey refused to abandon the hope that the Bourbons and the old system of relations would soon return. During Thainville's last mission to Algeria in May 1815, the beylical government demanded the settling of all outstanding issues, in addition to the distribution of presents, before the

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<sup>114</sup> Charles Thainville to Minister of Foreign Affairs, Harbor of Majorca, 2 November 1814: AMAE, Algiers/41, f. 291v-292r.

<sup>115</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 3 June 1814: AMAE, Algiers/41, f. 195r. On political allegiances during the Restoration, see Alan B. Spitzer, "Malicious Memories: Restoration Politics and a Prosopography of Turncoats," *French Historical Studies* 24, no. 1 (2001): 37-61. Devoize adopted the same policy in regards to customary presents in 1814. He wrote: "The presents for the prince are still indispensable. Solemnity alone would require them, but in the current circumstances those presents should bring the prince to make favorable and amicable concessions; therefore, it is even more appropriate to distribute them. It is well known that in Barbary, as in all of the Orient, customs are laws. It is in our interest to respect them as the most solid foundation of our privileges" (Jacques Devoize to Minister of Foreign Affairs, Paris, 30 May 1814: AMAE, Tunisia/41, fol. 298v).

<sup>116</sup> Charles Thainville to Minister of Foreign Affairs, Harbor of Majorca, 2 November 1814: AMAE, Algiers/41, f. 292v.

reestablishment of normal relations.<sup>117</sup> Thainville attempted to temporize again, requesting a negotiation period of four months, but the dey decided to expel him again due to rumors that a new consul, Pierre Deval, would shortly be arriving in Algiers with a large sum of money.<sup>118</sup> Thainville left Algiers on 30 May 1815 and filed his last report on June 9 from Tunisia. Shortly thereafter, the consular chancellor Ferrier explained to the dey that all of Thainville's previous propositions were null and void because he had operated under a "spirit of revolt" and that his master Napoleon would never reappear in Europe.<sup>119</sup> Thainville's departure for Tunisia and Napoleon's exile to Saint Helena in 1815 in many ways marked the end of one stage of the aggressive practice of consular imperialism in Algeria, but the dey's jubilatory attitude toward the Bourbons and his hope that Deval would restore the old system quickly led to disappointment.

#### IV. Conclusion

The return of monarchy somewhat softened, at least insofar as customary presents were concerned, what had been a very forceful strategy of consular imperialism during Thainville's tenure as consul. Armand Emmanuel de Richelieu, the new minister of foreign affairs, assessed this approach in a report on Franco-Algerian relations he wrote in October 1815, which Louis XVIII personally approved. Richelieu praised the "firm and equitable" pre-revolutionary policy of protecting French commerce and the crown's

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<sup>117</sup> Charles Thainville to Minister of Foreign Affairs, On the high seas, 2 June 1815: AMAE, Algiers/42, f. 89r.

<sup>118</sup> Charles Thainville to Minister of Foreign Affairs, On the high seas, 2 June 1815: AMAE, Algiers/42, 89v-90r.

<sup>119</sup> Consular Chancellor Ferrier to Minister of Foreign Affairs, Algiers, 26 August 1815: AMAE, Algiers/42, f. 111r.

dignity in Algeria, and he bewailed its abandonment after 1789.<sup>120</sup> He considered the revolutionary government's refusal to send customary presents imprudent because that usage had been current among "Oriental peoples" since time immemorial and no European nation refused to send them.<sup>121</sup> In his view, attempting to enforce a policy of perfect equality only led to wars, instability, and the degradation of French influence in the Mediterranean. As a result, Richelieu argued for the need to return to the "old usage" and he applauded the king's willingness to resume the sending of presents to the dey.<sup>122</sup>

The concession on presents notwithstanding, the policy of consular imperialism and its main anchor, the 1801 peace treaty, remained intact. Diplomatic discussions that took place between Pierre Deval and the new dey, 'Umar Agha, show that a new conceptualization of legitimacy had emerged after 1815. References to the enslavement of French naval crews disappeared from the consular correspondence as the dey continued upholding the illegitimacy of corsair attacks on French ships. However, the abolition of the corsair economy *in toto* emerged as the most contentious issue in Algeria after the congresses of Vienna in 1815 and Aix-la-Chapelle in 1818. In the new geopolitical landscape, Deval borrowed heavily from Thainville's repertoire: he attempted to reclaim the maritime concessions and he worked to make the Algerian

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<sup>120</sup> Armand-Emmanuel du Plessis de Richelieu, Raport sur Alger, October 1815: AMAE, Algiers/42, f. 158r. In August 1814, metropolitan administrators in the ministry of foreign affairs were mostly preoccupied with the titles used in the beylical correspondence. They noted with alarm that the profuse praise and the listing of the king's titles in Arabic letters from 1668, 1717, and 1744 had disappeared in more recent letters. They insisted that the title Emperor of France be translated as *padishah*, a term used to describe Napoleon in the 1801 treaty, and also the title of the Sublime Porte (Sur le protocole avec les Puissances Barbaresques: AMAE, Algiers/41, f. 255r-256r).

<sup>121</sup> Armand-Emmanuel du Plessis de Richelieu, Raport sur Alger, October 1815: AMAE, Algiers/42, f. 158v-159r.

<sup>122</sup> Armand-Emmanuel du Plessis de Richelieu, Raport sur Alger, October 1815: AMAE, Algiers/42, f. 167v.

foreign policy amenable to French control through threats of invasion. Moreover, Italian states again played a large role in Franco-Algerian diplomacy. For instance, Deval insisted that France and other European states could no longer tolerate incessant conflicts between the dey and the Italian rulers, especially since the latter had relatives among European royals, and the only way to appease the French king would consist of signing a peace treaty with the Kingdom of the Two Sicilies, which had been given to the Bourbon Ferdinand I at the Congress of Vienna.<sup>123</sup>

In addition to overlapping policies in relation to Italy, Louis XVIII and Charles X shared Napoleon's approach to French debts in Algeria. Richelieu decried Thainville's inclusion of the clause on debts in the 1801 peace treaty, characterizing it as a grave mistake, and he insisted that the dey must circumscribe his demands and accept the principle that only the French government could determine how much it owed to individual Algerian merchants.<sup>124</sup> During the peace negotiations in 1800, the dey had insisted that the quality of peace between France and Algeria would depend to a large degree on the settling of debts owed to Algerian merchants.<sup>125</sup> Unlike the issue of annuities and slavery, however, he did not put the entire bilateral relationship into question after Thainville refused to repay the debt.<sup>126</sup> The newfound beylical insistence on the grain debt after 1815 signaled a strategic repositioning in light of the new

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<sup>123</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 7 April 1816: AMAE, Algiers/42, f. 256r.

<sup>124</sup> Armand-Emmanuel du Plessis de Richelieu, Rapport sur Alger, October 1815: AMAE, Algiers/42, f. 158r, 167r.

<sup>125</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 11 Vendémiaire 9 (3 October 1800): AMAE, Algiers/35, f. 116r.

<sup>126</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 5 Brumaire 14 (27 October 1805): AMAE, Algiers/37, f. 271v; Copie du projet de rapport annoncé dans le mémoire analytique adressé à la commission: AMAE, Algiers/44, 136r.



geopolitical situation, as well as the shifting legal system in the Mediterranean. As calls for Algeria's full integration into the European legal space mounted, the beylical government found that it could only defend its sovereignty by appealing to a bilaterally recognized agreement—the 1801 treaty.

Thainville had initiated the slow erosion of the maritime line that bifurcated the Algerian and European legal spheres, but the deys only recognized the partial dissolution of that line and the legitimacy of the post-1801 order once the Napoleonic Empire collapsed. With the disappearance of Bonaparte, the peace treaty had acquired a completely new meaning: it now allowed Algeria to maintain peaceful relations with a major, non-expansionist European power and legitimately demand large payments for the grain debt. In the context of French Restoration and European peace after the Congress of Vienna, however, French administrators would demand a complete integration of Algeria into the club of “civilized nations,” which meant the abolition of the corsair system and the harmonization of Algerian and European laws.<sup>127</sup>

The lack of such sweeping demands prior to 1815 partially explains why the incident with Chainaye did not lead to a wider conflict. Thainville's policy of consular imperialism worked adequately only during the early stages of French interventions in Egypt, Italy, and Spain, when the possibility of sweeping military successes and further

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<sup>127</sup> To be sure, similar demands had been made previously by thinkers such as Emer de Vattel (1714-67), who presented the system of the three Regencies as uncivilized and called for its criminalization in his influential 1758 work *Droit des gens*: see Walter Rech, “Universalizing the European Law of Nations: Vattel's Rejection of the International Legal Pluralism of the Laws of War,” in *Enemies of Mankind: Vattel's Theory of Collective Security* (Leiden: Martinus Nijhoff Publishers, 2013), 105-27. Guillaume Raynal had also famously called for an expedition against the Regencies: “To which people is reserved the task of breaking the iron chains that Africa is slowly making for us and remove a threat that strikes our navigators with dread? No nation can do that alone; and even if one attempted to do so, perhaps the jealousy of all the others would put secret obstacles in the way. Thus, this has to be the work of a universal league” (Guillaume-Thomas-François Raynal, *Histoire philosophique et politique des établissements & du commerce des Européens dans les deux Indes* [Geneva, 1775], 2:361-2).

conquests seemed possible. By 1810, however, Napoleonic troops had lost Egypt and were embroiled in a protracted struggle that made an excursion beyond the Iberian Peninsula highly unlikely. Recognizing the limits of his earlier strategy, Thainville wrote to the minister of foreign affairs in 1814 that he regretted his inability to “bring to the throne the keys of the *bagnes* of Africa, where, at the very gates of Europe, the subjects of all European nations, even the most powerful ones, have been imprisoned for centuries.”<sup>128</sup> The mission to abolish European slavery in the Mediterranean and further integrate the beylic into the European legal space fell to Pierre Deval, whose tenure as consul lasted roughly as long as that of Thainville—and who would help usher in the final destruction of “the old order of things in the Mediterranean.”<sup>129</sup>

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<sup>128</sup> Charles Thainville to Minister of Foreign Affairs, Algiers, 20 May 1814: AMAE, Algiers/41, f. 188v.

<sup>129</sup> Morsy, *North Africa, 1800-1900*, 73.

#### Chapter 4. The Bourbon Mediterranean and the *droit des gens* in Algeria, 1815-1830

*Alger, du moins son barbare gouvernement, doit être détruit; delenda Carthago! Il y va et de l'honneur et la sûreté de l'Europe. Il est des individus dont on ne refrène les projets subversifs de tout ordre et de toute sécurité, qu'en les retranchant du corps social; il est également des nations dont on ne peut obtenir qu'elles respectent le droit des gens, qu'en les retranchant de la grande famille des peuples du globe; et au nombre de ces nations il faut signaler en première ligne les régences de Barbarie.<sup>1</sup>*

The downfall of the Napoleonic Empire marked the beginning of a new era in Franco-Algerian relations. At first, Bonaparte's departure for Saint Helena created a festive atmosphere within the beylical government because the dey and his advisers believed that the return of the old order was imminent. Initial discussions with Pierre Deval confirmed the prevalent sentiment in the Regency that the revival of monarchy in France meant a return to previous agreements between the kings and deys. Customary presents, for instance, again flowed into the beylical treasury and both governments expressed the desire to rekindle a friendship that had existed between France and the Ottoman Empire for centuries. Yet, at the same time, Thainville's 1801 peace treaty remained the cornerstone of an uneasy equilibrium. In exchange for the move away from Napoleonic policies during the Restoration, the dey agreed to continue upholding the French freedom of navigation in the basin and to maintain the prohibition against the enslavement of French citizens. For its part, the French government recognized the legitimacy of the dey's reclamations in terms of the grain debt and it resumed the annual payments for the maritime concessions, as stipulated by the 1801 treaty.

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<sup>1</sup> Renaudot, *Alger: Tableau du royaume, de la ville d'Alger et de ses environs, état de son commerce, de ses forces de terre et de mer* (Paris: P. Mongie ainé, 1830), xl.

Despite the persistence of the 1801 agreement beyond 1815, the continuities between Deval's and Thainville's strategies in Algeria are seldom examined. This lacuna that has led some scholars to conclude that France lacked a coherent imperial plan in the Mediterranean during the Restoration.<sup>2</sup> Moreover, a number of historians have examined political, economic, and religious aspects of the corsair system between the sixteenth and nineteenth centuries, including its role in Portuguese, Spanish, and French attempts to conquer parts of North Africa.<sup>3</sup> However, the 1830 proclamation that the goal of the

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<sup>2</sup> Hélène Blais has recently reassessed the vast historiography that stresses the lack of a colonial plan in Algeria in "Pourquoi la France a-t-elle conquis l'Algérie," in Abderrahmane Bouchène et al., eds, *Histoire de l'Algérie à la période coloniale, 1830-1962*, 52-7 (Paris: Découverte, 2012). Also, see Hélène Blais, "Qu'est-ce qu'Alger? Le débat colonial sous la monarchie de Juillet," *Romantisme* 139 (2008): 19-32; John Zarobell, *Empire of Landscape: Space and Ideology in French Colonial Algeria* (University Park, Pa.: Pennsylvania State University Press, 2010), 37. On the impact of the lack of colonial planning on Roman antiquities in Algeria, see Michael Greenhalgh, *The Military and Colonial Destruction of the Roman Landscape of North Africa, 1830-1900* (Leiden: Brill, 2014), 14-70.

<sup>3</sup> Gillian Weiss has recently examined the intersection between state formation in France and the fight against North African corsairs: Gillian Weiss, *Captives and Corsairs: France and Slavery in the Early Modern Mediterranean* (Stanford: Stanford University Press, 2011); Gillian Weiss, "Barbary Captivity and the French Idea of Freedom," *French Historical Studies* 28, no. 2 (2005): 231-64. French scholarship on the corsairs generally covers a wider chronological span (often from the sixteenth to the early-nineteenth centuries) and it focuses on commerce and slavery. For a few recent examples, see Gilbert Buti, ed., *Corsaires et forbans en Méditerranée: XIV<sup>e</sup>-XXI<sup>e</sup> siècle* (Paris: Riveneuve, 2009); M'Hamed Oualdi, "D'Europe et d'Orient, les approches de l'esclavage des chrétiens en terres d'Islam," *Annales. Histoire, Sciences Sociales* 63, no. 4 (2008): 829-843; Michel Fontenay, "Routes et modalités du commerce des esclaves dans la Méditerranée des Temps modernes (XVI<sup>e</sup>, XVII<sup>e</sup> et XVIII<sup>e</sup> siècles)," *Revue Historique* 308, no. 4 (2006): 813-830. Still, the period from 1800 to 1830 in Algeria has not been thoroughly examined in this historiography. As a notable exception, Daniel Panzac has studied the decline of corsair activities between 1800 and 1820. He has proposed the following periodization: an expansion of the corsair economy between 1793-1806, followed by its contraction and the shift toward commercial transport between 1806-15, as well as the gradual collapse of the entire system between 1815-30; Panzac, *Les corsaires barbaresques*, 7-8, 221. Taken as a whole, therefore, the existing scholarship on the corsair economy in the Mediterranean remains divorced from works on the French Empire in the basin. On Portuguese and Spanish expansion in North Africa, see Giuseppe Marcocci, *L'invenzione di un impero: politica e cultura nel mondo portoghese, 1450-1600* (Roma: Carocci, 2011), esp. 27-65; Malyn Newitt, *A History of Portuguese Overseas Expansion 1400-1668* (London: Routledge, 2005); Matthew T. Racine, "Service and Honor in Sixteenth-Century Portuguese North Africa: Yahya-u-Ta<sup>o</sup>fuft and Portuguese Noble Culture," *The Sixteenth Century Journal* 32, no. 1 (2001): 67-90; H. V. Livermore, "On the Conquest of Ceuta," *Luso-Brazilian Review* 2, no. 1 (1965): 3-13; Antonio M. Carrasco González, *El reino olvidado: cinco siglos de historia de España en África* (Madrid: Esfera de los Libros, 2012); Mercedes García-Arenal, *Los españoles y el Norte de África, siglos XV-XVIII* (Madrid: Editorial MAPFRE, 1992); Tomás García Figueras, *Presencia de España en Berberia central y oriental, Tremecen, Argel, Túnez, Trípoli* (Madrid: Editora nacional, 1943). Much of the scholarship on Spain and North African corsairs revolves around the expulsion of Moriscos from Spain between 1609-14 and the resulting upsurge in piracy along

French invasion consisted of putting an end to an illegal practice in the basin by destroying the “den of pirates” in Algeria represented only one—among a panoply—of claims made by Deval between 1815 and 1830.<sup>4</sup> This remains rarely noted in the existing literature because of a general lack of focus on the role played by French consuls in imperial expansion. In this chapter, I argue that consular imperialism continued to frame the French strategy in the Mediterranean during the Restoration, largely due to Deval’s recuperation and amplification of Thainville’s legal arguments and aggressive posture.

Much like his predecessor, Deval wanted to break the British maritime link between Gibraltar and Malta with a French line of influence that connected southern France to Corsica, Sardinia, and the French concessions in Algeria. Moreover, Deval considered Algeria a French tributary and he extended Thainville’s arguments against captivity by calling for the total abolition of European slavery in the basin very early on. Even Thainville’s Italian policy was preserved. Deval argued that the familial connections that tied the French king to rulers in southern Europe entitled him to intercede on their behalf and thus dictate Algeria’s foreign policy. In addition to these

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the Spanish coast: see Ellen G. Friedman, *Spanish Captives in North Africa in the Early Modern Age* (Madison, Wis.: University of Wisconsin Press, 1983); Sebastián García Martínez, *Bandolerismo, piratería y control de moriscos en Valencia durante el reinado de Felipe II* (Valencia: Universidad, Departamento de Historia Moderna, 1977); Bernard Vincent, “Les Bandits morisques en Andalousie au XVI<sup>e</sup> siècle,” *Revue d’histoire moderne et contemporaine* 21 (1974): 389-400; Miguel de Espalza, “Moriscos y Andalusies en Túnez durante el siglo XVII,” *Al-Andalus* 34 (1969): 247-327; Ellen G. Friedman, “North African Piracy on the Coasts of Spain in the Seventeenth Century: A New Perspective on the Expulsion of the Moriscos,” *The International History Review* 1, no. 1 (1979): 1-16.

<sup>4</sup> Benjamin Constant supported this view in a brief essay he wrote in 1830. Constant applauded the French soldiers’ efforts to destroy the “den of pirates” in Algiers, but he simultaneously argued that French politicians needed to work on protecting “true liberty, which had nothing to gain from ideas about glory”: Benjamin Constant, “Alger et les élections,” in *Positions de combat à la veille de juillet 1830*, ed. Ephraïm Harpaz (1830; reprint, Paris: H. Champion, 1989), 191. Deval’s imperial agenda in many ways paralleled the increasing support for empire among French liberal thinkers such as Constant and Alexis de Tocqueville. On the intersection between liberalism and imperialism in France, see Jennifer Pitts, *A Turn to Empire: The Rise of Imperial Liberalism in Britain and France* (Princeton: Princeton University Press, 2005).

parallels, Deval added to Thainville's focus on maritime issues a claim of French territorial sovereignty in Algeria. He demanded the restitution of five forts and hinterlands that, according to him, had been French territories prior to the arrival of Ottoman troops in North Africa and had retained the same status until the concessions were illegally given to Britain in 1807. Moreover, revisiting Thainville's limited attempts to inaugurate a system of legal reciprocity between Algeria and France, Deval framed his goals as an attempt to transform the Mediterranean into a pacified space where the universal application of the *droit des gens* and the spread of civilization facilitated the maintenance of peace and ensured the tranquility of European commerce.

Beylical resistance to Deval's plans remained robust throughout his tenure as consul. It is important to note, however, that after 1815 Algerian deys refrained from threatening France with war and instead relied on the 1801 peace treaty and Franco-British competition in the Mediterranean in their attempts to remain independent in the face of multiple threats to the beylic's economic and political stability. The 1801 treaty allowed the deys to continue insisting on the grain debt, while the competition between French and British representatives staved off the threat that emanated from the agreement among European powers, made during the 1818 Congress of Aix-la-Chapelle, to destroy the corsair system in the Mediterranean. The tensions that emerged due to Deval's aggressive reliance on consular imperialism reached a high point during the mid-1820s, when his attempts to force Husayn Dey to accept French protection over the Papal States, Naples, Tuscany, and Spain threatened to eliminate the last remnants of the corsair economy. Unwilling to accept this demand, the dey decided in 1826 to break the 1801 pact by resuming the inspection of French ships and the capture of vessels bearing what

the beylical government considered enemy ensigns. The resulting collapse of Franco-Algerian relations led to the transformation of what had been a consular imperial plan into a formal one, now endorsed by the minister of foreign affairs and bearing the imprint of Deval's insistence on preexisting French sovereignty in parts of eastern Algerian. In fact, his legal arguments about the concessions became the basis for the emergence of the first concrete French imperial project in Algeria: the establishment of a colony stretching from Cap Bujaroni to the Tunisian border.

### I. Restoring the Mediterranean and French Sovereignty in Algeria

Almost immediately after his arrival in Algiers, Deval adopted an offensive strategy. He informed the beylical authorities that France shared the views of other European powers that had met at the Congress of Vienna and had agreed to destroy the corsair system in the Mediterranean. This plan was taken into "great consideration" in Paris, Deval explained to one of dey's advisors, largely because it represented the only means to stop what had become a perpetual war between the three Regencies and the Italian states. Deval reiterated this policy during an audience with the dey, underlining that the general opinion in Europe was mounting against the system in North Africa because rulers of smaller states in southern Europe, such as Sardinia, Tuscany, the Papal States, the Kingdom of the Two Sicilies, and Tuscany were relatives of other European rulers—such as the French king—and that opting for peace remained the only option that could help the beylic "ward off the storm" that threatened to envelop it.<sup>5</sup> The dey protested that this approach amounted to an interdiction of self-defense for the Regency and that it would put him in danger: "What do you want me to do with this militia," he

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<sup>5</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 7 April 1816: AMAE, Algiers/42, f. 255r-v.

complained, “and, if the war for which it has been created is destroyed, how will I contain them or even feed them?”<sup>6</sup> For the moment, Deval and the dey agreed to defer further discussions until the return of a beylical representative who had travelled to Istanbul in order to consult the Ottoman authorities.

Therefore, in contrast to the pre-1815 period, slavery represented a pressing issue only insofar as it affected the relationship between the three Regencies and smaller nations protected by great European powers. In this context, Deval championed an expansion of France’s role in North Africa. The flow of ideas between the administration in Paris and the consulate in Algiers indicates that Deval’s long study of the history of Franco-Algerian relations led him to propose policy initiatives that his superiors gradually (sometimes reluctantly) approved and adopted during the late 1810s. In August 1817, for instance, Deval urged the minister of foreign affairs to recover the ancient Bastion de France at La Calle for France because he judged that this site had the potential to become a defensive rampart for French interests in the Mediterranean, in addition to offering France an “infinitely advantageous preponderance” along the North African coast.<sup>7</sup> “If France could add to its possession of Corsica the Island of Sardinia,” Deval continued, “she would gradually reach this coast and tip the balance in its favor.”<sup>8</sup> In

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<sup>6</sup> Quoted in Pierre Deval to Minister of Foreign Affairs, Algiers, 7 April 1816: AMAE, Algiers/42: f. 256r.

<sup>7</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 28 August 1817: AMAE, Algiers/44, f. 137v. Two merchants from Marseille, Thomas Linchès and Charles Didier, had founded the Bastion de France as a trading outpost in 1561. Occasionally destroyed by Algerian forces, the Bastion remained in French hands after the sixteenth century and it had a governor, captain, and consul. The commerce in grains and coral fishing represented the main trading activity (M. Faivre, “Présences françaises en Méditerranée de 1500 à 1815,” in *Présences françaises outre-mer, XVI<sup>e</sup>-XXI<sup>e</sup> siècles*, 1:165-7; Géraud Poumarède, “La France et les Barbaresques: police des mers et relations internationales en Méditerranée (XVI<sup>e</sup>-XVII<sup>e</sup> siècles),” *Revue d’histoire maritime* 4 [2005]: 132-3).

<sup>8</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 28 August 1817: AMAE, Algiers/44, 138r.



other words, in his view, a territorial bridgehead in Algeria, connected to Sardinia and Corsica, would severely underline the security of the British line from Gibraltar to Malta. Recognizing that the minister of foreign affairs might find this plan overly ambitious and even dangerous for European peace, Deval nonetheless proposed to further develop his ideas, assuring his superior that he would base them exclusively on legal, treaty-approved privileges that France possessed in the maritime concessions.

A rapprochement between the British consul and the beylical government in late 1818 led Deval to champion the retaking of the Bastion de France more forcefully. He argued that if the alliance between a segment of the dey's entourage and the British continued, only a "powerful intervention" would suffice in extirpating the "vermin that was gnawing away at the [French] concessions."<sup>9</sup> For him, the Bastion represented a central pillar of security for French interests, as well as an excellent site for the revival of the French navy and its influence in the basin.<sup>10</sup> The implementation of this plan would further fortify Algeria's status as a "tributary of France" and expand the French commercial monopoly over the coastline, according to Deval.<sup>11</sup> Moreover, he believed that France's economic preponderance in Algeria would benefit both governments: it would ensure a stable market for French manufactured goods and channel Algeria's agricultural yield toward Europe.<sup>12</sup>

By late 1819, however, it had become clear to Deval that he would face great obstacles in implementing what was largely a self-imposed mission to aggressively

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<sup>9</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 31 October 1818: AMAE, Algiers/44, f. 83r.

<sup>10</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 31 October 1818: AMAE, Algiers/44, f. 83v.

<sup>11</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 18 November 1818: AMAE, Algiers/44, f. 144v.

<sup>12</sup> Minister of Foreign Affairs to Pierre Deval, Paris, 10 June 1820: AMAE, Algiers/44, f. 190r.

reassert French dominance in the concessions. Deval complained that the dey had failed in his duties to facilitate the reestablishment of French merchants in the maritime concessions, where infractions against the French economic monopoly by local and foreign traders had become routine.<sup>13</sup> In addition to the difficult dealings with the dey, Deval faced the British consul's attempts to take over the concessions and his circulation of rumors that secret articles of European treaties restricted the rebuilding of the French navy.<sup>14</sup> The arrival of a royal scow in December 1819 emboldened Deval to propose a more radical solution to this problem: "I think that it would be convenient to extirpate the evil from its roots," he proposed, "through a land siege of Algiers, which is the center and soul of the Algerian government. Once it falls into European hands, it will catalyze the downfall of the entire system of Algerian piracy and it will stop the same practice in other Barbary states that refuse to recognize the *droit des gens*. Thus, Europe's peace in the Mediterranean would be assured."<sup>15</sup>

Although Deval's vision was received in a lukewarm manner in Paris, largely due to fears of a wider conflagration that could result from the breaking of the 1801 pact, the minister of foreign affairs encouraged Deval to further develop one element of his plan: the claim of preexisting French territorial sovereignty in coastal areas that had been given to France prior to the arrival of Ottomans. In order to achieve this goal, Deval attempted to graft a monarchical framework—one that legitimized and made binding old treaties between French kings and the Regency—onto Thainville's 1801 legal system. During

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<sup>13</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 28 December 1819: AMAE, Algiers/45, f. 82r.

<sup>14</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 28 December 1819: AMAE, Algiers/45, f. 80r-v.

<sup>15</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 28 December 1819: AMAE, Algiers/45, f. 83r.

negotiations over the handover of the concessions to France from Britain in 1817, for instance, Deval insisted that France's capitulation agreements with the Sublime Porte had granted France a "definitive right" to hold an economic monopoly in the concessions.<sup>16</sup> Initially, the dey categorically rejected this argument, claiming that his government's study of old treaties confirmed his belief that France had no absolute rights in the concessions, which he further evidenced by the fact that one of his predecessors granted them to Britain in 1807 because Thainville had refused to pay the annual 50,000 *piastres fortes*.<sup>17</sup> Yet, on 26 October 1817, the dey agreed to sign a commercial treaty that returned the concessions to France according to the terms stipulated by the 1790 treaty.<sup>18</sup> After this agreement, Franco-Algerian relations rested on two legal frameworks: the 1801 treaty continued to determine the terms of war and peace, while all issues related to the concessions were regulated according to the 1817 treaty, which in fact reintroduced and reaffirmed the 1790 agreement. Seizing the legal ambiguity that emerged out of this new framework, Deval quickly began insisting on the need to reestablish French concessions "*sur l'ancien pied*."<sup>19</sup>

These negotiations occurred during a period of severe unrest in Algeria, when two deys ('Umar Pasha and 'Alī Pasha) were successively deposed before the arrival of

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<sup>16</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 29 March 1817: AMAE, Algiers/43, f. 31r.

<sup>17</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 29 March 1817: AMAE, Algiers/43, f. 31v.

<sup>18</sup> A copy of this agreement is located in Convention de 1790, renouvelée, acceptée, et confirmée par Son Altesse Ali Dey à Alger le 26 Octobre 1817: AMAE, Algiers/43, f. 179r. The *diwān* voted on this agreement and passed it unanimously on 25 October 1817. Deval did not offer a clear explanation for the dey's sudden willingness to accept a new agreement with France. It is very likely that an informal agreement through which the dey hoped to obtain ships of the line from France played a role in these events. Deval later requested that such ships to be sent to Algeria: Pierre Deval to Minister of Foreign Affairs, Algiers, 31 December 1817: AMAE, Algiers/43, f 235r-v.

<sup>19</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 27 September 1817: AMAE, Algiers/43, f. 177v.

Ḥusayn Pasha to the throne in March 1818. Deval took advantage of these developments in order to strengthen and better delineate his territorial claim.<sup>20</sup> The fort and territory around the Bastion de France in eastern Algeria represented the main issue of contention. Deval explained to ‘Alī Pasha that the Bastion had been a French territory since 1520, while the Ottoman army had arrived on the coast only in 1528.<sup>21</sup> Addressing the local conflation between the Bastion de France and the small locality of La Calle, moreover, Deval urged his superiors to preserve the Bastion appellation because it facilitated an expanded territorial claim for France: La Calle came from the Turkish term for fort (*calai* in his transliteration of *qal‘a*), Deval explained, but most people in the region used Bastion to refer to both territories.<sup>22</sup> To further buttress his claims, Deval explained to Ḥusayn Pasha in 1819 that a number of coastal fortresses and the entire coral fishing concessions had been a French property since the signing of pre-Ottoman treaties between the French government and local Arab leaders, agreements that had been repeatedly ratified by the Sublime Porte.<sup>23</sup> Deval then threatened the dey and warned that

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<sup>20</sup> ‘Umar Pasha took power in April 1815. During his rule, an Anglo-Dutch naval force led by Lord Exmouth bombarded Algiers and compelled the dey to sign a peace treaty with Britain. The local militia ultimately deposed and killed him due to his inability to bring about stability. ‘Alī Pasha emerged as the new day between 1817-18. He feared and persecuted the local militia and he attempted to sign a peace treaty with Tunis. After ‘Alī Pasha died of the plague in 1818, Ḥusayn Pasha took over the beylical throne (Aḥmad Tawfiq al-Madanī, ed., *Mudhakkirāt al-Ḥājj Aḥmad al-Sharīf al-Zahhār, naqīb ashraf al-Jazā‘ir, 1168-1246/1754-1830* [Algiers: al-Sharika al-Waṭaniyya li-l-Nashr wa-al-Tawzī‘, 1974], 117-42). On Lord Exmouth’s mission in Algeria, see Abraham V. Salamé, *A Narrative of the Expedition to Algiers in the Year 1816* (London: J. Murray, 1819); Roger Perkins and K.J. Douglas-Morris, *Gunfire in Barbary: Admiral Lord Exmouth’s Battle with the Corsairs of Algiers in 1816* (Havant, Hampshire: K. Mason, 1982); Abdeljelil Temimi, “Documents tures inédits sur le bombardement d’Alger en 1816,” *Revue de l’Occident musulman et de la Méditerranée* 5 (1968): 111-133.

<sup>21</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 27 September 1817: AMAE, Algiers/43, f.175v.

<sup>22</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 2 June 1819: AMAE, Algiers/44, f. 266v.

<sup>23</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 31 August 1819: AMAE, Algiers/44, f. 339r. On the origin of capitulations in the Ottoman Empire, see Gabriel Bie Ravndal, *The Origin of the Capitulations and of the Consular Institution* (Washington: Government Printing Office, 1921); Edward Abbott Van

any attempt to give the concessions to a foreign power or to undermine French control over them would bring about “extremely regrettable consequences for the Regency.”<sup>24</sup>

Furthermore, in delineating the territorial contours of his claim to sovereignty, Deval established a parallel between Spanish and French possessions in North Africa. First, he argued that the following territories—including their hinterlands—had been French possessions since time immemorial: the chateau at Cap Nègre, the fort at Cap Roux, the fortress of La Calle, the Bastion de France, and the fort at Cap Rose (see figure 4).<sup>25</sup> Second, he observed that these regions had a history similar to the expansion of Spanish territories in North Africa, and that the legitimacy of French claims in Algeria mirrored Spanish claims to Melilla and Ceuta.<sup>26</sup> If the beylical government failed to return the claimed territories promptly, Deval cautioned, “France would bring back the old system” that existed prior to the Ottoman invasion by conquering Algiers and taking it as a ransom for the Bastion de France, as well as Bône in exchange for the rest of the

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Dyck, *Report on the Capitulations of the Ottoman Empire*, 2 vols. (Washington: Government Printing Office, 1881-2). The first Franco-Ottoman treaty was concluded in 1536 between François I and Suleyman I and it was valid for the following territorial possessions: “kingdoms, seigneuries, provinces, chateaus, cities, ports, capitulatory ports, seas, islands, and all places that they hold presently and will hold in the future” (“Traité de paix, d’amitié et de commerce,” in *Recueil des traités de la Porte ottomane avec les puissances étrangères, depuis le premier traité conclu, en 1536, entre Suléyman I et François I jusqu’à nos jours*, ed. Ignaz de Testa, 11 vols. [Paris: Amyot, 1864-1911], 1:16). Also, see *Encyclopaedia of Islam*, 2<sup>nd</sup> ed., s.v. “imtiyāzāt”; G. Pélissié du Rausas, *Le régime des capitulations dans l’Empire ottoman*, 2 vols. (Paris: A. Rousseau, 1910-1911); Karl Lippmann, *Die Konsularjurisdiktion im Orient: Ihre historische Entwicklung von den frühesten Zeiten bis zur Gegenwart* (Leipzig: Verlag von Veit, 1898); Auguste Benoit, *Étude sur les capitulations entre l’empire Ottoman et la France et sur la réforme judiciaire en Égypte* (Paris: A. Rousseau, 1890); M. Belin, *Des capitulations et des traités de la France en Orient* (Paris: Chez Challamel Ainé, 1870).

<sup>24</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 31 August 1819: AMAE, Algiers/44, f. 339r.

<sup>25</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 74v. Deval repeated this argument on a number of occasions: Pierre Deval to Minister of Foreign Affairs, Algiers, 30 December 1819: AMAE, Algiers/45, f. 85r; Pierre Deval to Minister of Foreign Affairs, Algiers, 15 April 1820: AMAE, Algiers/45, f. 154v.

<sup>26</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 74v.

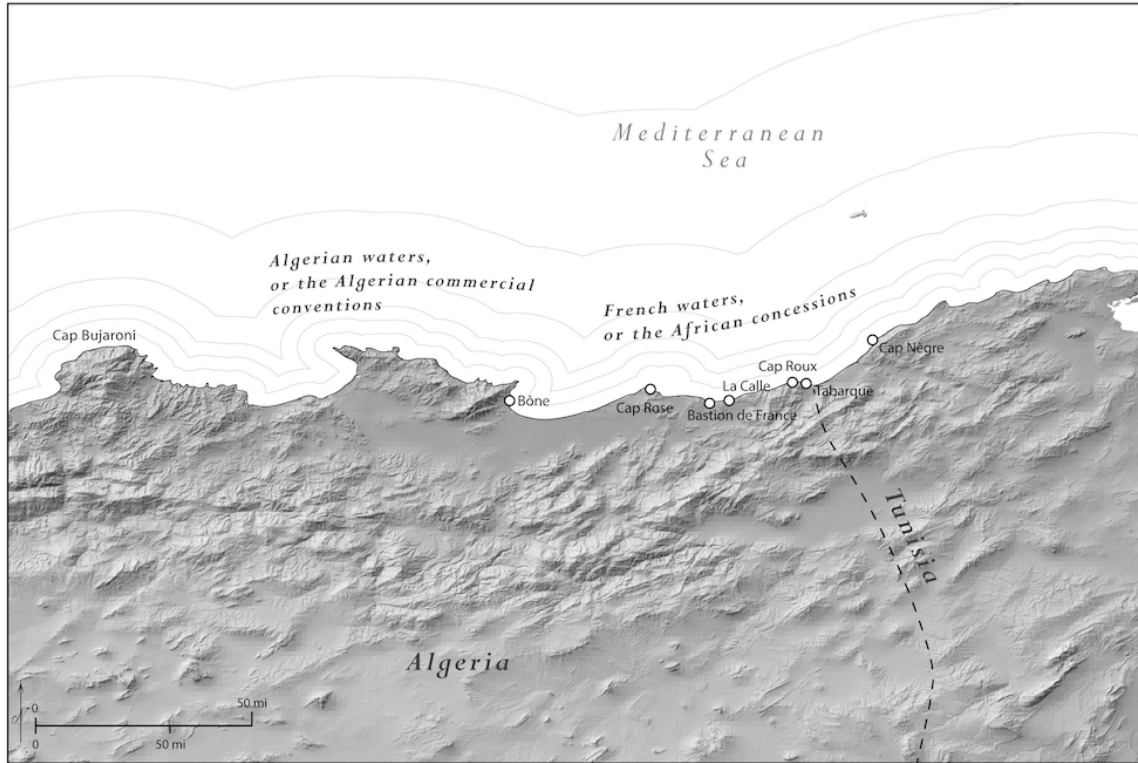


Figure 4: Pierre Deval's Territorial Claim in the Maritime Concessions

claimed territory, in addition to expelling the Turks back to Asia.<sup>27</sup> Only one obstacle stood in the way of Deval's historical and legal arguments: the presence of articles on annual payments for the concessions in all the treaties he cited, which seemed to indicate that the Algerian government did not relinquish its sovereignty over the disputed territories. For Deval, however, the language of the treaties indicated that such payments were made as a "free donation" in order to maintain "good neighborliness."<sup>28</sup> The minister of foreign affairs supported Deval's views and confirmed that the official policy on the concessions was that it should be treated as a French territory where the beylic had

<sup>27</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 75r.

<sup>28</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 15 April 1820: AMAE, Algiers/45, f. 155r.

no say in how France conducted its affairs.<sup>29</sup> Going far beyond Thainville's simple observation that the status quo in the concessions amounted to a type of temporary sovereignty, therefore, Deval and the minister embraced the view that the French presence and policing in the concessions ought to be recognized as elements of France's sovereignty.

By the mid-1820s, Deval's plans and arguments came to permeate an increasingly colonial outlook on Algeria within the French administration. For example, an official report from 1824 repeated, for the first time, the historical and legal arguments for French possession of the five coastal territories and defended French sovereignty over them with the "good neighborliness" argument. Then, taking Deval's imperial plan into consideration, the report proposed two possible options: a colonial or a commercial future for the concessions.<sup>30</sup> The writer of the report favored the colonial option and intimated that the most likely scenario for the future would consist of installing a colonial regime in which the territories would come under the administrative control of the state secretary charged with the colonial portfolio.<sup>31</sup> Algeria's proximity to France would make the colonial option easier to manage, he continued, and the territories could be expanded by exploiting tensions between Algeria and Tunisia and taking advantage of the impending dissolution of the Ottoman Empire.<sup>32</sup> Shortly before the writing of this report, Deval had

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<sup>29</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 22 July 1820: AMAE, Algiers/45, f. 224r-v.

<sup>30</sup> Rapport sur les concessions d'Afrique, April 1824: AMAE, Algiers/46, f. 269v.

<sup>31</sup> Rapport sur les concessions d'Afrique, April 1824: AMAE, Algiers/46, f. 271v.

<sup>32</sup> Rapport sur les concessions d'Afrique, April 1824: AMAE, Algiers/46, f. 272r-273v. For recent works on the Eastern Question, see Lucien J. Frary and Mara Kozelsky, eds., *Russian-Ottoman Borderlands: The Eastern Question Reconsidered* (Madison: The University of Wisconsin Press, 2014); Nazan Çiçek, *The Young Ottomans: Turkish Critics of the Eastern Question in the Late Nineteenth Century* (London: Tauris

sent a letter to the minister of foreign affairs in which he argued that the successive crises that were plaguing the Ottoman Empire have determined the British government to conquer North Africa and to use it as a base for an invasion of the African interior, which represented a grave threat to French commercial and political interests in the Mediterranean in his view.<sup>33</sup>

The intensification of Franco-British competition put an enormous amount of pressure on Ḥusayn Pasha, but he remained as opposed to Deval's efforts as his predecessors had been to Thainville's relatively more subdued use of the same strategy. In fact, after 1815, it was the deys who attempted to uphold the 1801 pact, while Deval worked to bend it and make it conducive to the expansion of French imperial ambitions in the basin. For instance, Ḥusayn Pasha completely rejected Deval's sovereignty claim over the five forts. After listening to Deval's historical and legal arguments, the dey threatened to take the concessions away from France if the consul refused to pay the annual amount requested by the Regency. When Deval objected that the Bastion represented an inalienable French territory, the dey retorted: "Go and take it then, if you can; yes, indeed, if you can."<sup>34</sup> In addition to this challenge, the dey declared to Deval that he considered the Bastion an integral part of Algeria.<sup>35</sup> The careful balancing act that

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Academic Studies, 2010); Alexander Bitis, *Russia and the Eastern Question: Army, Government, and Society: 1815-1833* (Oxford: Oxford University Press, 2006). Also, see Cemal Kafadar, "The Question of Ottoman Decline," *Harvard Middle Eastern and Islamic Review* 4, no. 1-2 (1997-8): 30-75.

<sup>33</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 3 February 1824: AMAE, Algiers/46, f. 190v.

<sup>34</sup> Quoted in Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 71v.

<sup>35</sup> Quoted in Pierre Deval to Minister of Foreign Affairs, Algiers, 12 February 1824: AMAE, Algiers/46, f. 192v.



Deval had to perform in 1824 in order to pursue an aggressive policy that undermined Algerian and British interests without leading to open conflict limited his response to an expression of indignity at what he considered the dey's disrespect for French rights.<sup>36</sup>

In fact, an extremely tenuous equilibrium prevented the eruption of war in the basin between the late 1810s and early 1820s largely because the 1801 framework provided enough stability and benefits for both France and Algeria. The French government conserved all the gains made by Thainville, most notably the freedom of navigation for French ships and the abolition of slavery for French citizens. For his part, the dey collected the annuities from France and reserved the right to capture ships of smaller nations that lacked a peace treaty with Algeria. Adding to the existing tensions, the British consul, who also relied on an aggressive strategy of consular imperialism, worked to incrementally increase his own influence at the expense of Deval. Moreover, the threat of war had disappeared as a tool of persuasion for the dey, as was the norm prior to 1815, and he mainly relied on Franco-British competition in his attempts to preserve the few—but for him crucial—remnants of the old corsair system.<sup>37</sup>

## II. Post-Napoleonic Congresses and the *droit des gens* in Algeria

European powers had signaled their collective intention to destroy the corsair economy after the Congress of Vienna, a proposal they renewed at the Congress of Aix-la-Chapelle. In both cases, appeals were made for the spread of civilization and its legal extension—the *droit des gens*—across the Mediterranean, but only the second congress

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<sup>36</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 12 February 1824: AMAE, Algiers/46, f. 192v.

<sup>37</sup> In 1820, Deval complained that the British have been temporarily able to reduce the Regency to “absolute submission” due to their strong presence in Malta: Pierre Deval to Minister of Foreign Affairs, Algiers, 18 May 1820: AMAE, Algiers/45, f. 174r-v.

led to a concrete plan to demonstrate to the dey the extent of European power through a show of force in the port of Algiers.<sup>38</sup> These appeals represented a significant departure from Thainville's demands between 1801 and 1815 because the deys were now asked to forsake a system that had existed in various forms since the sixteenth century and to fully integrate the beylic into the European legal space. Despite the fact that the very existence of the Regency had been put into question due to such sweeping demands, Ḥusayn Pasha succeeded in preserving the 1801 pact by exploiting tensions between Britain and France and by reducing his maritime incursions into southern European waters to the minimum. Deval explained in 1818 that the Algerian *diwān* had become very close to the British consul largely because the dey saw the preservation of the corsair system as the only guarantee of his political survival and he hoped to leverage Britain's maritime superiority to that end.<sup>39</sup> Deval also suspected that the dey hoped to use his new strategy in order to declare war on Spain and pillage its long and rich Mediterranean and Atlantic coastlines.<sup>40</sup>

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<sup>38</sup> In a memoir presented at the Congress of Vienna, William S. Smith proposed a blockade of North African ports due to the inadequacy of existing means of fighting piracy and the growing threat that emanated from the three Regencies. He presented the threat to the assembled sovereigns as chronic and grave: "If a barbarian, calling himself an independent prince despite not being recognized as such by the Ottoman sultan, his legitimate sovereign, can threaten and hang Greeks and sailors of smaller European states, who alone engage in commerce that great powers do not find advantageous enough to pursue, [...] and if that audacious chief of pirates can intercept the cargos of grains destined for Europe at will, then the civilized peoples are dependent on a chief of thieves who could increase their troubles and even succeed in making them starve in times of food shortage" (William S. Smith, "Mémoire sur la nécessité et les moyens de faire cesser les pirateries des Etats barbaresques," in *Recueil de pièces officielles destinées à détromper les François sur les événemens qui se sont passés depuis quelques années*, ed. Frédéric Schoell, 9 vols. [Paris: Librairie grecque-latine-allemande, 1814-16], 2:112-3). In another document, Vié de Césarini, a commander of the Knights Hospitaller, called for a more robust military effort against the Regencies. Describing the Algerian navy as the "marine suzeraine de la Méditerranée," he called for its destruction: Vié de Césarini, "Mémoire, pour l'ordre de Saint-Jean de Jérusalem, présenté au congrès de Vienne," in *Recueil de pièces officielles*, 2:266-7.

<sup>39</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 8 September 1818: AMAE, Algiers/45, f. 72r.

<sup>40</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 8 September 1818: AMAE, Algiers/45, f. 72r.

Representatives of the great powers at Aix-la-Chapelle entrusted Britain and France with the mission of informing the leaders of the three Regencies that the corsair system would no longer be tolerated in the basin. In the British government's wording, the joint commission would announce "in the strongest terms to the Regencies of those states the unalterable determination of all the Powers of Europe to terminate a System of piratical Warfare which is not more inimical to the general Interests of the European States than it is, in fact, destructive of the prosperity and happiness of the States by whom it is practiced."<sup>41</sup> The declaration that the French and British representatives presented to the dey urged him to accept the necessary changes and recognize the "laws and customs accepted by all the civilized nations."<sup>42</sup>

Deval soon connected these demands to the idea of the *droit des gens*. In an audience with the dey, he explained that it was time "to put an end to the Barbary corsair system and thereby assure the tranquility and peace of Europe's trade" because the Regency's policy of considering itself at war with all nations that did not have an official representative in Algiers implied that "the state of war is the natural state of Algeria, which gravely contravened the universally recognized *droit des gens*."<sup>43</sup> Deval added that

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<sup>41</sup> Address to the Lords Commanders of the Admiralty, London, 3 March 1819: AMAE, Algiers/44, f. 208v.

<sup>42</sup> Official declaration addressed to the Prince (Dey): AMAE, Algiers/44, f. 306r.

<sup>43</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 66r. Deval summarized the core issues of disagreement in a letter to the minister: "Suddenly moving to the issue of negotiations with the French and English commissaries, the dey said that he had been extremely upset by the notifications that were presented to him by the European powers, that the constitution of Algeria was known, and that he would never act unjustly or with passion toward any power, but that he intended to address all wrongs done to him with force. I explained to him that European powers never had the intention to prevent the Regency from being able to address the wrongs that might be done to it. Rather, their intention consisted only of ensuring the tranquility of Europe's peaceful commerce" (Pierre Deval to Minister of Foreign Affairs, Algiers, 19 September 1819: AMAE, Algiers/44, f. 389r).

the Ottoman Porte previously relied on the same policy but had now abandoned it, an example that the Regency had to follow in his view. He insisted that France had enjoyed the status of a “power that protected Ottoman domination” in North Africa and that its advice should be accepted as wise counsel, as well as the only means to avoid the violent measures that the French government had promised to use at Aix-la-Chapelle.<sup>44</sup> Instead of heeding these warnings, the dey remained firm in his opposition to the proposed changes and he even ventured to insult the European consuls by intruding into their official residences in search of Algerians whom he had condemned to hard labor in 1823.<sup>45</sup> Outraged, Deval first argued that the *droit des gens* gave the consuls the right to defend their residences, and when he observed the widespread violation of that right, he argued that the attempt “to assimilate Turkey and the Barbary to European states” had been a grave mistake because the *droits des gens* that flourishes in tandem with the spread of civilization could only be enforced among “barbarians” through the use of force.<sup>46</sup>

By the mid-1820s, therefore, Ḥusayn Pasha had begun relying on a more forceful demonstration of his resistance. But how did he succeed in foiling the plans of two major European states and preserve his independence in face of such tremendous pressure? Compared to Thainville’s aggressive policies in Algeria, the new threat to the beylical

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<sup>44</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 66v.

<sup>45</sup> The shrinking of the corsair economy contributed to these events. The diminishing revenue from naval activities had led the beylical government to extract taxes in a more aggressive manner, which resulted in a rebellion close to Bougie. The dey condemned the rebels, whom Deval called Numides, to hard labor and he sought to enforce this ruling even among those who worked for European consuls and remained uninvolved in the rebellion: Pierre Deval to Minister of Foreign Affairs, Algiers, 30 October 1823: AMAE, Algiers/46, f. 161r-164r.

<sup>46</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 30 October 1823: AMAE, Algiers/46, f. 163v.

order after 1818 seemed much larger—even existential. Under the umbrella of civilization, nothing less than the complete transformation of the Regency was demanded, which would have severely destabilized the beylical government and likely led to a chronic power vacuum. The dangers involved in the endeavor that stemmed from the Congress of Aix-la-Chapelle thus made British and French representatives weary of implementing the threat of violence. In that context, it was the rivalry between French and British forms of consular imperialism, as well as the general stability provided by the 1801 pact, that facilitated the dey’s political survival.

Instead of buttressing the French position in Algeria, preparations for the collaborative diplomatic mission in fact unveiled the power imbalance between France and Britain. French naval authorities complained that France lacked an armed ship of the line, which the British government planned to send to Algeria. The state secretary responsible for the navy and the colonies complained that the dispatching of different vessels might give to the three Regencies an impression of British supremacy and French inferiority.<sup>47</sup> He offered two solutions to this problem, both injurious to French honor in his view: a request that Britain sends the same, weaker vessel as France, or the transfer of the French plenipotentiary onto the stronger British vessel once it arrived close to the port of Algiers.<sup>48</sup> In the end, a delay allowed the French to send a ship of the line, and Counter

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<sup>47</sup> Ministre secretaire d’Etat au depot de la marine des colonies to Dessolles, Paris, 12 May 1819: AMAE, Algiers/44, f. 245r.

<sup>48</sup> Ministre secretaire d’Etat au depot de la marine des colonies to Dessolles, Paris, 12 May 1819: AMAE, Algiers/44, f. 245v-246r.

Admirals Pierre Jurien and Thomas Fremantle were entrusted with the mission, which was scheduled to begin in Mahon on 28 July 1819.<sup>49</sup>

Despite the common goal of destroying the corsair system, the reliance on consular imperialism created an insuperable chasm between the French and British consuls. Deval accused consul Hugh MacDonell of attempting to take the concessions away for France in order to give them to the Kingdom of the Two Sicilies, in addition to spreading rumors about France's weakness and encouraging the beylical government to declare war on France instead of Spain.<sup>50</sup> In attempting to thwart these plans, Deval followed in Thainville's footsteps by relying on threats and spreading rumors favorable to France. In discussions with the beylical authorities, he noted that the schemes of the British and Spanish consuls had reached him, but that the dey's inclination to accept their plans would not invite a short bombardment such as the one used by the British to "amuse" themselves—rather, 6,000 French troops would invade the uninhabited Cap Matisou, just as Charles V had done in 1541, and capture a number of Algerian cities as a ransom for French territorial losses in the concessions.<sup>51</sup> The dey's fears of a French invasion persisted and he decided to abandon the British plan, which further emboldened Deval's determination to reclaim the concessions.<sup>52</sup>

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<sup>49</sup> Instructions pour le M. Contre-Amiral Jurien, Saint-Cloud, 8 July 1819: AMAE, Algiers/44, f. 300r-301v; Circulaire à Messieurs les consuls generaux du Roi a Alger, Tunis & Tripoli, Paris, 8 July 1819: AMAE, Algiers/44, f. 312r-315r. The declaration read to the local governments is located in Official declaration addressed to the Prince (Dey): AMAE, Algiers/44, f. 305r-306v. Jurien also wrote a book about North Africa: Jean Pierre Edmond Jurien de La Gravière, *Les corsaires barbaresques et la marine de Soliman le Grand* (Paris: E. Plon, Nourrit, et cie, 1887).

<sup>50</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 31 August 1819: AMAE, Algiers/44, f. 337v-338v, 339v.

<sup>51</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 31 August 1819: AMAE, Algiers/44, f. 341r-v.

<sup>52</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 31 August 1819: AMAE, Algiers/44, f. 342r.

These tensions considerably softened the aggressive posture of the declaration made at Aix-la-Chapelle. On 3 September 1819, the naval divisions arrived in front of Algiers and the declaration was presented to the dey; Deval translated it into the Ottoman language and MacDonell into Arabic. However, in Deval's estimation, MacDonell's translation was "inexact, altered, and largely false in terms of its central message because the term Barbary Regencies had been substituted by the term Arab chiefs."<sup>53</sup> Moreover, on the same day, MacDonell had a secret audience with the dey and, Deval claimed, reassured him that the Regencies would not be threatened.<sup>54</sup> Husayn Dey expressed his unwillingness to address any of the issues raised in the declaration and Deval quickly blamed MacDonell for bringing the dey to that position. The prevalent sentiment in the Regency, Deval argued, was that if France had been entrusted with the mission alone, it would have succeeded.<sup>55</sup> In Deval's view, therefore, MacDonell sabotaged the diplomatic gesture due to his determination to undermine French interests—in spite of what his superiors and the program of the Aix-la-Chapelle Congress dictated.

Franco-British competition certainly represented an important factor in the failure of the diplomatic mission, but the dey also personally defended his rights as a sovereign and questioned the validity of European demands. For example, he asked Jurien and Freemantle whether he had the right to declare war on his enemies as an independent ruler, to which they replied that this question did not fall within the purview of their mission. The dey then rhetorically asked if he should burn all his weapons since they

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<sup>53</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 10 September 1819: AMAE, Algiers/44, f. 363r.

<sup>54</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 10 September 1819: AMAE, Algiers/44, f. 363v.

<sup>55</sup> Deval claimed that Freemantle acted in good faith, but that MacDonell undermined the mission: Pierre Deval to Minister of Foreign Affairs, Algiers, 10 September 1819: AMAE, Algiers/44, f. 365r-v.

would become useless if he accepted the presented ultimatum. The plenipotentiaries responded that he could keep his weapons, “like other European powers,” but that he had no right to trouble the peace of European commerce. In the end, the dey expressed his intention to continue with the old practice of considering non-enemies only those powers with accredited agents in Algeria, while the two envoys simply reiterated their concern that this attitude might put Algeria into danger.<sup>56</sup> By steering the debate away from the legality of the corsair system, therefore, the dey reaffirmed his sovereign prerogative to declare war and peace, which ultimately maintained his control over Algerian privateering. Unable to address the issue of how Algerian sovereignty ought to be limited in order to accommodate the demands made at Aix-la-Chapelle, the two plenipotentiaries left without having achieved their goals.

Following the failed diplomatic mission, Deval continued insisting on the need to change the existing system. Ḥusayn Pasha addressed Deval’s use of the Ottoman example of integration into Europe and he insisted that the sultan had expressly allowed him to preserve the traditional system. “In any event,” the dey observed, “I do not know why this issue matters since I am at peace with everybody.”<sup>57</sup> After Deval objected that a number of smaller European nations (the Hanseatic cities, the free cities of Germany, and Prussia, among others) remained technically at war with Algeria according to beylical principles, the dey explained that peace could be easily arranged if those nations agreed

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<sup>56</sup> Deval reported this conversation to his superiors: Pierre Deval to Minister of Foreign Affairs, Algiers, 9 September 1819: AMAE, Algiers/44, f. 372v.

<sup>57</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 66v.



to pay a small annual tribute, which the Regency needed in order to pay its militia.<sup>58</sup> Deval's refusal to accept the beylical position and his aggressive attempts to reclaim parts of the concessions as French territories led the dey to suspect that much of the rumored threat of invasion came from Deval personally, and not the French government.

The dey's instincts in fact proved accurate in the long run as Deval's position provided him with a lot of political leverage (consular letters, for instance, still took up to six months to travel between France and Algeria) and his ideas and imperial agenda inflected the official French policy throughout his consulship. After comparing Deval's aggressive approach with the relatively weak pressure exerted by the two official plenipotentiaries, the dey devised a strategy to test the extent to which Deval's stance had an official approval. He unexpectedly summoned Deval for an audience with instructions to bring the directives he had received from his government. Deval agreed and expressed his willingness to let a Francophone Algerian read the directives related to the concessions and the corsair system. During the meeting, the dey ordered the two slaves in the room to leave and, due to the lack of a beylical translator, Deval began translating the text into Ottoman by himself. However, this very private audience quickly degenerated into a dispute when the issue of Algerian rights in the concessions came up. The claim that France controlled the concessions infuriated the dey and he asked Deval if the Regency had sovereignty over the Algerian territory. Deval again cited articles of

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<sup>58</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 67r.

previous treaties, but the dey allegedly became furious and he stormed out of the meeting, threatening to unilaterally take away the concessions from France.<sup>59</sup>

While reporting this incident to the minister of foreign affairs, Deval justified his position and attitude toward the dey by explaining that accepting “perpetual war” as “inherent in Algeria’s constitution” would entail the resumption of Algeria’s verification of passports in the Mediterranean and thus lead to the disruption of French commerce.<sup>60</sup> Moreover, due to the failure of the Jurien-Fremantle mission, Deval asked the minister to send a military officer to Algiers with a narrower goal: the direct enforcement of the 1817 concessions treaty.<sup>61</sup> In Deval’s view, therefore, forcing the dey to recognize French sovereignty represented the most pressing issue, and he believed that the clause on the continued validity of the 1790 treaty would facilitate the achievement of this goal. However, he also warned that the survival of the corsair system after 1819 would soon make the status of the Papal States an issue of contention between France and Algeria, although he confessed to having refrained from addressing this matter during his last audience with the dey.<sup>62</sup> The continued tensions between Spain and Algeria also continued to worry Deval and in 1823 he noted with dismay: “The dey feels honored and he brags about the resistance that he put up against the determinations of the Congress of

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<sup>59</sup> This meeting was described in Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 69r-71v.

<sup>60</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 73r.

<sup>61</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 75r.

<sup>62</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 December 1819: AMAE, Algiers/45, f. 75v.

Aix-la-Chapelle. He brags that due to his resistance, corsair activities would continue against all ensigns that are not recognized by the Regency.”<sup>63</sup>

On the whole, therefore, the anti-piracy measures adopted at the congress had no real effect in Algeria, beyond the exacerbation of tensions between British and French consuls. The dey declared himself victor and continued attacking ships of nations that did not have a peace treaty with Algeria. He also successfully resisted Deval’s claim that bilateral treaties—as documents that have introduced the *droit des gens* into the Regency’s legal system and assimilated it to a European state—contained articles that granted France sovereignty over certain territories in the maritime concession. In other words, the fragile balance that held together the 1801 pact remained extremely unstable during the early 1820s. The French government reluctantly tolerated the persistence of a narrower corsair system, while the dey refrained from troubling French commerce in the basin and mistreating the French consul. A significant disruption of any of these factors—whether under the umbrella of a more forceful application of the *droit des gens* or the dey’s expansion of the corsair system in the basin—had the potential to lead to conflict.

### III. The Bourbon Mediterranean and the End of Consular Imperialism

Due to the dey’s refusal to change his position on the question of French sovereignty in the concessions during the early 1820s, Deval changed his strategy and began targeting the beylical policy toward southern Europe, much like Thainville had done prior to 1815. In this respect, the Napoleonic and Restoration models of consular imperialism shared a common strategy: while Bonaparte insisted that the dey had to

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<sup>63</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 15 July 1823: AMAE, Algiers/46, f. 138r.

refrain from attacking states ruled by his family or those enjoying his protection, Louis XVIII and Charles X insisted that rulers who were their relatives or who benefitted from their protection must enjoy the same rights as the French monarch in the basin. To be sure, Deval only began insisting on this policy in an aggressive manner after the French intervention in Spain in 1823, where Louis XVIII helped restore absolute monarchy under the Bourbon Ferdinand VII.<sup>64</sup> For the first time since the Napoleon's Iberian invasion, this conflict created the possibility of a war between France and Algeria.

In an audience with the dey, Deval explained that the French intervention consisted of an amicable gesture and that if rumors that had been circulating in Europe about an Algerian attack on Spain proved to be true, the French government would consider that an act of war and it would reply with a punitive expedition.<sup>65</sup> Noting that Spain also had an outstanding debt in the Regency, which the Spanish consul had avoided paying for years, Deval took it upon himself to intervene as an intermediary (and he even requested the freeing of Spanish slaves that had been captured by the dey).<sup>66</sup> Deval later stressed to the dey that France would not tolerate any aggression toward Spain because the Regency had accepted French mediation on the issue of the Spanish debt and, in his

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<sup>64</sup> On the French intervention in Spain, see Emmanuel Larroche, *L'expédition d'Espagne, 1823: de la guerre selon la Charte* (Rennes: Presses universitaires de Rennes, 2013); André Lebourleux, *La croisade des cent mille fils de Saint Louis: l'expédition française en Espagne de 1823* (Coulommiers: Dualpha, 2006).

<sup>65</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 1 March 1824: AMAE, Algiers/46, f. 242r.

<sup>66</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 1 March 1824: AMAE, Algiers/46, f. 242v-243v. In 1825, Deval arranged a meeting between the dey and a Spanish representative, Pedro Ortiz, in order to solve the debt issue. The dey claimed that Spain owed to Jacob Bacri 4 million *piastres*, while Ortiz only recognized 90,000 *piastres*. Deval insisted that in order to arrive at the amount claimed by the beylical government, interest would have had to be 300 percent on the original 60,000. Since it would be unreasonable to expect an interest rate higher than 6 percent, Deval argued, the amount owed after ten years could not be higher than 148,000 *piastres*: Pierre Deval to Francisco Cea Bermúdez, Spanish Secretary of State, Algiers, 20 March 1825: AMAE, Algiers/47, f. 165r-168v.

view, the dey would gravely insult the French government if he “treated as enemies the Spanish people, who have the closest relations with [France].”<sup>67</sup> As tensions increased and the Spanish consul left Algiers, Deval obtained the Spanish consulship and then entered into direct discussions with the dey.<sup>68</sup> Through his intervention, the situation was stabilized and a wider conflagration in the basin temporarily avoided. This episode deeply shook the French administration, however. Deval and his superiors observed that only immense pressure and direct threats had the potential to bend the dey’s will, which led to plans for the reformulation of the French policy toward Algeria in late 1824.

The 1801 pact had survived the mild intervention that followed the Congress of Aix-la-Chapelle, but the dey’s emboldened push into the basin after the French intervention in Spain put Thainville’s framework into question. The French administration concluded that the beylical government intended to expand the corsair economy in the new geopolitical landscape by attacking powers that the dey did not fear, such as the United States, Holland, Sardinia, the Two Sicilies, the Holy See, and Spain. The writer of an official report on the new situation underlined that the last three had already been attacked and had requested France’s intervention.<sup>69</sup> Although assistance had been extended to Spain, the writer noted, it was not clear how the same strategy could be applied in order to help the Kingdom of the Two Sicilies and the Papal States. Urging caution, the writer highlighted the possibility of a war on multiple fronts if France simply invaded Algeria, but he argued at the same time that the reliance on presents and

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<sup>67</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 19 May 1824: AMAE, Algiers/46, f. 276r-v.

<sup>68</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 24 August 1824: AMAE, Algiers/47, f. 34r.

<sup>69</sup> Rapport sur Alger, 31 December 1824: AMAE, Algiers/47, f. 140r.

occasional bombardments was unlikely to succeed in the long run.<sup>70</sup> Despite all the dangers of a more aggressive policy toward Algeria, he continued, relying on presents only befitted a power of the secondary order, while in terms of the Two Sicilies and the Holy See, the French monarch could ill afford to abandon the leader of the Catholic church and the ruler of a Bourbon throne.<sup>71</sup> This reorientation in strategy, although still vague and uncertain by December 1824, augured the return of a modified version of Napoleon's Italian policy in Algeria.

And just as Thainville obtained concessions through threats, Deval quickly busied himself with the issuing of ominous warnings to the beylical government. He explained that a papal nuncio had arrived in Paris, where he requested and obtained the king's protection for the Papal States in the Mediterranean. As a result, Deval informed the dey, peace must be immediately established between Algeria and the Holy See.<sup>72</sup> The dey initially resisted on the grounds that Popes had been attacking the Ottoman Empire from their base in Rhodes for centuries, but Deval quickly corrected him and explained that the Knights of Malta had been the attackers and that their organization had been dissolved. He then emphasized that the beylical government must consider the Papal States as a "natural annex to France"—and thus indistinguishable from it.<sup>73</sup> Somewhat unexpectedly, the dey accepted this position and he assured Deval that he also intended to maintain good relations with the Two Sicilies, all in honor of the long history of good relations

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<sup>70</sup> Rapport sur Alger, 31 December 1824: AMAE, Algiers/47, f. 141v-145r.

<sup>71</sup> Rapport sur Alger, 31 December 1824: AMAE, Algiers/47, f. 145v-146r.

<sup>72</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 1 February 1825: AMAE, Algiers/47, f. 154r.

<sup>73</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 1 February 1825: AMAE, Algiers/47, f. 155r.

between France and the Regency.<sup>74</sup> The minister of foreign affairs expressed his deep satisfaction upon hearing that the dey had accepted French demands so promptly and with so much deference.<sup>75</sup>

The new status quo did not last, however. A number of developments made the dey's reliance on the 1801 pact untenable by late 1825: the Spanish debt issue remained unresolved, the dey suspected that French agents were selling gunpowder to restive tribes in eastern Algeria, and the war in Greece was quickly spreading across the eastern Mediterranean.<sup>76</sup> The final break occurred in 1826, when the metropolitan authorities notified Deval, via a coded message, that there had been reports of Algerian attacks on Papal, Spanish, and Greek ships, in addition to the inspection of French ships by Algerian naval crews.<sup>77</sup> After a brief investigation, Deval confirmed the validity of these reports and reaffirmed his commitment to protect Charles X's honor in Algeria by compelling the dey to cease all acts of hostility against nations protected by France.<sup>78</sup> In his

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<sup>74</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 1 February 1825: AMAE, Algiers/47, f. 155v.

<sup>75</sup> Minister of Foreign Affairs to Pierre Deval, Paris, 28 February 1825: AMAE, Algiers/47, f. 156r-v.

<sup>76</sup> Husayn Pasha had urged Deval to prohibit the trade in gunpowder in the concessions, but the consul argued that French agents were not involved in that practice. Due to the danger that the sale of gunpowder in restive eastern Algeria represented to the beylical government, the dey was eventually compelled to order his officers to forcefully enter and inspect the French consular house in Bône: Pierre Deval to Dupré, Royal Consul in the Concessions, Algiers, 6 September 1825: AMAE, Algiers/47, f. 293r-294v. On the conflict between the Ottoman and Greek forces during the 1820s, see Douglas Dakin, *The Greek Struggle for Independence, 1821-1833* (Berkeley: University of California Press, 1973); Denys Barau, *La cause des Grecs: une histoire du mouvement philhellène (1821-1829)* (Paris: Honoré Champion Editions, 2009); Roderick Beaton, *Byron's War: Romantic Rebellion, Greek Revolution* (Cambridge: Cambridge University Press, 2013).

<sup>77</sup> Minister of Foreign Affairs to Pierre Deval, Paris, 23 August 1826: AMAE, Memoires et documents, Algeria/1, f. 101r-v; Director of Police to Pierre Deval, Paris, 26 August 1826: AMAE, Memoires et documents, Algeria/1, f. 105r-v.

<sup>78</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 27 August 1826: AMAE, Memoires et Documents, Algeria/1, f. 106r-107v; Pierre Deval to Giulio Maria della Somaglia, Secretary of State for the Holy See, Algiers, 27 August 1826: AMAE: Memoires et Documents, Algeria/1, f. 109r-110r.

discussions with the dey, Deval continued relying on past treaties in defending both the emerging idea of a Bourbon Mediterranean (where the Regency had to observe the rules imposed by the French monarch) and his insistence that French sovereignty in the concessions had to be recognized immediately.<sup>79</sup> For his part, the minister of foreign affairs stressed, in an almost incredulous tone, that more reports of Algerian inspections of French ships had been gathered, in spite of the royal government's unwillingness to recognize the beylic's right to employ such measures in the basin.<sup>80</sup> In response to the alarm sounded in France, Deval reported that the dey feigned no knowledge of these new developments.<sup>81</sup>

The situation reached a turning point in December 1826, when the French government decided to begin a blockade of Algiers, Bône, and Oran in response to the expansion of the corsair system. This blockade would target Algerian ships, while those of other nations would remain free to call at the port of Algiers. The official recognition that this action would break the 1801 pact is evidenced by the extensive appendix attached to the blockade proposal, which provided copies of the 1800 armistice, the 1801 peace treaty, and ratification documents signed by successive deys.<sup>82</sup> Deval supported the implementation of this plan and rejected the dey's appeal for France's mediation between Algeria and the Papal States. In fact, at this point, Deval had lost all hope that the dey

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<sup>79</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 17 September 1826: AMAE, *Memoires et Documents, Algeria/1*, f. 138r-140r.

<sup>80</sup> Minister of Foreign Affairs to Pierre Deval, Paris, 2 October 1826: AMAE: *Memoires et Documents, Algeria/1*, f. 156r.

<sup>81</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 30 October 1826: AMAE, *Memoires et Documents, Algeria/1*, f. 180v.

<sup>82</sup> Note, par ordre du ministre, 7 December 1826: AMAE, *Memoires et Documents, Algeria/1*, f. 188r-189v, 239r-248r.



would accept the plan for what Deval saw as the restoration of French sovereignty in the concessions and he claimed that it would be unbecoming of a great power to agree to pay a tribute in order to arrange peaceful relations between Algeria and a smaller European power.<sup>83</sup> Although the escalating tensions gradually paved the way for Deval's departure from Algiers, the goals he pursued through the strategy of consular imperialism persisted and left an indelible mark on the emerging imperial plan that the French administration adopted in relation to Algeria after 1826. In other words, although the minister of foreign affairs previously acted as a moderating force because of his unwillingness to pursue Deval's plans aggressively, he now wholeheartedly accepted the consul's colonial vision.

The idea of French sovereignty in the concessions, the need to protect French allies within the Bourbon Mediterranean, and the extension of the *droit des gens* through the use of force permeated most reports on the Algerian situation during the late 1820s. In one report on the situation from 1827, the writer repeated the claim that ancient treaties had granted France "possession and sovereignty" over ten leagues of the Algerian coast, which the dey rejected on multiple occasions, including an audience in October 1826, when he refused to recognize the validity of Ottoman capitulations in Algeria.<sup>84</sup> Moreover, the writer of an official report to the king stressed that an expedition against Algeria would be "in the interests of humanity and the *droit des gens*" because it would

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<sup>83</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 7 December 1826: AMAE, Memoires et Documents, Algeria/1, f. 250v-252r. Initially, the dey had requested some "monetary donations" in exchange for peace with the Papal States. Deval insisted that the Pope could not sign a peace treaty with Algeria according to the usual money-for-peace agreement because that would be below papal dignity. Instead, he had assured the dey that France would make the necessary payment: Pierre Deval to Minister of Foreign Affairs, Algiers, 1 February 1825: AMAE, Memoires et Documents, Algeria/1, f. 118r-v.

<sup>84</sup> Note sur l'affaire d'Alger: AMAE, Memoires et Documents, Algeria/2, f. 9r-v.

result in a forced imposition of “philanthropic principles” in the Mediterranean.<sup>85</sup> After the 1818 Congress of Aix-la-Chapelle, he continued, the Tunisian government abandoned the corsair system and it accepted French protection for the papal ensign, but Algeria had refused to do the same, which seriously endangered the French position in the Mediterranean due to the Regency’s hegemonic status in North Africa.<sup>86</sup> “If France cannot and must not tolerate the infractions that had been committed against its treaties and the insults suffered by its ensign,” he concluded, “she has equally powerful reasons to force the Regency to respect the sovereign pontiff in the future.”<sup>87</sup> In order to execute this plan, a naval mission should be sent to Algeria, he argued; it would first present the dey with an ultimatum and, if he failed to accept the new conditions, a blockade of the port of Algiers would follow.<sup>88</sup>

The idea of royal honor and its impact on French policies in the Mediterranean dated to 1825, when a number of Italian states demanded French protection in the basin. A royal commission examined these requests and concluded that the Italian policy needed to evolve in tandem with a strategy that took into account the looming dismemberment of the Ottoman Empire. Seeing the Italian situation as a chance for France to assert itself as an imperial power in North Africa, the writers of a report from 1827 claimed that the

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<sup>85</sup> Minister of Foreign Affairs, Rapport au Roi, 11 April 1827: AMAE, *Memoires et Documents, Algeria/2*, f. 42v.

<sup>86</sup> Minister of Foreign Affairs, Rapport au Roi, 11 April 1827: AMAE, *Memoires et Documents, Algeria/2*, f. 43v, 46r, 48r.

<sup>87</sup> Minister of Foreign Affairs, Rapport au Roi, 11 April 1827: AMAE, *Memoires et Documents, Algeria/2*, f. 52v.

<sup>88</sup> Minister of Foreign Affairs, Rapport au Roi, 11 April 1827: AMAE, *Memoires et Documents, Algeria/2*, f. 56r-58r.

French intervention could be justified on the basis that Charles X represented “the head of the Bourbon household” and was thus responsible for protecting members of his family who sat on thrones across southern Europe, in addition to his religious duty as a Catholic king to protect the pope.<sup>89</sup> Although the plan for the blockade of Algiers had crystallized by this point, the idea of creating a French colony in North Africa represented only one possibility that stemmed from the idea of the Bourbon Mediterranean, which the government intended to apply only if the dey rejected a long list of French demands.

In this context, the 1827 Fan Affair further strengthened the French resolve to proceed with the preexisting and unfolding plan of blockading Algiers. During the encounter, the dey had asked Deval why the minister of foreign affairs did not reply to his letter about the debt issue. Deval assured the dey that the response would be forthcoming, but Ḥusayn Pasha found this unsatisfactory and loudly chastised the consul. “In fact, you are the cause for the non-arrival of the response from your minister. You had insinuated that he should not write to me. You are a vicious person,” the dey thundered.<sup>90</sup> At that point, Ḥusayn Pasha got up, took the handle of his fly-whisk, and “violently hit” Deval three times, adding that he did not want any French presence in the concessions.<sup>91</sup> Deval might have overstated the violence of the three strikes because the

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<sup>89</sup> Sur la demande faite par les cours de Naples et de Rome à l’intervention de la France auprès des Régences Barbaresques, January 1825: AMAE, *Memoires et Documents*, Algeria/11, f. 4r, 20v. Tuscany also figured among the protected states: Note sure la guerre actuelle avec Alger, 19 January 1828: AMAE, *Memoires et Documents*, Algeria/2, f. 9r.

<sup>90</sup> Quoted in Pierre Deval to Minister of Foreign Affairs, Algiers, 30 April 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 61v.

<sup>91</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 30 April 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 61v.

audience continued and the consul patiently explained to the dey that the French king only communicated with other sovereigns through his representatives. Had the gesture been as violent as Deval later claimed, he would have very likely ended the meeting. Moreover, Ḥusayn Pasha's hostile attitude targeted Deval personally and was due more to the distrust that existed between them than the larger issue of debts, which had been resolved to the dey's satisfaction for a number of years.<sup>92</sup>

The list of reparations demanded by the king further points to the peripheral role played by the Fan Affair. The minister of foreign affairs informed Deval that Charles X had been shocked to hear that the dey treated him in such a violent manner, and he argued that this sign of disrespect represented another breach of "the sacred principle of the *droit des gens*" by the beylical government.<sup>93</sup> Prior to receiving news of the Fan Affair, the minister of foreign affairs had committed to forcing the dey to pay reparations for all the violations that he had committed in the eyes of the French government, but he remained uncertain about the type of reparation that ought to be added to the existing list due to the

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<sup>92</sup> A governmental commission was appointed to examine the debt issue in 1817 and a report that approved the repayment was issued during the following year: Rapport au ministre, January 1817: AMAE, Algiers/43, f. 3r; Rapport sur les réclamations des S.rs Bacri, 1818: AMAE, Algiers/44, f. 110r-140v). A final payment of 9,723,034.08 francs was then approved and the king promulgated a law to legalize this payment in 1820. Both the dey and Jacob Bacri were satisfied with this arrangement: 21 Feb. 1819, Paris, Rapport à Son Excellence le Ministre des Affaires Etrangères, Paris, 21 February 1819: AMAE, Algiers/44, f. 199r; Projet de loi, Chambre des Pairs de France, 21 July 1820: AMAE, Algiers/45, f. 212r-v. The French and Arabic declaration of final agreement was signed by Ḥusayn Dey, Pierre Deval, Jacob Bacri, as well as consular witnesses and it is located in AMAE, Algiers/45, f. 152r-153v. Also, see Boulouvard (jurisconsulte en droit maritime, et ancien chef du bureau des consulats), *Sur le projet annoncé, de la part du Gouvernement français, de payer à la Régence d'Alger ou à ses sujets sept millions de francs* (Paris: Delaunay, 1820).

<sup>93</sup> Minister of Foreign Affairs to Pierre Deval, Paris, 29 May 1827: AMAE, Memoires et Documents, Algeria/2, f. 94r.

insult suffered by Deval.<sup>94</sup> The following figured among the twenty-four reparation requests: the flying of a French ensign over the city of Algiers and the salutation of the French delegation by cannons; the punishment of all corsairs who perpetuated crimes in the basin and reimbursements for all property looted by them; the restitution of Roman ships and the official recognition of the Holy See's ensign; H̄usayn Pasha's recognition of Ottoman capitulations; the cessation of the dey's attempts to solve the debt issue outside of the legal framework that had been agreed upon previously; and, almost as an afterthought, the minister suggested that Deval should demand some form of public excuse from the dey due to the Fan Affair.<sup>95</sup>

As the blockade of Algiers unfolded, Deval reworked this list of reparations into a treaty of perpetual peace, which synthesized the long list of goals pursued by Thainville and Deval through consular imperialism into forty-eight points that the dey would have to accept. For instance, the dey would have to acknowledge the treaty as perpetual and thus not limited to a single ruler, the debt issue would be resolved on terms previously accepted by the French government, no more presents of any kind would be given to the beylical government by French consuls, annuities for the maritime concessions would be abolished, the dey would have to recognize French sovereignty in the concessions, and Liguria would be added to the list of Italian states protected by France.<sup>96</sup> In addition, the dey had to send a representative to Paris, who would officially apologize for the Fan

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<sup>94</sup> Minister of Foreign Affairs to Pierre Deval, Paris, 14 May 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 75r-v.

<sup>95</sup> Minister of Foreign Affairs to Pierre Deval, Paris, 29 May 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 96r-99v.

<sup>96</sup> *Projet de traité entre la France et le gouvernement d'Alger*, 1829: AMAE, *Memoires et Documents*, Algeria/4, f. 81r-85r. On the blockade, see Thomas-Xavier Bianchi, *Relation de l'arrivée dans la rade d'Alger du vaisseau de S. M. La Provence* (Paris: Chez l'auteur, 1830).

Affair. The wide web of demands spun by Thainville and Deval gradually led to the emergence of two streams of justification for the French intervention in Algeria: a colonial, more private plan that was almost entirely based on Deval's ideas and which focused on the possibility of reclaiming French sovereignty in the concessions and building a colonial realm there, as well as an official and public emphasis on the need to rid the Mediterranean of slavery, piracy, and tributary payments, which in many ways paralleled Thainville's strategy.

#### IV. Resurrecting Rome in the Algerian Concessions

Demands for the dey's recognition of Ottoman capitulations both before and after the blockade of Algiers represented a central pillar of French policies toward Algeria because Deval had convinced his superiors that France had a historical right to claim sovereignty over parts of the eastern concessions. The blockade of Algiers gave rise to a flurry of pamphlets and memoirs in which a number of prominent personalities addressed the possibility of an imperial invasion of Algeria. Among them, Armand Marcescheau, the French vice-consul in Tunisia, was one of the first who suggested that a flourishing colony could be established once the French government made a more sweeping territorial claim in the concessions. He argued that the reconquest of French concessions must begin with an invasion of Bône, largely due to its strategic position on the coast, as well as the possibility of quickly attacking Algiers from it.<sup>97</sup> He assured the minister of foreign affairs that the Tunisian bey would accept such an intervention because it would undermine the dey's continued attempts to interfere in Tunisian affairs. Establishing

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<sup>97</sup> *Projet d'expédition immédiate contre Bône*, 16 December 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 311r.

Bône as the *chef lieu* of French concessions would achieve two additional goals, he proposed: it would strengthen the French position against the British line that linked Gibraltar to Malta and the Ionian Islands, in addition to offering a protective measure against the increasingly aggressive Russian encroachment into the basin.<sup>98</sup> Confessing that he knew little about the minister's possible intention to establish a French colony in North Africa, he nonetheless asked his permission "to imitate a famous Roman and end by repeating: Let us hurry and capture Bône."<sup>99</sup>

Once the French government decided to invade Algeria in early 1830, the official instructions given to *commandant-en-chef* Louis Bourmont contained an expanded version of the plan proposed by the vice-consul. Among other conditions of Ḥusayn Pasha's surrender, he would be forced to recognize the complete and undivided French sovereignty over the coastal area from the River Seybas to Cap Roux.<sup>100</sup> The minister of foreign affairs slightly altered this demarcation in June 1830 and settled on a French territorial claim from Cap Bujaroni to the Tunisian border (see figure 5).<sup>101</sup> This claim remained intact after the French invasion, including the stipulation that the rest of conquered territories outside of the Cap Bujaroni-Tunisia axis would remain under

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<sup>98</sup> Projet d'expédition immédiate contre Bône, 16 December 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 314r.

<sup>99</sup> Projet d'expédition immédiate contre Bône, 16 December 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 319v.

<sup>100</sup> Instructions pour le Commandant en Chef de l'Expédition d'Afrique, 18 April 1830: AMAE, *Memoires et Documents*, Algeria/5, f. 196r.

<sup>101</sup> Minister of Foreign Affairs to Louis Auguste de Bourmont, Paris, 26 June 1830: AMAE, *Memoires et Documents*, Algeria/5, f. 418v.

Ottoman sovereignty.<sup>102</sup> Despite the presence of French troops in Algiers and Oran, moreover, the French government intended to maintain a permanent military presence only in Bône, Stora, and La Calle, which followed the logic of a concessions-based invasion and which would become the main points of a “definitive occupation” in North Africa.<sup>103</sup>

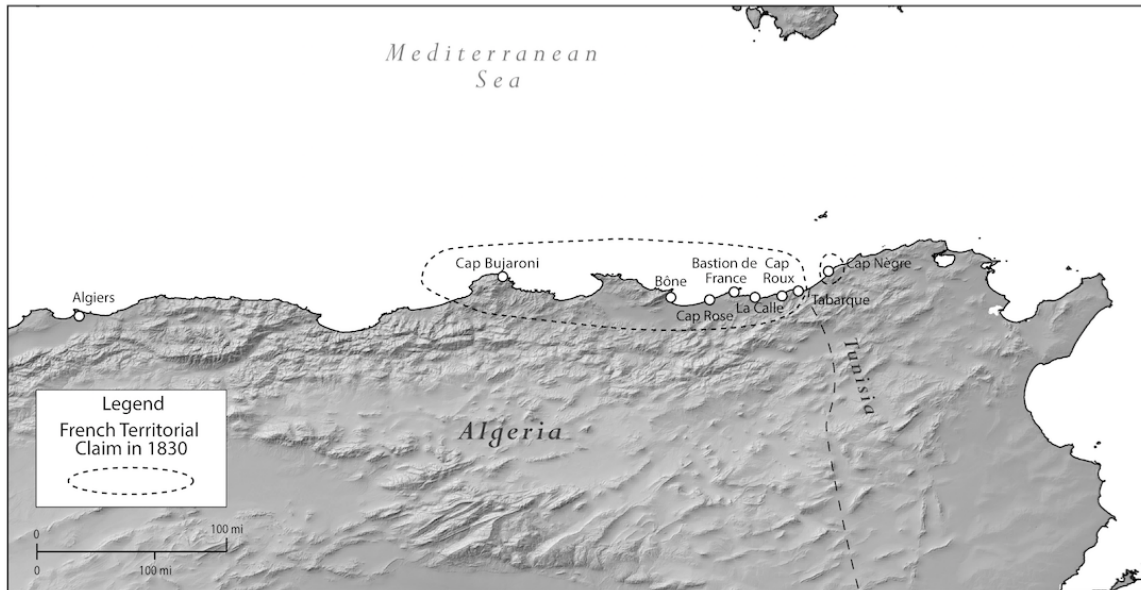


Figure 5: French Territorial Claims in 1830

Barbié du Bocage, the writer of a 1827 memoir on the Algerian situation, had warned that keeping to the coast might lead France to replicate the mistakes inherent in Spanish and Portuguese imperial models in North Africa, and he argued that a larger

<sup>102</sup> Minister of Foreign Affairs to Louis Auguste de Bourmont, Paris, 12 July 1830: AMAE, *Memoires et Documents*, Algeria/6, f. 46r.

<sup>103</sup> Minister of Foreign Affairs to Louis Auguste de Bourmont, Paris, 12 July 1830: AMAE, *Memoires et Documents*, Algeria/6, f. 47r. The Cap Bujaroni-Tunisia frontier for the French possessions was also included in a Franco-Ottoman treaty draft: “The emperor of France relinquishes the monetary indemnity for the cost of war. The two contracting parties agree that, henceforth, the French possessions along the northern African coast will stretch from the Regency of Tunisia to the mountain chain that ends at Cap Bujaroni, as those mountains are indicated on the map of Africa that is annexed to the present treaty” (*Projet de traité avec la Porte-Ottomane relativement à Alger*, AMAE, *Memoires et Documents*, Algeria/7, f. 130r-v).



military presence of 40,000 troops would likely be necessary to overcome local resistance and inaugurate a new political system and better commercial relations between France and Algeria.<sup>104</sup> The minister of foreign affairs rejected this larger plan in 1830 and he instead relied on Ottoman assistance—in exchange for the French recognition of the Porte’s sovereignty in North Africa—in his attempts to integrate territories beyond the Cap Bujaroni-Tunisia line into the European legal system via the Ottoman Empire.<sup>105</sup> Aware that the Ottoman government might oppose this plan, the minister initially instructed Bourmont to avoid discussing Ottoman claims, especially the status of Muslims who would come under French rule within the concessions. Still, the mutual assistance between France and the Ottoman Empire remained the central pillar of his attempts to finally reestablish—both *de facto* and *de jure*—French sovereignty in the concessions.

Borrowing from Deval’s arguments, French officials took great care to portray French territorial expansion in the concessions as legal and within the international *droit des gens* by anchoring their claims in past treaties and capitulations. Yet the Roman imperial legacy in North Africa and appeals to civilization as justifying factors for the conquest grew increasingly louder. For many French officers, the restructuring of Franco-Algerian relations according to an expanded version of the traditional monarchical model would not suffice because France had to assume the role of Rome in the context of Ottoman decline due to civilizational duty and national honor. French officials initially claimed that the abolition of piracy, tributes, and slavery represented the main reason for

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<sup>104</sup> *Memoire politique*, Paris, 30 August 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 257v.

<sup>105</sup> Minister of Foreign Affairs to Louis Auguste de Bourmont, Paris, 26 June 1830: AMAE, *Memoires et Documents*, Algeria/5, f. 420r.

their decision to invade Algeria, and this official justification soon evolved into a claim of French intentions to bring North Africa into the fold of “civilized nations (*nations civilisées*).”<sup>106</sup> The Ottomans were initially seen as allies in this endeavor. After considering colonization as a means to pay for the invasion, the minister of foreign affairs indicated that he would be satisfied with the recognition of French sovereignty in the concessions, while he assured the Ottoman government that its own sovereignty in the rest of Algeria would be guaranteed as soon as the corsair system was destroyed and Ottoman troops were sent to reclaim the remaining territory for the Porte.<sup>107</sup> Moreover, since Algeria was “a country placed outside of civilization,” the French government claimed that the proposed invasion would have no negative effect on the balance of power in Europe; instead, it would facilitate the freedom of navigation for all nations in the Mediterranean.<sup>108</sup> The spread of civilization and commerce, in other words,

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<sup>106</sup> Note pour le conseil, 16 May 1830: AMAE, *Memoires et Documents*, Algeria/5, f. 304r.

<sup>107</sup> Minister of Foreign Affairs to Louis Auguste de Bourmont, Paris, 26 June 1830: AMAE, *Memoires et Documents*, Algeria/5, f. 418r-v. In this context, many French officials believed that Muḥammad ‘Alī of Egypt could assist their efforts; first, because he favored a governmental system that could reestablish culture, civilization, and better communication links in North Africa and, second, because he could invade Tripoli and Tunisia with 40,000 troops from Egypt: Circulaire, Paris, January 1830: AMAE, *Memoires et Documents*, Algeria/4, f. 207r. It is interesting to note that even the French consul in Egypt, Bernardino Drovetti, pursued the strategy of consular imperialism. He proposed plans for the conquest of Algeria on his own initiative and due to his efforts the French government accepted the idea of encouraging Muḥammad ‘Alī to participate in the French effort by invading Tripoli, Tunisia, and parts of Algeria that the French government planned to return to the Porte. Already favorable to Deval’s Algerian project, Polignac accepted Drovetti’s recommendations: Bernardino Drovetti, “Projet sur Alger et les Barbaresques,” 1 September 1829, in Georges Douin, *Mohamed Aly et l’expédition d’Alger (1829-1830)* (Cairo: Impr. de l’Institut français d’archéologie orientale du Caire pour la Société royale de géographie d’Égypte, 1930), 1-4. The alliance with ‘Alī ultimately failed because of Ottoman and British interference, and despite Polignac’s willingness to offer a large sum in support of an Egyptian invasion with 40,000 troops: Jean-François Mimaud to Jules de Polignac, Alexandria, 4 March 1830, in Douin, *Mohamed Aly et l’expédition d’Alger*, 200-3. For more on this episode, see J. E. Swain, “The Occupation of Algiers in 1830: A Study in Anglo-French Diplomacy,” *Political Science Quarterly* 48, no. 3 (1933): 359-366. On Drovetti, see Giorgio Seita, *Bernardino Drovetti: la storia di un piemontese in Egitto* (Aosta: Le château, 2007); Ronald T. Ridley, *Napoleon’s Proconsul in Egypt: The Life and Times of Bernardino Drovetti* (London: Rubicon Press, 1998).

<sup>108</sup> Note pour le conseil, 16 May 1830: AMAE, *Memoires et Documents*, Algeria/5, f. 305r.

represented the only viable means to solve the chronic problems caused by the three Regencies in the basin.

Although imperial plans remained vague and tentative in 1830, therefore, the goals pursued by Thainville and Deval remained at the heart of the nascent colonial vision for Algeria. Their achievements and legacies in Algeria created two complementary types of justifications for empire: official proclamations replicated the language used by Thainville and emphasized the need to abolish the old system entirely, while the monarchical, concessions-centered ideas embraced by Deval framed the more detailed and concrete plan of occupation in 1830. These two approaches gave rise to a thorough reevaluation of French imperial ambitions, both in the Mediterranean and on the global stage. Deval's territorial claims remained intact, and ultimately led to the creation of a settlement colony, while the civilizational thrust that emerged out of Thainville's strong emphasis on systemic change led a number of French officials to embrace the view of France as the New Rome.

As Deval's idea of a French territorial claim in the concessions became more widely accepted by early 1830, some officials took the position that parts of coastal Algeria represented a "*colonie naturelle*" for geographic and climatic—and not exclusively historical—reasons.<sup>109</sup> Rumors about the impending invasion of Algeria contributed to the multiplication of similar views within governmental circles, which represented a significant departure from Deval's careful legal arguments and general reticence to strongly champion a wider colonial plan in Algeria. To be sure, Deval did propose a tentative plan of invasion in 1819, when he feared that the British consul might

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<sup>109</sup> Note pour le conseil, 16 May 1830: AMAE, *Memoires et Documents*, Algeria/5, f. 305r-v.

succeed in taking the concessions away from France. At that point, Deval stressed the need to finalize the destruction of the system of piracy in the Mediterranean and he suggested that France ought to follow the Roman example in Algeria. Furthermore, he framed his proposal in terms of Roman history, claiming that winning over the Numidians and the Gaetuli (who he believed had continued to live in North Africa since antiquity) would allow France to control large parts of Algeria and remold the Regency into a colony that would become a granary of France, just as it has been the granary of Rome.<sup>110</sup> Once his relations with the dey improved, however, the Roman idea disappeared from his correspondence and he turned his attention toward treaties and the history of coral concessions.

But the Roman theme proved irresistible to others. In 1827, for instance, Barbié du Bocage took up the Roman legacy in an almost identical manner, combining it with the idea of spreading civilization and commerce in the Mediterranean. Bocage argued that the problem of supplies could be overcome by relying on the surviving Roman roads in Algeria.<sup>111</sup> He recognized that the colonization of the Algerian coast appeared “chimerical and extravagant” to many, but he nonetheless argued that France faced in North Africa exactly the same type of piratical threat and “barbarous” population that had troubled Rome, which obliged the Bourbon government to follow the Roman example. “The Romans understood,” he explained, “that they should neither hope to enjoy peace in their commerce or obtain a durable submission of the barbarians as long as the latter possessed a single galley or longboat, so they decided to deprive them of all such harmful

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<sup>110</sup> Pierre Deval to Minister of Foreign Affairs, Algiers, 28 December 1819: AMAE, Algiers/45, f. 83r-v.

<sup>111</sup> *Memoire politique*, Paris, 30 August 1827: AMAE, *Memoires et Documents*, Algeria/2, f. 251v.

means. It is only at that point that they were forced to turn toward agriculture, and they started to taste, under a protective administration, the benefits of civilization.”<sup>112</sup> Since the Romans succeeded in implementing this plan, he continued, France ought to encourage the flourishing of civilization, commerce, and agriculture in North Africa through the same model: formal empire.<sup>113</sup>

French politicians also felt seduced by the idea of France as the New Rome. For instance, Charles de Montalembert called for an aggressive spread of civilization through missionary activities in North Africa. In his view, the goal of ridding the basin of piracy and slavery represented a noble pursuit, one that could resuscitate what had been flourishing Roman colonies in the antiquity.<sup>114</sup> However, Montalembert believed that only an aggressive program of evangelization in what he saw as a sparsely populated area could reverse the historical damage operated by “Oriental despotism,” which would shrink in face of the spread of Catholicism and its “moral legislation.”<sup>115</sup> He called for the involvement of the Holy See, as the state protected by the French king, in this endeavor,

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<sup>112</sup> Memoire politique, Paris, 30 August 1827: AMAE, Memoires et Documents, Algeria/2, f. 253r.

<sup>113</sup> Memoire politique, Paris, 30 August 1827: AMAE, Memoires et Documents, Algeria/2, f. 254r.

<sup>114</sup> Charles Forbes de Montalembert, *Que pourra t'on faire d'Alger et de la Barbarie*, 1830: AMAE, Memoires et Documents, Algeria/6, f. 78v. On Montalembert, see Carol E. Harrison, “The Dilemma of Obedience: Charles de Montalembert, Catholic Citizen,” in *Romantic Catholics: France's Postrevolutionary Generation in Search of a Modern Faith* (Ithaca: Cornell University Press, 2014), 103-48; Manuela Ceretta and Mario Tesini, eds., *Montalembert pensatore europeo* (Roma: Edizioni Studium, 2013); Jean-Noël Dumont, ed., *Montalembert et ses contemporains* (Paris: Cerf, 2012).

<sup>115</sup> Charles Forbes de Montalembert, *Que pourra t'on faire d'Alger et de la Barbarie*, 1830: AMAE, Memoires et Documents, Algeria/6, f. 79r.

and the establishment of a new status quo where converted Christian sovereigns ruled locally in alliance with France.<sup>116</sup>

Laisné de Villévêque, a constitutional royalist, inscribed the Algerian problem into the wider global challenges faced by the rising French Empire, but he also took inspiration from the Roman model. Calling the Algerian expedition a “grand and generous” enterprise, Villévêque saw the conquest as an opportunity to return France to a prominent position in the international arena, a position, according to him, that France had previously enjoyed for ten centuries.<sup>117</sup> Since 1700, he claimed, French blood and treasury had been drained in European wars and in the context of renewed British imperial expansion in Nepal, Kabul, and Burma in 1830, the moment had come for France “to establish in Barbary military colonies on the Roman model.”<sup>118</sup> Following the new Mediterranean logic that underpinned the development of French imperialism, Villévêque argued that Martinique and Guadeloupe ought to be abandoned in order to strengthen the French position in the basin and offer a more robust maritime response to any potential British interference.<sup>119</sup>

Although attentive and certainly favorable toward the view of France as the New Rome, Jules de Polignac, the minister of foreign affairs, continued describing the invasion of Algeria as an attempt to reestablish the *droit des gens* in the basin. In other words, Polignac remained committed to justifications based on a legal framework that

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<sup>116</sup> Charles Forbes de Montalembert, *Que pourra t'on faire d'Alger et de la Barbarie*, 1830: AMAE, *Memoires et Documents*, Algeria/6, f. 86v.

<sup>117</sup> Laisné de Villévêque, *Expedition d'Alger*, 1830: AMAE, *Memoires et Documents*, Algeria/6, f. 17r.

<sup>118</sup> Laisné de Villévêque, *Expedition d'Alger*, 1830: AMAE, *Memoires et Documents*, Algeria/6, f. 17r.

<sup>119</sup> Laisné de Villévêque, *Expedition d'Alger*, 1830: AMAE, *Memoires et Documents*, Algeria/6, f. 18r.

combined the goals of Thainville and Deval, both of whom used treaties and the legal norms that stemmed from them as the cornerstone of their strategies in Algeria. In a letter to Anne-Adrien de Montmorency-Laval, for instance, Polignac claimed that the dey's violation of the existing treaties had determined the king to punish the beylical government and eliminate the corsair system due to the treat that it posed to international law in the basin.<sup>120</sup> In addition to restoring French sovereignty in the concessions by enforcing old treaties, therefore, the French invasion would finalize Algeria's integration into the European legal space by destroying the corsair system and inaugurating a new type of local administration, one that operated within the framework of the *droit des gens* in the Mediterranean.

The more modest—and less Roman—goals of consular imperialism had been adopted as a formal imperial policy. However, it is important to note that in one significant way, Polignac departed from the projects pursued by Thainville and Deval: he redefined Algeria's legal integration as a question of civilization, which brought him closer to the views of the more aggressive imperial camp that wished to replicate the Roman model in North Africa. He explained that the French government wished to administer Algeria directly in order to create a state of civilization there and to return the coast to its ancient splendor.<sup>121</sup> Although not explicit, therefore, the Roman theme had an echo in the official policy. The civilizing ideal did not contain a strong north-south dichotomy at this point since much of Polignac's plan consisted of relying on an alliance

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<sup>120</sup> Jules de Polignac to Anne-Adrien-Pierre de Montmorency-Laval, Paris, 3 February 1830: AMAE, *Memoires et Documents, Algeria/7*, f. 17r-18r.

<sup>121</sup> Jules de Polignac to Anne-Adrien-Pierre de Montmorency-Laval, Paris, 3 February 1830: AMAE, *Memoires et Documents, Algeria/7*, f. 18v.

with Muḥammad ‘Alī, who would help spread the new order in Tunisia and Tripoli as well. “If the divine Providence favors the expedition,” Polignac noted, “piracy and Christian slavery will disappear from the Mediterranean coast and this sea—the center of the civilized world—will again offer security, help, assistance, and protection to commerce and international exchange between all nations, which the existence of the three Barbary states still banishes from the southern coast.”<sup>122</sup>

The archival record does not indicate how the dey perceived the introduction of the idea of civilization in the Franco-Algerian conflict, but there is evidence that he refused to accept French demands largely because he rejected French territorial claims in the concessions and because he deeply distrusted Deval. With the latter’s departure from Algiers, the Sardinian consul, D’attili de la Tour, continued negotiating with the dey on behalf of the French government. To D’attili insistence on the necessity of accepting French demands and reestablishing peaceful relations, the dey responded “in a calm manner that he always submitted, more than anyone else, to God’s will, and that if the circumstances bring about a French invasion, he would not fire the first cannon, but he would be at the forefront of his troops.”<sup>123</sup> The dey added that the blockade had failed to undermine the Regency’s economy and that there were no major shortages.<sup>124</sup> Moreover, the dey explained to an Ottoman envoy that the entire conflict was due to Deval’s aggressive strategy in Algeria and his attempt to take over the Bastion de France and the

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<sup>122</sup> Jules de Polignac to Anne-Adrien-Pierre de Montmorency-Laval, Paris, 3 February 1830: AMAE, *Memoires et Documents, Algeria/7*, f. 21v.

<sup>123</sup> Quoted in D’attili de la Tour, Consul of Sardinia to Valdémar Guillaume de La Bretonnière, Naval Commander of the Blockade, Algiers, 5 January 1829: AMAE, *Memoires et Documents, Algeria/4*, f. 4v.

<sup>124</sup> Quoted in D’attili de la Tour, Consul of Sardinia to Valdémar Guillaume de La Bretonnière, Naval Commander of the Blockade, Algiers, 5 January 1829: AMAE, *Memoires et Documents, Algeria/4*, f. 5r.



rest of territories in the concessions, which the dey feared represented only a prelude to larger territorial claims.<sup>125</sup>

In addition to eliminating the gradual French encroachment in Algeria, maintaining a state of war with France allowed the dey to temporarily resuscitate the beylical economy by once again targeting French ships in the Mediterranean, but the 1830 invasion put a final stop to that and the dey was forced to go into exile in Europe. The swift success and military victories of Bourmont's troops by July 1830 then led to a reorientation of French colonial plans, but the centrality of legal arguments about the concessions persisted. Bourmont stressed that he had succeeded in toppling the beylical government without relying on allies and that no other powers deserved to be involved in the ensuing negotiations with the local populations because only France had legal "titles of possession" in the Algerian concessions.<sup>126</sup> In his view, Bône remained a central military point for the defense of French interests in the concessions, but Algiers and Constantine ought to remain under French suzerainty, while Oran could be given to the Ottomans. Anything short of this approach had the potential to undermine future French control over the commerce in the African interior, according to Bourmont.<sup>127</sup> A number of French politicians joined Bourmont in calling for the adoption of a colonial system in Algeria after 1830, a period that was marked by a profusion of pamphleteering about the

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<sup>125</sup> Reported in Hājj Khalīl Efendī to Valdémar Guillaume de La Bretonnière, Algiers, 10 December 1829: AMAE, *Memoires et Documents*, Algeria/4, f. 147r-148r.

<sup>126</sup> Valdémar Guillaume de La Bretonnière to Minister of Foreign Affairs, 13 July 1830: AMAE, *Memoires et Documents*, Algeria/6, f. 54r.

<sup>127</sup> Valdémar Guillaume de La Bretonnière to Minister of Foreign Affairs, 13 July 1830: AMAE, *Memoires et Documents*, Algeria/6, f. 54v.

role that Algeria should play within the French Empire.<sup>128</sup> The newfound zeal for empire eventually led to the exportation of the Thainville-Deval framework across North Africa through unequal treaties. Also, the French government gradually embraced the Roman ideal in its attempt to continue justifying imperial expansion in Algeria and translating the civilizing ideal into a more extensive endeavor to remold North Africa in France's image.<sup>129</sup>

## V. Conclusion

French colonialism in Algeria had its roots in two waves of almost identical strategies of consular imperialism. Rumors and threats of invasion represented the main tools available to Thainville and Deval, and the vast majority of their small victories occurred without armed intervention. Although Thainville's attempts to insert the beylic into the Napoleonic imperial orbit ultimately failed between 1800 and 1815, his signing of a peace treaty with the dey in 1801 signaled the inauguration of a new legal system across the Mediterranean, which continued to guarantee peaceful relations during Deval's consulship. Although Thainville focused on the 1801 agreement in his attempts to undermine the corsair system and Deval emphasized the Ottoman capitulations in his attempts to defend French territorial claims in the concessions, both consuls based their

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<sup>128</sup> See, for instance, P. Genty de Bussy, *De l'établissement des français dans la régence d'Alger, et des moyens d'en assurer la prospérité, suivi de pièces justificatives* (Paris: Firmin Didot, 1839); Léon Blondel, *Nouvel aperçu sur l'Algérie, trois nécessités en Afrique: conserver.—pacifier.—coloniser* (Paris: Delaunay, 1838); François Leblanc de Prébois, *Algérie: de la nécessité de substituer le gouvernement civil au gouvernement militaire* (Paris: Delaunay, 1840); Eugène Bodichon, *Etudes sur l'Algérie et l'Afrique* (Algiers: Chez l'auteur, 1847). For a more complete list of post-1830 works on the same theme, see Ministère de la guerre, *Tableau de la situation des établissements français dans l'Algérie en 1840* (Paris: Imprimerie Royale, 1841), 430-5.

<sup>129</sup> After the invasion of Algeria, the French government finalized the destruction of the corsair system through the imposition of treaties in Tunisia (on 8 August 1830) and Tripoli (on 11 August 1830), as well as Morocco (on 10 September 1844). For complete treaty texts, see E. Rouard de Card, *Traité de la France avec les pays de l'Afrique du nord: Algérie, Tunisie, Tripolitaine, Maroc* (Paris: A. Pedone, 1906), 212-6, 288-93, 330-3.

larger strategies on treaties as legal documents that, in their view, successive deys had to respect. Furthermore, Thainville's and Deval's Italian policies represented a major destabilizing factor in Franco-Algerian relations because the expansion of Napoleonic and then Bourbon protection over parts of Italy undermined Algeria's economic, and thus political, viability through the forced contraction of the corsair economy. In fact, the severity of this threat to the beylic ultimately led to the breakdown of the 1801 pact in 1826, when the dey decided to reject the idea of a Bourbon Mediterranean and to expand the corsair economy in southern Europe in spite of French objections. The 1827 Fan Affair certainly exacerbated the tensions after these events, but its overall role remained limited and it is very likely that the blockade of Algiers would have proceeded as planned even if the dey had avoided striking Deval with a fly-whisk.

Between 1827 and 1830, the rise of a formal imperial plan absorbed all the major goals of consular imperialism. On the one hand, the French government officially portrayed its actions in Algeria as an attempt to remove the threat of piracy and slavery, as well as the burden of tributary payments, which amounted to an amplification of Thainville's strategy. And, on the other hand, a colonial plan was grafted onto Deval's relentless insistence that France had a legitimate territorial claim over parts of eastern Algeria. At the same time, the recuperation of Thainville's and Deval's legal arguments by the French government gradually evolved into a larger claim about the need to "civilize" North Africa. In other words, influential officials such as Polignac embraced the view that extending the European legal system in North Africa amounted to a civilizing mission. It is precisely at the moment when an equal sign was drawn between international law and civilization that the Roman imperial precedent emerged as a French

colonial model in the Mediterranean. Initially confined to the writings of politicians such as Villévêque and Montalembert, as well as Deval to some extent, the Roman ideal gained significant momentum in the aftermath of the conquest and eventually grew into an ideology supported by the French army and strengthened through archeological missions financed by the French state. The Algerian expedition, in other words, had transformed France into an aspiring New Rome.

**PART III: THE ROMAN MEDITERRANEAN, 1830s-1870s**

**Chapter 5. “*Il ne pourrait se faire obéir à une telle distance*”: The Theology of  
Collaboration in French Algeria, 1830-52**

*After my departure, you will see what my  
enemies will do. Since time immemorial, they  
have been vindictive, cheating, and perfidious.  
How, then, can you trust them and  
how could they ever do anything good for you?*<sup>1</sup>

In their attempt to build a modern version of the Roman Empire in North Africa, French administrators faced a difficult and protracted process of imperial consolidation. During the early 1830s, the French army remained confined to a few cities along the coast in Algeria. It faced an extremely hostile terrain in the interior, where tribal leaders carved out spheres of influence after the collapse of Ottoman rule. French officers struggled to obtain the support of local notables. At the same time, many within the French government dismissed calls for the wholesale conquest of Algeria because of the rising cost of occupation. As a result, during the 1830s, Deval’s limited plan to reclaim French sovereignty in the eastern concessions continued framing the colonial plan. Because of this narrow objective, French administrators considered the Algerian problem through an international lens: they sought the Ottoman Porte’s recognition of French territorial claims and they entered into an alliance with the Tunisian government in order to limit the imposition of non-Muslim rule in the provinces of Oran and Constantine.

After the mid-1830s, however, simmering tensions with the Ottoman government, the failure of the Tunisian alliance, and the Moroccan sultan’s frequent interventions in

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<sup>1</sup> Sīd Ḥāmid bin Ṭayyib bin Sālīm to Chirgs des Krachenas and Qā’id Muḥāmmad bin Maraḥ, 1 September 1843, p. 3: SHD, 1H/92. This letter was translated from the original Arabic by an anonymous translator. All letters examined in this chapters were written originally in Arabic by the Algerian notables, but some have been preserved only as French translations in the archival record. Throughout this chapter, I have indicated which letters remain extant in the original Arabic.

western Algeria gradually led to a more concentrated French military presence in the Algerian interior. This process was amplified by the emergence of ‘Abd al-Qādir as the leader, or emir, of Algerian resistance to French rule, as well as the rising prominence of the conquest as a tool of legitimization for the Bourbon monarchy.<sup>2</sup> In this context, French officers abandoned Deval’s concessions-based claims to French sovereignty and they asserted that all of Algeria belonged to France due to the right of conquest.

Because of the disparity between this expanded imperial vision and the paucity of military resources, French officers and administrators increasingly relied on indigenous allies who were willing both to justify French rule and to fight for France. This emerging indigenous policy represented an essential element of French rule in Algeria during the 1830s and 1840s because the consolidation of the pro-French camp among Algerian notables to some extent made possible the creation of French Algeria. And, as had been the case in Italy and Egypt, local notables interpreted the legitimacy of French rule through the lens of religion.

Despite the importance of indigenous notables who sided with France, very little is known about their motives, strategies, and reactions to French rule. Studies on Algeria prior to the 1870s remain scarce, and much of the existing literature on this early period focuses on the role of colonial violence, especially in terms of the various ways in which

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<sup>2</sup> ‘Abd al-Qādir’s resistance to French rule has been the subject of a large number of studies: see, *inter alia*, Alexandre Bellemare, *Abd-el-Kader: sa vie politique et militaire* (Paris: L. Hachette, 1863); Charles Henry Churchill, *The Life of Abdel Kader, Ex-Sultan of the Arabs of Algeria* (London: Chapman and Hall, 1867); Philippe d’Estaille-Chanteraine, *Abd-el-Kader: l’Europe et l’islam au XIX<sup>e</sup> siècle* (Paris: J. B. Janin, 1947); Ismā‘īl ‘Arabī, *Al-‘Alāqāt al-diblūmāsīyya al-Jazā’irīyya fī ‘ahd al-Amīr ‘Abd al-Qādir al-Jazā’irī* (Algiers: Dīwān al-Maṭbū‘āt al-Jāmi‘īyah, 1982); Abdelkader Boutaleb, *L’émir Abd-el-Kader et la formation de la nation algérienne: de l’émir Abd-el-Kader à la guerre de libération* (Algiers: Editions Dahlab, 1990); Smaïl Aouli, *Abd el-Kader* (Paris: Fayard, 1994). King Louis Philippe sent his sons to fight in Algeria in an attempt to present the monarchy as a meritocracy. On Bourbon legitimacy and Algeria, see Jennifer E. Sessions, *By Sword and Plow: France and the Conquest of Algeria* (Ithaca: Cornell University Press, 2011).

French officers understood violence and deployed it in Algeria.<sup>3</sup> Although a number of important studies have examined Algerian movements of resistance throughout the nineteenth century, moreover, analyses of the role of Islam in such movements often focus on the emir's religious writings and various Sufi orders.<sup>4</sup> To be sure, scholars have also studied French officers' perceptions of Islam and their attempts to adopt various methods of assimilating their colonial allies, but the reception of these projects among Algerian notables remains largely unstudied.<sup>5</sup> As a result, a number of questions that are critical for a better understanding of early French Algeria have not been adequately examined. For instance, when and why did local notables become French allies? Did they use Islam as a legitimizing tool in their attempts to justify elements of French rule and their willingness to work for the French administration? How did they negotiate the

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<sup>3</sup> William Gallois, *A History of Violence in the Early Algerian Colony* (New York: Palgrave Macmillan, 2013); Sylvie Thénault, *Violence ordinaire dans l'Algérie coloniale: camps, internements, assignations à résidence* (Paris: Jacob, 2012); Abdelmajid Hannoum, *Violent Modernity: France in Algeria* (Cambridge: Center for Middle Eastern Studies of Harvard University Press, 2010); Benjamin Claude Brower, *A Desert Named Peace: The Violence of France's Empire in the Algerian Sahara, 1844-1902* (New York: Columbia University Press, 2009); Olivier Le Cour Grandmaison, *Coloniser, exterminer: sur la guerre et l'état colonial* (Paris: Fayard, 2005).

<sup>4</sup> Amira K. Bennison, "'Abd al-Qādir's Jihād in the Light of the Western Islamic Jihād Tradition,'" *Studia Islamica* 106, no. 2 (2011): 196-213; Benjamin Claude Brower, "The Amīr 'Abd Al-Qādir and the "Good War" in Algeria, 1832-1847," *Studia Islamica* 106, no. 2 (2011): 169-195. On religion and violence in Algeria, see Julia A. Clancy-Smith, *Rebel and Saint: Muslim Notables, Populist Protest, Colonial Encounters: Algeria and Tunisia, 1800-1904* (Berkeley: University of California Press, 1994); Ricardo René Laremont, *Islam and the Politics of Resistance in Algeria, 1783-1992* (Trenton: Africa World Press, 2000). The role of religion during the first few decades of French rule in Algeria remains largely unexamined in existing studies that adopt a wider analytical perspective on Islamic movements within European empires: see David Modatel, ed., *Islam and the European Empires* (Oxford: Oxford University Press, 2014); Pierre-Jean Luizard, ed., *Le choc colonial et l'islam: les politiques religieuses des puissances coloniales en terres d'islam* (Paris: Découverte, 2006).

<sup>5</sup> For instance, Thomas Bugeaud's "indigenous policy" has been examined in Antony Thrall Sullivan, *Thomas-Robert Bugeaud, France and Algeria, 1784-1849: Politics, Power, and the Good Society* (Hamden: Archon Books, 1983), esp. 94-116; Roger Germain, *La politique indigène de Bugeaud* (Paris: Larose, 1953). The French colonial administration responsible for managing relations with indigenous tribes has been examined in Jacques Frémeaux, *Les bureaux arabes dans l'Algérie de la conquête* (Paris: Denoël, 1993); Pier Paola Cossu, *I bureaux arabes e il Bugeaud* (Milano: Giuffrè, 1974); Albert Ringel, *Les bureaux arabes de Bugeaud et les cercles militaires de Galliéni* (Paris: E. Larose, 1903).



pressure from local forces that were opposed to French rule? And how successful were French officers in encouraging the emergence of an Islamic theology conducive to French imperial interests?

This chapter focuses on ideological developments that framed the rise of a pro-French camp among Algerian notables and clerics during the 1830s and 1840s. In contrast to the centrality of al-Azhar and its clerical class in Egypt, French officers encountered a fragmented religious establishment in Algeria. The *'ulamā'* of Algiers and other major cities had a lot of influence in their respective urban areas, but they did not hold the position of eminence enjoyed by their Egyptian counterparts. Instead, Sufi confraternities, often organized around a charismatic leader, or *murābiṭ* (*marabout* in French), represented the main vectors of religious and, by extension, political legitimacy in Algeria.<sup>6</sup> While the centralized nature of the Egyptian clerical class provided Napoleon with an opportunity to quickly establish his limited legitimacy as a monotheistic ruler, French officers' ability to gain the loyalty of the *'ulamā'* of Algiers did not produce the same result. Instead, the divisions that marked the Algerian *'ulamā'* created a fragmented resistance to French rule, which facilitated French officers' attempts to convince growing numbers of Algerian notables that they had much to gain from an alliance with France. Combining violent and frequent attacks on tribes who refused such an alliance with the generous treatment of French allies in the end allowed the French army to leave the

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<sup>6</sup> See 'Abd al-Mun'im al-Qāsimī Ḥasanī, *Al-tarīqah al-khalwatīyya al-raḥmānīyya, al-uṣūl wa-al-āthār: mundhu zuhūrīhā ilā ghāyat al-ḥarb al-ālamīyya al-ūlā* (Algiers: Dār al-khalīl li-l-nashr wa-al-tawzī', 2013); Maïke Neufend, *Das Moderne in der islamischen Tradition: eine Studie zu Amīr 'Abd al-Qādir al-Ġazā'irīs Verteidigung der islamischen Vernunft im 19. Jahrhundert* (Würzburg: Ergon Verlag, 2012); 'Alī Baṭṭāsh, *Lamḥa 'an tārīkh minṭaqat al-qabā'il: ḥayāt al-Maqrānī wa-l-shaykh al-Ḥaddād wa-thawrat 1871* (Algiers: Dār al-amal li-l-ṭibā'a wa-l-nashr wa-l-tawzī', 2007); George R. Trumbull IV, "Au coin des Rues Diderot et Moïse": Religious Politics and the Ethnography of Sufism in Colonial Algeria, 1871-1906," *French Historical Studies* 30, no. 3 (2007): 451-83.

relative security of the coast and to penetrate the interior between the mid-1830s and mid-1840s.

France's indigenous allies developed what I call a theology of collaboration, which assimilated the victory of French forces to the Qur'ānic idea of divine will. This approach made it theologically coherent for many influential Algerians to fight French forces for a number of years, only to later concede defeat and join the French administration by claiming that the divine will had favored the French army. Through this process of shifting allegiances, some Algerian notables developed a new sense of belonging: some claimed that they had become culturally French, while others saw themselves as French clients and members of a pro-French indigenous bloc. The organization of voyages to France further reinforced indigenous loyalty and its roots in the theology of collaboration because many Algerians who visited Paris and other French cities described the wonders they observed as the result of divine favor.

The emergence of the theology of collaboration provided French authorities with much-needed and devoted Algerian allies. Nonetheless, it represented a limited attempt to assimilate French rule into the Islamic scriptural context. As in Egypt, Algerian notables adopted a minimalist approach. They generally avoided extending the theology of collaboration beyond the limited claim that French victories provided evidence of divine support. In fact, many notables only begrudgingly accepted the idea of French victories as arbitrary manifestations of the divine will. This same arbitrariness in turn always implied that the divine verdict could be reversed, an idea that the opponents of French rule continued defending after the 1850s.

## I. French Conquest, Regional Resistance, and the Rise of Indigenous Allies

In the instructions sent to Bourmont in June 1830, Polignac indicated that the French government intended to request the Ottoman Porte's recognition of French sovereignty in France's "ancient possessions" from Cap Bujaroni to the Tunisian border at Cap Nègre as a compensation for the great military effort invested in removing the tyrannical government of the dey. Under this arrangement, Polignac explained, "France and Turkey would mutually guarantee their possessions in Barbary."<sup>7</sup> Moreover, he continued, France would be allowed to interfere in the appointments of beys of Constantine, while Muslims under French rule in the concessions and Christians in Ottoman Algiers would enjoy the freedom to practice their respective religions. Polignac recognized that the Ottoman government might refuse to accept French sovereignty over a territory inhabited by Muslims, and he insisted that the entrenchment of French rule in the concessions must be accompanied by forcing the Regencies of Tunisia and Tripoli to accept the new status quo.<sup>8</sup>

The achievement of a diplomatic solution to the Algerian problem thus framed the early French colonial plan. For instance, a report from the beginning of 1831 recuperated Deval's and Polignac's arguments that French sovereignty had existed in the concessions for centuries.<sup>9</sup> The writer claimed that the minister of foreign affairs had finally persuaded the Tunisian government to sign a treaty that recognized the delimitation of the

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<sup>7</sup> Jules de Polignac to Louis de Bourmont, Paris, 26 June 1830, p. 2: SHD, 1H/3.

<sup>8</sup> Jules de Polignac to Louis de Bourmont, Paris, 26 June 1830, p. 4: SHD, 1H/3.

<sup>9</sup> Rapport sur la situation des établissements français des concessions d'Afrique, January or February 1831, p. 1: SHD, 1H/6.

French territory at Cap Nègre.<sup>10</sup> He also called for the extension of French claims to the Island of Tabarque, and he warned that relations with Tunisia needed to be carefully managed because there was no viable military option that could help the French government achieve its goals.<sup>11</sup> Some in the French administration had falsely assumed, the writer noted, that the French were “masters of the country” in Algeria and that the reestablishment of French sovereignty in the concessions would be accomplished swiftly. “We know,” he warned, “how far we are from such a favorable situation.”<sup>12</sup> Due to their limited territorial claims, therefore, French administrators sought regional allies who could legitimize French rule in North Africa. The need for local allies in Algeria thus remained minimal because of the expectation that Tunisia and the Ottoman government would assist the French forces in the event of a rebellion.

Although many French administrators insisted on what they saw as the restoration of French sovereignty in the concessions, others believed that France ought to preserve its sovereignty over all territories of the former Regency. They defended this approach by proposing that a Franco-Tunisian alliance could protect French interests in the concessions and indirectly project French sovereignty across Algeria. For example, General Bertrand Clauzel entered into an agreement with the Tunisian government which

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<sup>10</sup> Rapport sur la situation des établissements français des concessions d’Afrique, January or February 1831, p. 13: SHD, 1H/6. The commercial treaty between France and Tunisia was signed on 8 August 1830, while an additional convention that included the Island of Tabarque was signed on 24 October 1832: E. Hertslet, *The Map of Africa by Treaty*, vol. 3 (Abingdon: Routledge, 2006), 1184. On unequal treaties in the Maghreb, see N. Ivanov, “New Patterns of European Intervention in the Maghrib,” in *General History of Africa: Africa in the Nineteenth Century until the 1880s*, vol. 6, ed. J. F. A. Ajayi (Oxford: Heinemann, 2000), 497-514.

<sup>11</sup> Rapport sur la situation des établissements français des concessions d’Afrique, January or February 1831, p. 13, 17: SHD, 1H/6.

<sup>12</sup> Rapport sur la situation des établissements français des concessions d’Afrique, January or February 1831, p. 16: SHD, 1H/6.

stipulated that Tunisian representatives would be sent to rule, under French tutelage, the provinces of Oran and Constantine.<sup>13</sup> However, Horace Sébastiani, an officer who had participated in the conquest of Egypt and who rejected the idea of nominal sovereignty, feared that such formal treaties might invite legal interpretations that diminish French sovereignty and created independent Tunisian enclaves within Algeria.<sup>14</sup> Dismissing such fears, Clauzel argued that the Franco-Tunisian agreement would prevent the eruption of rebellions in Oran and Constantine “without compromising the right and dignity of France.”<sup>15</sup> Reassuring the minister of war, Clauzel argued that Tunisians were “the least cruel and incontestably the most advanced in civilization” in North Africa,” which removed the need to stretch the already limited French military resources in Algeria.<sup>16</sup>

Sébastieniani’s fears soon proved true, however. The alliance crumbled due to the bey’s claims that his religious convictions prevented him from accepting French interpretations of the agreement. In discussions with French representatives, the bey’s prime minister explained that the religious sensitivities of the Tunisian *diwān* had to be taken into account in order to avoid stirring their “*fanatisme musulman*,” which forced his government to interpret the agreement as an extension of Tunisian sovereignty in Oran and Constantine. “The treaties are nothing more than an arrangement of annuity for the two beylics of Oran and Constantine,” the bey’s prime minister explained, “at the price of

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<sup>13</sup> Projet de traité avec Tunis: AMAE, Memoires et documents, Algeria/7-8, f. 79r-84v. This agreement is discussed in Bertrand Clauzel to A. Khayr al-Dīn Āgha, gouverneur par interim de la province d’Oran, Lazaret of Toulon, 12 March 1831, p. 1-5: SHD, 1H/7. For Clauzel’s defense of his strategy in Algeria, see his *Explications du Maréchal Clauzel* (Nuremberg: Frédéric Campe, 1837).

<sup>14</sup> Horace Sébastiani to Pierre Berthezène, Paris, April 1831, p. 3: SHD, 1H/7.

<sup>15</sup> Bertrand Clauzel to Minister of War, Paris, 2 June 1831, p. 1: SHD, 1H/8.

<sup>16</sup> Bertrand Clauzel to Minister of War, Paris, 14 June 1831, p. 2: SHD, 1H/8.

fifteen to twenty millions, payable in sums of one million each year—while the bey will be the only master and possessor of the territories and France will have no rights of interference.”<sup>17</sup> Despite the attempt to placate religious conservatives in Tunisia, the minister observed that many in the *diwān* categorically opposed the plan because of their opposition to any type of agreement with Christians.<sup>18</sup> In the end, the bey refused—on religious grounds—to accept an interpretation of the agreement that would consign him to the status of a French vassal, an approach that the French negotiators characterized as the old Ottoman strategy of instrumentalizing “Muslim fanaticism” when convenient.<sup>19</sup> By the middle of 1831, therefore, the attempt to remold the bey of Tunisia into a regional ally had failed due to the mounting religious opposition that he faced within his *diwān*.

French officers faced even greater challenges in their attempts to find local allies and to stabilize western Algeria, where the Moroccan sultan ‘Abd al-Raḥmān bin Hishām had made territorial claims after 1830. He based his arguments on what he saw as a longstanding tradition of Moroccan rule in parts of western Algeria, as well as a more expansive claim to religious authority over Muslim populations across North Africa. The sultan maintained, for instance, that the city of Tlemcen had been ruled by his ancestors and that the people of Tlemcen had expressed their wishes for a return of Moroccan rule. Insisting that this genuine desire must be respected, the sultan explained that “Muslims

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<sup>17</sup> Quoted in A. Huder to Minister of Foreign Affairs, Tunis, 3 July 1831, p. 12: 1H/8.

<sup>18</sup> A. Huder to Minister of Foreign Affairs, Tunis, 3 July 1831, p. 12: 1H/8.

<sup>19</sup> French Consul Ferdinand de Lesseps to Minister of Foreign Affairs, Tunis, 5 July 1831, p. 5: SHD, 1H/8. The Arabic version of the treaty included a phrase that gave the bey rights over both the territory of the province of Constantine and the coastal waters, but that speculation was not present in the French version (Différences reconnues dans l’examen des deux textes arabe et français du traité de Constantine, p. 1: SHD, 1H/8).

are free people who cannot be appropriated.”<sup>20</sup> Later, ‘Abd al-Raḥmān amplified his territorial claims and argued that Arabs from Constantine to Tlemcen had recognized him as their new ruler through a “legal and authentic act,” which, in his view, obliged the French authorities to accept the extension of Moroccan sovereignty across the Algerian interior.<sup>21</sup>

In a letter to Mawlā ‘Alī, his nephew and lieutenant in the province of Oran, the sultan claimed that Algiers had fallen into the hands of “infidels” and that the inhabitants had asked for his protection, a call he felt compelled to answer because of his “ardent zeal for Islam and his love for those who profess the faith.”<sup>22</sup> Defending his decision to intervene in Algeria, ‘Abd al-Raḥmān quoted a prophetic saying that emphasized a religious esprit de corps among Muslims: “A believer must, in relation to other believers, be like an edifice whose parts are firmly united together, each fortifying the other.”<sup>23</sup> Although the Arabic original of the sultan’s missive was not preserved in the archival record, the wording in this case reflects closely a prophetic tradition that recurs in the Islamic scriptures. The Prophet is reputed to have said: “You see the believers being merciful, showing love, and being kind among themselves, resembling one body, so that, if any part of the body is not well, then the whole body shares the sleeplessness and fever

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<sup>20</sup> ‘Abd al-Raḥmān bin Hishām to Jacques Delaporte, French Vice-Consul, 6 Ramaḍān 1246 (21 February 1831), p. 2: SHD, 1H/6.

<sup>21</sup> Jacques Delaporte to ‘Abd al-Raḥmān bin Hishām, Tangier, 9 December 1831, p. 5: SHD, 1H/10.

<sup>22</sup> ‘Abd al-Raḥmān bin Hishām to Mawlā ‘Alī, 13 January 1831, p. 2: SHD, 1H/6.

<sup>23</sup> ‘Abd al-Raḥmān bin Hishām to Mawlā ‘Alī, 13 January 1831, p. 2-3: SHD, 1H/6.

with it.”<sup>24</sup> Moreover, ‘Abd al-Raḥmān reinforced his call for a unified front against the French forces by quoting a Qur’ānic phrase that warns Muslims against dissension (*fitna*).<sup>25</sup> In the same letter, furthermore, he chastised Ḥasan Bey, the former ruler of Oran, for having “preferred worldly power to his religion” by adopting an accommodating attitude toward the French. Mawlā ‘Alī relayed these views to the bey directly, warning him that he ought “to repent for [his] penchant for infidels because [he] is too close to them and [he] is the only one who consents to live under their domination.”<sup>26</sup> ‘Alī also threatened to attack Oran if the city resisted Moroccan rule.<sup>27</sup>

Ḥasan Bey’s reaction to French rule in Oran points to the presence of local notables who refused to adopt the anti-French stance of the Tunisian bey and the Moroccan sultan, and who instead chose to work with the French authorities. In 1831, Ḥasan Bey explained that he had rejected Mawlā ‘Alī’s demands and ceded Oran to the French forces because of his desire to avoid any additional spilling of blood.<sup>28</sup> During the early 1830s, Algerian notables such as the former bey sought a limited alliance with

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<sup>24</sup> “*Tarā al-mu’minīna fī tarāḥumihim wa-tawāddihim wa-ta’āṭufihim ka-mathali al-jasad idhā ishtakā ‘uḍwan tadā’ā lahu sā’iru jasadīhi bi-l-sahri wa-l-hummā*”: Saḥīḥ al-Bukhārī 6011. On the corporal representations of authority in Islam, see Serge Gubert, “Du ventre de la royauté aux jardins de la papauté”: entre islam et chrétienté, le lexique et la métaphore du Corps,” *Arabica* 49, no. 3 (2002): 267-298.

<sup>25</sup> ‘Abd al-Raḥmān bin Hishām to Mawlā ‘Alī, 13 January 1831, p. 3: SHD, 1H/6. The French translation is ambiguous and I have not been able to find the exact wording of the longer Qur’ānic verse, except the phrase “avoid all dissention [*évitez toutes les dissensions*].” This phrase occurs in verse 8:25 (*ittaḳū fitnatan*). On the idea of *fitna*, see Gabriel Martinez-Gros, “Introduction à la “fitna”: une approche de la définition d’ibn Khaldūn,” *Médiévales* 60 (2011): 7-15; Ahmed As-Sirri, *Religiös-politische Argumentation im frühen Islam (610-685), der Begriff Fitna: Bedeutung und Funktion* (Frankfurt: P. Lang, 1990); Ami Ayalon, “From Fitna to Thawra,” *Studia Islamica* 66 (1987): 145-174. For a seminal work on the first great *fitna*, see Hichem Djaït, *La grande discorde: religion et politique dans l’Islam des origines* (Paris: Gallimard, 1989).

<sup>26</sup> Ḥasan Bey to Bertrand Clauzel, Commander in Chief, October 1830, p. 1: SHD, 1H/5.

<sup>27</sup> Ḥasan Bey to Bertrand Clauzel, Commander in Chief, October 1830, p. 2: SHD, 1H/5.

<sup>28</sup> Ḥasan Bey to Bertrand Clauzel, Commander in Chief, January 1831, p. 2: SHD, 1H/6.



France largely because they wanted to increase their influence under the new administration. In 1831, for instance, Ibrāhīm Bey, a local notable from Oran, sent a letter to Pierre Boyer, in which he provided crucial information about two obscure religious leaders, Muḥyi al-Dīn and his son ‘Abd al-Qādir. Stressing that a number of local leaders had expressed their willingness to submit to his rule and accept French sovereignty in Algeria, Ibrāhīm assured Boyer that he would become a loyal French ally: “I have given you my word, so you should not doubt me; I will keep it until the day of my death in order to serve you,” he promised.<sup>29</sup> He ended his letter by asking to be named the bey of Oran and he observed that only his opposition to Muḥyi al-Dīn had stopped a large group of Arabs from joining the anti-French camp.<sup>30</sup>

Such overtures multiplied at an unexpected rate by the summer of 1831, only a year after the invasion. In the context of a very fragmented political system and the removal of Ottoman troops from Algeria, increasing numbers of notables began to see an alliance with France as a way to assert and to preserve their own power. While seeking to defend their interests in this manner, however, they soon had to face the issue of religious legitimacy and the widespread idea among Algerians that French rule could not be reconciled with the Islamic scriptures. In the city of Annaba (Bône), for example, these tensions led to a fierce power struggle. The bey of Constantine had besieged the city in an attempt to extend his power, an endeavor, according to French sources, in which British consular agents assisted and encouraged him.<sup>31</sup> For their part, the notables of Annaba

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<sup>29</sup> Ibrāhīm Bey to Pierre Boyer, January 1831, p. 1: SHD, 1H/6.

<sup>30</sup> Ibrāhīm Bey to Pierre Boyer, January 1831, p. 1: SHD, 1H/6.

<sup>31</sup> A. Huder to Pierre Barthezène, 10 July 1831, p. 5: SHD, 1H/8.

resisted the siege and they sought French assistance, explaining to a French officer, A. Huder, that they would prefer French rule to that of the bey. Huder reported that the inhabitants accepted French rule in Algeria and openly expressed their willingness “to submit to it in good faith and with devotion,” which had the potential to remove the need for what Huder called the “Tunisian combination.”<sup>32</sup>

The demands that the colonial government received from these notables show, however, that Huder might have somewhat misinterpreted their acceptance of French rule.<sup>33</sup> The notables and the *‘ulamā’* of Annaba invoked God and thanked the Commander-in-Chief Pierre Barthèzene for having sent supplies to them, but they only requested the sending of Muslim troops (*zouaves*) and a French consul to the besieged city.<sup>34</sup> They hoped to use French assistance in order to establish peace and defeat the bey of Constantine, who they feared would do to the inhabitants of Annaba “what the Pharaoh did to the Israelites.”<sup>35</sup> Calling for French aid therefore represented a measure of last resort, and the religious leaders never expressed a belief in the legitimacy of French rule in Algeria, despite Huder’s insistence that the muftis had a positive attitude toward the French.<sup>36</sup> Moreover, the request for a consul implied that the notables would refuse all claims of French sovereignty over Annaba. Although these overtures remained very

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<sup>32</sup> A. Huder to Pierre Barthezène, 10 July 1831, p. 8-9: SHD, 1H/8.

<sup>33</sup> Others in the French administration in fact presented Huder as completely misguided by the notables. Some local notables preached against the French in mosques while their brothers came to kiss A. Huder’s hand, a report claimed. The writer insisted that everything written by the notables of Annaba ought to be disregarded as a ruse because they intended to fight the French (Copie du rapport de M. Mourgue, 4 October 1831, p. 10-11: SHD, 1H/9).

<sup>34</sup> Notables of Annaba to General-in-Chief, 12 Rabī‘ al-Awwal (21 August 1831), p. 1: SHD, 1H/9.

<sup>35</sup> Notables of Annaba to General-in-Chief, November 1831: SHD, 1H/10.

<sup>36</sup> A. Huder to Pierre Barthezène, Annaba, 24 September 1831, p. 5: SHD, 1H/9.

limited, the willingness of a large group of Algerian notables to resist religious interpretations that proscribed an alliance with France in all circumstances testified to the growing ability of French officers to overcome religious resistance to their presence in Algeria.

Encouraged by these developments, Barthèzene installed a *murābiṭ* as a French representative with the title of *aga des arabes*. The *aga* (or *āgha*) swore his allegiance to France on the Qur'ān and he promised to fulfill a number of duties attached to his new office.<sup>37</sup> In the instructions given to the new commander-in-chief, Jean-Marie Savary, the minister of war praised Barthèzene's policy by pointing out that the naming of the *āgha* led to the submission of a number of tribes and the longest period of peace up to that point in late 1831, which lasted for five months.<sup>38</sup> The *āgha* reaffirmed his loyalty to France during Savary's tenure as the commander-in-chief, justifying his willingness to work for the French by stressing that most Arabs followed neither the principles of faith nor law.<sup>39</sup> Although Savary acquired a reputation for violence in Algeria and he abandoned Barthèzene's relatively liberal method of governing, the ceremonies of swearing in newly-allied tribes by using the Qur'ān continued in 1832.<sup>40</sup> Savary justified his support for this policy by pointing out that negotiations with local notables had previously facilitated French rule in Egypt. In contrast to Egyptians, Savary noted, Algerians were more warrior-like and "much more fanatical and ignorant, which put

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<sup>37</sup> Pierre Barthezène to Minister of War, Algiers, 25 July 1831, p. 1-2: SHD, 1H/8.

<sup>38</sup> Projet d'instructions pour M. le Lieut. G. Duc de Rovigo, December 1831, p. 3: SHD, 1H/10.

<sup>39</sup> Āgha to Jean-Marie Savary, 29 January 1832, p. 1: SHD, 1H/11.

<sup>40</sup> Jean-Marie Savary to Minister of War, Algiers, 29 March 1832, p. 3: SHD, 1H/12.

them under the immediate influence of their *murābiṭs*.”<sup>41</sup> By winning over the religious class to the French cause, Savary suggested, a less burdensome colonial system could be created. It would consist of a thin military presence of four or five garrisons and an extensive network of French allies and clients across the territory.<sup>42</sup>

Although the archival record sheds little light on the religious perspectives on French rule that these early French allies might have embraced, those nominally allied with France and living in the colonial periphery were more forthcoming in expressing their religious convictions. For instance, Farḥāt bin Sa‘īd, a notable and tribal leader in the eastern Algerian desert, strongly encouraged Savary to invade Constantine and destroy Aḥmad Bey’s rule. Bin Sa‘īd insisted that “God had given to the French the cities of Algiers, Annaba, and Oran,” and in his view that authorized them to take over Constantine as well. This represents one of the earliest instances of an indigenous religious justification of French rule over parts of Algeria. While other notables wrote guarded letters to the French authorities and used forms of address that implicitly pointed to their refusal to accept the legitimacy of French rule, Bin Sa‘īd adopted a religious outlook that accommodated and assimilated French rule through the idea of divine will.<sup>43</sup>

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<sup>41</sup> Jean-Marie Savary to Minister of War, Algiers, 22 October 1832, p. 5: SHD, 1H/17.

<sup>42</sup> Jean-Marie Savary to Minister of War, Algiers, 2 September 1832, p. 3: SHD, 1H/17. An Algerian notable, Ḥamdān Khūja, urged the French authorities to focus more on co-opting the religious elite, and the official assessment of his advice stated the following: “Freeing and granting liberty to the *murābiṭs* by the new governor general would have a very good effect on the beginning of his administration. Among these fanatical people, the *murābiṭs* are personalities of great importance, toward whom our habitual disdain for their religious convictions has made us too negligent. All that Ḥamdān says about the influence that they could exert over the tribes merits to be taken into serious consideration” (Mémoire remis au ministre, le 3 juin 1833, par Sidi Hamdan ben Othman Khodja, analyse et observations sommaires, p. 13: SHD, 1H/20). On Khūja’s other writings on empire, see Jennifer Pitts, “Liberalism and Empire in a Nineteenth-Century Algerian Mirror,” *Modern Intellectual History* 6, no. 2 (2009): 287-313.

<sup>43</sup> The most frequent salutation was “peace be upon those who follow the true guidance [*as-salāmu ‘alā man ittaba‘a al-hudā*]”: see, for instance, Ismā‘īl Āgha to Pierre Boyer, 1833 (Arabic); Notables of

Affirming, in other words, that the French conquest amounted to a divinely-sanctioned outcome was tantamount to claiming that the new status quo ought to be accepted on religious grounds. Yet, at the same time, it is important to note that in 1832 Bin Saʿīd accepted this religious interpretation only insofar as Algiers, Annaba, and Oran were concerned, largely because of his own attempts to carve out an independent realm in the Algerian south.<sup>44</sup>

In this context, French officers increasingly portrayed the accumulation of indigenous allies as a sign of stabilization in colonial affairs. In a comparison of reports from January 1833 and January 1834, for instance, Lieutenant General Deur noted “remarkable changes”: the former dey no longer represented a threat in Algeria, the tribes around Constantine had followed the example of notables from Annaba and resisted Aḥmad Bey’s rule, the authority of the Moroccan sultan was declining in western Algeria, and many tribes were traveling to Algiers in order to declare their loyalty to France.<sup>45</sup> In one agreement that covered a number of tribes, for instance, Algerian notables pledged that they would be “obedient to the French [*tāʿat li-l-faransīs*]” by fulfilling a list of duties and sending family members as hostages and a guarantee of their

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Mostaghmem to Pierre Boyer, 1833 (Arabic): SHD, 1H/19. According to the Islamic tradition, non-Muslim rulers are addressed with the phrase used by Ismāʿīl Āgha. Muḥammad’s letter to Heraclius is often cited in this regard, in which he addressed the Byzantine ruler as follows: “From Muḥammad, the Messenger of God, to Heraclius [Hiraql], Chief of the Byzantines. Peace be upon those who follow the true guidance” (*Sunan Abī Dāwūd* 5126). On Heraclius in the Islamic tradition, see Nadia Maria El-Cheikh, “Muḥammad and Heraclius: A Study in Legitimacy,” *Studia Islamica* 89 (1999): 5-21.

<sup>44</sup> Bin Saʿīd claimed that three centuries before the Turks came to Algeria, his family ruled in the region. After the Ottoman conquest, he claimed, his family continued advising the new government and after the French invasion, he and his tribe had regained their independence (Farḥāt bin Saʿīd to Jean-Marie Savary, 3 Shawwāl 1247, p. 1: SHD, 1H/12).

<sup>45</sup> Etat comparatif de notre situation en Afrique, au 1<sup>er</sup> Janvier 1833 & au 1<sup>er</sup> Janvier 1834, p. 1-2: SHD, 1H/24.

obedience.<sup>46</sup> Even notables who criticized the colonial administration in Algiers accepted the idea that French rule had been divinely sanctioned. For instance, in February 1834, a group of notables from Algiers and the surrounding area sent a letter to the king of France in order to complain about the injustices perpetrated by what they perceived as a tyrannical colonial government. Appealing to the king's concern for justice and equity, the notables reminded him that God had appointed him as the ruler of Algeria and that it was his duty to ensure that the territory enjoyed good governance.<sup>47</sup>

In contrast to Bin Sa'īd's acceptance of French sovereignty in three cities, these notables accepted a more expansive vision of the religious legitimacy of French rule. The persistence of French rule likely played an important role in this development. Contrary to the uncertainty that plagued French rule in Egypt, the preservation of military gains and the incremental expansion of French influence led many Algerian notables to accept the French presence as a divinely-ordained *fait accompli* by 1834. Even Bin Sa'īd gradually adopted this expanded interpretation. Realizing that his hopes of creating an independent state would likely lead to a conflict with the French forces, he asked to join the French administration as the future bey of Constantine. He justified his new approach to French rule by stressing that "God had promised to the French the rule over the entire country of Arabs in twenty years."<sup>48</sup> In contrast to the divine approval of French rule, Bin Sa'īd described Aḥmad Bey as a tyrant (*zālim*) who belonged to the oppressive and

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<sup>46</sup> *Shurūt al-ṣulḥ* [Traité de paix], article 1, Oran, 19 August 1833, p. 1 (Arabic and French): SHD, 1H/21.

<sup>47</sup> Al-Ḥājj Muḥyi al-Dīn et al. to King of France, 17 February 1834, p. 4: SHD, 1H/24.

<sup>48</sup> "*Wa'ada allāhu al-faraṅṣīša bi-ḥukm barr al-'arab bi-faṭri 'ishrīna sana*": Farḥāt bin Sa'īd to Théophile Voirol, 24 February 1834 (Arabic): SHD, 1H/24.

illegitimate Ottoman elite (*al-khawārij al-turk*).<sup>49</sup> Bin Sa‘īd also assured the commander-in-chief that the *murābiṭs* strongly favored French rule and that they wished to form an alliance with France as well.

Concurrently with the emergence of the pro-French indigenous bloc during the early 1830s, notables opposed to French rule rallied behind a religious leader whose popularity was on the rise in western Algeria: the Emir ‘Abd al-Qādir. In some of the initial reports about this new threat, French officers dismissed the emir’s attempts to conquer Oran and they attributed his rise to the power vacuum left behind by the retreating Moroccan forces.<sup>50</sup> For his part, the emir offered an interpretation of religious texts that contested the ideas which underpinned the nascent theology of collaboration. The emir used the following Qur’ānic verse in justifying his refusal to submit to French rule: “Your force is in your weakness itself. Put your trust in me and you will succeed in everything that you do.”<sup>51</sup> Although it is difficult to determine from the French translation which verse the emir intended to quote, it is very likely that he alluded to a segment of verse 30:54: “God created you from weakness [*ḍa’f*], then remolded that weakness into strength [*quwwat*], and then the strength into weakness.” “We do not pretend that victory is constant,” ‘Abd al-Qādir continued, “because war at times brings

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<sup>49</sup> Farḥāt bin Sa‘īd to Théophile Voirol, 24 February 1834 (Arabic): SHD, 1H/24. In the Sunni Islamic tradition, the *khawārij* represent religious zealots and extremists whose origin is traced to the revolt against the fourth caliph, ‘Alī bin Abī Ṭālib. On the *khawārij* in North Africa, see Maḥmūd Ismā‘īl, *Al-Khawārij fī al-Maghrib al-Islāmī: Libyā, Tūnis, al-Jazā’ir, al-Maghrib, Mūrītānyā* (Beirut: Dār al-‘Awdah, 1976).

<sup>50</sup> Rapport du 1<sup>er</sup> au 31 Juillet, Oran, p. 3; SHD, 1H/16; Résumé de la correspondance d’Afrique, p. 2: SHD, 1H/17.

<sup>51</sup> ‘Abd al-Qādir to Louis Desmichels, 8 Ramaḍān 1249 (20 January 1834), p. 2: SHD, 1H/24.

good fortune—today for you; tomorrow for us.”<sup>52</sup> Instead of Bin Sa‘īd’s view that God had decided to favor the French in a definitive manner, therefore, the emir interpreted French victories as temporary acts of the divine will, which warranted and justified the violent opposition to French rule, or its provisional containment along the coastal area.

## II. The Consolidation of France’s Indigenous Allies

By 1834, an impasse had been reached in Algeria. In a deeply fragmented political landscape, French officers succeeded in obtaining the limited support of notables who interpreted the persistence of French rule as a sign of divine favor. Both within the coastal regions under French control and in the self-governing southern territories, increasing numbers of tribal leaders accepted this idea and sought an alliance with France in order to expand their influence. Most of these leaders represented remnants of the former Ottoman ruling elite, however, and few had religious credentials that could rival those of ‘Abd al-Qādir. The limited inroads that the French had made among the *murābiṭs* prevented them from fully legitimizing French rule through, for instance, its more thorough assimilation into the Islamic scriptural context. Similarly limited, the emir could do little to displace the French from the coast, and he largely focused on rallying more tribes to his cause, strengthening his rule in western Algeria, and reversing the pro-French momentum among the tribes. This uneasy status quo was extended through two treaties that ‘Abd al-Qādir signed, first with Louis Desmichels, a veteran of the Napoleonic wars in Egypt and Syria, in 1834 and then with Thomas Bugeaud in 1837. During the years that followed these treaties, however, French forces gradually gained the

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<sup>52</sup> ‘Abd al-Qādir to Louis Desmichels, 8 Ramaḍān 1249 (20 January 1834), p. 2: SHD, 1H/24.



upper hand because many of the emir's allies deserted his camp and accepted the idea of French rule as divinely ordained.

French officers perceived the peace treaties as ways to use the emir's religious authority in an attempt to stabilize Algeria and to stop the spread of religiously-based rebellions against the French forces. The officers did not consider their own *murābiṭ* allies capable of such a feat. For instance, Commander-in-Chief Théophile Voirol reported in July 1834 that the tribe of Beni Sala had sent a delegation that included a number of venerated *murābiṭs* and he expressed his belief that with such allies, France would later be able “to penetrate, albeit slowly, the African interior.”<sup>53</sup> A few months later, however, Desmichels pointed out that no other Algerian leader could challenge the emir's religious preeminence and, according to him, the French forces could achieve a “real pacification” only by cooperating with the emir. According to Desmichels, refusing to accept this fact would lead to “a state of perpetual hostilities, without glory or profit.”<sup>54</sup> During the late 1830s, therefore, the French policy consisted of creating local centers of power that were strong enough to preserve the peace, but not strong enough to become independent.<sup>55</sup> In order to achieve this goal, the colonial administration kept an extensive list of the emir's enemies and it continued encouraging the spread of the theology of collaboration within the territory where the emir had recognized French sovereignty.<sup>56</sup>

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<sup>53</sup> Théophile Voirol to Minister of War, Algiers, 12 July 1834, p. 1-2: SHD, 1H/27.

<sup>54</sup> Louis Desmichels to Governor General, Oran, 19 October 1834, p. 6: SHD, 1H/28.

<sup>55</sup> Jean-Baptiste d'Erlon to Minister of War, Algiers, 10 October 1834, p. 3: SHD, 1H/28.

<sup>56</sup> Notes sur les dernières opérations de l'Emir AbdelKader, May 1835, p. 1: SHD, 1H/32.

Ceremonies through which indigenous allies demonstrated their allegiance to France represented an important element of this strategy. During the celebration of the king's birthday in Annaba in May 1835, for instance, commander Monck d'Uzer noted that the indigenous population attended a parade in the plain of Seybous wearing "elegant clothing that was more brilliant than what they wear during [the religious festival of] *'īd al-fīṭr*."<sup>57</sup> Even the newly-submitted tribe of Elma marched with a "surprising self-assurance," d'Uzer noted, while local notables assured him that they considered the occasion a national celebration because of their confidence in French rule and their rejection of the bey of Constantine. D'Uzer emphasized that he had no reasons to doubt these expressions of loyalty because Annaba had been in French hands for three years and none of the allied tribes had defected during this period.<sup>58</sup> Other notables traveled across dangerous territories in order to participate in ceremonies of investiture in Algiers. In October 1835, a group of sixteen tribal leaders arrived in the city, where Governor General Clauzel appointed a bey for their territory in the upper Chéelif. During the meeting, which was attended by many regional chiefs, Clauzel gave the investiture to the new bey, clothed him in a new *kandoura* (an ankle-length garment), and presented him with a golden yataghan.<sup>59</sup>

Such ceremonies further entrenched the growing system of Franco-Algerian alliances, which created a new sense of belonging among a number of prominent local notables. Ibrāhīm Bey, for example, offered the full Islamic greeting to French generals

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<sup>57</sup> Monck D'Uzer to Governor General. Annaba, 11 May 1835, p. 1: SHD, 1H/32.

<sup>58</sup> Monck D'Uzer to Governor General. Annaba, 11 May 1835, p. 1-2: SHD, 1H/32.

<sup>59</sup> Bertrand Clauzel to Minister of War, Algiers, 4 October 1835, p. 1: SHD, 1H/34.

and he proclaimed that a bond of brotherhood existed between him and the French forces. “May God guard and protect you,” Ibrāhīm wrote in a letter to general Paul Rapatel, in which he provided new intelligence on tribes in league with the emir.<sup>60</sup> Calling Rapatel a brother (*akh*), Ibrāhīm claimed that the sincerity of his devotion to the French cause had been evidenced by his willingness to wage war on the emir’s forces in western Algeria.<sup>61</sup> In order to further strengthen his position against ‘Abd al-Qādir, Ibrāhīm called for closer French ties with another Algerian notable, Muṣṭafā bin Ismā‘īl, who was later named a *maréchal de camp* for the indigenous forces by the French administration.<sup>62</sup> Ibrāhīm therefore acted as a node that channeled Algerian notables toward the French camp. The theology of collaboration spread in tandem with Ibrāhīm’s alliance-making. For instance, a representative from the tribe of Smela, whom Ibrāhīm sent to Algiers in 1835, offered the following explanation for his quest for an alliance with France: “God has willed that the French would become the most powerful. They have protected us, so we are theirs [*nous sommes à eux*].”<sup>63</sup>

In a more ambitious proposal for the pacification of Algeria, Ibrāhīm took advantage of his new prominence within the French administration in order to further formalize his position. France could only possess Algeria, he argued, by replicating the Ottoman system of rule, and he volunteered to begin this process by opening up the Oran-

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<sup>60</sup> “*Ammanahu allahu wa ra’āhu*”: Ibrāhīm Bey to Paul Rapatel, 22 Rabī’ al-Thānī 1252 (Arabic): SHD, 1H/33.

<sup>61</sup> Ibrāhīm Bey to Paul Rapatel, 22 Jumādā al-Ūlā 1252 (Arabic): SHD, 1H/34.

<sup>62</sup> Ibrāhīm Bey to Governor General, Oran, 15 September 1835, p. 2: SHD, 1H/34; Minister of War to Thomas Bugeaud, Paris, 2 August 1837, p. 2: SHD, 1H/50.

<sup>63</sup> Qaddūr bin Dāwūd to Bertrand Clauzel, 6 October 1835, p. 1: SHD, 1H/34.

Algiers route with 2,000 troops. According to Ibrāhīm, the recent troubles in the province of Oran were due to the emir's religious fanaticism, and only a reliance on those familiar with the Ottoman mode of governing could act as civilizational intermediaries and assist France in its endeavor to regenerate Algeria.<sup>64</sup> Ibrāhīm assured the governor general that he would begin sending the tribute that was previously paid by the bey of Oran immediately after the establishment of his power in the region.<sup>65</sup> "For a long time," Ibrāhīm insisted, "I have been French and have been recognized as such by the Arabs, so it matters to me that the French domination, of which I will be an instrument, does not fail in following its destiny."<sup>66</sup> As a further sign of his closeness to the French officers, Ibrāhīm welcomed Rapatel's complaints about intermittent communications by stressing that the general's repetitive inquiries in fact displayed his love and esteem for the bey. "You are my brother, my soul, and I am the feathers of your wings," Ibrāhīm replied, while promising to write more frequently in the future.<sup>67</sup> This intimate language and Ibrāhīm's self-description as "French" point to his sense of belonging to the French military camp. Although he never shied away from admitting that he had joined the French camp out of self-interest, Ibrāhīm demonstrated his loyalty by actively fighting the emir's forces.

Another French ally, Yūsuf Bey, developed a similar sense of identity. Originally from the Island of Elba, Yūsuf (Joseph Vantini) had been captured by corsairs and sent to

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<sup>64</sup> Ibrāhīm Bey to Governor General, Oran, 15 September 1835, p. 5: SHD, 1H/34.

<sup>65</sup> Ibrāhīm Bey to Governor General, Oran, 15 September 1835, p. 7-8: SHD, 1H/34.

<sup>66</sup> Ibrāhīm Bey to Governor General, Oran, 15 September 1835, p. 11: SHD, 1H/34.

<sup>67</sup> Ibrāhīm Bey to Paul Rapatel, January or February 1836, p. 1: SHD, 1H/54.

Tunisia during the mid-1810s, where he converted to Islam and rose within the beylical government. Due to a secret liaison with a woman from the ruling elite, he left Tunisia and joined the French invasion of Algiers in 1830. By 1836, Clauzel had appointed him as the bey of Constantine.<sup>68</sup> Yūsuf complained that he had not received any instructions for this position. He saw himself as “an intermediary between European civilization and the obscure and barbaric customs of the Regency’s inhabitants, who have for centuries been subject to a cruel fatalism and a despotic Turkish government.”<sup>69</sup> Unlike Ibrāhīm, therefore, Yūsuf rejected the viability of the Ottoman solution to the Algerian problem because of his desire to spread European civilization among the tribes. However, this European orientation did not prevent Yūsuf from asserting his Muslim identity. “I am a Muslim and I was brought up at the Tunisian court. I draw all of my beliefs [from Islam], which are the same as those of the inhabitants in the Regency,” he informed General Franciade Duvivier.<sup>70</sup> Then, after insisting again that he had received the investiture as a Muslim representative of France in the colony, Yūsuf proclaimed that his ultimate desire consisted of “meriting to be French” by fulfilling his duties in the local administration.<sup>71</sup>

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<sup>68</sup> On Yūsuf Bey, see Edmond-Jules-René Jouhaud, *Yousouf: esclave, mamelouk et général de l’Armée d’Afrique* (Paris: R. Laffont, 1980); Maurice Constantin-Weyer, *La vie du général Yusuf* (Paris: Gallimard, 1930); Victor-Bernard Derrécagaix, *Yusuf* (Paris: R. Chapelot, 1907); Corneille Trumelet, *Le général Yusuf*, 2 vols. (Paris: P. Ollendorff, 1890).

<sup>69</sup> “[A]gent intermédiaire entre la civilisation européenne et les mœurs inconnus et barbares des habitants de la régence, soumis depuis des siècles à un fanatisme cruel et a [sic] un gouvernement turc, despotique”: Yūsuf Bey to Franciade Duvivier, Camp Clauzel, 22 August 1836, p. 1: SHD, 1H/40.

<sup>70</sup> Yūsuf Bey to Franciade Duvivier, Camp Clauzel, 22 August 1836, p. 1: SHD, 1H/40.

<sup>71</sup> Yūsuf Bey to Franciade Duvivier, Camp Clauzel, 22 August 1836, p. 2: SHD, 1H/40. In a confidential note, a French officer criticized Clauzel’s attempts to grant Yūsuf French citizenship, as well as the latter’s appointment as the bey of Constantine. The officer noted that the replication of Turkish policies in Algeria ought to be stopped, and he claimed that the granting of a requested higher military rank for Yūsuf would likely expose him to more attacks by the Arab tribes in Constantine (Note confidentielle sur Yousouf, Bey de Constantine, September 1837, p. 1-14: SHD, 1H/51).

This interweaving of allegiances to the Islamic community and France led to a reconfiguration of the hostile environment that the colonial officers faced during the early 1830s. With Ibrāhīm in the province of Oran and Yūsuf in Constantine, which was conquered in 1837, French officers finally obtained local allies on whom they could rely in the attempt to push back against the emir and the Moroccan presence in the west and Ottoman support for Aḥmad Bey in the east. Despite these gains, the Governor General Sylvain Valée recognized in 1838 that “religion represented Aḥmad Bey’s most powerful weapon because he seeks to awaken the fanaticism of his former subjects and it is in the name of the Prophet that he commands them to march on the infidels.”<sup>72</sup> Moreover, Valée observed that the Ottoman government continued to foment rebellions in the province of Constantine by sending agents disguised as Sufi dervishes, while letters intercepted on their way from Cairo pointed to the existence of a wider movement of support for ‘Abd al-Qādir across North Africa.<sup>73</sup> In this context, Valée argued, France needed more indigenous allies and, if possible, even Aḥmad Bey should be remolded into “a useful instrument” of French power because his disappearance risked producing a power vacuum that the emir could quickly fill.<sup>74</sup> In 1835, Algerian notables’ changing attitudes toward French rule appeared “curious” to Clauzel, and he suggested that sending local leaders to France for brief visits ought to be adopted as an additional means to impress them with the power of French civilization and to ensure their continued loyalty.<sup>75</sup>

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<sup>72</sup> Sylvain Valée to Louis-Mathieu Molé, Algiers, 3 June 1838, p. 4: SHD, 1H/56.

<sup>73</sup> Sylvain Valée to Louis-Mathieu Molé, Algiers, 3 June 1838, p. 2, 7-8: SHD, 1H/56.

<sup>74</sup> Sylvain Valée to Louis-Mathieu Molé, Algiers, 3 June 1838, p. 5: SHD, 1H/56.

<sup>75</sup> Bertrand Clauzel to Minister of War, Algiers, 8 October 1835, p. 1-2: SHD, 1H/34.

Only small groups of Algerians embarked on such voyages, which continued throughout the rest of the century, but pro-French sentiments continued gaining ground among those who remained in Algeria. Noting this trend, the minister of war encouraged Algerian leaders to become “faithful and devoted to France” in an Arabic proclamation.<sup>76</sup> At times, it was dire circumstances that led local notables to respond to such calls. For example, a remnant of the Ottoman troops called Koulouglis in Tlemcen sought to save themselves from the local forces that had besieged them in 1836 by raising the French flag in the citadel that they controlled. In a letter they wrote to the French king, they recognized his power in Algeria and they prayed that “God increase his rank [*zādahu allāhu rif‘atan*].”<sup>77</sup> At the same time, the inhabitants of Constantine, who did not face the same pressures as the Koulouglis, expressed their willingness to live obediently “under the authority of the king [*taḥta tā‘at al-rāy*]” in surprisingly strong terms. Among other honorable titles they attached to his name, the writers called the French sovereign the “king of kings [*malik al-mulūk*].”<sup>78</sup> The Sunni Islamic tradition strongly disapproves of the use of such titles. The most famous compilation of prophetic sayings, *Saḥīḥ al-Bukhārī*, contains the following narration attributed to Muḥammad: “The most awful name in God’s sight on the Day of Resurrection will be that of a man calling himself the king of kings [*malik al-amlāk*].”<sup>79</sup> Although the notables avoided the exact phrase used in

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<sup>76</sup> “*Ṣādiqīna wa-muḥibbīna li-farānsa*”: Minister of War to the People of Algeria, 21 August 1836 (Arabic): SHD, 1H/40.

<sup>77</sup> Koulouglis of Tlemcen to King of France, 26 Rabī‘ al-Awwal 1256: SHD, 1H/40.

<sup>78</sup> Inhabitants of Constantine to King of France, October 1837 (Arabic): SHD, 1H/52.

<sup>79</sup> *Saḥīḥ al-Bukhārī* 6205. On the importance of this collection, see Jonathan A. C. Brown, *The Canonization of al-Bukhārī and Muslim: The Formation and Function of the Sunnī ḥadīth Canon* (Leiden: Brill, 2007).

this tradition by opting for an alternative plural (*mulūk* instead of *amlāk*), their letter shows that the entrenchment of the theology of collaboration led to an expanded attempt to legitimize French rule.

This ideological momentum became particularly important in Constantine in late 1838. Valée noted that another French ally, Sīdī Muḥammad, had helped obtain the submission of around one hundred tribes out of 138 in the region, which allowed French officers to indirectly exercise “the rights of sovereignty” and to gradually “civilize” the Arabs according to Valée.<sup>80</sup> The strength of these new alliances was tested in 1839, when colonial administrators decided to break the 1837 peace treaty with the emir. The latter had sent threatening letters to a number of notables, but he continued facing mounting opposition within their ranks. Al-Hājj Aḥmad, for instance, admitted that he had received such a missive. Nonetheless, in a private letter intercepted by the French administration, he observed that France was a “wise and powerful nation,” whose forces he would not fight with the emir—while he would agree to ally himself with France and fight the emir.<sup>81</sup> Later, the notables of Constantine reacted to the emir’s declaration of war by writing to the governor general and assuring him that they would maintain the alliance with France.<sup>82</sup>

During the ensuing conflict, Valée wrote a report on the religious dimension of local alliances. Ideological divisions, he insisted, represented the fertile ground where pro-French sentiments could grow. He divided the local groups into two camps: the

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<sup>80</sup> Sylvain Valée to Minister of War, Algiers, 28 Jan 1838, p. 5, 13: SHD, 1H/54.

<sup>81</sup> Al-Hājj Aḥmad to ‘Alī bin ‘Īsā, 9 Jumādā al-Awwal 1255 (July 1839), p. 1: SHD, 1H/63.

<sup>82</sup> Sylvain Valée to Minister of War, Algiers, 13 December 1839, p. 2: SHD, 1H/66.



governing elite, or *mekhznia*, among whom the French had found many allies, and the religious group of *murābiṭs* who, oppressed under Ottoman rule, had emerged as the main anti-French force under the emir's leadership.<sup>83</sup> Only the destruction of 'Abd al-Qādir's power, Valée argued, could coerce the *murābiṭs* to accept French rule, an outcome that would be difficult to achieve because the emir had already killed a large number of France's indigenous allies by the beginning of 1840.<sup>84</sup> Valée certainly offered a balanced assessment of the challenges facing the French forces, but he underestimated the power of the theology of collaboration to some extent. As the emir's forces spread into eastern Algeria, the inhabitants of Constantine mounted an attack in which they defeated 'Abd al-Qādir's troops, captured his flags, collected a whole bag of ears cut off from the dead fighters, and then sent the latter two to the French authorities. The highest religious authority in Constantine, the *shaykh al-islām*, sent a letter to General Nicholas Galbois, in which he called for the prolongation of the French presence in Algeria, while other religious leaders reported that mosques were opened in celebration of these events and the victory was publicly declared an act of the divine will.<sup>85</sup>

Widespread fears about the religious threat that emanated from the emir's camp permeated French reports in 1839 and 1840, which somewhat obscured the increasing appeal of the theology of collaboration among Algerian notables. In other words, many French officers perceived their indigenous allies as mercenaries whose self-interest made

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<sup>83</sup> Sylvain Valée to Minister of War, Algiers, 14 February 1840, p. 19-20: SHD, 1H/67.

<sup>84</sup> Sylvain Valée to Minister of War, Algiers, 14 February 1840, p. 21: SHD, 1H/67.

<sup>85</sup> Shaykh al-islām of Constantine to Nicholas Galbois, 24 April 1840; Muṣṭafā, Ḥanafī Qāḍī to Sī Ḥamūda Walad al-Shaykh, 24 April 1840, p. 1-2: SHD, 1H/68. On Galbois, see Paul Robiquet, "Le général de Galbois (1778-1850)," *Revue Historique* 120, no. 2 (1915): 323-347.

their religious concerns irrelevant, while those same allies continually attempted to justify their alliance with France in religious terms.<sup>86</sup> Consider, for instance, the example of ‘Umar bin ‘Ābid, whose letter to General François Négrier was forwarded to the minister of war by the new governor general, Thomas Bugeaud.<sup>87</sup> “At this time, God has sent you to govern the population; it is a fate ordered by Providence,” Bin ‘Ābid argued, “because the one who governs is the one whom God has chosen.”<sup>88</sup> This justification followed the religious logic of earlier indigenous allies: resistance might be warranted in the beginning, but the divine bestowal of victory had to be accepted by the vanquished. Moreover, going further in his justification of this view, Bin ‘Ābid quoted two verses: “I will divide the days among men” and “you must obey those who rule over you.”<sup>89</sup> Although it is very difficult to determine the first verse from the French translation, the second verse is a segment of 4:59, which states: “O you who believe, obey God, obey the messenger, and those who rule over you [*ūlī al-amri minkum*].” For Bin ‘Ābid, therefore, French forces represented the Qur’ānic rulers (*ūlū al-amr*) who must be obeyed by all Muslims.<sup>90</sup>

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<sup>86</sup> However, some French administrators identified Islam as the main obstacle to French rule. For example, François Martineau des Chesnez, a councilor of state, claimed that no sense of unity existed among the Algerian tribes, a claim he evidenced by pointing to the prevalence of polygamy and the weak family structure among them. For Chesnez, only Islam provided a tool for societal organization and unity. “The Qur’ān,” he claimed, “is at the same time their Bible, their code, and their only political treaty; it shows them an enemy in all members of other religions.” “It is therefore against the Qur’ān,” he concluded, “that all our attacks should be directed in the future” (François Martineau des Chesnez to Minister of War, Constantine, 27 August 1840, p. 9-10: SHD, 1H/70-1).

<sup>87</sup> Thomas Bugeaud to Minister of War, Algiers, 25 December 1841, p. 1: SHD, 1H/79.

<sup>88</sup> ‘Umar bin ‘Ābid to François Négrier, 10 December 1841, p. 2: SHD, 1H/79.

<sup>89</sup> ‘Umar bin ‘Ābid to François Négrier, 10 December 1841, p. 2: SHD, 1H/79.

<sup>90</sup> The expression *ūlū al-amr* literally means “the possessors of the matter,” but the religious identity of this group remains ambiguous in the Qur’ān. It is this ambiguity that allowed Bin ‘Ābid to propose a coherent

This theological position spread among some of the *murābiṭs* as well during the early 1840s, when Bugeaud’s troops chased the emir across the desert and won a number of often-brutal victories against local tribes. The *murābiṭ* from a Sufi lodge, or *zāwiya*, of Guerrouma, Sayyid Zayd bin ‘Allāl, sent Bugeaud a letter in which he described the governor general in glowing terms. “The victorious one, who is assisted by God and accepted into the grace by him; the one victorious over armies and troops; the one in charge of the country and the tribes,” the *murābiṭ* praised Bugeaud, “may the Lord help him.”<sup>91</sup> While religious leaders were sending Bugeaud conciliatory letters, older allies such as Muṣṭafā bin Ismā‘īl forwarded long lists of tribes who wished to offer their submission [*tā’a*] to French rule.<sup>92</sup> Bin Ismā‘īl echoed the views of other indigenous allies by observing that these events were due to Bugeaud’s “power and victory.”<sup>93</sup>

The spread of the theology of collaboration is further evidenced by the increasingly alarmed tone in letters written by the emir’s allies. Representatives from the tribe of Hachem, for instance, accused French allies of having “sold their religion and entered the religion of disbelief,” and they warned that French promises were like a

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theological argument in claiming that the divine favor could be bestowed upon non-Muslims. Hisseine Faradj has examined the role of *ūlū al-amr* in legitimizing historical change, as well as its contested nature, in “Ulu Al Amr & Authority: The Central Pillars of Sunni Political Thought” (PhD diss., City University of New York, 2014). Also, see Bettina Dennerlein, “Legitimate Bounds and Bound Legitimacy: The Act of Allegiance to the Ruler (Bai‘a) in 19th Century Morocco,” *Die Welt des Islams* 41, no. 3 (2001): 287-310.

<sup>91</sup> “*Al-manṣūr al-mu‘ayyid bi-naṣri allahi al-mabrūr manṣūr al-‘aṣākīr wa-l-juyūsh mutawallī al-bilād wa-l-‘urūsh [...] ayyadahu al-maulā*”: Sīd Zayd Bin ‘Allāl, *murābiṭ* of *zāwiya* in Guerraouma, to Governor General, June 1842 (Arabic): SHD, 1H/83-4.

<sup>92</sup> Muḥammad bin Ismā‘īl to Thomas Bugeaud, 17 Dhū al-Qa‘da 1257 (Arabic): SHD, 1H/80.

<sup>93</sup> “*Wa hādhā kulluhu min ‘izzak wa-l-naṣrak*”: Muḥammad bin Ismā‘īl to Thomas Bugeaud, 17 Dhū al-Qa‘da 1257 (Arabic): SHD, 1H/80.

mirage that their indigenous allies were chasing across the desert.<sup>94</sup> In a letter intercepted by the French, for instance, ‘Abd al-Qādir warned a French ally of divine punishment and called him a traitor to his religion because the members of his tribe had become “the servants of an infidel who adores the cross and who feeds himself with pork.”<sup>95</sup> In spite of these threats, most indigenous allies rejected the emir’s arguments. They were further encouraged to remain loyal to France in May 1843, when French forces found the emir’s camp (*zamāla*) in the desert, attacked it, and took a large number of captives, many of them from the tribe of Hachem.<sup>96</sup> This represented a significant setback for ‘Abd al-Qādir, but he had escaped and immediately began rebuilding his forces.

### III. The Triumph of the Theology of Collaboration

Despite the losses that the emir’s army suffered during the early 1840s, a large number of tribes continued embracing the theology of resistance that he preached. Notables from the tribes of Gheris, Gherèbas, and Cheugran and other notables allied with the emir wrote a letter to Bugeaud in which they responded to his threats by claiming that he surprised them with his “stupidity and lack of intelligence.”<sup>97</sup> “God will

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<sup>94</sup> “*Bā‘a dīnahu wa dakhala dīna al-kufr*”: Tribes of Hachem in eastern and western Algeria, Gheris, and others to Thomas Bugeaud, 20 June 1841 (Arabic): SHD, 1H/76.

<sup>95</sup> ‘Abd al-Qādir to Sīd al-Khallīdī, Chief of Beni Ferah, August 1842: SHD, 1H/85.

<sup>96</sup> Henri d’Orléans to Governor General, Bivouac at Chabouniat sur l’Oued Ouerk, 20 May 1843, p. 1-6: SHD, 1H/90. A large number of the captured Algerians were sent to a prison in southern France: see X. Yacono, “Les prisonniers de la smala d’Abd al-Kader,” *Revue de l’Occident musulman et de la Méditerranée* 15-16 (1973): 415-34; X. Yacono, “Les premiers prisonniers algériens de l’Île Sainte-Marguerite (1841-1843),” *Revue d’histoire maghrébine* 1 (1974): 39-61.

<sup>97</sup> “*Ḥumquka wa qillat ‘aqlik*”: Tribes of Gheris, Gherèbas, Cheugran, and others to Governor General, June 1841 (Arabic): SHD, 1H/76.

do with you,” they warned, “what he had done with the owners of the elephant.”<sup>98</sup> This reference points to the Qur’ānic verse about the attack that Abraha al-Ashram, the Christian ruler of Yemen and an Ethiopian ally, mounted against Mecca in 570. The offensive was repelled through a divine intervention according to the Qur’ān: “God sent against them flocks of birds, sticking them with stones of hard clay, and he made them like eaten straw.”<sup>99</sup> In contrast to the theology of collaboration, which emphasized Islamic texts that point to the arbitrariness of divine choice in the appointment of rulers, those who embraced the emir’s call to war foregrounded verses that pointed to a divine intervention against enemy armies that seemed to be on the verge of final victory. This interpretation of the Qur’ān made the emir’s allies so confident in an impending rout of French troops that they promised Bugeaud “the arrival of Muslim armies in [his] country, as had been done before.”<sup>100</sup>

In the aftermath of the unprecedented 1843 French victory over the emir’s camp, however, the theology of collaboration became even more appealing to Algerian notables. Some indigenous allies added a new concern for justice to their justification of French rule, while their praise of the French king became increasingly poetic. For example, Aḥmad Maulā al-Wād, the French *bāshāgha*, addressed the king as the “pride of kings, the honorable possessor of the crown” and he prayed that “God extend [his]

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<sup>98</sup> “*Sayaf alu allāhu bika mā fa’ala bi-aṣḥāb al-fīl*”: Tribes of Gheris, Gherèbas, Cheugran, and others to Governor General, June 1841 (Arabic): SHD, 1H/76.

<sup>99</sup> Qur’ān 105:3-5.

<sup>100</sup> “*Fa satajid fī watānikum juyūsh al-muslimīn kamā jā’at fī al-sābiq*”: Tribes of Gheris, Gherèbas, Cheugran, and others to Governor General, June 1841 (Arabic): SHD, 1H/76.

power” in June 1843.<sup>101</sup> Al-Wād then stressed that it was due to the king’s concern for justice (*‘adl*) that he remained the legitimate ruler of France. The king, al-Wād claimed, “ruled with clear fairness and the hearts of all, Christians and Muslims, have become attached to him.”<sup>102</sup> “God pacifies the local leaders through him,” al-Wād continued, and many notables were becoming attached to the king because he upheld the Islamic law (*sharī‘a*) in Algeria.<sup>103</sup> Al-Wād’s construal of the divine *pax francorum* to a large extent echoed the views of the Egyptian *‘ulamā’* during the Napoleonic invasion. However, while the Egyptian clerics believed that full legitimacy could only be granted to a ruler who adopted, even if only in a nominal manner, a Muslim identity, Algerian notables who espoused the theology of collaboration did not find that necessary.

This ideological difference, which played a crucial role in extending French rule in Algeria, owed much to the contrasting interpretations of religious texts in Egypt and Algeria. Instead of the attempt to portray Napoleon as a potential leader like Saul, many Algerian notables were satisfied that the final outcome of military strife could be attributed to a divine intervention, whose logic ought to be unquestioned. Moreover, the preservation of Islamic law and the inauguration of a new, more equitable system of justice convinced the notables that their interpretations rested on sound theological foundations. Bugeaud’s inclusion of a Qur’ānic verse (7:128)—“Indeed the earth belongs to God and he gives it as inheritance to whomever he wishes”—to his seal (see figure 6) points to his awareness of the ideological roots that underpinned indigenous

<sup>101</sup> “*Fakhr al-mulūk al-jalīl šāhib al-tāj [...] dāma allāhu ‘izzak*”: Aḥmad Maulā al-Wād to King of France, 16 Jumādā al-Ūlā 1259 (Arabic): SHD, 1H/90.

<sup>102</sup> “*Ḥakama bi-l-ḥaqqi al-mubīn ta ‘allaqat bihi qulūb sāyir al-khuluq naṣārā wa-muslimīn*”: Aḥmad Maulā al-Wād to King of France, 16 Jumādā al-Ūlā 1259 (Arabic): SHD, 1H/90.

<sup>103</sup> Aḥmad Maulā al-Wād to King of France, 16 Jumādā al-Ūlā 1259 (Arabic): SHD, 1H/90.

collaboration.<sup>104</sup> Instead of Napoleon's claims that he was a monotheistic and therefore Muslim ruler, Bugeaud supported the theological position of indigenous allies who granted divine legitimacy to any victorious force that acted in an equitable manner with the vanquished. The spread of this idea and the accumulation of indigenous allies further strengthened the view that French rule was both inevitable and justifiable on religious grounds.



Figure 6: Thomas Bugeaud's Arabic Seal (SHD, 1H/90)

Gradually, the emir's crumbling alliances and military weakness led a number of his close allies to conclude that he had lost the divine favor and that the time had come to make peace with the French. To be certain, the emir's allies were often extremely

<sup>104</sup> Thomas Bugeaud to Al-Hājj al-'Arabī bin Aḥmad Maulā al-Wazzān, Jumādā al-Ūlā 1259, p. 1: SHD, 1H/90.

reluctant to adopt this view and they often did so at the last moment. Bugeaud explained to the minister of war in September 1843, for instance, that the emir's lieutenants often responded to his letters with the following: "We cannot submit as long as there is a day's worth of gunpowder among us."<sup>105</sup> "O well," Bugeaud noted in the same letter, "yesterday, all of these chiefs came to Algiers in order to offer their complete submission and I have appointed a number of representatives [*caiïds*] from various tribal factions."<sup>106</sup> In the context of this small exodus from the emir's camp, his staunchest allies, such as Sīd Aḥmad bin Sālim, urged those tempted by a French alliance to opt for the religiously-mandated exile (*hijra*) instead of cooperation with the France authorities.<sup>107</sup> The tone of panic that permeated these letters indicated that convincing local notables to remain steadfast in their commitment to the theology of resistance became extremely difficult by late 1843.

Bugeaud's string of victories against those who remained loyal to the emir during the mid-1840s in turn led to a shift in allegiance within 'Abd al-Qādir's inner circle. In contrast, the emir's efforts to obtain the support of both independent notables and French allies largely failed, and he often had to resort to threats, which indigenous leaders increasingly ignored because of the emir's military weakness. The Arab Bureau, the arm of the colonial administration responsible for monitoring indigenous allies, reported that Aḥmad Bū 'Ukkāz bin 'Āshūr sent the following reply to a threat he received from the emir in May 1846, during an attempt to retake Sétif from the French: "All power comes

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<sup>105</sup> Quoted in Thomas Bugeaud to Minister of War, Algiers, 23 September 1843, p. 2: SHD, 1H/92.

<sup>106</sup> Thomas Bugeaud to Minister of War, Algiers, 23 September 1843, p. 2: SHD, 1H/92.

<sup>107</sup> Sīd Aḥmad bin Ṭayyib bin Sālim to Chirgs des Krachenas and Qā'id Muḥammad bin Maraḥ, 1 September 1843, p. 3-4: SHD, 1H/92.



from God, so you should not need my help in taking over Sétif. Once you vanquish the French, I will submit to your rule, but in the meantime, stop asking for my assistance.”<sup>108</sup> The theology of collaboration placed the onus on ‘Abd al-Qādir to prove that God favored his rule and would grant him a victory. Having adopted the caliphal title of “the leader of believers [*amīr al-mu’minīn*],” ‘Abd al-Qādir needed to prove that divine assistance accompanied his armies—and, in that context, continual military losses threatened his religious legitimacy, without which his allies would likely abandon him.

The reports published by the Arab Bureau after 1846 detail the emir’s widespread loss of support among Algerians. Unlike the flurry of letters that colonial officers sent in order to gain local allies during the 1830s and early 1840s, the Bureau’s reports proclaimed in a confident tone that the colonial situation remained stable, albeit with minor revolts. At that point, the officers simply focused on describing the topology of loyalty that had emerged across Algeria, frequently repeating variants of the phrase “the situation has remained the same” for various regions.<sup>109</sup> These reports typically pointed to tribal groups, such as the Kabyles who travelled to Bougie, with whom France “could establish better relations [because] ‘Abd al-Qādir had little influence among them and his calls to war have had no effect in that region.”<sup>110</sup> In such surveys of indigenous loyalism, moreover, attempts to sow discord were portrayed as the work of foreign agents, such as

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<sup>108</sup> Quoted in Rapport fait au ministre, 26 May 1846, p. 8-9: SHD, 1H/114.

<sup>109</sup> Rapport fait au ministre, 15 January 1846, p. 2: SHD, 1H/110.

<sup>110</sup> Rapport fait au ministre, 15 January 1846, p. 2-3: SHD, 1H/110.

a Sufi man named Maulā ‘Abd al-Raḥmān, who allegedly came from Mecca to Constantine in order to join the emir’s forces.<sup>111</sup>

In the beginning of 1847, moreover, some of the emir’s most prominent lieutenants began deserting him, and they often framed their volte face as an acceptance of the theology of collaboration. For instance, Sīd Aḥmad bin Sālīm, who had fought at the emir’s side for a number of years, wrote to Bugeaud and explained that he had finally accepted the French victory as a divine act. Without denying that he had fought against the French to the end, Bin Sālīm recognized in June 1847 that Bugeaud had “filled the country with justice and beneficence” and he prayed: “May God remove all misfortunes from your path and make subservient to you the people” of Algeria.<sup>112</sup> “We, and all the believers, ask God,” he continued, “that he prolongs your [...] presence.”<sup>113</sup> Although Bin Sālīm had demanded to travel to Mecca and refused to accept offers of a “political office” in the French administration, his brother Sī ‘Umar bin Sālīm accepted the position of *bāshāgha* in the Sahel. In assessing these events, the officers at the Arab Bureau reported that a general wave of submission to French rule had swept the four corners of the Grand Kabylie. “A moral revolution had been operated in the spirit of these populations,” the writer of the official report proclaimed.<sup>114</sup>

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<sup>111</sup> Rapport fait au ministre, 22 January 1846, p. 7: SHD, 1H/110.

<sup>112</sup> “*Mala’ a al-basīṭa bi-l-’adli wa-l-iḥsān [...] ab’ada allāhu ‘ankum al-inkād wa-sakhkhara lakum al-’ibād*”: Sīd Aḥmad bin Ṭayyib bin Sālīm to Thomas Bugeaud, 18 Jumādā al-Thānī 1263 (Arabic): SHD, 1H/120. On initial news of Bin Sālīm’s shift of allegiance, see Governor General to Minister of War, Aumale, 1 March 1847, p. 1: SHD, 1H/119.

<sup>113</sup> “*Nas’ alu allāha naḥnu wa kāfat al-’ibād an yadūma allāhu [...] wujūdak*”: Sīd Aḥmad bin Ṭayyib bin Sālīm to Thomas Bugeaud, 18 Jumādā al-Thānī 1263 (Arabic): SHD, 1H/120.

<sup>114</sup> Note pour le ministre, Paris, 8 April 1847, p. 1, 3: SHD, 1H/119.

A triumphal tone soon came to dominate official assessments of the colonial situation. After defeating the last supporters of the emir in the Algerian interior in 1846, for example, Bugeaud claimed that “France had become more powerful in Africa than it had been before the great crisis” that ensued after 1843.<sup>115</sup> “All of the Tell,” he observed, “and almost the totality of the eastern and western deserts have submitted to our law and, at the moment, there is only one flag that flies over this vast territory—that of France.”<sup>116</sup> The defection of another ally of the emir, Muḥammad bin ‘Abd Allāh Bū Ma‘za, in 1847 further justified this view. Considered a formidable enemy by Bugeaud, who had fined a tribe 100,000 francs for welcoming Bū Ma‘za among them in January 1847, the new French ally was sent to France in April 1847 in order to expose him directly to the greatness of French civilization.<sup>117</sup> Since Clauzel’s 1835 proposal that such voyages ought to be used to strengthen the loyalty of local allies, a large number of Algerians had visited France and this program became an important element of Bugeaud’s indigenous policy. The officers at the Arab Bureau judged that “the submission of Bū Ma‘za, by affecting the popular opinion, provides another guarantee for the maintenance of peace.”<sup>118</sup> Moreover, the writer of the report added that many committed supporters of the emir had preferred the option of emigration to the acceptance of the theology of

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<sup>115</sup> Governor General to Minister of War, Oued Fodda, 22 May 1846, p. 1: SHD, 1H/114.

<sup>116</sup> Governor General to Minister of War, Oued Fodda, 22 May 1846, p. 2: SHD, 1H/114.

<sup>117</sup> Rapport fait au ministre, 29 January 1847, p. 4: SHD, 1H118; Documents relatifs à l’arrivé de Bou-Maza en France, 12 May—12 May 1847, 33 pièces: SHD, 1H/120.

<sup>118</sup> Rapport fait au ministre, 18 May 1847, p. 7: SHD, 1H/120.

collaboration because these “fanatics” realized that the time of religious war had ended and they sought, “by going to Mecca, another way to please their Prophet.”<sup>119</sup>

By 1847, ‘Abd al-Qādir’s continued attacks in western Algeria had led to a series of conflicts between France and Morocco and the sultan’s decision to conclude a peace treaty with France removed the last base of support from the emir. At the end of the year, he followed Bin Sālim and Bū Ma‘za and surrendered to the new governor general, Henri d’Orléans, who had initiated the emir’s downfall by capturing his *zamāla* in 1843.<sup>120</sup> “It is impossible to describe the profound sensation that [the emir’s surrender] has produced within the indigenous population of this region,” the governor general proclaimed, “and the same effect will be felt across Algeria—this is a real revolution.”<sup>121</sup> Although the 1848 French Revolution briefly created the possibility of further colonial unrest during the following year, French rule had become entrenched and indigenous allies remained devoted to France during the late 1840s and early 1850s.<sup>122</sup>

In an attempt to further consolidate and expand the pro-French indigenous bloc, Algerian notables’ voyages to France became routine under Napoleon III. These voyages left a lasting impression on them and further encouraged them to see French successes as the products of divine intervention. In fact, in one of the earliest Algerian travelogues written in Arabic, Sulaymān bin Şiyām reaffirmed the idea that the French ruler

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<sup>119</sup> Rapport fait au ministre, 10 August 1847, p. 4: SHD, 1H/121.

<sup>120</sup> A poster announced this news on 27 December 1847: SHD, 1H/123.

<sup>121</sup> Governor General to Minister of War, Nemours, 23 December 1847, p. 6: SHD, 1H/123.

<sup>122</sup> The official French proclamation stressed that the revolutionary events would not change the situation in Algeria (*Al-Mubashir wurūd al-akhbār min jamī‘ al-aḡār*: SHD, 1H/124). On the impact of the 1848 Revolution on Algeria, see Benjamin Mcrae Amoss, “The Revolution of 1848 and Algeria,” *The French Review* 75, no. 4 (2002): 744-754.

benefitted from divine assistance and he justified his legitimization of French rule by emphasizing the strange marvels he observed in France. Bin Şiyām left Algiers in April 1852 and first arrived in Sète. He singled out the French railway and telegraph systems as particularly fascinating. He called trains a “great invention [*ikhtirā‘ ‘aẓīm*]” and explained that railroads covered all parts of the country.<sup>123</sup> The mountains did not represent an obstacle to French trains, Bin Şiyām explained, because they traveled through tunnels like “rapid lightning,” covering in an hour a distance for which the horseman would need a whole day.<sup>124</sup> Even more strange for Bin Şiyām was the speed of communication with telegraphs. “They send a message through it from Paris to Lyon and from Lyon to Paris in the blink of an eye,” he observed with incredulity.<sup>125</sup> “We do not know how they manufacture this,” Bin Şiyām continued, “and it is among the strangest things that we have seen—the command is with God, both before and after [*wa-l-amru li-allāhi min qabl wa min ba‘d*].”<sup>126</sup>

Although the editor did not indicate the reference for the last phrase, it consists of a citation from verse 30:4.<sup>127</sup> The immediate scriptural context of this verse refers to the battle between Byzantine and Persian armies at Antioch in 613. The preceding verses state: “The Byzantines have been defeated in the nearest land, but after their defeat, they

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<sup>123</sup> Sulaymān bin Şiyām, Aḥmad Walad Qād, and Muḥammad bin al-Shaykh al-Faghūn al-Qusanṭīnī, *Thalātha riḥlāt jazā‘iriyya ilā Bārīs: 1852, 1878, 1902*, ed. Khālīd Ziyāda (Beirut: Al-Mu‘assasa al-‘arabiyya li-l-dirāsāt wa-l-nashr, 2005), 28.

<sup>124</sup> Sulaymān bin Şiyām, *Thalātha riḥlāt*, 28.

<sup>125</sup> Sulaymān bin Şiyām, *Thalātha riḥlāt*, 31.

<sup>126</sup> Sulaymān bin Şiyām, *Thalātha riḥlāt*, 31.

<sup>127</sup> In fact, in introducing Bin Şiyām’s travelogue, Khālīd Ziyāda claimed that “it lacked citations from the Qur’ān and the prophetic sayings”: Introduction to Sulaymān bin Şiyām, *Thalātha riḥlāt*, 15.

will be victorious within a few years. The command is with God, both before and after [li-allāhi al-amru min qabl wa min ba‘d].”<sup>128</sup> In other words, it is to divine control and command that Bin Şiyām pointed in his observations, which seemed to indicate, at every turn, that French society had achieved unprecedented feats. In this iteration of the theology of collaboration, therefore, divine victory acquired a more expansive meaning, one that encompassed all aspects of French society. For instance, Bin Şiyām used the same verse when he expressed his admiration for the organization of French gardens in Paris.<sup>129</sup> The large French population equally impressed Bin Şiyām; he noted that with each hour of travel he passed through so many cities and villages that “the tongue and the pen would be exhausted with their enumeration.”<sup>130</sup> The large population in turn facilitated the development of a strong military. Bin Şiyām stressed that the French were extremely devoted to the art of war and that they had “a numerous army.”<sup>131</sup> “May God bless the people of France,” Bin Şiyām prayed, “for they give the bow to him who knows how to shape it and they give houses to those who know how to build them.”<sup>132</sup>

Then, reiterating a central element of the theology of collaboration, Bin Şiyām asserted that French rule was legitimate because of the presence of a uniform and equitable system of justice in France.<sup>133</sup> “Know that if the French kings were

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<sup>128</sup> On the Islamic tradition of exegesis on the first five verses of this Qur’ānic chapter, see Nadia Maria El Cheikh, “Sūrat Al-Rūm: A Study of the Exegetical Literature,” *Journal of the American Oriental Society* 118, no. 3 (1998): 356-364.

<sup>129</sup> Bin Şiyām, *Thalātha riḥlāt*, 36-7.

<sup>130</sup> Bin Şiyām, *Thalātha riḥlāt*, 32.

<sup>131</sup> Bin Şiyām, *Thalātha riḥlāt*, 33.

<sup>132</sup> Bin Şiyām, *Thalātha riḥlāt*, 35.

<sup>133</sup> Bin Şiyām, *Thalātha riḥlāt*, 33.

characterized by oppression [*ẓulm*], tyranny [*jawr*], and a lack of service toward their subjects,” he told his readers, “then they would not have been able to fortify the country’s edifices, have such a large army and navy, and fortify and populate numerous ports.”<sup>134</sup> The overwhelming success of French state-building and the country’s strength, according to Bin Şiyām, offered definitive proof that the French government could not be based on injustice. A meeting with Napoleon III later confirmed Bin Şiyām’s opinions: he described the French president as approachable, kindhearted, and just. As a sign of admiration, Bin Şiyām abstained from using Napoleon’s name and referred to him in the form of invocations such as “may God help him [*as‘adahū allāhu*]” and “may God preserve him [*ṣānahū allāhu*].”<sup>135</sup>

But did these words of praise for the French governmental system apply to Algeria as well? In other words, did Bin Şiyām aim to portray French rule as equally just and beneficial in France *and* Algeria? Bin Şiyām never addressed these questions directly, but he did echo Ibrāhīm Bey’s and Yūsuf Bey’s sense of belonging to the French camp. “Arabs,” Bin Şiyām quoted an address made by Armand de Saint-Arnaud, “we want you to know that we see you as our French brothers—there is no difference in our love for you and them.”<sup>136</sup> Bin Şiyām and other Algerian notables who were present thanked Saint-Arnaud and told him and the other officers with whom they dined that they shared the same sense of brotherhood. After the festivity was over and the notables departed, Bin Şiyām claimed that their “minds and hearts [*‘uqūlunā wa qulūbunā*]”

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<sup>134</sup> Bin Şiyām, *Thalātha riḥlāt*, 39.

<sup>135</sup> Bin Şiyām, *Thalātha riḥlāt*, 40.

<sup>136</sup> Quoted in Bin Şiyām, *Thalātha riḥlāt*, 43.

stayed with the French officers. In summarizing his overall impression of Paris while preparing to return to Algiers in May 1852, furthermore, he used another Qur'ānic verse and described the city as a “paradise under which rivers flow.”<sup>137</sup>

Bin Şiyām's descriptions of France point to the presence of a strong commitment to the theology of collaboration among Algerian notables who decided to opt for an alliance with France after the emir's defeat in 1847. Despite the efforts of Tunisian and Moroccan governments to foment religious rebellions, many Algerians found in the French system of rule elements that could be justified on religious grounds: they ascribed the French victory to a divine plan, they praised the French principles of justice, and they embraced a sense of “brotherhood” that emerged out of their service in the French administration. Due to the self-interested nature of their allegiance, moreover, they disregarded the impact that French rule had on those outside the circle of pro-French notables. For instance, Bin Şiyām's account contains a number of striking silences: he praised many aspects of French rule and foregrounded the good treatment that he experienced in France, but he avoided examining the impact of French rule on the colonial population. Instead, he resorted to poetic expressions of wonder. Playing with the similarity between the Arabic words for king (*malik*) and master (*mālik*), for instance, he wrote the following couplet in honor of Napoleon III: “If all that is noble became possessed together / He would rightly claim it, for he is its master.”<sup>138</sup>

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<sup>137</sup> “*Al-jannat allatī tajrī min taḥtihā al-anhār*”: Bin Şiyām, *Thalātha riḥlāt*, 43. This phrase recurs throughout the Qur'ān: see 20:76, 16:31, 9:89, 48:5, 3:136, and 5:85.

<sup>138</sup> “*Idhā al-ma'ālī aşbaḥat mamlūka / a'nāhā bi-l-haqqi fa huwa al-mālik*”: Bin Şiyām, *Thalātha riḥlāt*, 35.



#### IV. Conclusion

By the early 1850s, therefore, a great ideological transformation had taken place in Algeria. During the early days of colonization, French control over the new colony was so uneven that even travel between the coastal cities of Oran, Algiers, and Annaba was difficult. In December 1831, for example, the minister of war had explained to Savary that the commandant of the province of Oran could not control the periphery between the provinces of Algiers and Oran. Owing to the power of local tribes in the area, the minister noted, the commandant “could not make himself obeyed at such a distance.”<sup>139</sup> Moreover, the Moroccan sultan’s interference in western Algeria and the Tunisian bey’s dissolution of the Franco-Tunisian alliance further frustrated French imperial ambitions. However, relying on brute force and the emerging theology of collaboration, French officers ultimately overcame these obstacles: by the middle of the nineteenth century, most—but not all—Algerian notables who resisted French rule had been vanquished and large groups of tribes had entered into alliances with the French colonial authorities.

The fragmented nature of political and religious authority in Algeria facilitated the growth of the theology of collaboration. A number of indigenous notables, such as Ibrāhīm Bey, Farḥāt bin Sa‘īd, Muṣṭafā bin Ismā‘īl, and others, sought a French alliance because they wanted to carve out independent realms and because the continued presence of French troops in Algeria led them to accept the new status quo as divinely ordained. As French troops spread across the interior during the late 1830s, moreover, many Algerian notables abandoned their demands for independence and they accepted positions in the French colonial government. The pro-French camp coalesced during the fierce

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<sup>139</sup> “*Il ne pourrait se faire obéir à une telle distance*”: *Projet d’instructions pour M. le Lieut. G. Duc de Rovigo*, December 1831, p. 1: SHD, 1H/10.

battles against the forces of the emir between 1837 and 1843, and continued French victories pushed an even larger numbers of tribes into an alliance with France after the capture of the emir's *zamāla*.

The tone of dismay that permeated the letters of ‘Abd al-Qādir’s allies and their accusations that their Algerian enemies had abandoned Islam testified to the widespread support for the theology of collaboration among France’s former enemies. The emir’s inability to recover from the losses that his army suffered in 1846 and 1847 led even his most devoted lieutenants to surrender and often to join the French camp. The theology of collaboration certainly served the interests of notables who embraced the French cause, but the self-interested nature their allegiance to France did not preclude their sincere belief in the central tenet of this theology—that victory is granted arbitrarily by God and that it must be accepted by Muslims if their new rulers demonstrate that they do not seek to overthrow the Islamic order. Some notables accepted this idea wholeheartedly and early on, while others fought until the last moment and only begrudgingly granted legitimacy to French rule.

Moreover, this theological approach did not provide a panacea for colonial problems. In spite of the emir’s surrender in 1847, a number of Algerian tribes continued resisting French rule and favoring the theology of resistance that the Moroccan sultan and ‘Abd al-Qādir had promoted. Due to their categorical rejection of an alliance with France, rebellions remained chronic in Algeria during the second half of the nineteenth century. Furthermore, the idea of a divinely-ordained and arbitrary victory pointed to the possibility of a sudden overthrow of French rule. In his travelogue, Bin Şiyām proposed a more expansive understanding of the French victory, which he described in terms of

technological advances, efficient social organization, and military might. However, the Qur'ānic verse that he used while marveling at French society implied that the divine favor—because of its inherent arbitrariness—might in the future benefit Algerians opposed to French rule. Bin Ṣiyām used the Qur'ānic mention of Byzantine armies to explain the French victory, but in the wider scriptural context, ultimate victory is granted to those whom the Qur'ān calls “the believers [*al-mu'minūn*].”<sup>140</sup> Algerian notables who rejected the theology of collaboration continued relying on this idea after the 1850s.

This scriptural subtext loomed over most arguments made by Algerian notables in favor of French rule: the legitimacy of French rule rested on the ability of French armies to remain victorious, and any faltering in that ability could lead to a declining support for the theology of collaboration. Moreover, the Algerian notables' refusal to defend French rule through a more elaborate reliance on Islamic scriptural references represented another sign of their commitment to theological principles that remained within the general bounds of orthodoxy. Although a more thorough Islamic defense of French rule would have strengthened their own legitimacy, Algerian notables, much like their counterparts in Napoleonic Egypt, opted for a minimalist approach. The deficit in legitimacy that this strategy created in turn led French officers to seek alternative sources of legitimization. And, in this context, the Roman imperial roadmap appeared as an ideal supplement to the theology of collaboration.

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<sup>140</sup> See verses 30:4-6: “And on that day, the believers [*al-mu'minūn*] will rejoice in the victory of God. He gives victory to whom he wishes, and he is the exalted, the merciful. It is the promise of God and God does not fail in his promise, but most of the people do not know.”

## Chapter 6. Rome Resurrected: North Africa and the French *mare nostrum*, 1830s-

### 1870s

*Ce n'est donc pas plus dans un autre hémisphère,  
ou au-delà de l'Atlantique,  
mais sur les bords seuls de la Méditerranée,  
sur la côte d'Afrique, en face même de la France,  
que nous devons désormais chercher le siège de colonies.<sup>1</sup>*

*Puisse-t-il venir bientôt, ce jour où nos concitoyens,  
à l'étroit dans notre France africaine,  
déborderont sur le Maroc et sur la Tunisie,  
et fonderont enfin cet empire méditerranéen  
qui ne sera pas seulement une satisfaction pour notre orgueil,  
mais qui sera certainement dans l'état futur du monde,  
la dernière ressource de notre grandeur!<sup>2</sup>*

The rise of a theology of collaboration among France's indigenous allies in Algeria during the 1830s and 1840s helped stabilize the burgeoning colonial entity, whose strongholds remained confined to the coastal region, but French officers increasingly argued that these limited gains could only be preserved through a reformulation of France's imperial mission in North Africa. As a result, they sought a language of legitimation that could both justify the occupation and facilitate further expansion in the Algerian south. In this context, the Roman imperial precedent appeared as a panacea that held the promise of helping the army overcome multiple challenges, from the suppression of rebellions to the most efficient distribution of troops across Algeria, the legibility of Algerian geography, the application of the civilizing mission,

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<sup>1</sup> Alexandre Colombel, *Du parti qu'on pourrait tirer d'une expédition d'Alger, ou de la possibilité de fonder, dans le bassin de la Méditerranée, un nouveau système colonial et maritime à l'épreuve de la puissance anglaise* (Paris: Delaunay, February 1830), 17.

<sup>2</sup> Lucien-Anatole Prévost-Paradol, *La France nouvelle* (Paris: Michel Lévy, 1869), 416.

and the establishment of natural geographic limits within which the colony should be confined.

The embrace of the Roman imperial roadmap by ministers of war, governors general, and other military officers deeply marked the development of French imperialism in Algeria and its expansion to Tunisia in 1881 and Morocco in 1912. The reliance on the Roman logic—with its attendant focus on the civilizing mission and the view of the Mediterranean as a *mare nostrum*—in turn led to a transformation of French imperial thought between the 1830s and 1870s.<sup>3</sup> As French officers, scientists, and explorers ventured deep into the Algerian desert and expanded their activities to Tunisia and Morocco, a more globalized sense of the Mediterranean as a French lake and center of France's global empire emerged, in tandem with the appearance of a more universal imperial mission of cultural transformation of imperial subjects and the marginalization of the Roman civilizing model, which appeared as too geographically limited and parochial by the 1860s.

During the first decade of colonization in Algeria, the Roman past represented a key issue of contention between those who embraced the policy of restrained occupation and those who championed absolute domination. By the late 1830s, the latter camp had won the political battle and the French ministry of war began funding a series of scientific expeditions across Algeria in order to examine the potential military utility of the scattered Roman ruins. Some explorers who participated in this endeavor during the 1840s later continued to serve in the colonial administration by embarking on individual

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<sup>3</sup> On the Roman idea of a *mare nostrum*, see Michel Reddé, *Mare nostrum: les infrastructures, le dispositif et l'histoire de la marine militaire sous l'Empire romain* (Rome: École française de Rome, 1986); Viktor Burr, *Nostrum Mare: Ursprung und Geschichte der Namen des Mittelmeeres und seiner Teilmeere im Altertum* (Stuttgart: W. Kohlhammer, 1932).

missions in the Algerian desert during the 1850s and 1860s. In contrast to similar scientific expeditions that accompanied the French armies in Egypt and Morea, moreover, the scientific corpus produced by the state-funded scientific commission between 1839 and 1842 served as a guide for the next generation of explorers, who tested the limits of the Roman imperial roadmap and, when confronted with its limits, offered some of the first attempts to redefine the mission of France's global empire.<sup>4</sup>

For instance, Adrien Berbrugger, a philologist and the editor of the official newspaper *Le Moniteur Algérien* who had visited the emir's camp in 1837, joined the scientific expedition as an expert in history and archeology.<sup>5</sup> In an attempt to uncover the ancient Roman map in Algeria, he examined geographic markers in surviving Latin inscriptions while exploring the region of Philippeville (modern Skikda) in the summer of 1840. He quoted an inscription which indicated that a certain Gaul—"one of our ancestors" in Berbrugger's words—had built a number of structures in what was called Rusicada during the Roman period, and he suggested that the modern name Ras Skiddah represented an Arabization of the city's Latin name.<sup>6</sup> The discovery of such traces of

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<sup>4</sup> For a general overview of the scientific commission during the 1830s and 1840s, see Dondin-Payre, *La Commission d'exploration scientifique d'Algérie*; Saddek Benkada, "Une élite 'savante' au service de la pénétration scientifique coloniale en Algérie: les officiers du Génie (1830-1880)," in *Le fait colonial au Maghreb: ruptures et continuités*, ed. Nadir Marouf (Paris: L'Harmattan, 2007), 199-225. On the commission's historical and archeological focus, see Monique Dondin-Payre, *Le Capitaine Delamare: la réussite de l'archéologie romaine au sein de la commission d'exploration scientifique d'Algérie* (Paris: Diffusion de Boccard, 1994). On the concurrent development of colonial geographic knowledge and the imperial expansion in southern Algeria, see Numa Broc, "Les Français face à l'inconnue saharienne," *Annales de Géographie* 96, no. 535 (1987): 302-38.

<sup>5</sup> Berbrugger wrote an account of the visit to the Emir: see his *Voyage au camp d'Abd-el-Kader, à Hamzah et aux montagnes de Wannourhah* (Toulon: Imprimerie d'Eugène Aurel, 1839).

<sup>6</sup> Adrien Berbrugger, Algiers, 18 August 1840, p. 2-3: Archives nationales d'outre-mer, Aix-en-Provence, France (hereafter ANOM), F80/1599. Using another Latin inscription found in Cherchell, Berbrugger claimed that this city stood at the site of ancient Julia Caesaris: Adrien Berbrugger, Cherchell, 5 May 1840, p. 2: ANOM, F80/1599.

antiquity thus not only legitimized the French invasion as a “return” to an ancient possession, but it also facilitated the replication of Roman methods of conquest through the insertion of each new discovery into a classical corpus of texts that increasingly functioned as military manuals for French officers.

The end of the scientific expedition in 1842 did not mark the end of Berbrugger’s colonial career. Ten years later, he continued exploring the Algerian desert by attempting to travel between southern Tunisian and Algerian oases in order to prove that Algiers could be safely reached from the desert. Writing to Governor General Viala Charon from Tunis in 1850, Berbrugger informed him that many tribal leaders who lived close to the Algerian border believed that France would soon take over Tunisia; one of them had even offered Berbrugger 50,000 francs, 50 horses, and 50 mules in exchange for an appointment as his tribe’s representative.<sup>7</sup> During the following year, Berbrugger informed the governor general that he had successfully traveled across Tunisia, visited Guerara and M’zeb, and continued his voyage toward Algiers, although a visit to the oasis of Touat remained dangerous and impossible. Berbrugger urged the governor general to reward indigenous leaders who had helped him travel from one oasis to another and he noted with a lot of enthusiasm that the southern route had now been proven to be completely open and viable.<sup>8</sup> During this voyage, moreover, Berbrugger continued working on making the local terrain legible through Roman texts by indicating

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<sup>7</sup> Adrien Berbrugger to Viala Charon, Tunis, 3 September 1850, p. 6: ANOM, 4H/22-23.

<sup>8</sup> Adrien Berbrugger to Governor General of Algeria, Temacin, 27 January 1851; Adrien Berbrugger to Governor General of Algeria, Algiers, 6 October 1851: ANOM, 4H/22-23.

in his official report all parts of the itinerary where he found Roman ruins and succeeded in establishing a link between modern and ancient geography.<sup>9</sup>

The importance of the Roman legacy has been increasingly recognized in recent works on French Algeria. For instance, Michael Greenhalgh has examined the widespread use and destruction of Roman antiquities by the French military, while Diana K. Davis has unearthed the colonial roots of the declensionist narrative which stipulated that Arabs and Berbers had destroyed the environment of what had been Rome's granary in antiquity and thus created the widespread deforestation and desiccation.<sup>10</sup> Davis underlined that the origins of the declensionist narrative could be traced to the scientific expedition in which Berbrugger participated between 1839 and 1842. Pointing to the same expedition, furthermore, Patricia Lorcin has studied French attempts to create a new colonial race based on a cultural *latinité* that had its roots in the Roman past, a theme also explored in Paul A. Silverstein's examination of the construction of colonial and post-colonial identities.<sup>11</sup> Although some of the long-term effects of the reliance on the Roman model have been analyzed, much of the existing scholarship tends to focus on the late-colonial and post-colonial periods, while the connections between the rise of the Roman trope, the often-cited scientific commission, and the more individual attempts to explore

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<sup>9</sup> For example, he identified Kaf with ancient Sacca, Sacca Veneria with the Arabic Charbanaria, and Blensis with Chiddibilensis: Adrien Berbrugger, *Itinéraire de Souk Haras à Tunis*, 19-30 August 1850: ANOM, 4H/22-23. Daniel Nordman has examined some of the ways in which French explorers dealt with the difference between texts from antiquity and the modern geography in "L'exploration scientifique de l'Algérie: le terrain et le texte," in *L'invention scientifique de la Méditerranée: Égypte, Morée, Algérie*, ed. Marie-Noëlle Bourguet et al., 71-95.

<sup>10</sup> Michael Greenhalgh, *The Military and Colonial Destruction of the Roman Landscape of North Africa, 1830-1900* (Leiden: Brill, 2014); Diana K. Davis, *Resurrecting the Granary of Rome: Environmental History and French Colonial Expansion in North Africa* (Athens: Ohio University Press, 2007).

<sup>11</sup> Lorcin, "Rome and France in Africa: Recovering Colonial Algeria's Latin Past"; Paul A. Silverstein, "France's Mare Nostrum: Colonial and Post-Colonial Constructions of the French Mediterranean," *Journal of North African Studies* 7, no. 4 (2002): 1-22.



the Algerian Sahara on the one hand, as well as the development of the civilizing mission on the other, remain largely unexamined.

In this chapter, I analyze French officers' use of the Roman imperial legacy in their attempts to make legible and to dominate—both militarily and culturally—the colonial terrain between the 1830s and 1870s. Moreover, in tracing the efforts of successive generations of military officers, scientists, and explorers to resurrect Rome's North African colonies, I show that the latent grafting of Roman imperial hallmarks onto France's colonial efforts in Algeria gradually contributed to the transformation of France's global imperial mission. More specifically, I argue that the stress on the Roman precedent repositioned the Mediterranean at the heart of French imperialism—as a French lake, or *mare nostrum*. Furthermore, once the limits of the Roman roadmap were reached in the Sahara during the 1850s, two major shifts occurred in French imperial thought. First, French officers and explorers increasingly viewed the civilizing mission of the Roman Empire as too parochial and limited, and they called for the adoption of a more universal vision of the mission as one of cultural and commercial transformation. And, second, the officers' more timid and intermittent stress on the need to buttress the French Empire *in* the Mediterranean by replicating the Roman model gave way to a more aggressive vision of the French Mediterranean Empire as the beating heart of a globally resurgent France.

#### I. Governors General, the Roman Legacy, and Absolute Domination

During the early 1830s, Algeria's future as a French colony remained uncertain and the Roman precedent quickly became a major issue of contention between liberal members of the colonial government who called for a restrained occupation and more

conservative members who urged the minister of war to opt for absolute domination and further expansion across the Algerian interior. The widespread disagreements revolved around two key elements of the Roman past and their possible modern application in an attempt to transform Algeria into a profitable and pacified colony: Algeria's status as the granary of Rome and the military strategy used by the Roman army in its struggles against indigenous rebels.

Pierre Berthezène, a representative of the liberal camp who acted as the commander-in-chief between February and December 1831, attempted to refute the widespread belief in Algeria's agricultural fertility in antiquity and the view that it could become the granary of France. He argued that Pliny's claims about massive quantities of grains that were sent from Algeria to Augustus and Nero amounted to exaggerations that contemporary French pamphleteers used in order to paint Algeria as a lush landscape awaiting a new imperial power.<sup>12</sup> Ancient authors used the term Africa, he explained, only in reference to ancient Carthage and they attributed the surprising fertility of the soil only to a small region called Byzantium, which corresponded to southern Tunisia and in Roman times had Adrumetes as its capital. As for Algeria, which was divided into the provinces of Numidia and Mauretania Caesariensis, Berthezène continued, ancient

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<sup>12</sup> Pierre Berthezène, *Dix-huit mois à Alger* (Montpellier: A. Ricard, 1834), 27. Pliny described the grain from Africa as follows: "There is no grain more prolific than wheat, Nature having bestowed upon it this quality, as being the substance which she destined for the principal nutriment of man. A modius of wheat, if the soil is favourable, as in Byzacium, a champaign district of Africa, will yield as much as one hundred and fifty modii of grain. The procurator of the late Emperor Augustus sent him from that place—a fact almost beyond belief—little short of four hundred shoots all springing from a single grain; and we have still in existence his letters on the subject. In a similar manner, too, the procurator of Nero sent him three hundred and sixty stalks all issuing from a single grain" (Gaius Plinius Secundus, *The Natural History of Pliny*, trans. John Bostock, vol. 4 [London: Henry G. Bohn, 1856], 35-6).

authors said nothing about the fertility of its soil.<sup>13</sup> Noting that the lands of ancient Byzantium had lost their fertility, Berthezène then criticized those who used ancient history in order to sway public opinion in favor of a more aggressive form of colonization in North Africa, relying on information that neither the texts from antiquity nor the surviving archeological remains corroborated as true.<sup>14</sup> As a result of this position, Berthezène zealously opposed plans to colonize Algeria with Europeans and he judged that the pamphleteers who promoted the new colony as a venue for investment in agriculture sold *romanesque* lies to their readers.<sup>15</sup>

As the proponents of absolute occupation rose to prominence during the late 1830s and early 1840s, Berthezène's careful examination of ancient texts was replaced by a more enthusiastic embrace of the Roman model among French officers. For instance, Thomas Bugeaud initially admitted that his travels across the province of Oran in 1836 and 1837 led him to interpret ancient authors' descriptions of Algeria as the granary of Rome in a hyperbolic manner. After visiting the rest of Algeria, however, he confirmed the truth of their assertions and he predicted that the fertility of the colonial soil would

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<sup>13</sup> Berthezène, *Dix-huit mois à Alger*, 28.

<sup>14</sup> Berthezène, *Dix-huit mois à Alger*, 219-20. Jacques-François Joly, a deputy from the Haute-Garonne, ridiculed the notion that Algeria, through the establishment of a new colonial pact, could provide sugar to France. He mockingly asked the pro-colonial deputies why they were not satisfied with two colonies that provided sugar to France from the Atlantic. Then, turning to the idea of transforming Algeria into a granary, Joly exclaimed: "There is a universally widespread opinion which, because it is based on a bias, has some value: it has been said that Africa was the granary of Rome. An evident error! Since the Barbary states only paid tribute in kind, wheat was transported to Rome. This has made some believe that Africa was the granary of Rome, but, dear sirs, this granary, if it had ever existed, is today exhausted. And in order to fertilize the Algerian soil, miracles would be needed, which only a wise foresightedness and great capital could produce" (Jacques-François Joly, *Discours prononcé par M. Joly, député de la Haute-Garonne, séance du 23 mai 1843* [Paris: Panckoucke, 1843], 16).

<sup>15</sup> Pierre Berthezène to Borély, Attorney General, Algiers, 18 Oct. 1831, in Charles Robert Ageron, ed., *Le gouvernement du général Berthezène à Alger en 1831* (Saint-Denis: Bouchène, 2005), 233. For Berthezène's stress on Algeria's lack of agricultural fertility and industry, see also Pierre Berthezène to Jean-de-Dieu Soult, Minister of War, Algiers, 21 March 1831: SHD, 1H/7.

allow the export of immense quantities of grains to France.<sup>16</sup> Without directly addressing Berthezène's arguments, Bugeaud simply noted that Algerian mountains were covered in a thick layer of fertile soil, and that there was great potential for the increase of already large quantities of grains produced across the colony's plains.<sup>17</sup>

Proponents of restrained and absolute colonization also adopted contrasting views on the extent to which the Roman military strategy could be successfully replicated and used to remove the threat of indigenous resistance. Defending his plan for the introduction of civil government in Algeria, Berthezène alluded to the Jugurthine Wars, which lasted from 112 B.C. to 106 B.C. and during which the Berber King of Numidia Jugurtha (who was born in ancient Cirta, modern Constantine) fought Roman forces. "Sallust had observed that Jugurtha was loved by the Numidians and the inhabitants of other cities who could have easily removed themselves from his domination," Berthezène observed, "because he was fair and just, while the Romans were detested due to their violence and avarice."<sup>18</sup> By using this example from ancient history in order to defend his conciliatory attitude toward the indigenous population, Berthezène's allusion contained a premonitory warning: although Roman armies won the war against Jugurtha and he died of starvation in the Mamertine prison in Rome in 104 B.C., Numidia was only incorporated into the Roman Empire as a province around sixty years later. This attitude

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<sup>16</sup> Thomas Bugeaud, *L'Algérie: des moyens de conserver et d'utiliser cette conquête* (Marseille: A. Barlatier et Demonchy, 1842), 45-6.

<sup>17</sup> Bugeaud, *L'Algérie*, 46-7.

<sup>18</sup> Berthezène, *Dix-huit mois à Alger*, 190.

was reflected in Berthezène's eerie descriptions of Algeria's Roman ruins as the background of a fierce battle he waged against the local population.<sup>19</sup>

Where Berthezène saw threats and historical warnings, however, his detractors saw opportunities. For example, during the first, unsuccessful expedition against Constantine in 1836, Clauzel called for the direct use of the Roman infrastructure by French forces. "There remain in Guelma numerous ruins from Roman constructions, such as the enclosure of the ancient citadel that is well-preserved and could allow the establishing of a secure military outpost against the Arabs," he explained, "and I took advantage of that facility in order to leave in convenient care around 200 men that the road had already exhausted."<sup>20</sup> When his forces reached Raz-el-Akba, Clauzel noted that they were following in the footsteps of the tenth Roman legion and he observed that the Romans had built a large number of forts in the surrounding area in order to better control that important military point, while the Roman elite constructed palaces in what remained a very picturesque region.<sup>21</sup> While Berthezène saw Roman ruins as cautionary signs that pointed to the inevitable downfall of an empire when it failed to co-opt the local population, therefore, Clauzel believed that the Roman landscape offered a chance to

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<sup>19</sup> Berthezène, *Dix-huit mois à Alger*, 232-3.

<sup>20</sup> Bertrand Clauzel, Governor General to Nicolas-Joseph Maison, Minister of War, Annaba, 1 December 1836, in Gabriel Esquer, ed., *Correspondance du Maréchal Clauzel, gouverneur général des possessions françaises dans le nord de l'Afrique, 1835-1837*, 2 vols. (Paris: Éditions Larose, 1948), 2:299. Also, during an earlier expedition close to Tlemcen in 1836, Clauzel encountered Roman ruins along the road to Aïn el-Bridge, where he found a Roman monument so well-preserved that he felt compelled to describe it in detail, including a Latin inscription he copied. The latter read: "Ani...mlxxx/ob memoriam/patri fecerv/nt eredes h/vinc": Bertrand Clauzel, Governor General to Nicolas-Joseph Maison, Minister of War, Tlemcen, 23 January 1836: SHD, 1H/36.

<sup>21</sup> Bertrand Clauzel, Governor General to Nicolas-Joseph Maison, Minister of War, Annaba, 1 December 1836, in Gabriel Esquer, ed., *Correspondance du Maréchal Clauzel*, 2:300.

rebuild the ancient imperial realm using the older, more aggressive technique of brute military force.

The superimposition of Roman and French imperial endeavors in Algeria grew with the rise to prominence of the proponents of absolute domination during Valée's tenure as the governor general between 1837 and 1840.<sup>22</sup> Valée made the following historical argument in favor of this policy: "During three hundred years, the system of domination has made Turks masters of the Regency of Algeria. In Tunis and Tripoli, they governed with the same principle and, by carefully studying the history of the development of Roman power in Africa, we recognize that they subjugated the indigenous population before establishing flourishing colonies."<sup>23</sup> Valée also expanded Clauzel's observation about Guelma and Raz-el-Akba to North Africa as a whole. Preceding France by twenty centuries, Valée explained, Rome had built a network of lines of occupation that were supported by fortified military points across North Africa, whose remains and geographic markers remained visible and usable.<sup>24</sup> Reoccupying the Roman military lines would involve rebuilding the ruins and placing fifteen to twenty troops every two to three miles, 150 to 200 troops every seven or eight miles, and, again following the Roman precedent, as soon as indigenous notables accepted the French

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<sup>22</sup> Bugeaud was an important member of this camp. During negotiations with the Emir in 1837, he had exclaimed: "The French are like the ancient Romans: they negotiated only when they were strong" (Thomas Bugeaud to 'Abd al-Qādir, Oran, 12 Apr. 1837, in Georges Yver, ed., *Documents relatifs au traité de la Tafna (1837)* [Algiers: J. Carbonel, 1924], 16).

<sup>23</sup> Sylvain-Charles Valée, Governor General to Louis-Mathieu Molé, Prime Minister, Algiers, 9 February 1838: SHD, 1H/54.

<sup>24</sup> Sylvain-Charles Valée, Governor General to Simon Bernard, Minister of War, Algiers, 31 Aug. 1838, in Georges Yver, ed., *Correspondance du maréchal Valée, gouverneur général des possessions françaises dans le Nord de l'Afrique*, 5 vols. (Paris: Éditions Larose, 1949-1957), 2:136.

system at any given military point by paying the required taxes, the posts could be temporarily abandoned.<sup>25</sup> The Duke of Orleans supported Valée's military strategy, and added that the French government ought to take inspiration from the Roman senate's policy of offering for sale all military camps occupied by Hannibal during the war with Carthage. The French government, he suggested, should decree the erection of colonist villages in all areas where the emir's forces were found.<sup>26</sup>

By the late 1830s and the beginning of the 1840s, therefore, a complete shift had taken place in the use of the Roman Empire as an example for French officers. Departing from Berthezène's wish to emulate the Numidian King Jugurtha and abandon the harsh methods employed by the Romans, Clauzel and Valée argued that France needed to emulate Rome if it intended to retain Algeria as a colony. Bugeaud's appointment as the governor general in 1840 marked the final point of this ideological shift. After two years of his policy of targeting Algerian agriculture through punitive razzias, he observed that "the league formed in Muḥammad's name had been broken" because the tribes fought one another, the farmers faced a landscape bereft of harvests, and indigenous allies of France had created an expanding government under French control.<sup>27</sup> Despite his stress on the role that military force played in those achievements, Bugeaud conceded that "the new Jugurtha," 'Abd al-Qādir, continued to evade the French army in the Algerian desert.<sup>28</sup> Bugeaud nonetheless extolled the results of his colonial policies by stressing that

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<sup>25</sup> Ibid.

<sup>26</sup> Duke of Orleans to Sylvain-Charles Valée, Governor General, Tuileries, 10 Dec. 1839, in Georges Yver, ed., *Correspondance du maréchal Valée*, 3:265.

<sup>27</sup> Bugeaud, *L'Algérie*, 107.

<sup>28</sup> Bugeaud, *L'Algérie*, 107.

“vast buildings, quays, ports, canals, and bridges are being built everywhere, immense roads already cross the territory and connect the cities that we occupy; Africa sees the rebirth of the means of communication that it had forgotten since the Roman domination.”<sup>29</sup>

The prevalence of Roman references in the writings of colonial officers and their vision of France as the New Rome raises an important question: did their imperial ambitions extend to the creation of a French *mare nostrum* in the Mediterranean? During the early 1830s, when no consensus existed on the questions of whether France would keep Algeria, it is understandable that the commanders-in-chief and governors general focused on internal affairs and refrained from further straining their military resources, as well as the political goodwill in France. Even after winning the majority of colonial skirmishes against the emir’s forces during the 1840s, for instance, Bugeaud avoided demanding further expansion outside of Algeria, largely due to the heavy military price that had to be paid in order to apply his policy of absolute domination and perhaps also because his long experience as a Napoleonic officer made him deeply distrustful of grandiose imperial projects. Although Valée had proposed a more expansive vision of French influence in the Mediterranean in 1838, Bugeaud avoided projecting a possible French hegemony over the basin and he simply praised the French conquest as a glorious feat that ushered in a new age in the Mediterranean by eliminating the piracy that had plagued it for centuries.<sup>30</sup>

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<sup>29</sup> Bugeaud, *L’Algérie*, 108.

<sup>30</sup> Bugeaud, *L’Algérie*, 103. Valée did not have the same qualms and he embraced such an expansionist vision in 1838. He explained his position in the following terms: “To me, the [colonial] question seems to be boil down to these terms: with restrained colonization, enormous costs without any hope of



Despite the reticence of high-ranking colonial officers, many of whom had served in the Napoleonic army, the French public sphere teemed with attempts to redefine the scope of French imperialism in light of the territorial gains made in Algeria.<sup>31</sup> Even prior to the invasion, for instance, Alexandre Colombel claimed that North Africa represented the last territory where France could rebuild its empire because Britain had blocked its efforts in the Pacific Ocean.<sup>32</sup> “If Italy under the Caesars covered the African littoral of the Mediterranean with its numerous colonies,” he observed, “with its geographic position, France could aspire to the same advantages.”<sup>33</sup> Calling for a two-pronged approach, Colombel wanted to see the creation of a Mediterranean confederation of states led by France, which could be used to expel all British ships from the basin in the case of

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compensation and without an increase of power; with the system of domination, more considerable sacrifices, that is true, but with a higher likelihood, if not certainty, of breathing a new force into our influence over the Mediterranean and later obtain, through the collection of taxes, a large indemnity for the sums that we had used for the conquest, in addition to giving birth to an empire whose civilization, since it is the daughter of our own, will be for France a base of real power and a reason for justified pride” (Sylvain-Charles Valée, Governor General to Louis-Mathieu Molé, Prime Minister, Algiers, 9 Feb. 1838: SHD, 1H/54).

<sup>31</sup> To be sure, the officers’ strategic concerns did not impede the emergence of a pan-Mediterranean imperial vision among influential personalities who refused to accept the Napoleonic burden. One of the first such projects came from the Saint-Simonian milieu. In 1832, for instance, Michel Chevalier, who was a political thinker, governmental officer, and editor of *Le Globe*, proposed a new vision for the Mediterranean system in the aftermath of the 1830 French Revolution and the conquest of Algeria. He argued that only peace and the expansion of industry could lead to a political equilibrium in Europe, while further wars would exacerbate the existing tensions and replicate the mistakes of the past. Moreover, he argued, peace in Europe could only be achieved by establishing a lasting peace in the Mediterranean by associating the Orient with the Occident, which he believed possible because the Ottoman sultan had embarked on a program of progressive reforms. Describing the Mediterranean as a “magnificent expanse” that had been the historical battlefield for the cultures that inhabit it, he explained that the geographic unity of the basin lends itself well to the project of political unification, which he aimed to operate by constructing a vast system of railways that would physically connect all regions of the Mediterranean on land, as well as a system of connected maritime ports whose distances from one another would shrink after the establishment of thousands of steamship lines: Michel Chevalier, *Système de la Méditerranée* (Paris: Bureau du Globe, 1832), 8-19, 23, 27, 35-40, 51-4.

<sup>32</sup> Colombel, *Du parti qu’on pourrait tirer d’une expédition d’Alger*, 16-7.

<sup>33</sup> Colombel, *Du parti qu’on pourrait tirer d’une expédition d’Alger*, 18.

a new war.<sup>34</sup> The newfound centrality of Algeria within the resurgent French Empire could also be attested in the geopolitical strategy set out by a French deputy from Guadeloupe, who stressed in 1832 that France's global position had never been better: "Algeria in the Mediterranean, Martinique and Guadeloupe in the Antilles, Senegal on the western African coast, French Guiana above the equator, the Island of Bourbon on the way to India—these are all admirable elements of agricultural, manufacturing, and commercial prosperity," André C. de Lacharière claimed.<sup>35</sup>

Another governmental officer, Auguste Édouard Cerfberr, described the Mediterranean as the universal rendezvous of ships, commerce, and industry after the conquest of Algeria because Turkey was retreating from the basin and allowing the emergence of a great empire. While Italy, Greece, and Egypt were experiencing a cultural awakening, he claimed, France encouraged faster commerce between Europe and India by building railway lines across Egypt.<sup>36</sup> Cerfberr also argued that France should plant the seeds of modern civilization on the Mediterranean shores and thus contribute to France's national glory by remolding it into a cultural force that not only subjugated its opponents, but also assured their well-being and prosperity.<sup>37</sup> By 1838, moreover, a member of the Chamber of Deputies, J. Milleret, expressed his deep conviction that the continued possession of Algeria would endow France with an "incontestable superiority" in the western Mediterranean, and force Sardinia, Naples, and Spain to enter into an

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<sup>34</sup> Colombel, *Du parti qu'on pourrait tirer d'une expédition d'Alger*, 36, 94.

<sup>35</sup> André C. de Lacharière, *Du système de colonisation suivi par la France: Alger* (Paris: Delaunay et Vavasseur, 1832), 4.

<sup>36</sup> Auguste-Edouard Cerfberr, *Du gouvernement d'Alger* (Paris: Dumont, 1834), 2.

<sup>37</sup> Cerfberr, *Du gouvernement d'Alger*, 22-3, 45.

alliance with France, which the Austrian leadership had already begun opposing due to fears of French hegemony over the waters of the basin.<sup>38</sup>

As imperial strategists in France began focusing on the Mediterranean, a military officer named Léo Lamarque attempted to connect the reliance on the Roman strategy in Algeria with the emerging Mediterranean imperial mission. In a short historical summary, he described the arrival of the Turks in North Africa through the metaphor of a “turban that seized the Mediterranean and strangled all idea of liberty and industry on its beautiful shores.”<sup>39</sup> He argued that the basin represented a kind of “neutral and liquid space” where the destinies of the old world and empires were being played out, which obliged France, in his view, to protect its commerce and its position as a power of the first order.<sup>40</sup> A careful geographic distinction framed his view of the new French imperial entity because he believed that Algeria’s location in the Mediterranean and proximity made the word department more applicable than the word colony, which pointed to distant territories such as the French Antilles.<sup>41</sup>

Next, Lamarque defended Bugeaud’s policies and reiterated his view that the emir represented a modern Jugurtha who faced a new Roman army.<sup>42</sup> Lamarque observed that Russia and France represented the two main threats to British establishments in the Mediterranean—and that the maritime connections that the French navy had been

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<sup>38</sup> J. Milleret, *La France depuis 1830, aperçus sur sa situation politique, militaire, coloniale* (Paris: Gustave Dufour, 1838), 593.

<sup>39</sup> Léo Lamarque, *De la conquête et de la colonisation de l’Algérie* (Paris: Ancelin, 1841), 13.

<sup>40</sup> Lamarque, *De la conquête et de la colonisation de l’Algérie*, 26.

<sup>41</sup> Lamarque, *De la conquête et de la colonisation de l’Algérie*, 28.

<sup>42</sup> Lamarque, *De la conquête et de la colonisation de l’Algérie*, 66-7.

building between Toulon, Marseille, and the Algerian ports could be used to take over Mahon and thus break the crucial link between Gibraltar and Malta.<sup>43</sup> Returning to the Roman reference, he urged French officers to accelerate their efforts because Britain, as the modern Carthage, remained focused on an imperial race through which it aimed to rule the entire globe.<sup>44</sup> After a long description of the roads and ruins used for the spread of the Roman army and civilization, Lamarque called on French troops to reflect on the deeper historical significance of the endeavor on which they embarked in Algeria:

It is in that province that France has been called to recreate the ancient splendor. Twenty centuries apart, the beautiful and great role of the civilizer has been eminently fulfilled by the Roman Empire and the French Empire; in both, we see equally formidable armies march at the forefront of civilization, opening and illuminating its advance. The sword of the Roman consuls, which appeared menacing to the enemies, traced around them after the victory a powerful circle of protection. It was like a magic wand that covered the conquered soil with roads, cities, and monuments, fertilizing the African plains—and very different in that respect from the sabre of Muḥammad, which afflicted with death and sterility the same, previously flourishing region.<sup>45</sup>

Sharing Lamarque's views on the parallels between the Roman and French Empires, the minister of war decided to fund a scientific commission whose primary goal consisted of studying the Roman ruins and recovering the past onto which French officers wanted to graft their imperial project.<sup>46</sup>

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<sup>43</sup> Lamarque, *De la conquête et de la colonisation de l'Algérie*, 250-1.

<sup>44</sup> Lamarque, *De la conquête et de la colonisation de l'Algérie*, 253.

<sup>45</sup> Lamarque, *De la conquête et de la colonisation de l'Algérie*, 277.

<sup>46</sup> By the late 1840s, furthermore, French clerics such as Louis Baudicourt added a religious dimension to the imperial project. As a Catholic nation, he argued, France had entered the Mediterranean space with the goal of establishing itself as a hegemonic power on three continents through a reliance on Catholic populations around the basin. Possessing an already immense stretch of the Mediterranean coast in southern France, Corsica, and Algeria, Baudicourt continued, "the entire Syrian coast and its Maronite population are devoted to France, and whenever it wished, France would have in that region a power much more extensive than that on the Algerian shores": Louis Baudicourt, *Pourquoi la France est-elle venue en Afrique?* (Marseille: Marius Olive, 1848), 4. Similarly, Raymond Thomassy, a French geographer,

## II. The Scientific Commission and Roman Africa

The Minister of War Simon Bernard expressed his desire to finance the study of various sciences in 1837, but he foregrounded the importance of history, geography, and archeology when he solicited the creation of an Algerian scientific commission in a letter to presidents of the *Académie des inscriptions et belles-lettres* and the *Académie des sciences*.<sup>47</sup> While explaining his vision of the scientific mission to Valée, Bernard emphasized that this endeavor would likely be one of the most interesting results of the French invasion and that it would follow the works of similar commissions in Morea and Egypt. Somewhat naively, Bernard proposed that the emir would likely support the exploration of areas beyond French control because the commission's overall goal consisted of bringing "general prosperity to Algeria and its inhabitants."<sup>48</sup> Bernard urged the commission to begin its work in the Province of Constantine, whose capital had been conquered during the previous year and where, as Clauzel had pointed out, large swaths of the territory were covered with Roman ruins.<sup>49</sup> Bernard in fact echoed a proposal made earlier by Georges Fellmann in a report he submitted to the minister in August 1837.

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described the Mediterranean as the "providential theater" where the Orient had begun a long process of regeneration and he predicted that French imperial expansion would soon become centered on Morocco: Raymond Thomassy, *Le Maroc et ses caravanes, ou: relations de la France avec cet empire* (Paris: Firmin Didot, 1845), 241. Also, François d'Orléans, Prince of Joinville, who led the naval bombardment of Tangier and Mogador during the Franco-Moroccan war of 1844, which was caused by 'Abd al-Qādir's presence in western Morocco, declared that if another war against Britain erupted, the French would "reign as masters in the Mediterranean" with their fleet of steamships because the smaller British arsenals in Gibraltar and Malta would only represent a small obstacle for the robust French presence in the basin: François d'Orléans, *Note sur l'état des forces navales de la France* (Paris: Imprimeurs-Unis, 1844), 5.

<sup>47</sup> Simon Bernard to Presidents of the *Académie des inscriptions et belles-lettres* and the *Académie des sciences*, Paris, 29 November 1837, p. 1-3: ANOM, F80/1590.

<sup>48</sup> Simon Bernard to Sylvain-Charles Valée, Paris, 14 August 1838, p. 2: ANOM, F80/1590.

<sup>49</sup> Simon Bernard to Sylvain-Charles Valée, Paris, 14 August 1838, p. 3: ANOM, F80/1590.

Fellmann bewailed the fact that the military nature of the French presence in Algeria had led to a very uneven collection of Roman inscriptions and inadequate studies of antiquity. He stressed that Roman ruins could not be found in the same number and quality anywhere else, and that their study would not only assist the colonial endeavor, but also “help the progress of science from a theoretical standpoint.”<sup>50</sup>

This vision received a lukewarm reception in Algeria, where French officers favored the study of Roman ruins due to their potential military use, but they generally frowned upon the idea of testing scientific theories and venturing too far into the Algerian interior. Valée agreed that Constantine ought to be the starting point for the commission’s work and he warned against the exploration of territories under the emir’s rule because even if a guarantee of safe passage could be obtained, its enforcement would be extremely difficult. Adding a personal note, Valée argued that similar expeditions ought to be organized once the establishment of peace gives “to the savage population some idea of civilization,” which, in his opinion, could only be achieved by implementing the colonization plan that he had forwarded to the government.<sup>51</sup> Valée’s colleagues supported his focus on military utility and, in this regard, archeology attracted a lot of attention.<sup>52</sup>

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<sup>50</sup> Georges Fellmann, Chef du Premier Bureau, Rapport fait au ministre, 14 August 1837, p. 1: ANOM, F80/1590.

<sup>51</sup> Sylvain-Charles Valée to Simon Bernard, Algiers, 15 September 1838, p. 2: ANOM, F80/1590.

<sup>52</sup> A report from July 1849 noted that funding for the anticipated volume on archeology by Adolphe Delamare had been withdrawn due to financial problems, but Alexandre de Lavergne explained to the minister of war that “this work must be published, regardless of the required cost” because it represented one of the most important books in the collection: Alexandre de Lavergne, Chef du Bureau, Rapport fait au ministre, 7 July 1849, p. 3: ANOM, F80/1590.

The overseer of the scientific commission, Jean Bory de Saint-Vincent, supported the effort to use the expedition in order to uncover the military roadmap used by Roman troops. In a note published before the commission began its work, Bory argued that the antique architecture and sculptures in Africa lacked the refinement usually found in Italy and Greece because the Roman army faced a hostile local population and focused on building fortresses. “Military archeology, which is generally devoid of ornaments that the chisel inscribes into the stone for the future,” Bory claimed, “is the only type of architecture whose vestiges the [commission] could hope to find.”<sup>53</sup> Concurrently with the study of Roman ruins, Bory urged his superiors to create a topographical brigade that would be charged with the harmonization of the ancient and modern maps of Algeria by traversing the landscape with both geodesic instruments and ancient texts in hand.<sup>54</sup> Since the government had decided to keep Algeria as a colony, Bory asked rhetorically, why was its map not treated as a necessary extension of the map of France?<sup>55</sup>

The parallels with Rome soon gave rise to an attempt to reframe France’s imperial endeavor in Algeria, both among the members of the commission and beyond. In a prospectus that announced the architectural studies of Amable Ravoisié, for example, the editor claimed that the examination of Roman ruins had unveiled the manner in which the Romans, as *peuple-roi*, designed and constructed buildings in order to spread their civilization among the indigenous population, facts which contain “useful information for the constructions necessary during the installation of a new society” in Algeria under

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<sup>53</sup> Jean Bory de Saint-Vincent, *Note sur la commission exploratrice et scientifique d’Algérie, présentée à S. Exc. le ministre de la Guerre* (Paris: Cosson, 1838), 10.

<sup>54</sup> Jean Bory de Saint-Vincent, *Instructions relatives à la partie géographique*, p. 5-6: ANOM, F80/1594.

<sup>55</sup> Jean Bory de Saint-Vincent, *Instructions relatives à la partie géographique*, p. 7: ANOM, F80/1594.

France's tutelage.<sup>56</sup> Connecting this endeavor to Rome's civilizing mission, H. LeBac, the commission's rapporteur, claimed that Ravoisié had been able to trace the manner in which Romans—as the “masters of the world” in antiquity—evidenced their grandeur through a great imperial oeuvre, which France had now inherited through a conquest as glorious as it was useful for the advancement of civilization.<sup>57</sup>

Algeria, in other words, provided France with the chance to continue the civilizing mission that Britain had destroyed in Egypt. Étienne Serres, a famous French physician, praised plans for the future publication of volumes that would detail the commission's long work of exploration in Algeria and he contrasted the French tendency to promote and fuse the interests of France and humanity with the “spirit of egoism” that fueled the spread of the British Empire.<sup>58</sup> With the new scientific corpus, Serres hoped to obtain a more detailed racial history of Algeria and then to determine the most appropriate mode of government for the diverse populations that inhabited the colony. For Serres, the ultimate goal of the commission consisted of gradually “refashioning the Algerian race on the model of [French] civilization, whose foundations are so sensible that all human races can function comfortably under its umbrella.”<sup>59</sup>

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<sup>56</sup> Editor, “Prospectus: Beaux-Arts. Architecture, sculpture, inscriptions et vues,” in *Exploration scientifique de l'Algérie pendant les années 1840, 1841, 1842* (Paris: Firmin Didot, n.d.).

<sup>57</sup> H. LeBac, Rapporteur, Rapport sur les travaux d'Architecture faits en Algérie par Mons. Ravoisié, Paris, 20 December 1842, p. 6: ANOM, F80/1591. On Ravoisié, see Nabila Oulebsir, “La découverte des monuments de l'Algérie. Les missions d'Amable Ravoisié et d'Edmond Duthoit (1840-1880),” *Revue du monde musulman et de la Méditerranée* 73, no. 73-4 (1994): 57-76. Also, see Nabila Oulebsir, *Les usages du patrimoine: monuments, musées et politique coloniale en Algérie, 1830-1930* (Paris: Maison des sciences de l'homme, 2004).

<sup>58</sup> Étienne Serres to the President, 3 September 1845, p. 1: ANOM, F80/1592.

<sup>59</sup> Étienne Serres to the President, 3 September 1845, p. 1: ANOM, F80/1592. On the intersection between concepts of race, science, and French imperialism during this period, see Alice L. Conklin, *In the Museum of Man: Race, Anthropology, and Empire in France, 1850-1950* (Ithaca: Cornell University Press, 2013).



But how did the members of the commission prove to the government that their studies could contribute to the military effort and the attempt to “civilize” the local population? It was again the Roman archeology that provided solutions. For instance, in the recently-conquered Constantine, French troops faced the problem of water supply. The remaining pillars of the Roman aqueduct and the presence of large cisterns indicated that water had been plentiful in the antiquity, but neither the source nor the mechanism that brought water to elevated cisterns were known. Adolphe-Hedwige Delamare, a member of the commission who specialized in archeology, embarked on a study of these ruins. He traced the provenance of water to the nearby mountain of Mansourah at a source called Sidi-Mabrouck and he discovered the remains of a complicated hydraulic system. Carl Benedict Hase, a member of the Archeological Commission of Algeria, profusely praised Delamare for his discovery and emphasized its utility by stressing that the army had already invested great efforts in reconstructing the Roman aqueduct.<sup>60</sup>

A focus on the restoration of the Roman military map in Algeria accompanied the attempt to rebuild the Roman infrastructure. For instance, Delamare participated in the military expedition against Biskra in 1844 and when the army came back to Constantine he left for Guelma with the intention of verifying the degree to which Roman ruins could be found in the mountainous regions. In a brief report he sent to the minister of war, Delamare declared that the Romans had been present in the mountains, a fact previously

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<sup>60</sup> Carl Benedict Hase, *Rapport sur deux Mémoires de M. le Capitaine Delamare*, 27 September 1844, p. 1-2: ANOM, F80/1595. On Hase, see Ève Gran-Aymerich, “Karl Benedikt Hase (1780-1864) et Désiré Raoul-Rochette (1789-1854) d’après leur correspondance: deux médiateurs culturels entre France et Allemagne à la Bibliothèque Nationale (1801-1864),” in *S’écrire et écrire sur l’Antiquité: l’apport des correspondances à l’histoire des travaux scientifiques*, ed. Corinne Bonnet and Véronique Krings (Grenoble: Éditions Jérôme Millon, 2008).

doubted by many of his peers.<sup>61</sup> He noted that the collected inscriptions evidenced a general lack of Christianization in the region and he identified the village of Chaouia de Méjaouse with the antique Nickoos.<sup>62</sup> The accumulation of such discoveries increasingly harmonized the ancient and modern maps of Algeria, and thus traced the “natural” limits within which the French army could operate.<sup>63</sup>

Furthermore, during the 1850s, Delamare published drawings of Roman ruins with the goal of subtly legitimizing the French presence in Algeria. Guiding the reader through an unfamiliar landscape, he depicted a desolate terrain filled with scattered ruins and stones with an overwhelming number of antique inscriptions, which exemplified the general decrepitude into which the splendor of the ancient civilization had fallen under Arab rule. He contrasted these scenes of decay with indications that the French army had begun the process of orderly reorganization of the territory in order to recover the region’s old civilizational luster. Consider, for example, a detail from Delamare’s portrayal of Sétif (figure 7), in which two French officers and a large number of military tents surround a city with crumbling fortifications. The few Algerians included in the

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<sup>61</sup> Adolphe-Hedwige Delamare to Minister of War, Camp at Batnah, 15 May 1844, p. 1: ANOM, F80/1595.

<sup>62</sup> Adolphe-Hedwige Delamare to Minister of War, Camp at Batnah, 15 May 1844, p. 1: ANOM, F80/1595.

<sup>63</sup> Due to the central role that Delamare played in facilitating the army’s work, he solicited a promotion by emphasizing to the minister of war that in addition to making known to the French public “the splendor of the Romans” in Algeria, he had participated in the initial conquest in 1830 and had worked tirelessly in his capacity as a member of the scientific commission: Adolphe-Hedwige Delamare to Minister of War, Philippeville, 4 November 1844, p. 2: ANOM, F80/1595.



Figure 7: Sétif (Adolphe-Hedwige Delamare, *Archéologie, Exploration scientifique de l'Algérie: sciences historiques et géographiques* [Paris, Imprimerie Royale, 1850], planche 69)

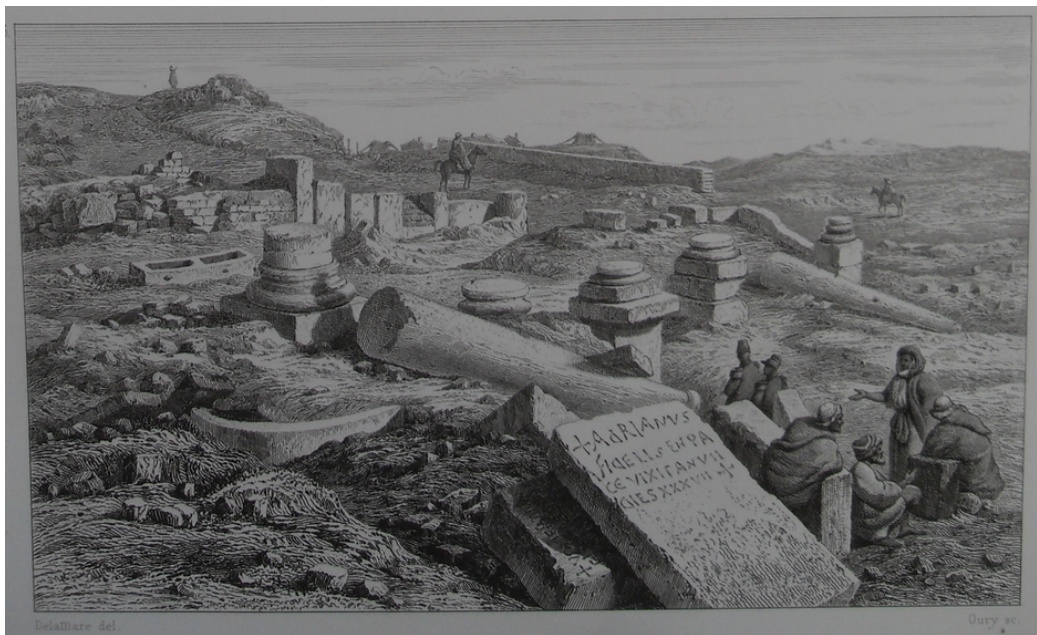


Figure 8: Sétif (Adolphe-Hedwige Delamare, *Archéologie, Exploration scientifique de l'Algérie: sciences historiques et géographiques* [Paris, Imprimerie Royale, 1850], planche 78)



Figure 9: Guidjel (Adolphe-Hedwige Delamare, *Archéologie, Exploration scientifique de l'Algérie: sciences historiques et géographiques* [Paris, Imprimerie Royale, 1850], planche 89)

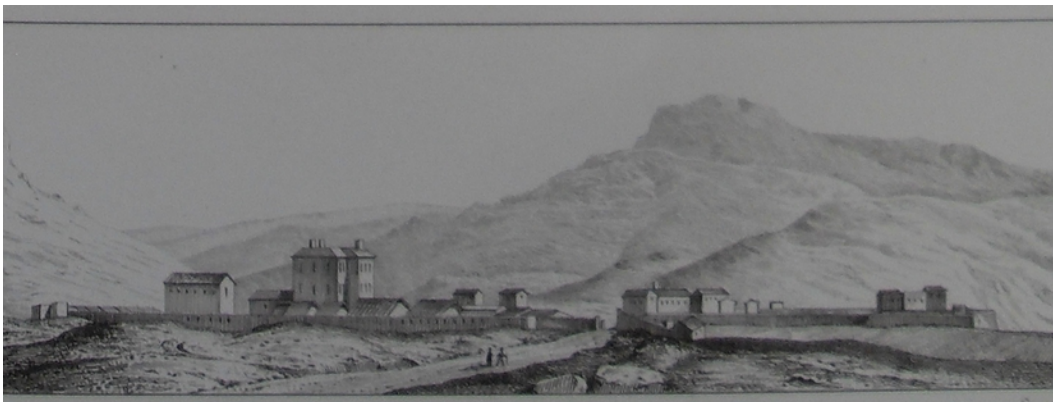


Figure 10: A Road between Philippeville and Constantine (Adolphe-Hedwige Delamare, *Archéologie, Exploration scientifique de l'Algérie: sciences historiques et géographiques* [Paris: Imprimerie Royale, 1850], planche 47)

drawing passively observe the scattered stones that encircle the city. In a similar image that depicts the outskirts of Sétif, a Latin inscription is displayed more prominently, while the Algerians appear disinterested and passive in the face of officers who are examining the ruins (figure 8). In an image from Guidjel, moreover, Delamare portrayed a lonely Algerian who resignedly observed a dilapidated building that had been haphazardly reconstructed with pieces of mismatched stones, one of which prominently displays the Christian chi-rho symbol (figure 9). In contrast to the characterizations of Algerians as passive and solitary observers in a destroyed landscape, Delamare illustrated French military installations on the route between Philippeville and Constantine with straight lines, and he highlighted the buildings' logical organization, well-designed construction, and secure fortifications (figure 10).

In tandem with the rising confidence in the army's ability to reconstruct the Roman infrastructure and, by extension, its civilizing mission, those associated with the scientific commission increasingly sought to expand the French imperial gaze toward Tunisia, Morocco (albeit to a lesser extent), and the Algerian south. While the government was in the midst of publishing the commission's large scientific corpus during the 1850s, for example, colonial officers continued supporting the archeological exploration of Lambèse, a major Roman military site. The participants in that mission insisted that France would bring back the fecundity that characterized Algeria under Roman rule by "civilizing" modern Algerians and changing their culture of "fatalism" and "fanaticism." Full of zeal at the prospects opened by such an endeavor, the writers exclaimed: "We are the inheritors of the Romans. The ruins of the antique possessions of the *peuple-roi* testify to the fact that Africa belongs to us and those ruins cry out to us that



the last trace of Arab invasions—through which Arabs were unable to found or fertilize anything—must disappear forever, swept by the laurels of France, that other queen of the Occident.”<sup>64</sup> It was not only Algeria, in other words, but all of Roman Africa that France could legitimately occupy in its drive to resurrect a civilization that had been destroyed and corrupted by the Arabs.

The members of the initial scientific commission did not embrace such an aggressive stance, but they nonetheless felt tempted to follow the logic of Roman conquest beyond Algeria and to make the potential colonial terrain more legible in Tunisia. Ernest-Hippolyte Carette, a member of the commission who specialized in history, perceived the whole exploratory enterprise as an attempt to “return to the rank of classical lands the *patrie* of St. Augustine.”<sup>65</sup> Arguing that a more expansive understanding of the Roman presence in North Africa remained vital for the building of a new imperial entity in the region, Carette urged the minister of war, Jean-de-Dieu Soult, to approve his voyage to Tunisia, where he planned to continue tracing the Roman routes and examining the possibility of travel between the southern oases.<sup>66</sup> Although Carette in the end remained in Algeria and focused on the Roman occupation in the desert, his colleague Edmond Pellissier published a volume that aimed to make contemporary

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<sup>64</sup> Rapport sur les environs de Lambèse, à M. le commandant Rialland, Lambèse, 20 December 1852: ANOM, F80/1595.

<sup>65</sup> Ernest-Hippolyte Carette, Note sur la Commission Scientifique, Paris, 23 July 1839, p. 4: ANOM, F80/1594. A detailed description of Carette’s military career and movements in North Africa can be found in État des services de M. Carette: ANOM, F80/1594.

<sup>66</sup> Ernest-Hippolyte Carette to Minister of War, Algiers, 20 August 1841, p. 2: ANOM, F80/1594. Leading members of the scientific commission had urged the government to support the explorers’ travels in Tunisia in order to collect more evidence of the Roman presence: Rapport sur les recherches archéologiques à entreprendre dans la province de Constantine et la régence d’Alger, p. 17-26: ANOM, F80/1599.

Tunisia more legible to French policy makers and to offer an argument in favor of a possible French invasion.

In his contribution to the commission's scientific corpus on Algeria, Pellissier relied on what was becoming an axiomatic dichotomy between the splendor, fecundity, and high civilization of Roman Algeria and Tunisia and the decadence that ensued after the Arab invasions. In addition, he foregrounded the role played by Islam in entrenching this decadence. Following the route traced by Roman ruins in eastern Tunisia, Pellissier noted that the devastating aridity that marked the area owed much to the Arabs' preference for urban living, which had led to an abandonment of agriculture and the degradation of the soil. Pellissier was confident that this process could be reversed because "the ruins that cover the terrain confirm that the civilized man had been able to live there."<sup>67</sup> To be sure, Pellissier conceded that the transplantation in North Africa of Wahhabi reformism had the potential to regenerate the indigenous society, and he personally admired what he perceived as its simple deism.<sup>68</sup> This movement could not fully recivilize the Tunisian society in his view, however. In a discussion with a Muslim cleric, Pellissier insisted that Tunisians would be reduced to a state of savagery if they were somehow cut off from the rest of the world. They would not be able to manufacture anything on their own because their education consisted primarily of rote memorization of religious texts.<sup>69</sup> At the end of his study, Pellissier proposed a plan of invasion that would be facilitated by the rebuilding of Roman ruins at a number of crucial military

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<sup>67</sup> Edmond Pellissier, *Description de la régence de Tunis*, vol. 16, *Exploration scientifique de l'Algérie: sciences historiques et géographiques* (Paris, Imprimerie Royale, 1853), 124-5.

<sup>68</sup> Pellissier, *Description de la régence de Tunis*, 334-6.

<sup>69</sup> Pellissier, *Description de la régence de Tunis*, 336-7.

points. “In general,” he explained, “one can confidently emulate the Romans in North Africa in terms of choosing military points.”<sup>70</sup>

In contrast to Tunisia, the scientific corpus remained largely silent about a potential extension of French imperial ambitions to Morocco, which the members of the commission often studied in order to better understand a far more important region: the Algerian south. While soliciting Soult’s approval and support for a mission to Tunisia, Carette had proposed Morocco as an alternative site of exploration.<sup>71</sup> His two colleagues, Émilien Renou and Adrien Berbrugger, published a study on Morocco five years later. Since Moroccan pilgrims who traveled to Mecca had to pass through the southern oases, Renou and Berbrugger arranged to meet recent pilgrims, from whom they collected segments of itineraries related to the Moroccan and Algerian territories. In 1843, for example, Berbrugger met two pilgrims in Algiers, Muḥammad bin Mubārak al-Sūsī and Ibrāhīm bin ‘Abd Allāh, who were returning home to Ouzioua in Morocco. In exchange for unspecified services, al-Sūsī and Bin ‘Abd Allāh met repeatedly with Berbrugger and described the topography, the sizes of various cities and oases, and the time it took them to travel between various points in the desert.<sup>72</sup>

Through an accumulation of such itineraries, Berbrugger hoped to make the Algerian Sahara more legible, and his efforts were not confined to contemporary reports. In fact, he devoted an entire volume of the corpus to the translation of two pilgrims’

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<sup>70</sup> Pellissier, *Description de la régence de Tunis*, 378.

<sup>71</sup> Ernest-Hippolyte Carette to Minister of War, Algiers, 20 August 1841, p. 2: ANOM, F80/1594.

<sup>72</sup> The results were published in Émilien Renou and Adrien Berbrugger, *Description géographique de l’empire de Maroc* [Berbrugger], *suivie d’itinéraires et renseignements sur le pays de sous et autres parties méridionales du Maroc* [Renou], vol. 8, *Exploration scientifique de l’Algérie: sciences historiques et géographiques* (Paris: Imprimerie Royale, 1846), 465-78.



travelogues from the seventeenth century: Abū Sālim al-‘Ayshī, who travelled from Morocco to Mecca between 1649 and 1653, and Abū al-‘Abbās Aḥmad bin Muḥammad, who undertook the same voyage in 1661. Berbrugger was particularly interested in the possibility of travel between Touat, Ouargla, and Touggourt, which increasingly attracted the attention of French officers due to their commercial importance. After taking into account all the gathered itineraries, he concluded that those who believed, since 1830, that the Sahara was close to the Mediterranean due to the presence of sand at Sidi-Ferruch had been wrong because new information placed the Sahara at a hundred leagues from the littoral.<sup>73</sup> This should reassure the French statesmen, he insisted, because it showed that France would be able to double both its power and wealth by expanding southward in the future and colonizing the fertile lands with Europeans.<sup>74</sup> In Berbrugger’s view, moreover, the two translated travelogues offered clear proof that travel in the Algerian Sahara did not amount to a utopian undertaking because indigenous groups had traded and travelled between the oases for a long time—in fact, he believed that the colonial administration could take advantage of this and open commercial routes that lead to the famed riches of Sudan.<sup>75</sup>

Despite Berbrugger’s efforts, his translations failed to settle the debate about the feasibility of extending French rule across the Sahara, largely because the disappearance of the Roman roadmap in the sands of the desert proved extremely disorienting for French officers. The paucity of information and the various dangers that made travel

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<sup>73</sup> Adrien Berbrugger, *Voyages dans le Sud de l’Algérie et des Etats barbaresques de l’Ouest et de l’Est*, vol. 9, *Exploration scientifique de l’Algérie: sciences historiques et géographiques* (Paris: Imprimerie Royale, 1846), v.

<sup>74</sup> Berbrugger, *Voyages dans le Sud de l’Algérie*, v.

<sup>75</sup> Berbrugger, *Voyages dans le Sud de l’Algérie*, xix-xii.

close to impossible left the officers confused about the geological extent of the Tell and the Sahara and the degree to which the Romans had been able to exert their influence in this region. In 1844, Carette had claimed that the Tell (from the Latin *tellus*, or cultivable land) consisted of the fertile lands that bordered the Mediterranean coast, while the Sahara comprised the region of pastures and fruits that extended from the southern part of the Tell.<sup>76</sup> He then dismissed the “exaggerations of the geographers and reveries of poets” who had described the *grand désert* as a land of dates, hard work, sterility, and desolation. On the contrary, Carette argued, the southern Sahara contained a “vast archipelago of oases, each presenting a group of animated cities and villages.”<sup>77</sup> Moreover, he stressed that an aggressive civilizing effort in the south would prove unsuccessful due to the “insurmountable obstacle” represented by Islam.<sup>78</sup> Still, Carette insisted that the Sahara represented “the most civilized and civilizable” part of Algeria, which was itself the least civilized nation in the Muslim world.<sup>79</sup> France, in his view, ought to encourage a gradual process of civilization in the Sahara because of its position as an advanced nation which had the duty to act as an “instructor” to a population that largely remained “homogeneous in its barbarity.”<sup>80</sup>

The Roman presence in the south remained elusive, however, and in his later studies, Carette increasingly turned to racial borders in his attempts to understand the

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<sup>76</sup> Ernest Hippolyte Carette, *Recherches sur la géographie et le commerce de l'Algérie méridionale, suivies d'une notice sur une partie de l'Afrique septentrionale*, vol. 2, *Exploration scientifique de l'Algérie: sciences historiques et géographiques* (Paris: Imprimerie Royale, 1844), 6.

<sup>77</sup> Carette, *Recherches sur la géographie et le commerce de l'Algérie méridionale*, 7.

<sup>78</sup> Carette, *Recherches sur la géographie et le commerce de l'Algérie méridionale*, 184.

<sup>79</sup> Carette, *Recherches sur la géographie et le commerce de l'Algérie méridionale*, 236.

<sup>80</sup> Carette, *Recherches sur la géographie et le commerce de l'Algérie méridionale*, 236.

southern limits of the indigenous population that he believed would be receptive to the French civilizing mission. In 1853, he identified the oases of M'zab, Ouargla, Temacin, and Touggourt as the southern racial border that separated “the white race from the black race.”<sup>81</sup> He noted that the skin color of Arabs in this region resembled that of Europeans who had lived in Africa for an extended period of time, while the Berbers had a slightly darker complexion that nonetheless set them apart from their own black slaves.<sup>82</sup>

In examining the history of Arab and Berber races in North Africa, Carette aimed to uncover the historical developments that led to the destruction of the Roman civilization. According to him, modern civilization could seek natural allies among Berber tribes, who represented the remnants of the ancient civilization, while Arabs would continue to instinctively resist French rule.<sup>83</sup> Once Roman ruins disappeared in the desert, therefore, members of the commission turned their attention to the familiar terrain of textual analysis, to which Carette added the emerging ideas about race. Nonetheless, Carette recognized that such studies would need to be complemented by a more thorough exploration of the Algerian Sahara, and he urged his superiors to create a school for indigenous explorers who would gather critical information—as the “voyager-agents of European civilization”—and receive prizes in the form of funded pilgrimages to Mecca.<sup>84</sup>

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<sup>81</sup> Ernest Hippolyte Carette, *Recherches sur l'origine et les migrations des tribus de l'Afrique septentrionale*, vol. 3, *Exploration scientifique de l'Algérie: sciences historiques et géographiques* (Paris: Imprimerie Royale, 1853), 305.

<sup>82</sup> Carette, *Recherches sur l'origine et les migrations des tribus de l'Afrique septentrionale*, 305.

<sup>83</sup> Carette, *Recherches sur l'origine et les migrations des tribus de l'Afrique septentrionale*, 318.

<sup>84</sup> Carette, *Recherches sur la géographie et le commerce de l'Algérie méridionale*, 246.

That, in Carette's view, represented the only alternative to the "scientific suicides" of Europeans who dared to venture south.<sup>85</sup>

The reaching of the Roman frontier in the Sahara limited the explorers' activities during by the early 1850s, but another hallmark of the Roman Empire—the *mare nostrum*—attracted the attention of at least one member of the commission: Edmond Pellissier. His idea of expanding France's influence across the basin in turn led to a revival of consular imperialism. Pellissier gathered much of his information on Tunisia while he was the French consul in Sousse between 1843 and 1848.<sup>86</sup> Although he only offered a subtle argument in favor of a French invasion of Tunisia in the *Description de la régence de Tunis*, once Pellissier assumed the French consulship in Tripoli he urged the minister of war, Jacques Leroy de Saint Arnaud, to expand the French Empire across the Mediterranean, both through military invasions and a new system of alliances that would challenge Britain's global dominance.

France's weak standing in the international arena greatly troubled Pellissier and he proposed to overcome this problem through a French regeneration of Oriental civilization along the southern shores of the basin. The addition of Algeria to the imperial realm represented the first step in this direction in his view, but he deemed this isolated conquest insufficient in significantly improving France's global standing and augmenting its "weight in the balance of the world's destiny."<sup>87</sup> If French politicians failed to abandon their self-effacing diplomatic approach to international affairs, Pellissier warned,

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<sup>85</sup> Carette, *Recherches sur la géographie et le commerce de l'Algérie méridionale*, 248.

<sup>86</sup> He was appointed as the French consul in Mogador (modern Essaouira) in Morocco in 1842. Pellissier wrote his curriculum vitae in Sousse in 1845 and forwarded it to the minister of war together with his proposal: see *Relevé des services de M. Edmond Pellisser*: ANOM, F80/1598.

<sup>87</sup> Edmond Pellissier to Minister of War, Tripoli, 16 February 1852, p. 2: ANOM, F80/1598.

France might follow the Venetian example and disappear as an empire. As the “intellectual torch” of the world, Pellissier argued, France “conquers in order to assimilate the vanquished, and not to make them disappear, as has been the practice of the Anglo-Saxon race everywhere.”<sup>88</sup> Therefore, in his view, only France had the civilizational capacity to improve the conditions of the most disadvantaged peoples of the world, and the conquests of Egypt, Morea, and Algeria had marked the beginning of this oeuvre. Calling for a continuation of French imperial efforts in the Orient, Pellissier exclaimed that “the time had come to return to civilization and Christendom *the most beautiful half of the throne of Caesars*” because this endeavor was just, grand, and possible.<sup>89</sup> For Pellissier, this could be accomplished through a French solution for the Eastern Question: the reconquest of Egypt, the invasion of Jerusalem, the addition of Malta and Sardinia to France as departments, and the inauguration of a French protectorate in Syria and Cyprus.<sup>90</sup>

Pellissier believed that the accomplishment of these goals would lead to “a new system of European equilibrium,” through which France would complement its control over formal colonial possessions by constructing a network of alliances organized along racial lines. In his vision, imperial expansion would solve the problem of political instability in France, where Napoleon’s nephew Louis-Napoléon Bonaparte had staged a coup d’état by dissolving the National Assembly in December 1851 due to the expiration

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<sup>88</sup> Edmond Pellissier to Minister of War, Tripoli, 16 February 1852, p. 3: ANOM, F80/1598.

<sup>89</sup> Edmond Pellissier to Minister of War, Tripoli, 16 February 1852, p. 3: ANOM, F80/1598. (original emphasis)

<sup>90</sup> Edmond Pellissier to Minister of War, Tripoli, 16 February 1852, p. 7-8: ANOM, F80/1598.

of his term as the president of France and his inability to stand for reelection.<sup>91</sup> Pellissier observed that a grand gesture in the Muslim world would likely stabilize France domestically by diverting the population's attention outside of the metropole. In addition to a detailed proposal for new borders that would protect the interests of the "Germanic race," whose *état-chef* was Prussia, Pellissier claimed that France remained the *état-chef* of the Latin race.<sup>92</sup> Building on his earlier proposal for the extension of French empire-building, Pellissier enthusiastically proclaimed that the new system could be grafted onto the French possessions "in North Africa, southwestern Asia, and the waters of *the great French lake* [the Mediterranean]." <sup>93</sup> By redrawing the map of Europe, Pellissier continued, France would assume its rightful role as the leader of the Latin race and lead an alliance composed of Spain, Portugal, the Kingdom of Italy, Tuscany, Rome, and the Kingdom of the Two Sicilies.<sup>94</sup>

Between the 1850s and early 1880s, metropolitan and colonial officers adopted the general spirit of Pellissier's plan as they considered various strategies for the expansion of France's imperial realm in the basin. Instead of seeking to lead an alliance of "Latin" nations, or hastily expanding military activities across the basin, however, French officers initially worked to secure their control over the Algerian Sahara, a region that had the potential to connect French colonial possessions in West Africa to those in North Africa, and thus buttress France's position in the Mediterranean and the Atlantic.

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<sup>91</sup> Edmond Pellissier to Minister of War, Tripoli, 19 March 1852, p. 1: ANOM, F80/1598.

<sup>92</sup> Edmond Pellissier to Minister of War, Tripoli, 19 March 1852, p. 6: ANOM, F80/1598.

<sup>93</sup> Edmond Pellissier to Minister of War, Tripoli, 19 March 1852, p. 10: ANOM, F80/1598. (original emphasis)

<sup>94</sup> Edmond Pellissier to Minister of War, Tripoli, 19 March 1852, p. 10: ANOM, F80/1598.

Many in the French administration also dreamed of opening the commerce of Sudan to France. Yet, much like in Italy, Egypt, and northern Algeria, religious opposition to French rule quickly emerged as a major obstacle to imperial expansion in the southern oases. The initial colonial strategy from the 1830s at this point simply moved south. French generals continued relying on the familiar approach of seeking allies among the local notables, while former members of the scientific commission continued examining the limits of the Roman roadmap in the desert.<sup>95</sup> It was only after a new generation of explorers traveled deep into the Algerian desert after the early 1850s that a new vision of French imperialism emerged—one that superseded the Roman example and proposed a new, universal cultural mission. Combined with the arrival of new technologies that facilitated a deeper penetration into the African interior, this new ideological momentum led to one of the first attempts to physically reconstruct the ancient geography studied in the commission’s scientific corpus.

### III. The Algerian South and the French *mare nostrum*

Overcoming religious opposition to the French presence in the Sahara remained a major challenge after the late 1840s. In 1847, Pellissier had begun imagining the conquest of Algeria as the “infallible absorption of the Muslim world by the Christian world” in the Mediterranean, and his amplification of this idea during the 1850s led him to a more thorough examination of the role of religion within the colonial framework.<sup>96</sup>

According to Pellissier, the Qur’ān had both hindered and promoted the “progress of the

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<sup>95</sup> Berbrugger used the same approach in a study on the Roman presence in the mountains of the Kabylie, where he hoped to encourage further French expansion: Adrien Berbrugger, *Les époques militaires de la Grande Kabylie* (Alger: Bastide, 1857).

<sup>96</sup> Edmond Pellissier, *Quelques mots sur la colonisation militaire en Algérie* (Paris: Garnier, 1847), 4.

human spirit.”<sup>97</sup> On the one hand, he claimed, the Qur’ān encouraged free scientific inquiry and Arabs had created thousands of libraries to house their discoveries during the height of their power. Yet, on the other hand, the Qur’ān contained a civil and political code that mixed the temporal with the divine in a manner that rendered all Qur’ānic societies static. Since Islamic law regimented all aspects of life and it remained immutable due to its divine origins, Pellissier argued, the Qur’ān represented a major obstacle to the progress of Muslim societies.<sup>98</sup> However, Pellissier rejected the view that a selected disregard toward some precepts of Islamic law would suffice in encouraging the spread of true progress in North Africa. He insisted that the path of progress opens to a nation only when it “acquires the ability to promulgate laws that make legitimate that which had become desirable, according to times and circumstances” that change from one era to another.<sup>99</sup> The spread of progress, in other words, would require a new Islamic theology, one that overcame what Pellissier called the “immobility of the Qur’ān” by making dynamism and change the starting points of a new approach to Islamic law. In contrast to the theology of collaboration that developed between the 1830s and 1840s, and which largely revolved around the question of political legitimacy, Pellissier imagined an Islamic theology conducive to the French civilizing mission.

As evidence for his view that French colonialism could co-opt Islam and make it more amenable to civilizational progress in Algeria, Pellissier noted that millions of Muslims in India had submitted to British rule. According to Pellissier, moreover,

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<sup>97</sup> Edmond Pellissier, “De l’islamisme considéré principalement dans le nord de l’Afrique et dans son action sur les mœurs des peuples qui le professent,” in *Annales algériennes*, 3 vols. (Paris: J. Dumaine, 1854), 3:457.

<sup>98</sup> Pellissier, “De l’islamisme,” 458.

<sup>99</sup> Pellissier, “De l’islamisme,” 459.



Qur'ānic norms had produced a society deeply marked by fatalism, which would facilitate the spread of French civilization. He anticipated that the accumulation of inevitable social changes brought about by French dynamism—and its contrast with the stationary and weak nature of Muslim society—would convince Algerians that the triumph of French civilization and the destruction of the old political order was due to the “divine will.”<sup>100</sup> Pellissier anticipated that some Muslims would react to this by accepting the new status quo and isolating themselves, while those more energetic would join the new administration and take advantage of the opportunities opened to them.<sup>101</sup> The rise of this group of indigenous allies, Pellissier concluded, would mark the end of the old political cycle in Algeria, which remained incompatible with modern civilization because it created unity only through despotism and liberty through the state's disintegration.<sup>102</sup>

Pellissier's vision of the transformation of Islam through the civilizing mission emerged during a period when indigenous allies increasingly joined the French administration in northern Algeria during the 1850s, but the older problem of religious resistance remained persistent in the south. The unrest and political volatility that marked the societies of the oases during this period mirrored the state of northern Algeria during the 1830s and 1840s, when 'Abd al-Qādir's army engaged in a war of attrition against the French forces. Berbrugger was one of the first explorers who ventured into this territory in 1850, a voyage made possible by the assistance he received from indigenous notables. His travels, as well as his earlier position as a prominent member of the first scientific

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<sup>100</sup> Pellissier, “De l'islamisme,” 496.

<sup>101</sup> Pellissier, “De l'islamisme,” 496.

<sup>102</sup> Pellissier, “De l'islamisme,” 500.

commission in Algeria, raised his profile and he secured a post as the president of the *Société historique algérienne*. It was in this capacity that he continued proposing plans for the bridging of French imperial interests in Algeria and Senegal. In 1860, for example, Berbrugger argued that only a deft exploitation of religious and tribal differences among the populations of the oases could allow French travelers to move safely across the south, and carefully work to spread French civilization in the region.<sup>103</sup> Berbrugger's activism, personal travels in the south, and continued involvement in colonial affairs represent an extension of his earlier academic work, but in 1860 he could offer very little beyond a general roadmap and words of encouragement to those who felt called to explore the oases.

French officers' reluctance to extend their military reach to the edge of what they considered the Roman frontier in the desert represented the greatest obstacle to Berbrugger's plan for a more organized and concentrated French presence in the oases. In 1847, for instance, Joseph-Louis Lapeyre joined an expedition in the south under the leadership of Louis-Eugène Cavaignac, who pursued three main goals: "war, civilization, and commercial and colonial interests."<sup>104</sup> The column left Tlemcen and once it reached a site named Hadjar-Roum, Lapeyre enthusiastically reported that the officers discovered a number of Roman ruins. On what used to be the house of the Roman general, he noted, the inscription S.P.Q.R. remained legible. After proposing that Hadjar-Roum most likely stood at the site of ancient Tasaccora, Lapeyre argued that Roman power extended further

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<sup>103</sup> Adrien Berbrugger, *Du meilleur système à suivre pour l'exploration de l'Afrique centrale* (Algiers: A. Bourget, 1860), 44-7.

<sup>104</sup> Félix Jacquot [Joseph-Louis Lapeyre], *Expédition du général Cavaignac dans le Sahara algérien en avril et mai 1847* (Paris: Gide et J. Baudry, 1849), 9.

south and that the Sahara began where the trees of the Tell became more sparse.<sup>105</sup> He claimed that the southernmost oases of the Tell marked the racial frontier of the white race and that the Roman occupation extended to Touggourt in the east and Guéléa in the west.<sup>106</sup> For Lapeyre, the *grand-désert*, or Falat, beyond the archipelago of oases marked the limit of Roman rule, the white race—and thus the French Empire in Algeria (see figure 11). Cavaignac’s column failed to travel beyond the southern limit of the Tell,

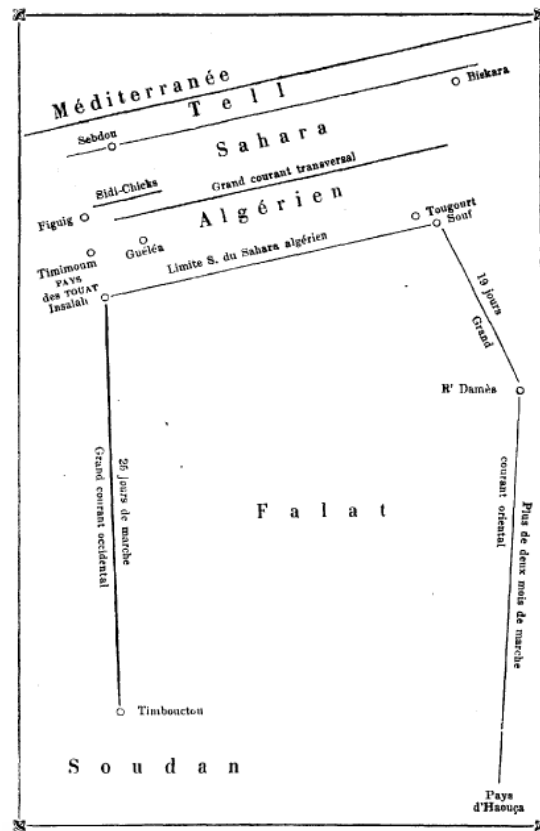


Figure 11: Lapeyre’s Map of Algeria (Jacquot [Lapeyre], *Expédition du général Cavaignac dans le Sahara algérien*, 198)

<sup>105</sup> Jacquot [Lapeyre], *Expédition du général Cavaignac dans le Sahara algérien*, 21-22.

<sup>106</sup> Jacquot [Lapeyre], *Expédition du général Cavaignac dans le Sahara algérien*, 110.

and Lapeyre admitted that the entire expedition would have been impossible without the experienced Arab guides who accompanied the French troops.<sup>107</sup>

During the following years, French administrators increasingly relied on indigenous agents while attempting to gain more information on the Algerian south. In August 1854, Governor General Jacques-Louis Randon wrote to the Minister of War Jean-Baptiste Vaillant with a description of Muḥammad bin Aḥmad Wazzānī, whom he hoped to use as a secret agent in the Sahara. Randon presented Wazzānī as a religious person who had traveled to Timbuktu on a number of occasions, and from where he had brought black stones, some merchandise, and a vocabulary of the Tuareg language.<sup>108</sup> The residency of Wazzānī's family in Algiers would ensure his loyalty to France, Randon argued, as he requested 5,000 francs in funding for an exploratory voyage.<sup>109</sup> Vaillant accepted this plan and approved the funding request.<sup>110</sup>

Despite the enthusiasm expressed by Randon, Wazzānī's mission failed due to the widespread suspicion and distrust that he faced in the south. A rumor had circulated among the tribes that the French would send a European agent disguised as a local traveler in order to collect information on the oases, Wazzānī reported.<sup>111</sup> These rumors

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<sup>107</sup> Jacquot [Lapeyre], *Expédition du général Cavaignac dans le Sahara algérien*, 61.

<sup>108</sup> Jacques-Louis Randon to Jean-Baptiste Vaillant, Algiers, 21 August 1854, p. 1-2: ANOM, 4H/22-3.

<sup>109</sup> Jacques-Louis Randon to Jean-Baptiste Vaillant, Algiers, 21 August 1854, p. 6: ANOM, 4H/22-3.

<sup>110</sup> Jean-Baptiste Vaillant to Jacques-Louis Randon, Paris, 4 September 1854, p. 6: ANOM, 4H/22-3.

<sup>111</sup> Muḥammad bin Aḥman Wazzānī to François-Édouard de Neveu: ANOM, 4H/22-2 (French translation). It is very likely that Wazzānī wrote this letter after his return to Algiers in early 1855. In an earlier letter, he mentioned a communication that he had forwarded to de Neveu on 22 Rabī' al-Thānī, or 11 January 1855. De Neveu had previously written a book on the Sufi confraternities, and he was also a member of the scientific commission in Algeria: see his *Les Khouan: ordres religieux chez le musulmans de l'Algérie* (Paris: A. Guyot, 1846).

traveled faster than Wazzānī across the desert and by the time he arrived in Timimoun from the French stronghold of Laghouat, indigenous leaders had begun planning his assassination. In fact, mistrust and wariness were so strong in Timimoun that even a man from Wazzānī's native region believed him to be a European agent.<sup>112</sup> As a further complication, the local notables promised 1,000 *mitikals*, a local currency, as a prize to a man named Mīlūd if he succeeded in killing Wazzānī. He encountered hostility in other oases too, from Touat to Insalah, and he assured the *chef du bureau politique arabe*, Colonel François-Édouard de Neveu, that his report could be easily corroborated.<sup>113</sup>

Recognizing that religious sentiments represented a major obstacle to the spread of French commerce in the Sahara, de Neveu wrote a letter to a leader in Western Soudan, Aḥmad al-Bakāy, in which he advanced a theological argument in favor of closer relations between indigenous rulers and the French administration.<sup>114</sup> Quoting a Qur'ānic verse which states that God created all people with one soul, de Neveu stressed that all people share the same humanity due to their common origins.<sup>115</sup> Next, focusing on a segment of verse 5:48—"Had God willed it, he would have made you into one religious community [*law shā'a allāhu laja'alakum ummatan wāḥidatan*]"—de Neveu argued that the Qur'ān sanctioned the multiplicity of monotheistic faiths. In his view, moreover, the same Islamic principle ought to be applied to the multiplicity of ethnicities,

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<sup>112</sup> Muḥammad bin Aḥman Wazzānī to François-Édouard de Neveu: ANOM, 4H/22-3 (French translation).

<sup>113</sup> Muḥammad bin Aḥman Wazzānī to François-Édouard de Neveu: ANOM, 4H/22-3 (French translation).

<sup>114</sup> On the relationship between Muslim clerics and European explorers in West Africa during this period, see Muhammad S. Umar, "Islamic Discourses on European Visitors to Sokoto Caliphate in the Nineteenth Century," *Studia Islamica* 95 (2002): 135-159.

<sup>115</sup> François-Édouard de Neveu to Aḥmad al-Bakāy, p. 2: ANOM, 4H/22-3. The quoted verse is 39:6.

which he evidenced by pointing to the Qurʿānic description of God as *rab al-ʿālamīn*, or the lord of nations—and not the lord of one nation, as de Neveu noted.<sup>116</sup> The colonel then urged al-Bakāy to take these religious precepts into consideration and open the commercial routes to French traders. Wazzānī was supposed to hand over this letter to al-Bakāy, but since his mission failed it is very likely that al-Bakāy never had the chance to consider de Neveu’s interpretations of the Qurʿān.

During the late 1850s, French officers continued relying on indigenous agents and they rarely financed the voyages of Europeans who expressed a willingness to travel beyond Laghouat. In fact, it was Ismāʿīl Būdarba, the Algerian interpreter at the *bureau arabe* in Laghouat, who obtained permission and funding for an exploratory voyage in southeastern Sahara in August 1858. Initially, he faced few problems. No one obstructed his passage through Guerara, Negouca, and Temassinine. Once he reached the deep desert and approached his destination, the oases of Ghat (modern Ghāt in Libya), however, he realized that surprisingly accurate rumors about a European agent who aimed to collect information about Ghat had preceded him.<sup>117</sup> After the caravan reached the city, it received a cold reception from the locals, who silently gathered around Būdarba as he and his companions unloaded their luggage. Then, suddenly, someone approached him, had a closer look at his face, and screamed: “blue eyes!”<sup>118</sup> This led to a commotion and the involvement of the local notables. Unsure about how they ought to treat Būdarba because of suspicions that he was a Christian, the local leaders ultimately

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<sup>116</sup> François-Édouard de Neveu to Aḥmad al-Bakāy, p. 2: ANOM, 4H/22-3.

<sup>117</sup> Ismāʿīl Būdarba, *Voyage à Raʿt*, p. 22-5: ANOM, 4H/27-8.

<sup>118</sup> Ismāʿīl Būdarba, *Voyage à Raʿt*, p. 35: ANOM, 4H/27-8.

decided to let him remain in Ghat. Būdarba attributed this tense encounter to the notables' "stupid fanaticism" and he blamed the multiplication of rumors about French attempts to take over the oases on the British influence in the region.<sup>119</sup> While discussing the political situation in North Africa with the notables, moreover, Būdarba urged them to work closely with the French and open the commercial routes by pointing out that Muslim rulers in the Ottoman Empire, Morocco, and Egypt enjoyed cordial and peaceful relations with European nations, from which they profited commercially.<sup>120</sup> Although Būdarba succeeded in returning to Laghouat safely, he noted that his voyage had little effect on indigenous leaders' attitudes toward the French, and that the British continued to hold a monopoly over the commerce between the oases.<sup>121</sup>

The reliance on indigenous agents had thus failed to produce the desired results, while the itineraries provided by the scientific commission's corpus and its focus on the Roman legacy offered little assistance to explorers who faced an unfamiliar desert, hostile populations, and a general lack of Roman ruins and signposts. In this context, French officers' crossing of the Roman frontier in the desert marked the beginning of a reconceptualization of French imperialism. In western Algeria, for instance, Louis de Colomb's travels between the oases led him to propose a more expansive vision of French colonial rule in the Algerian south, one that emphasized deep continental penetration, the use of modern means of empire-building, and the stress on a civilizing mission that moved beyond the Roman example, both culturally and geographically.

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<sup>119</sup> Ismā'īl Būdarba, *Voyage à Ra't*, p. 37: ANOM, 4H/27-8.

<sup>120</sup> Ismā'īl Būdarba, *Voyage à Ra't*, p. 39: ANOM, 4H/27-8.

<sup>121</sup> Ismā'īl Būdarba, *Voyage à Ra't*, p. 57: ANOM, 4H/27-8.

As the *commandant supérieur* in the southern outpost of Géryville, Colomb had traveled between Ouargla and Figuig “due to the needs of conquest and administration.”<sup>122</sup> Leaving behind the plains of the Tell and entering the dunes left a deep impression on him: he claimed that Dante Alighieri would have made this region the entrance into hell in the *Divine Comedy* had he seen its burned landscape.<sup>123</sup> In a more extensive work that Colomb completed in 1860, he again emphasized the inhospitality and strangeness of the Saharan landscape, describing it as a “land calcined by a fiery sun.”<sup>124</sup> The frontier where the moving blankets of burning sand began, Colomb argued, marked the beginning of an enigma that was enveloped in a mysterious, dusty veil, and which made opaque all attempts to determine if Egypt, as a civilization older than Rome, had been able to reach this area.<sup>125</sup> The Romans, he continued, had come close to the Sahara because they embraced the idea of conquest, and France had been able to resurrect a large part of the Roman imperial realm in Algeria. Owing to a lack of modern means of expansion, however, Rome—unlike modern France—could not reach deep into the African continent, which led to a centuries-long imposition of “darkness and ignorance” in the Saharan interior. According to Colomb, the time had come for the final crossing of the frontier that separated the Roman signposts in the north from the terra incognita of the south.

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<sup>122</sup> Louis-Joseph de Colomb, *Exploration des Ksours et du Sahara de la province d’Oran* (Algiers: Imprimerie du Gouvernement, 1858), 9.

<sup>123</sup> De Colomb, *Exploration des Ksours et du Sahara de la province d’Oran*, 40.

<sup>124</sup> Louis-Joseph de Colomb, *Les Oasis du Sahara et les routes qui y conduisent: Gourara, Touat, Tidikelt* (1860), p. 3: ANOM, 4H/1.

<sup>125</sup> De Colomb, *Les Oasis du Sahara et les routes qui y conduisent: Gourara, Touat, Tidikelt* (1860), p. 1: ANOM, 4H/1.



The surpassing of the Roman border necessitated a modification of the Roman civilizing mission, moreover. Since the local population remained “savage, fanatical, and inhospitable,” Colomb argued, it would have to undergo a process of cultural transformation through which France would lead it along the path of human progress.<sup>126</sup> Instead of legitimizing this endeavor through the Roman precedent, he highlighted the fact that France was a policed nation which had the right and the duty to encourage civilizational progress through conquest, commerce, and religious propaganda. In fact, the universality of this new civilizational thrust made the Roman example seem parochial and limited. In a moving passage, Colomb described the global reach of France’s new civilizing mission as follows: “The spirit of civilization has gripped all the peoples: they are holding hands above frontiers, high mountains, and deep and large oceans. Humanity understands its destiny: it knows that it is marching in strides toward a relative perfection, which is its goal. Only conquests and imitation had the capacity to pull backward nations into this universal movement.”<sup>127</sup> France, as the fountainhead of modern civilization, would therefore finally solve the Saharan problem inherited from antiquity, and usher in a new age of French imperialism.

Despite the enthusiasm that permeated Colomb’s text, he warned that the civilizing process would proceed slowly and only gradually allow France to connect its colonial possessions in West and North Africa. Similarly to the earlier colonial period in Algeria, when governors general funded military expeditions and the scientific

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<sup>126</sup> De Colomb, *Les Oasis du Sahara et les routes qui y conduisent: Gourara, Touat, Tidikelt* (1860), p. 2: ANOM, 4H/1.

<sup>127</sup> De Colomb, *Les Oasis du Sahara et les routes qui y conduisent: Gourara, Touat, Tidikelt* (1860), p. 4: ANOM, 4H/1.

commission with the goal of exploring the Roman ruins, Colomb claimed that the process of cultural transformation in the oases would have to begin with French explorers. “Voyagers are the prophets of the benefits of civilization among the savage populations,” he explained, “and we are that civilization.”<sup>128</sup> He then praised the individual efforts of explorers such as Hugh Clapperton, René Caillié, and Heinrich Barth, although he insisted that their individual efforts amounted to half-measures. When compared to the illuminating guiding star of French civilization, in his opinion, these explorers’ efforts represented nothing more than a simple meteor that temporarily enlightened the sky across the desert.<sup>129</sup> After the obstinate obstacles that stood in the way of commerce, travel in the desert, and the abandonment of religious fanaticism were removed through the assimilation of indigenous populations, Colomb predicted, the importance of Touat and Gourara would greatly increase. In fact, he offered a vision of the French Empire in Africa from the perspective of Touat. This oasis, according to Colomb, would become a central point of convergence that connected the commercial routes of Soudan, French colonies in West Africa, Algeria, and future French colonies in Morocco and Tunisia.<sup>130</sup>

The enthusiasm with which French administrators received de Colomb’s proposals testifies to the changing vision of the nature and goals of French imperialism

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<sup>128</sup> De Colomb, *Les Oasis du Sahara et les routes qui y conduisent: Gourara, Touat, Tidikelt* (1860), p. 8: ANOM, 4H/1.

<sup>129</sup> De Colomb, *Les Oasis du Sahara et les routes qui y conduisent: Gourara, Touat, Tidikelt* (1860), p. 9: ANOM, 4H/1.

<sup>130</sup> De Colomb, *Les Oasis du Sahara et les routes qui y conduisent: Gourara, Touat, Tidikelt* (1860), p. 15-6, 257: ANOM, 4H/1.

during the late 1850s and early 1860s.<sup>131</sup> Instead of indigenous informers, it was now increasingly French explorers who ventured south at the government's expense. Yet this change initially produced few positive results. For example, shortly after the publication of Colomb's report, his colleague Victor Colonieu, a chief of battalion in Géryville, travelled to the oasis of Timimoun with the goal of applying Colomb's vision. There were few problems until the column reached the oases of Sidi Mansour and Oulad Aïach, whose leaders had received a warning from Timimoun that they should abstain from dealing with Christians.<sup>132</sup> Disregarding the warning, Colonieu then traveled directly to Timimoun, which welcomed the French traveler with closed doors, loud cries, and a raised green flag. Attempts to contact the surrounding tribes proved fruitless because of threats that the tribal notables had received from Timimoun.<sup>133</sup> After observing the hostility of local leaders, Colonieu noted that individual merchants would have likely been robbed and slaughtered if they ventured south alone.<sup>134</sup> Having failed in his mission, Colonieu returned to Géryville.<sup>135</sup>

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<sup>131</sup> A letter from the État-Major Général from 9 July 1860 indicates that the minister of Algeria and the colonies strongly approved of de Colomb's report and plans: ANOM, 4H/1. Also, the Minister of War Randon recognized that he had commissioned de Colomb's work and that he wished to felicitate him for the excellent report: Minister of War to General Commandant of the Seventh Corps, Paris, 8 June 1860: ANOM, 4H/1.

<sup>132</sup> Victor Colonieu to General Commandant of the Subdivision of Mascara, Tiberghamin, 12 December 1860, p. 1-2: ANOM, 4H/2.

<sup>133</sup> Victor Colonieu to General Commandant of the Subdivision of Mascara, Tiberghamin, 12 December 1860, p. 3-4: ANOM, 4H/2.

<sup>134</sup> Victor Colonieu to General Commandant of the Subdivision of Mascara, Tiberghamin, 12 December 1860, p. 8: ANOM, 4H/2.

<sup>135</sup> Despite the failure, the governor general wrote an enthusiastic report to Louis-Napoléon Bonaparte, in which he claimed that the expansion of French commerce to Sudan represented the main goal of such exploratory missions and that Colonieu's voyage marked one of the first attempts to pass from theories of expansion in this difficult terrain to the application of concrete plans (Governor General Jean-Jacques Pélassier to Emperor Louis-Napoléon Bonaparte, Algiers, 14 January 1861, p. 1-6: ANOM, 4H/2).

This misadventure failed to convince French officials that the plan outlined by Colomb remained unfeasible. In fact, almost immediately after Colonieu's return, Charles Cusson obtained funds for a similar voyage in the Sahara. It is very likely that French officers supported Cusson's plans due to his ability to integrate into the local society. He had been requesting official support for an exploratory trip since 1851, but in 1855 the minister of war declined his proposal because of the safety risks involved in sending Europeans on such a voyage.<sup>136</sup> An official stationed in Oran explained that Cusson had been in the foreign legion, then deserted and fought with the emir's forces, but later reintegrated into the French army in 1840 or 1841. An excellent speaker of Arabic, Cusson had been shortly imprisoned during the 1848 French Revolution and he was known among Arabs as Maḥmūd.<sup>137</sup> His file remained active and after the publication of Colomb's report, Cusson made another proposal to the governor general, in which he recuperated Colomb's argument that the oases of Timimoun and Touat ought to become commercial links that connected French possessions in West and North Africa. In fact, he proposed to install himself as the French resident in Timimoun, and he called for the establishment of a similar resident in Touat.<sup>138</sup> Although the commandant of the French division in Oran rejected the plan to install a resident in Timimoun, due to the fear that

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<sup>136</sup> In addition, the minister wanted to see the results of the planned voyage by Wazzānī: Minister of War to Governor General, Paris, 8 October 1855, p. 2: ANOM, 4H/3.

<sup>137</sup> General Commandant of the Province of Oran to Governor General, Oran, 31 October 1855, p. 1-2: ANOM, 4H/3.

<sup>138</sup> Charles Cusson to Governor General, Algiers, 27 March 1861, p. 1-7: ANOM, 4H/3.

this measure might lead to a violent response, Cusson's proposal was accepted in September 1860.<sup>139</sup>

Through his attempts to explore the Sahara during the following years, Cusson helped reframe French ambitions in the Mediterranean by encouraging a deeper colonial involvement in Morocco and Tunisia. For instance, he found himself in Marseille when he learned that his mission had been approved, and he proposed to travel to Timimoun and Touat via Morocco in order to examine the British commercial line that connected Gibraltar to Timimoun and Tidikelt.<sup>140</sup> Arriving in Tangier on January 13, 1862, Cusson met with the French consul Hadjoute Pellissier, Edmond Pellissier's son.<sup>141</sup> Pellissier warned Cusson that he would face many dangers if he decided to travel through Morocco, but Cusson dismissed these warnings as innocent exaggerations.<sup>142</sup> Pellissier's warnings proved true, however, and despite the granting of 2,000 francs for the mission, Cusson found it difficult to leave Tangier for months due to the unrest created by the multiplication of local revolts.<sup>143</sup> In the meantime, he busied himself with the writing of a report on Morocco, in which he proposed the imposition of a type of informal imperial influence on the country by encouraging the spread of French commerce and

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<sup>139</sup> General Commandant of the Province of Oran to Governor General, Oran, 8 April 1861, p. 1, 3; Director General of Civil Services to Division General, Algiers, 2 September 1861: ANOM, 4H/3.

<sup>140</sup> Charles Cusson to Sous-Governor General, Marseille, 6 December 1861, p. 1-3: ANOM, 4H/3.

<sup>141</sup> Berbrugger also visited the consul in Tangier: Adrien Berbrugger, *Les colonnes d'Hercule: excursions à Tanger, Gibraltar, etc.* (Algiers: Bastide, 1863), 47-8.

<sup>142</sup> Charles Cusson to Governor General, Tangier, 20 January 1862, p. 1: ANOM, 4H/3.

<sup>143</sup> Charles Cusson to Governor General, Tangier, 13 March 1862; Charles Cusson to Governor General, Tangier, 9 April 1862: ANOM, 4H/3.

philanthropy.<sup>144</sup> By the middle of 1862, it had become apparent that Cusson's mission had failed. Unable to travel across Morocco, he had returned to Algeria in an attempt to visit Touat via Fuguig, but entry into the oasis had been refused to him and he was forced to abandon his plans.<sup>145</sup>

The multiple disappointments did not discourage Cusson from pursuing new adventures, however, and in the early 1870s he secured funding for a mission to Ghadames, where French officers aimed to expand their influence and remove threats emanating from Britain, Italy, and Germany. Cusson claimed that Britain threatened France's commercial influence in the region because it diverted all trade away from Algeria. Even more disconcertingly, Cusson warned, the Italian government's actions represented another strategic threat because Italy "sought to establish its political influence in Tunisia, while waiting for the right moment to establish for itself a colony in the Mediterranean at the expense of France."<sup>146</sup> Also, Cusson observed that a German exploratory mission had travelled in the region with the goal of reaching Sudan and Congo. He worryingly reported that many indigenous leaders saw the establishment of a German colony somewhere along the southern Mediterranean coast as inevitable. Although British interests remained largely circumscribed to the commercial arena, furthermore, Cusson noted that British agents had been fomenting rebellions and working to strengthen the Ottoman grip on Tunisia because this strategy allowed them to retain a

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<sup>144</sup> Charles Cusson, Note sur l'état politique et commercial du Maroc, 9 April 1862: ANOM, 4H/3.

<sup>145</sup> Sous-Gouverneur General, Rapport à son Excellence le Maréchal Gouverneur Général de l'Algérie, 16 July 1862: ANOM, 4H/3.

<sup>146</sup> Charles Cusson to Governor General, Paris, 18 April 1874, p. 5: ANOM, 4H/3.

measure of political influence in the region.<sup>147</sup> Finally, Cusson emphasized that the inability of French caravans to travel south—despite the signature of an agreement with Tuareg leaders in 1862—represented a major obstacle for the expansion of French influence across the Sahara. In fact, he concluded that a voyage to the southern oases remained a utopian endeavor.<sup>148</sup>

In the context of intensifying imperial competition with Italy and Britain in the Mediterranean during the 1870s, therefore, French interests in the Algerian north and south were becoming increasingly linked, which pointed to the need to better integrate the colonial territory administratively and commercially. The ultimate goal consisted of creating a stable colonial realm that provided France with primacy in the western Mediterranean and commercial control between the Algerian oases and Senegal. Imperial strategists such as Cusson and Colomb called for an acceleration of this process during the 1860s and 1870s through a new vision of the civilizing mission and a renewed focus on the Mediterranean as the *berceau* of France's global empire. For Cusson, Britain represented an obstacle to the realization of this vision because its agents effectively nullified France's influence east and west of Algeria.<sup>149</sup>

Unlike the persistent and somewhat nebulous threat posed by Britain, however, Cusson alarmingly noted that the establishment of an Italian colony in North Africa

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<sup>147</sup> Charles Cusson to Governor General, Paris, 18 April 1874, p. 7: ANOM, 4H/3.

<sup>148</sup> Charles Cusson to Governor General, Paris, 18 April 1874, p. 6: ANOM, 4H/3. The commercial convention between France and Tuareg leaders was signed in Ghadames on 26 November 1862: Alexandre Jehan Henry de Clercq, ed., *Recueil des traités de la France, 1860-63*, vol. 8 (Paris: A. Durand et Pedone-Lauriel, 1880), 513-6.

<sup>149</sup> Charles Cusson, *Rapport de M. Cusson sur son excursion à Tunis et à Tripoli*, 30 November 1873, p. 2: ANOM, 4H/3.

seemed imminent and would most likely occur in Tunisia. He observed that five out of the nine employees in the French telegraphic service in Tunisia were Italians and one of them even controlled a Morse machine, which compromised the security of French communications. Moreover, Cusson reported rumors that the Italians planned to take over Constantine after a war with France if their ambitions in Tunisia failed to lead to the creation of a new colony.<sup>150</sup> The nature and extent of French rule and influence across the Sahara was thus increasingly connected to the emergence of a new geopolitical configuration in the Mediterranean, where imperial strategists like Cusson called for the establishment of French maritime supremacy.

The anchoring of French imperialism in the Mediterranean seemed to hold the promise of addressing these challenges and resuscitating and expanding France's global empire. By the mid-1860s, the idea of following the Roman roadmap by expanding the colonial possessions across North Africa and reshaping the Mediterranean into a French *mare nostrum* had become almost axiomatic. As a result, pro-imperial pamphleteers increasingly championed this new imperial vision without making explicit references to the Roman past, as had been the norm previously among writers such as Léo Lamarque and Edmond Pellissier during the 1840s and 1850s. In the context of the multiplication of Saharan missions, growing attempts to connect Algeria to Senegal, and the reframing of the Mediterranean as the center of a more global imperial realm, the Roman example provided a limited—and limiting—roadmap.

It was a metropolitan author, removed from the practical limitations faced by colonial administrators, military officers, and explorers, who provided one of the first

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<sup>150</sup> Charles Cusson, Rapport de M. Cusson sur son excursion à Tunis et à Tripoli, 30 November 1873, p. 5: ANOM, 4H/3.



comprehensive attempts to formulate a new vision of the Mediterranean's role within the French Empire in 1866. Charles Lavigne agreed with Cusson's view that Italy represented France's natural enemy due to its geographic proximity and the Italian government's expansionist policies in the basin.<sup>151</sup> According to Lavigne, moreover, French power remained too concentrated in the metropolitan north, which had created a general imbalance in the administrative structure and a strategic weakness when an enemy power threatened Paris and its surroundings.<sup>152</sup> In order to address this problem, Lavigne called for a fortification of the French south, which in his view began not in the Provence or Corsica, but rather in the Algerian Sahara. Emphasizing that the French Empire had been unfairly truncated in 1763 and 1815, Lavigne exclaimed that the time had come for "France to seek compensation for these disasters and reestablish the foundation for its future glory in a sea where she no longer had a rival—the Mediterranean."<sup>153</sup> France's greatness could be rebuilt only through the resurrection of its global empire, in other words, and without a French hegemony in the Mediterranean, such an endeavor would likely fail. Despite the international perspective that framed Lavigne's proposal, he remained committed to a strategy that had its roots in French officers' reliance on the Roman roadmap: he argued that a gradual French takeover of Morocco and Tunisia would mark the beginning of a shift in French imperial ambitions, a stage that could be completed in around twenty years in his estimation.

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<sup>151</sup> Georges Lavigne, *L'annexion de la Sardaigne* (Paris: Armand Lechavalier, 1866), 6.

<sup>152</sup> Lavigne, *L'annexion de la Sardaigne*, 11.

<sup>153</sup> Lavigne, *L'annexion de la Sardaigne*, 13-4.

Lavigne's belief in the possibility of creating a new French Empire owed much to the availability of new technologies, which he believed would transform Africa and allow France to remold the Mediterranean into a French lake. In contrast to the small, sterile, and temporary conquests around the Rhine, he claimed, the "vast Africa and the fertile, inexhaustible, and boundless Barbary" offered unprecedented opportunities for imperial greatness. "The magnificent Mediterranean basin, the cradle of civilization," he continued, "would perhaps become the future route of the world's commerce once Lesseps, imitating Hercules who split Africa from Europe, splits Africa from Asia and opens it to the Indian Ocean like a demigod had opened it to the Atlantic. Henceforth, the destiny of France and the question of its grandeur will be determined in the Mediterranean."<sup>154</sup> Then, echoing Thainville and Deval's insistence on a French annexation of Sardinia, Lavigne argued that this island represented a Mediterranean fortress that France must control, together with the Balearic Islands.<sup>155</sup> The inauguration of this new order in the basin would protect France from all potential threats, Lavigne claimed as he brought his argument to a close, because the French army could "jump from Corsica to Sardinia, from Sardinia to La Calle—across the Mediterranean, stone by stone, like a child jumps over a creek."<sup>156</sup> Lavigne hoped, in other words, that France, as the New Rome, could finally rebuild its empire through the creation of a modern, expanding *mare nostrum* in the western Mediterranean.

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<sup>154</sup> Lavigne, *L'annexion de la Sardaigne*, 15.

<sup>155</sup> Lavigne, *L'annexion de la Sardaigne*, 17, 24.

<sup>156</sup> Lavigne, *L'annexion de la Sardaigne*, 26-7.

#### IV. Conclusion

The concerted attempts of French military officers, imperial administrators, and individual explorers to examine the Roman legacy and resurrect a modern version of the Roman Empire in North Africa left an indelible mark on French Algeria, inflected the expansion of the French Empire in Tunisia and Morocco, and helped reframe France's cultural mission and geopolitical position in the global arena. Initially, the study of Roman ruins provided practical military solutions and, as a result, French administrators funded an extended and expensive scientific commission with little hesitation. The centrality of the Roman past in the commission's work in turn led to an extension of the imperial gaze in all directions where the Roman presence could be attested: Tunisia, Morocco, and parts of the Sahara. The voluminous scientific corpus produced by the commission further encouraged imperial strategists to imagine a more complete replication of the Roman precedent by adopting the idea of a *mare nostrum* as the heart of France's reimagined empire.

The acceleration of this ideological shift during the 1850s and the globalization of the Roman legacy during the 1860s began when French officers faced the limits of the Roman roadmap in the Sahara. The frustrations produced by their inability to extend France's influence in this region and connect its colonial possessions in Algeria and Senegal led officers such as Colomb to propose a more aggressive imperial approach, which relied on modern technologies and a reformulated civilizing mission now centered on the idea of global human progress and the attendant cultural and commercial renaissance of imperial subjects. Yet a stubborn obstacle stood in the way of this project: religious opposition, which had frustrated French empire-building in Italy, Egypt, and

northern Algeria during the preceding seven decades, reappeared as an almost-insurmountable barrier in the Sahara.<sup>157</sup> Imperial competition with Britain and Italy in North Africa made this problem even more pressing and, as a result, a general consensus emerged that only a fortification of the “Roman” bases of French imperialism—further expansion in Tunisia and, less pressingly, Morocco; continued attempts to gain control over the desert oases; and the prompt remolding of the western Mediterranean into a French *mare nostrum*—needed to be solidified if France were to regain the global standing that it had lost twice, after the Seven Years’ War in 1763 and the Napoleonic defeat in 1815.

This ideological momentum gave rise to a whole plethora of attempts to explore, transform, and modernize parts of North Africa, but few endeavors crystallized the intersection between the Roman logic that inflected French imperial plans after the 1860s and the view that the Mediterranean could solve multiple imperial problems like the plan to create an interior sea in the Sahara through the Gulf of Gabès in Tunisia. François Élie Roudaire, who had previously worked as a surveyor in Algeria during the 1860s, ardently

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<sup>157</sup> The religious problem persisted in the southern French stronghold of Laghouat. During the 1840s, French officers exploited tensions between the forces of the Emir and the Sufi order of *tijāniyya*. The *tijānī* leader accepted French rule and a colonial administrator was appointed in Ain Medhi. Under the influence of the *tijānī* leader, local notables sought to obtain positions of power by encouraging the spread of French influence to Laghouat. Guillaume-Stanislas Marey-Monge emphasized that a prophecy attributed to Al-Hājj ‘Īsā, and made in 1740, facilitated the French takeover of Laghouat because it declared the future arrival of Christian armies in Algeria as a divine plan and ordinance: Guillaume-Stanislas Marey-Monge, *Expédition de Laghouat, dirigée en mai et juin 1845* (Algiers: A. Bourget, 1846), 67-70. By the 1860s, however, a French cleric who resided in Laghouat, Charles Loyer, complained that religious opposition to French rule remained deeply entrenched in the region. He pointed out that in a key passage from the 1740 prophecy, which Monge had left out of his translation, ‘Īsā allegedly claimed that the Algerians would fight the invading Christian armies and eventually expel them from North Africa and chase them across the Mediterranean. As a result, in Loyer’s opinion, only a wholesale destruction of Islamic institutions in Laghouat and their replacement by Christian equivalents could stabilize French rule in the region: Charles Loyer, *Les Arabes et l’occupation restreinte en Algérie, par un ancien curé de Laghouat* (Paris: Challamel, 1866), 6, 50-60. On the role of Sufi brotherhoods in the Algerian south during this period, see Mouloud Haddad, “Les maîtres de l’Heure: soufisme et eschatologie en Algérie coloniale (1845-1901),” *Revue d’histoire du XIXe siècle* 41 (2010): 49-61.

defended this project and sought funding for it after an exploratory mission in 1874. While in Algeria, Roudaire had begun examining the *chotts* (from the Arabic *shatt*), or dry salt lakes that infrequently receive water, which he concluded were connected to one another and to the Mediterranean via Gabès in antiquity.<sup>158</sup> Using Arabic travelogues and studies of the Roman usage of the same *chotts*, Roudaire proposed to physically replicate the ancient geography by building a canal in Gabès, a project that mirrored Lesseps's Egyptian canal, and which he later personally supported.<sup>159</sup>

French officers received this proposal with a lot of enthusiasm because they believed that it would help them buttress the French presence in Tunisia, undermine British and Italian influence in the region, restore the famed ancient fertility of the Tell and parts of Sahara, and erect a “barrier against the barbarians”<sup>160</sup> who had been resisting French rule in the Sahara. Roudaire argued that after the application of his plan, Algeria “would really become a second France, separated from the mother-*patrie* only by a few hours of travel.”<sup>161</sup> In other words, only once the waters of the Mediterranean spilled over into the sands of the Sahara, physically reconstructing parts of the ancient geography,

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<sup>158</sup> Élie Roudaire, “Note sur les chotts situés au sud de Biskra,” *Bulletin de la Société de géographie* (March 1874): 297-300. On the interior sea project, see Jean-Louis Marçot, *Une mer au Sahara: mirages de la colonisation, Algérie et Tunisie, 1869-1887* (Paris: Différence, 2003). Also, see Napoléon Ney, “Les Relations de la France avec l’extrême sud de l’Algérie,” *Revue des Deux Mondes* 8 (1875): 617-632.

<sup>159</sup> Élie Roudaire, *La mer intérieure africaine* (Paris: Imprimerie de la société anonyme de publications périodiques, 1883), 3-11. A scientific expedition had been approved for Tunisia in 1883. It was led by Ernest Cosson, a botanist who had completed extensive exploratory voyages in Algeria between 1852 and 1880. As in Algeria, Roman archeology represented a focal point of interest during the exploration of Tunisia: see Charles Tissot, *Exploration scientifique de la Tunisie: géographie comparée de la province romaine d’Afrique*, 2 vols. (Paris: Imprimerie nationale, 1884-88). On the scientific exploration of Tunisia, see Clémentine Gutron, *L’archéologie en Tunisie (XIX<sup>e</sup>-XX<sup>e</sup> siècles): jeux généalogiques sur l’Antiquité* (Paris: Karthala, 2010); Pierre F. Burolet, “L’exploration de la Tunisie avant la première guerre mondiale,” *Travaux du Comité français d’Histoire de la Géologie, COFRHIGEO* 9 (1995): 111-122.

<sup>160</sup> Roudaire, *La mer intérieure africaine*, 32, 76-7.

<sup>161</sup> Roudaire, *La mer intérieure africaine*, 95.

could France obtain a stable imperial realm in North Africa. The Roman legacy and the modern *mare nostrum* would thus be joined in order to finally remold the dream of a French Mediterranean Empire into a reality. But as costs for this project mounted and French politicians gradually abandoned Roudaire's plan, it was again to French officers in Algeria and Tunisia that fell the equally Herculean task of overcoming the seemingly incessant religious rebellions and revolts against French rule during the following decades.

## Conclusion

The dream of a Mediterranean Union has receded into the background since the beginning of the Arab Spring in Tunisia in 2010, which led to the 2011 French participation in the NATO intervention in Libya and a large influx of Syrian refugees into Europe. Instead of seeing the Mediterranean as a civilizational bloc that could be transformed into a political bloc on the model of the European Union, François Hollande, who succeeded Sarkozy as the president of France in May 2012, has worked to strengthen Franco-German relations, while considering the basin largely through the lens of security.<sup>1</sup> Moving away from Sarkozy's strong civilizational vision of the Mediterranean, Hollande opted for a softer approach that focuses on individual initiatives related to common environmental, agricultural, and energy interests, an approach he called a "*Méditerranée de projets*."<sup>2</sup> It seems, therefore, that both the colonial and post-colonial French Mediterranean visions had run their full course and have been reduced to a "*politique méditerranéenne*," which aims to spread France's soft power through a series of fragmented projects.<sup>3</sup>

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<sup>1</sup> Frédéric Lemaître, "Le tandem franco-allemand a repris du service," *Le Monde*, 31 May 2013, p. 3. Hollande has authorized a military intervention in northern Mali in 2012 in order to rout the Islamist forces that threatened to take over the former French colony and destabilize North Africa: Nathalie Guibert, "L'armée française reste en première ligne au Mali," *Le Monde*, 29 October 2013, p. 2; "Le pari de François Hollande lors de l'opération 'Serval,'" *Le Monde*, 31 October 2013, p. 3.

<sup>2</sup> François Hollande, "Discours de M. le Président de la République," XXème Conférence des Ambassadeurs, Palais de l'Élysée, 27 August 2012, accessed May 8, 2016, <http://www.elysee.fr/declarations/article/discours-du-president-de-la-republique-a-l-occasion-de-la-xxeme-conferences-des-ambassadeurs>. Despite the shift in strategy and the prevalent instability in large parts of the southern Mediterranean, Sarkozy insisted, during a visit in Tunisia in 2015, that the framework of the Mediterranean Union could be used successfully to address the multiple challenges in the region: Matthieu Goar and David Revault d'Allonnes, "Sarkozy, une contre-diplomatie très politique," *Le Monde*, 23 July 2015, p. 6.

<sup>3</sup> For instance, the *Plan d'action pour la Méditerranée* (<http://www.unepmap.org>) and the *Centre International des Hautes Etudes Agronomiques Méditerranéennes* ([www.ciheam.org](http://www.ciheam.org)) represent

Yet traces of the French Mediterranean Empire remain visible around the basin. Some amount to a faint echo: they retain a tenuous imprint on street signs in Alexandria, the architecture of Beirut, and they can be detected in the small population of *pieds-noirs* who remained in Algeria after 1962, as well as the ubiquitous mention of Napoleonic invasions in travel brochures from Dubrovnik to Granada. Other traces are more significant: millions of North Africans continue to speak French, millions of them had moved to France after decolonization, parts of southern France conquered by the revolutionary army remain French territories, and all major states around the basin, with the exception of Morocco, have a republican system of government.<sup>4</sup> The French Mediterranean Empire had thus left an indelible mark on the contemporary basin.

This work has traced the ideological origins of France's Mediterranean imperial project, which transformed the old order in the basin between 1789 and 1870. More specifically, I have uncovered the Roman genealogy of this ideology, out of which emerged the idea of resurrecting the Roman *mare nostrum* and replicating the Roman civilizing mission in the basin. The establishment of a French Republic in 1789 revived the Roman legacy, whose civilizational mission and dominance over the Mediterranean was grafted onto the French imperial model in the basin. The convergence of the French and Roman models in turn transformed both the French Empire and the Mediterranean political and cultural space. This Roman vision emerged forcefully during the

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environmental and agricultural initiatives. For more on the Mediterranean policies, see Jean-Robert Henry and Gérard Groc, eds., *Politiques méditerranéennes entre logiques étatiques et espace civil. Une réflexion franco-allemande* (Paris: Karthala-IREMAM, 2000); Vincent Labouret, "Politique méditerranéenne de la France," *Politique étrangère* 36, no. 5 (1971): 489-499.

<sup>4</sup> The Moroccan king accepted a series of democratic constitutional reforms in the context of the Arab Spring in 2011: Isabelle Mandraud, "Maroc: référendum sur la nouvelle Constitution," *Le Monde*, 19 June 2011, 4.



Revolutionary and Napoleonic Wars; it then underwent a transformation that saw it scaled down to the idea of “civilizing” the legal system in the basin during the Restoration; and it finally reemerged as a political, military, and cultural roadmap in Algeria between 1830 and 1870.

This study has focused on the religious and legal dimensions of this imperial project and it has highlighted the importance of indigenous reactions in the development of the French Mediterranean Empire. Local resistance to French rule and the resulting persistence of pre-revolutionary systems of thought slowed down—and at times reversed—the ideological transformation of the basin between 1789 and 1870. In other words, indigenous populations’ reactions to French rule and their willingness and unwillingness to accept, to assimilate, or to tolerate the presence of French troops ultimately determined the fate of the French Mediterranean Empire.

I have highlighted two ideological threads that framed the contested nature of the French Mediterranean project: the religious shift from the prevalent theology of resistance in Egypt and Italy before 1815 to the theology of collaboration in Algeria after 1830, as well as the legal shift from a basin plagued by piracy to the imposition of a post-revolutionary legal order through the policy of consular imperialism between the 1790s and 1820s. The implementation of the Mediterranean strategy faltered in Egypt and Italy to a significant extent due to the conservative religious reactions that the French offices confronted. Islam and Catholicism did not necessarily represent monolithic, insurmountable obstacles to French rule because prominent clerics on both sides of the Mediterranean interpreted French victories as signs of divine judgement that true believers ought to accept. Although a number of Egyptian and Italian clerics adopted this

theological position, they nonetheless remained attached to a wider conservative position that rejected the possibility of a fuller legitimization of French rule. Their reactions thus both stabilized and frustrated French rule, and their conservatism could not be used to counter the more prevalent theology of resistance embraced by the Egyptian and Italian masses.

The presence of centralized clerical centers exacerbated these ideological tensions by impeding the spread of less numerous clerical groups whose positions leaned toward a theology of collaboration. In Algeria, however, the clerical establishment lacked the authority and centralization of its Italian and Egyptian counterparts. This facilitated the emergence of the theology of collaboration among indigenous groups who believed that the French invasion amounted to a divine intervention, and that the French system of government closely reflected the ideal of justice found in the Islamic scriptures. Moreover, the fragmented political landscape facilitated the spread of this theology, which had become deeply entrenched along the Algerian coast and in parts of the interior by the 1850s.

It is unlikely that the shift from the theology of resistance to the theology of collaboration would have taken place without the emergence of consular imperialism. As a policy adopted by the first republican consul in Algeria, this approach represented the legal dimension of the Roman civilizing mission that French officers sought to replicate—Rome had eradicated piracy in the basin through empire and law, and France sought to do the same in regards to North African piracy.<sup>5</sup> While the implementation of

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<sup>5</sup> On piracy during the Roman period, see Christopher J. Fuhrmann, *Policing the Roman Empire: Soldiers, Administration, and Public Order* (Oxford: Oxford University Press, 2012), 18, 23, 95, 102, 112, 156; Andrew Pearson, “Piracy in Late Roman Britain: A Perspective from the Viking Age,” *Britannia* 37

the Mediterranean strategy faltered in Egypt in Italy due to the persistence of conservative religious positions and strong clerical establishments, Charles Dubois-Thainville succeeded in convincing—through repetitive threats of invasion—a series of Algerian deys to accept new legal norms that severely restricted the system of piracy on which the Regency depended economically. Pierre Deval’s amplification of this strategy after 1815 and claims of French territorial strategy in part of coastal Algeria ultimately led to a beylical revolt against the new legal system and an aggressive expansion of piracy in the basin in 1826, to which the French government reacted by implementing the plan of conquest championed by both Thainville and Deval.

However, consular imperialism offered a plan of conquest without providing a clear roadmap for colonial rule. As a result, widespread doubts about the possibility of retaining the new colony persisted after 1830 and only the string of French military victories over the following two decades settled this question and led to the integration of Algeria as an integral part of France in 1848. These victories, and the “pacification” to which they led, owed much to the emergence of the theology of collaboration, which offered an abundance of French allies who both actively fought for France and legitimized French rule. Without consular imperialism, therefore, it is unlikely that a French invasion of Algiers would have taken place, and without the emergence of the theology of collaboration, French rule would have likely been more short lived, or at best more tenuous, and thus more unviable, costly, and politically dangerous.

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(2006): 337-353; Philip de Souza, *Piracy in the Graeco-Roman World* (Cambridge: Cambridge University Press, 1999); Henry A. Ormerod, *Piracy in the Ancient World: An Essay in Mediterranean History* (Liverpool: University of Liverpool Press, 1924; Baltimore: Johns Hopkins University Press, 1997). Also, see Lauren Benton, “Legal Spaces of Empire: Piracy and the Origins of Ocean Regionalism,” *Comparative Studies in Society and History* 47, no. 4 (2005): 700-724.

The rise of consular imperialism and the Algerian theology of collaboration also represent pivotal developments in the broader unfolding of France's Roman vision. The spread of the theology of collaboration in Algeria occurred in tandem with French scientific missions, whose goal consisted of recovering the Roman past. French officers used the Roman legacy to legitimize their attempts to "re-civilize" Algeria and return it to its ancient splendor. Moreover, French officers, administrators, and explorers gradually extended the Roman logic and increasingly argued for further expansion along the Roman roadmap across North Africa and called for a more concerted effort to project French power across the Mediterranean.

The reaching of the limit of Roman ruins in the Algerian desert later led to calls to move away from the more limited Roman vision of a French Empire *in* the Mediterranean and to reframe it as an entity whose influence radiates globally *out* of the Mediterranean base. The Roman civilizing mission that was first grafted onto French imperialism after 1789 became globalized concurrently with this shift in the Mediterranean strategy: the previously Mediterranean-centered cultural *latinité* provided the basis for the global civilizing mission through which the Third Republic worked to spread the ideals of international civilizational progress and the attendant economic *mise en valeur* across its resurgent empire. By 1870, therefore, the Mediterranean strategy had become internationalized both in terms of how it restructured France's global strategy and the cultural mission of its imperial endeavor. More broadly, then, the French Mediterranean Empire offered the strategic and ideological bridge between the eighteenth-century French Atlantic and the global empire of the Third Republic.

The centrality of indigenous clerical reactions in this development points to the religious roots of French imperial ideology. Prior to implementing the “civilizing” project by convincing imperial subjects that they ought to accept a new political system, language, and culture, French officers needed to convince the indigenous population that French rule was legitimate. And it was in the Islamic and Catholic scriptures that the keys of legitimacy resided. The theology of collaboration continued to frame the imperial civilizing mission because it had to accompany the whole process of cultural transformation. For instance, Algerian Muslims who wished to obtain French citizenship had to renounce their personal status under Islamic law, but they remained Muslims and any return to the theology of resistance would have halted the process of assimilation.<sup>6</sup> Conversely, more robust versions of the theology of collaboration had the potential to catalyze the civilizing project by rooting the political, cultural, and economic changes in local religious thought. Although the existing studies on the civilizing mission tend to focus on the French perspective and examine indigenous religions as obstacles, therefore, my argument has shifted the focus toward the indigenous perspective and it has shown that religion also provided an opening and a stepping stone for the imperial cultural project.

Although I have depicted an overall progression from the theology of resistance in Egypt and Italy to the theology of collaboration in Algeria, I do not propose a teleological view of this process. In many ways, the challenges that hampered the French imperial

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<sup>6</sup> On French citizenship and Algerian Muslims, see Patrick Weil, “Histoire et mémoire des discriminations en matière de nationalité française,” *Vingtième Siècle. Revue d’histoire* 84 (2004): 5-22; Louis-Augustin Barrière, *Le statut personnel des musulmans d’Algérie de 1834 à 1962* (Dijon: Editions universitaires de Dijon, 1993); Albert Hugues, *La nationalité française chez les Musulmans de l’Algérie* (Paris: A. Chevalier-Marescq, 1899).

project in the 1870s closely resembled those of the 1790s. During the late-nineteenth century, the leaders of the theology of resistance in the Algerian desert looked at their French opponents much like al-Jabartī and Gustà did during the late-eighteenth century. Religious opposition to French rule never completely disappeared after 1830, but indigenous religious legitimization of elements of French rule was equally not completely absent before 1830.

This work has emphasized the ways in which the shifting balance between the theologies of resistance and collaboration framed the emergence of the French Mediterranean Empire. The combination of more centralized Egyptian and Italian clerical centers with the prevalent conservative stance within them tipped the balance in favor of positions that remained broadly anchored in a theology of resistance. Before the 1801 concordat, the majority of Italian clerics adopted a more stringent conservatism than their Egyptian counterparts because the latter adopted a theological interpretation of the French conquest as a divine intervention and they anticipated that Napoleon could take on the role of the Qur'ānic Saul in the event of a massive conversion of French troops to Islam. In Algeria, however, the fragmented clerical establishment provided a fertile ground for the rise of theological positions that mirrored and at times extended those of the Egyptian *diwān*: local notables and religious leaders described the French invasion as an act of the divine will and they accepted the legitimacy of French rule without the requirement of conversion to Islam. This ushered in a deep political division in Algerian society as the French allies coalesced into a pro-French camp that fought those who continued to embrace the theology of resistance. The latter suffered a humiliating defeat after the surrender of 'Abd al-Qādir in 1847, but new religious leaders continued to

emerge in the Algerian interior and south over the following decades, and to some extent the influence of this ideological current could be connected to the emergence of a more concerted opposition to French rule in the context of the Algerian War during the 1950s and 1960s, as well as the Algerian civil war during the 1990s, when religious ideas with roots in the theology of resistance played a crucial role.<sup>7</sup>

In addition to shaping the French Mediterranean Empire, the theology of collaboration continues to have an echo in debates over the formation of French Islam, and more generally the role of religion in modern France. The stringent Catholic conservatism of Gustà and Marchetti had undergone a process of marginalization throughout the nineteenth and early-twentieth centuries, while the small pockets of the traditionalist movement that have persisted in France since the Second Vatican Council are generally not seen as a threat to the established political order in France.<sup>8</sup> Islam, on the other hand, represents one of the most controversial and debated themes in modern French politics.<sup>9</sup> The contested quest for a French Islam parallels the quest for a French

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<sup>7</sup> See Al-Ṭāhir Saʿūd, *Al-Ḥarakāt al-Islāmīyah fī al-Jazāʿir: al-Judhūr al-Tārīkhīyya wa-l-Fikrīyya* (Dubai: Markaz al-Misbār li-l-Dirāsāt wa-l-Buḥūth, 2012); Jūrj al-Rāsī, *Al-Dīn wa-l-Dawlah fī al-Jazāʿir: Min al-Amīr ʿAbd al-Qādir—ilā ʿAbd al-Qādir* (Algiers: Dār al-Qaṣabah li-l-Nashr, 2008); Benjamin Stora, *La guerre invisible: Algérie, années 90* (Paris: Presses de Sciences Po, 2001); Luis Martinez, *La guerre civile en Algérie: 1990-1998* (Paris: Karthala, 1998); Joseph Jurt, ed., *Algérie-France-Islam: actes du colloque organisé par le Centre français de l'Université de Fribourg en Br. le 27 et 28 octobre 1995* (Paris: Editions L'Harmattan, 1997).

<sup>8</sup> On Catholic traditionalism in France, see Luc Chatel, *Civitas & les nouveaux fous de Dieu* (Paris: Temps présent, 2014); Rémy Langeux and Matthieu Maye, *Voyage au coeur d'une France fasciste et catholique intégriste* (Paris: Recherche midi, 2013); François Biju-Duval, *Les traditionalistes face à la tradition* (Paris: Pierre Téqui, 1999).

<sup>9</sup> For instance, Michel Houellebecq, a prominent French writer, published a novel in which he imagined the electoral victory of an Islamist political party in France: *Soumission* (Paris: Flammarion, 2015). Similarly, Boualem Sansal imagined an Islamist dystopia in *2084: la fin du monde* (Paris: Gallimard, 2015). Both novels received extensive coverage in the French media. On French Islam, see Rachid Benzine and Christian Delorme, *La République, l'Église et l'Islam: une révolution française* (Montrouge: Bayard, 2016); Malik Bezouh, *France-islam: le choc des préjugés: notre histoire, des croisades à nos jours* (Paris:

imperial Islam to a surprising extent. Some French politicians and thinkers see Islam as a serious threat to the French Republic because they believe that its spread in tandem with the growth of France's Muslim population could one day lead to a partial or complete reversal of the secular system.<sup>10</sup> A minority of French politicians and thinkers do not consider that Islam could be reconciled with democracy, while the majority call for the creation of a French Islam that would accomplish this goal. What the latter groups seeks, then, is an Islamic theology of democratic participation and the infusion of a French national ideal at the heart of that theology. The imperial debate about the societal role of Islam had thus been transferred from the colonial to the post-colonial, metropolitan terrain. Put differently, the project of creating a French Islam during the first French Republic resembles the parallel project that is unfolding under the fifth French republic.

By tracing the rise of the French Empire in Egypt, Italy, and Algeria, my argument has pointed to the fruitfulness of analyzing the Mediterranean strategy across traditional historiographical and geographic divisions, an approach that could be extended to other territories and periods. For instance, an examination of the religious question in the Illyrian Provinces, parts of French Greece, and Spain during the Napoleonic period, as well as in Tunisia after 1881 and Morocco after 1912 could shed further light on the interplay between theologies that undermined and facilitated French rule. Similarly, a larger study of the role of consular imperialism in major cities around the Mediterranean within the French, British, and Italian Empires has the potential to

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Plon, 2015); John R. Bowen, *Can Islam be French?: Pluralism and Pragmatism in a Secularist State* (Princeton: Princeton University Press, 2010).

<sup>10</sup> Abel Mestre and Caroline Monnot, "Du Bloc identitaire au FN, l'extrême droite française se concentre sur la peur de l'islam," *Le Monde*, 2 December 2009, p. 9. On Islam in French politics, see Vincent Geisser and Aziz Zemouri, *Marianne et Allah: les politiques français face à la "question musulmane"* (Paris: Découverte, 2007).



uncover the political, legal, and economic factors that shaped the modern Mediterranean. Taken together, such an expanded vision could also be used to examine the competing appropriations of the Roman imperial heritage by the French and Italian Empires in the basin.<sup>11</sup> As I have shown, the Rome-inspired imperial ideology that emerged out of the 1789 Revolution did not amount to a temporary disturbance—akin to a wave created by a rock thrown into the sea—but rather a profound political, religious, and cultural transformation that represented a tectonic shift. This shift had realigned the Mediterranean away from the old order and reoriented it toward a new future, which continues to unfold and in which France continues to seek the role of a cultural torchbearer.

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<sup>11</sup> On Benito Mussolini's Roman vision, see Aristotle Kallis, "'Framing' Romanità: The Celebrations for the Bimillenario Augusteo and the Augusteo—Ara Pacis Project," *Journal of Contemporary History* 46, no. 4 (2011): 809-831; Jan Nelis, "Constructing Fascist Identity: Benito Mussolini and the Myth of 'Romanità,'" *Classical World* 100, no. 4 (2007): 391-415; Denis Mack Smith, *Mussolini's Roman Empire* (New York: Longman, 1976); Kenneth Scott, "Mussolini and the Roman Empire," *Classical Journal* 27, no. 9 (1932): 645-657.

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